

ANTHRAX AND BLAGO FOR BREAKFAST

I forgot to mention this yesterday. But I'm going fishing this weekend, and you're going to be blessed with the fine hospitality of bmaz and the likker cabinet until sometime Monday.

But while I'm sneaking my last Toobz fix in before Mr. EW wakes up and makes me put away the computer for the weekend, I wanted to point to two things.

First, Glenn links to two articles on the testimony of Henry Heine's testimony before the scientific review of the Amerithrax case. I'm hoping Jim White will have a post up talking about the scientific side of these articles (the short version: Heine raised the same points that Jim has been raising for some time). But I wanted to point to this, from the second article.

After the committee left, Heine expressed frustration that he had already told the FBI everything he just presented, but that no one had listened to him. FBI agents he dealt with were professional, he said, but some officials at the Department of Justice were extremely arrogant.

He said the whole investigation was filled with lies. Officials told different USAMRIID researchers their co-workers accused them of committing the attacks, just to see their reaction. They searched his vacation house and car without warrants.

They misled him about the questions they would ask him in front of a grand jury. And they tried to get him to seek a restraining order against Ivins, only days before he committed suicide, by saying Ivins had threatened to kill Heine during a group therapy session.

Heine is not the only one who does not believe Ivins was the real killer.

"At least among my closest colleagues, nobody believes Bruce did this," he said. He thinks the FBI went after Ivins because "personality-wise, he was the weakest link."

Remember how one piece of evidence the FBI used to argue that Bruce Ivins was a killer was the purported death threat he made? Eventually, they got his therapist to report on it. But it turns out the purported death threat was against Heine—and the Government asked him, but he refused, to get a restraining order against Ivins. That, plus Heine's comment about the FBI believing Ivins was "the weakest link," suggests that Heine really believes they pushed Ivins at a time when he was losing it psychologically.

In any case, the guy they wanted to use to buttress their case that Ivins was dangerous is now out there arguing that he could not be the killer.

Then there's the news that Patrick Fitzgerald's office made an [correction: Fitz's team didn't release this; Blago's did. Which suggests the faulty redactions likely weren't a mistake at all] ~~uncharacteristic mistake~~ in releasing a key filing with reversible redactions in the Rod Blagojevich case. Blago is using them to try to subpoena Obama to testify, among other things by noting that Obama had a conversation with Blago on December 1, 2008.

President-elect Obama also spoke to Governor Blagojevich on December 1, 2008 in Philadelphia. On Harris Cell Phone Call # 139, John Harris and Governor's legal counsel discuss a conversation Blagojevich had with President-elect Obama. The government claims a conspiracy existed from October 22, 2008 continuing through December 9, 2008.⁶ That conversation is relevant to the

defense of the government's theory of an ongoing conspiracy. Only Rod Blagojevich and President Obama can testify to the contents of that conversation.

I've noted in the past that when asked about contacts with Blago, Obama only ever said he didn't talk to Blago about this subject—his replacement.

More interesting, though, are details about discussions Tom Balanoff and (presumably) Andy Stern had about helping Valerie Jarrett get Obama's Senate seat. It has always been clear that when Balanoff spoke to Blago about the seat, he was representing Jarrett's interests—this is one of the things the Obama report on their contacts obscured by starting their chronology with contacts with Blago, rather than showing what went on before those contacts (which was the fine work of Greg Craig—some thanks they gave him!!).

None of this seems to threaten Fitz's case. But it will make for some embarrassing headlines for the Obama Administration.

Have fun with them—because I'm going to be off grid walking in the mountains somewhere. Have a nice weekend!!