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Bush Torture Memo Approved Use of Insects

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The Bush Administration approved the use of "insects placed in a confinement box" during the interrogation of top Al Qaeda official Abu Zubaydah, according to a 2002 document that President Obama declassified for release Thursday.

The legal memorandum for the CIA, prepared by Assistant Attorney General Jay Bybee, reviewed 10 enhanced techniques for interrogating Zubaydah, and determined that none of them constituted torture under U.S. criminal law. The techniques were: attention grasp, walling (hitting a detainee against a flexible wall), facial hold, facial slap, cramped confinement, wall standing, stress positions, sleep deprivation, insects placed in a confinement box, and waterboarding. ([View pictures of life inside Guantanamo.](#))

The CIA desire to use insects during interrogations has not previously been disclosed, according to two civil liberties experts contacted by TIME. The Bybee memorandum, which was written on August 1, 2002, described the CIA's plans for using insects this way:

"You [the CIA] would like to place Zubaydah in a cramped confinement box with an insect. You have informed us [the Department of Justice] that he appears to have a fear of insects. In particular, you would like to tell Zubaydah that you intend to place a stinging insect into the

box with him. You would, however, place a harmless insect in the box. You have orally informed us that you would in fact place a harmless insect such as a catapiller in the box with him."

An additional sentence at the end of this paragraph is redacted in the copy made public Thursday. Later in the same memo, Bybee concludes that "an individual placed in a box, even an individual with a fear of insects, would not reasonably feel threatened with severe physical pain or suffering if a caterpillar was placed in the box." Bybee adds, however, that the interrogators should not tell Zubaydah that the insect sting "would produce death or severe pain."

The insect interrogation technique, as it turned out, was never used by the CIA, according to a second declassified memo released Thursday. "We understand that — for reasons unrelated to any concerns that it might violate the [criminal] statute — the CIA never used the technique and has removed it from the list of authorized interrogation techniques," wrote Steven Bradbury, a principal deputy assistant attorney general, in the footnote to a on May 10, 2005 document. Former Vice President Dick Cheney has admitted that U.S. interrogators used waterboarding on three detainees, including Zubaydah.

The Bybee legal guidance is no longer in effect. Under an executive order President Obama signed during his first week in office, all CIA interrogators must now follow the rules laid out in the Army Field Manual.