

# GOVERNMENT INCHES CLOSER TO ADMITTING IT HASN'T SOLVED ANTHRAX ATTACK

As a number of you have noted, ProPublica is out with a story on yet more evidence why Bruce Ivins was probably not the anthrax killer. Here's the deposition they cite in their story; his former colleague Patricia Worsham described how USAMRIID didn't have the facilities to dry the anthrax used in the attack, and certainly not the quantities that were used in the attack.

I think I summarized it before to a certain extent, in that I don't believe that we had facilities at USAMRIID to make that kind of preparation. It would have taken a great deal of time; it would have taken a huge number of cultures; it would have taken a lot of resources that would have been obvious to other people within containment when they wanted to use those resources.

We did not have anything in containment suitable for drying down anything, much less a quantity of spores. The lyophilizer that was part of our division was in noncontainment. If someone had used that to dry down that preparation, I would have expected that area to be very, very contaminated, and we had nonimmunized personnel in that the area, and I might have expected some of them to become ill.

Just as interesting is the argument the lawyers for Maureen Stevens—Bob Stevens' wife—made when withdrawing their earlier stipulation that Bruce Ivins was the killer. They cite two former supervisors of Ivins, William Russell Byrne and Gerard Andrews, explaining why they thought

Ivins couldn't have made the anthrax used in the attacks.

Byrne argued that, had Ivins used the lypholizer to dry the anthrax, it would have left evidence.

He reiterated that if the laboratory's equipment (lypholizer) had been used to lypholize that powder, you would have been able to find evidence of it pretty easily (76/23). The powder would have gotten everywhere insider the lypholizer.

And Andrews explained that the volume the equipment in Ivins' lab was insufficient to make the amount of spores used in the attack.

Dr. Andrews stated: "No, I don't believe he had the equipment, in my opinion." He said that the equipment in BSL3 had limitations in that the lypholizer was a low-volume lypholizer that could handle maybe up to 50 mils at a time in separate small tubes. He opined "where would he do it without creating any sort of contamination is beyond me, but it has been speculated that the lypholizer may have been moved into a Class 2 Biological Safety Cabinet to prevent spores from flying everywhere. I would think the physical size of the lypholizer would be difficult to get the entire, or the speed vac to get the entire apparatus under the hood. It might be possible to get the apparatus under the hood; however, there would be contamination of it inside the hood if that was the case.

Byrne and Andrews also address Ivins' training—that is, lack of training on weaponizing anthrax.

Right now, to try to salvage this suit, the government is arguing that the plaintiffs have no evidence of anyone else making the anthrax,

but that since Ivins' supervisors didn't think he had the capability to make the anthrax, the government can't be held liable for the anthrax that killed Bob Stevens.

But along the way, evidence like this—as well as further evidence that Ivins didn't have sole control of the anthrax—is making it more and more clear that the government hasn't solved this case.