

~~TOP SECRET~~ [REDACTED]

~~NOFORN~~ / ~~MR~~

[REDACTED]

[REDACTED]

12/03/2007 09:12 AM

Subject Re: Fw: Potential Statement-Videotapes Story [REDACTED]

[REDACTED]

First, and most obvious, Jay Bybee's 1 Aug 2002 memo to John Rizzo stated, in part, "Moreover, you have also orally informed us that although some of these techniques may be used with more than once, that repetition will not be substantial because the techniques generally lose their effectiveness after several repetitions." (p. 2) and again, "You have indicated that these acts will not be used with substantial repetition, so that there is no possibility that severe physical pain could arise from such repetition." (p. 11). The OIG review determined that Abu Zubaydah was subjected to [REDACTED] waterboard sessions, consisting of at least 83 separate exposures [REDACTED] assured us that he gave regular updates to DoJ (i.e., John Yoo [REDACTED] at OLC) during this time frame, and DoJ was aware of the real numbers, but we were never able to verify this with DoJ, as INV management at the time elected not to interview witnesses outside the building. In addition to the disparity in numbers, the method of water application as recorded on the tapes was at odds with the Bybee opinion.

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