

The Last War Crime

Written by

The Pen

[Rev. 5]

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FADE IN ON:

EXT. SKY - MORNING

Shot of beautiful blue expanse filled with fluffy bright white clouds, which change slowly in shape by gentle stop action. We hear a disembodied voice, with enough pause between passages (and tonal difference between them) to suggest they were spoken at different times.

GEORGE W. BUSH (V.O.)

Now, there are some who would like to rewrite history, revisionist historians is what I like to call them.

GEORGE W. BUSH (V.O.)

The true history of my administration will be written 50 years from now, and you and I will not be around to see it.

GEORGE W. BUSH (V.O.)

History. We don't know. We'll all be dead.

A distant speck of an airplane moves into the lower corner of our view, rapidly getting larger as it flies towards us, and as the sound of its jet engines grows louder. It is an American Airlines 767, Flight 11. The plane hesitates slightly in its forward motion as it fills the screen and then accelerates again roaring past us out of the screen.

INT. FAA AIR TRAFFIC CONTROL CENTER [8:13 AM]

In a brightly lit underground bunker an air traffic controller, wearing a phone operator's headset, sits in front of a console dominated by a large high tech graphic radar display, flanked on both sides by other computer screens. The positions of planes are displayed along with numbers indicating their altitude and transponder numbers.

AIR TRAFFIC CONTROLLER

AAL 11 turn 20 degrees right.

PILOT (V.O.)

20 right AAL 11.

AIR TRAFFIC CONTROLLER

AAL 11 now climb maintain FL350 . . . (No response)
. . . AAL 11 climb maintain 35,000 feet . . . (Still
no response) . . . American Airlines 11, how do you

read?

INT. WHITE HOUSE OFFICE OF THE VICE PRESIDENT

The Vice President at his desk speaking to David Addington, his legal counsel, seated in front of him, along with Scooter Libby, nodding, a man-size safe overshadowing them from the side.

DICK CHENEY

So we're going to have to assert ourselves in the Iraq situation sooner or later.

(Twists up the corner of his mouth
with a slight humorous smirk)

Sooner . . . if we have the opportunity.

DAVID ADDINGTON

Opportunities come to those who create them.

DICK CHENEY

The thing that's always puzzled me is how OUR oil got under their sand.

They all smile.

INT. FANCY HOTEL DINING ROOM

The CIA director is sitting over a sumptuous breakfast, speaking across the table to his companion. As he speaks he animates with his hands.

GEORGE TENET

They're coming. I can't say exactly when, I just know they're coming here and soon. The system is blinking red. Intelligence intercepts, warnings from other countries, it could not get any more urgent.

INT. FAA AIR TRAFFIC CONTROL CENTER [8:20 AM]

AIR TRAFFIC CONTROLLER

American, one, one, if you hear Boston center, ident please or acknowledge.

SUPERVISOR

(walking over)

What's up?

AIR TRAFFIC CONTROLLER

American 11 has turned off their transponder . . .
trying the emergency frequency too. Still no radio.

HIJACKER (V.O.)

We have some planes. Just stay quiet, and you'll be
O.K. We are returning to the airport.

AIR TRAFFIC CONTROLLER

And, uh, who's trying to call me here? AAL 11?
(aside to the Supervisor)
Sounds like a hijacking.

SUPERVISOR

(picking up a red phone on console)
We better alert NORAD immediately.

AIR TRAFFIC CONTROLLER

And they just took a sharp left turn, headed for New
York City.

INT. WHITE HOUSE HALLWAY

Condoleezza Rice, smartly and stylishly dressed from head to
toe as always, is walking past a full length mirror. She
pauses for second to look herself up and down and admire the
way she looks.

INT. NORAD COMMAND CENTER

The NORAD command center is filled with large black screens
with neon green text and graphics. Individual workstations
with their own brightly colored displays are as if spot lit,
separated by more shadowed areas.

SENIOR TECHNICIAN

(in green drab uniform, on phone,
blase,)
It's probably just part of the readiness exercise
going on today . . . OK, OK, maybe we ought to get
some fighters scrambled.
(starts waving his hand in the air
for someone else to come over)

INT. AIRPLANE [8:21 AM]

An Asian stewardess (Betty Ong) crouches behind a seat near the rear of the plane, using the AirFone from the seat back.

FLIGHT ATTENDANT

(excited, breathless)

Two flight attendants have been stabbed, one is on oxygen. They have tear gas or something.

(her eyes are burning and she is having trouble breathing)

A passenger had his throat slashed in first class, he looks dead, and they're in the cockpit.

INT. SCHOOL CLASSROOM

A teacher stands up in front of a wall of posters and drawings. There is an empty plastic chair to her left waiting for their illustrious guest.

SCHOOL TEACHER

(exaggerates to make it sound like something real big)

Alright class, we have the President of the United States coming to see how well you're doing learning to read.

(more mechanical sounding now)

So let's all practice one more time. Everybody put your fingers under the title . . . ready . . .

EXT. LIMOUSINE IN FRONT OF RESORT HOTEL

The president is about to get into his black limousine, with two small American flags sticking up from the front fenders. Karl Rove stands there as they open the door for him.

GEORGE W. BUSH

How did you ever book me for this one, Karl . . . reading with 2nd graders?

KARL ROVE

Their parents are all voters, sir.

Bush rolls his eyes and gives Rove an aggravated look.

INT. NORAD COMMAND CENTER BATTLE CAB

A female Lt. Colonel runs up a short flight of stairs into a glassed in office overlooking the

floor, like a low slung balcony.

LT. COLONEL

(breathless)

There's been a hijacking!

COMMANDER

Is this just part of Vigilant Guardian drill this week?

LT. COLONEL

Seriously, this is no kidding for real.

COMMANDER

Hell . . .

(picking up his telephone)

Get me Otis Air Force Base, fast, we need some planes in the air, for real.

INT. AIRPLANE COCKPIT

Five hijackers, two in the pilot seats, are crowded together in the cockpit, looking out the front windows as the Manhattan skyline rushes towards them and by them. They are singing together a capella in unison.

HIJACKERS

Alahu Akbar! Alahu Akbar!

INT. AIRPLANE

Still in the back of the plane the flight attendant continues reporting their status.

RESERVATIONS AGENT (V.O.)

Can you recognize where you are?

FLIGHT ATTENDANT

I see the water. I see the buildings. I see buildings . . . Oh, my God!"

EXT. STREET - MANHATTAN [8:46 AM]

A man and a woman stand in the street in front of a sleek office building next to the World Trade Center. We hear the sound of jet engines approaching like a freight train as they look up.

MAN

That plane sounds awfully loud.

WOMAN

(alarmed)

Why is it flying so low?

MAN

(shouting)

Look out, it's going to hit the building!

Looking up at an extreme angle at the pristine twin towers gleaming in the morning light, a plane suddenly flies in from the side, exploding out all sides of the north tower around the 96th floor, spewing huge chunks of debris, thick billows of light tan smoke and an orange fireball. We hear panicked screams and people running in the street below.

INT. FANCY HOTEL DINING ROOM

An aide approaches Tenet with a cell phone open and hands it to him.

AIDE

(grimly)

The World Trade Center has been attacked by an airplane.

GEORGE TENET

(phone to ear, listens for a second)

So they put the plane into the building itself?

(extreme closeup of face then zooming in to his forehead)

I wonder if this has something to do with that guy we got who was training for a pilot's license . . .

DISSOLVE INTO:

A series of TELESCOPING FLASHBACKS

INT - OFFICE OF GEORGE TENET

GEORGE TENET

I don't care if he IS on vacation, I'm flying down to Crawford. The President needs to be briefed on this right away. This could be part of the possible spectacular attacks we've been sounding the alarms

about.

We zoom in on a piece of paper Tenet is holding.

A shot of a powerpoint briefing page on Zacarias Moussaoui, titled "Islamic Extremist Learns To Fly", outlining how he came to U.S. to learn to fly 747, paid for training in cash, etc.

Zoom out to see that it has scene shifted to being a sheet that has just come out of a printer, and zooming further out to reveal a CIA staffer picking the document up and handing it to an aide.

CIA STAFFER

Make sure the Director sees this as soon as possible. The FBI field agent in Minnesota called in person and was really quite frantic about it all.

Again zooming in on the CIA staffer's forehead and dissolving into

FBI FIELD AGENT

(talking into phone, passionately)

The Radical Fundamentalist Unit at FBI Headquarters won't even let us apply for a search warrant to see what's on Moussaoui's laptop! This is a guy who might fly something into the World Trade Center!

Once again zooming in on the face of the FBI Field Agent and dissolving into a shot of FBI Supervisor also talking on phone as the last words of the FBI Field Agent crossfade into a voice over.

FBI SUPERVISING AGENT

(angrily)

You will not question the unit chief and you will not question me! An act of terrorism is not imminent in this case.

And finally dissolving to and zooming back out from Tenet's face where we started the sequence.

GEORGE TENET

You know, this has bin Laden's fingerprints all over it.

INT. FAA AIR TRAFFIC CONTROL CENTER [8:52 AM]

SUPERVISOR

(on red phone again, air traffic controller sitting by looking helpless)
Another hijacking. We just lost United 175's transponder. And they've deviated from their assigned flight path

INT. NORAD COMMAND CENTER

LT. COLONEL

(leaning over the console where the Senior Technician is transfixed on his display)
We can't pick them out on our radar anymore. What's their new heading?

INT. FAA AIR TRAFFIC CONTROL CENTER

SUPERVISOR

Last check, in the direction of New York City. Where are the fighters, why aren't there any fighters?

EXT. SKY

Against a background of the Manhattan skyline and the smoke rising from the first crash, Flight 175 blasts from apparently over our heads into the screen, headed straight for the unimpacted tower.

INT. WHITE HOUSE OFFICE OF THE VICE PRESIDENT [9:03 AM]

Cheney, Condoleezza Rice, and Mary Matalin are watching a TV showing news reports of the first World Trade Center tower burning, when suddenly there is another huge explosion as the second tower is struck.

MARY MATALIN

Another plane just hit the other tower!

Condoleezza Rice gasps slightly with her mouth open. Cheney is completely impassive.

Close up shot of Rice's forehead dissolves into

INT. HALLWAY IN WHITE HOUSE

Richard Clarke calls out and catches up to Rice.

RICHARD CLARKE

(agitated)

Condi, when are we going to have a Principals' meeting on Al Qaeda? They are coming here, if they are not here already. My hair has been on fire for months about this!

CONDOLEEZZA RICE

The Vice President is handling anything about preparing a defense against domestic attacks.

RICHARD CLARKE

Well, he hasn't done anything about it! It's like he's not even interested.

CONDOLEEZZA RICE

(indifferently dismissive)

What does this really have to do with foreign policy, Dick? The national security priority right now is the strategic missile shield.

RICHARD CLARKE

(exasperated)

Al Qaeda plans MAJOR acts of terrorism against the United States. We're going to wake up some morning and there will be hundreds of people dead in one of our major cities, and we will wonder what more we could have done to stop them.

INT. NORAD COMMAND CENTER BATTLE CAB

The Lt. Colonel is back up in the balcony area, bursting in again with escalating bad news.

LT. COLONEL

Third hijack confirmed, and there may be others. American 77 just made a U-Turn over northeastern Kentucky, and is headed right back to Washington, DC!

INT. SCHOOL CLASSROOM [9:06 AM]

George Bush is seated in the classroom, the teacher just off to the right of the screen. He is holding a book in his

lap.

SCHOOL TEACHER

Now get your readers from under your seats.

The children all duck down in synchronization to do so, while from the left of the screen, Andy Card walks briskly over to where the President is seated in front of the children, and leans down to whisper in his ear as we cut to a close up of this.

ANDY CARD

A second plane has hit the World Trade Center.
America is under attack.

Bush is overcome with a look of befuddlement. We cut to an extreme close up of his forehead which dissolves into a close up of a page of the Presidential Daily Briefing of August 6, 2001, centered on scanning the words

. . .consistent with preparations for hijackings or other types of attacks . . .

We pull back from the paper as Bush turns back over to the title page which reads

Bin Laden determined to strike in US

EXT. CRAWFORD TEXAS RESIDENCE

And then continuing to pull back we see the CIA briefer standing in front of Bush as he lounges on the patio of his ranch house in his cowboy outfit.

GEORGE W. BUSH

(handing the briefing papers back dismissively)

Alright, you've covered your ass, now . . .

(turning to an aide and starts to get up)

Let's go fishing.

The voice over of the teacher snaps Bush back to present day reality.

SCHOOL TEACHER (V.O.)

And open your book up to lesson 60, on page 153.

Bush cracks open his own book, quickly notices it is UPSIDE

DOWN, and then flips it upright with a sheepish expression on his face.

SCHOOL TEACHER

Everybody put your fingers under the title . . .

INT. WHITE HOUSE OFFICE OF THE VICE PRESIDENT [9:10 AM]

Two secret service agents rush into the office.

SECRET SERVICE AGENT

We've got to get you out of here, Mr. Vice President.

The two of them they literally pick Cheney up by his arms and belt lifting him out of his chair, like you would pick up a couch potato.

SECRET SERVICE AGENT

Everybody into the bunker, NOW!

INT. SCHOOL CLASSROOM

CHILDREN

(droning monotone together, as they read the teacher is beating her own book with a pen after each word like pounding the rhythm of the oars of a slave ship)

But - the - goat - did - some - things - that - made - the - girl's - dad - mad.

GEORGE W. BUSH

Really good readers, whew! ... These must be sixth-graders!

In the back of the room, Press Secretary Ari Fleischer catches Bush's eye and holds up a pad of paper for him to read, with "DON'T SAY ANYTHING YET" written on it in big block letters.

INT. FAA AIR TRAFFIC CONTROL CENTER

AIR TRAFFIC CONTROLLER

All American Airlines flights. Your hub is directing that all new takeoffs are canceled. Remain at or return to your gates. Repeat, remain

on the ground.

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER [9:20 AM]

Cheney is now gathered with his wife Lynne, Rice, Matalin, Addington, Scooter Libby, Karen Hughes, and various other aides in the underground bunker, a claustrophobic room barely large enough to contain a large conference table they sit around, Cheney in the center back to the wall, a large presidential seal hung there over his shoulder. At the far end of the room are banks of TV monitors all tuned to various news channels which have the sole attention of everyone in the room except Cheney who speaks quietly on a white phone.

DICK CHENEY

Mr. President, we've been hit twice already. My recommendation is that you authorize the military to shoot down any plane under control of hijackers.

GEORGE W. BUSH (V.O.)

You bet.

DICK CHENEY

And I know I share your feelings when I say we are going to hunt these people down.

INT. SCHOOL WAITING ROOM

Bush is seated at a bare table with a just a multi-line phone and some papers spread in front of him, editing a short address he is about to give to the nation. Aides watch TV in the background which his back is turned to. As Cheney speaks Bush is taking notes and crossing things out.

DICK CHENEY (V.O.)

And that this will not stand.

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER

Cheney motions to a young Military Aide to lean down and he says something in his ear we do not hear. The aide rushes out. As he is leaving, Secretary Mineta arrives.

INT. SCHOOL ASSEMBLY HALL

A podium has been set up with a presidential seal on it. Bush has a collection of teachers and other people standing behind him.

GEORGE W. BUSH

Ladies and gentlemen, this is a difficult moment for America . . .

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER [9:27 AM]

The young Military Aide comes back into the conference room.

MILITARY AIDE

The plane is 50 miles out.

INT. SCHOOL ASSEMBLY HALL

GEORGE W. BUSH

. . . in an apparent terrorist attack on our country. I have spoken to the Vice President . . .

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER

MILITARY AIDE

The plane is 30 miles out.

INT. SCHOOL ASSEMBLY HALL

GEORGE W. BUSH

. . . to hunt down and to find those folks who committed this act. Terrorism against our nation will not stand.

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER

MILITARY AIDE

The plane is 10 miles out. Do the orders still stand?

Cheney whips his neck around toward the Military Aide.

DICK CHENEY

Of course the orders still stand. Have you heard anything to the contrary?

INT. OFFICE OF DONALD RUMSFELD [9:37 AM]

Rumsfeld is on his feet at his stand up desk, receiving visitors as they are also watching TV news reports on the WTC attack.

DONALD RUMSFELD

Let me tell ya, I've been around the block with terrorism a few times. There's going to be another attack, and it could be us.

FLASHBACK TO

INT - OFFICE OF GEORGE TENET

DONALD RUMSFELD

I just don't understand why we are talking about this one man, Bin Laden -- who cares about a little terrorist in Afghanistan.

Moments later there is the sound of a huge explosion and the Pentagon building shakes noticeably.

INT. NORAD COMMAND CENTER BATTLE CAB

COMMANDER

The damn terrorists are batting three for three! I want an F-15 with heat seekers on the tail of that Pennsylvania plane and I want it there now!!

EXT. SKY OVERHEAD

Shot of jet streaking past and a sonic boom as it breaks the sound barrier.

INT. PRESIDENTIAL LIMOUSINE, PARKED ON AIRPORT TARMAC

Bush sits alone in his limousine on the secure phone with Cheney.

DICK CHENEY (V.O.)

With the attack now on the Pentagon, the consensus here, with which I concur, is that there must be some state sponsor behind all this somewhere, probably Saddam Hussein.

GEORGE W. BUSH

My dad should have taken him out the first time.

DICK CHENEY (V.O.)

Well, we all know how he tried to kill your dad. And now he's coming after you, Mr. President. Under the circumstances, it would be wise for the moment to divert you from coming back to Washington immediately.

Bush nods compliantly but reluctantly, pursing his lips.

INT. PRESIDENTIAL EMERGENCY OPERATIONS CENTER [9:59 AM]

Cheney hangs up the phone. On a video teleconference screen Richard Clarke is speaking, the sound coming out of a speaker phone.

RICHARD CLARKE

Two, the White House is also requesting fighter escort of Air Force One. Three, and this applies to all agencies, we are instituting Continuity of Government.

Everyone is still glued to the TV screens when the south World Trade Center tower dramatically starts to collapse. The structural supports of the building seem to explode out from underneath it, pulverizing and blowing out vast clouds of chalky dust.

LYNNE CHENEY

Oh, my God! It's collapsing. The whole building just collapsed!

Lynne Cheney turns down the sound of the speaker phone so she can hear CNN.

RICHARD CLARKE

(partially muted)

Please activate your alternate command centers and move staff to them immediately.

There are sympathetic shrieks of horror from everyone in the bunker EXCEPT Dick Cheney, who remains visibly impassive, an island of disconnectivity in the midst of an ocean of turmoil. We cut to a close up of his forehead which dissolves into a sheet of paper on which we scan the words.

Further, the process of transformation, even if it brings revolutionary change, is likely to be a long one, absent some catastrophic and catalyzing event--like a new Pearl Harbor.

We zoom in especially on the words, "a new Pearl Harbor", and then dissolve back quickly to Cheney's face, where one might detect the hint of a smirk in the corner of his mouth.

INT. TV SCREEN

We watch the dust from the collapse of the first trade center tower blanketing all of lower Manhattan as we zoom in on the TV screen until we become lost in nothing but smoke.

PETER JENNINGS (V.O.)

Anyone who has ever watched a building being demolished on purpose knows that if you're going to do this you have to get at the under-infrastructure of the building to bring it down.

FADE OUT

TITLE FRAME: A Little More Than Five Years Later

EXT - FEDERAL COURT HOUSE DISTRICT OF NEVADA - LAS VEGAS

A long shot of the exterior of the courthouse. A couple cars pass and some people mill about.

INT. FEDERAL COURT ROOM DISTRICT OF NEVADA - LAS VEGAS

The court room of District Judge Guillermo Sanchez is richly wood paneled with a high ceiling. The judge's bench itself is substantially elevated and meticulously carved, with American flags on upright poles behind on both sides. The judge is a large man, somewhat portly. U.S. Attorney Michael Arrow, stands at the podium to address the Court.

MICHAEL ARROW

Thank you, your honor. According to the plea agreement of Lawrence "Smoky" Jackson, he will fully cooperate in the government's ongoing investigation. And conditioned on Mr. Jackson answering truthfully any and all questions put to him before the grand jury, the government is prepared to recommend

mitigation of what would otherwise be a five year prison sentence.

DEFENSE ATTORNEY

For the record, I want it to be clear that my client has been guaranteed absolute immunity for any additional offenses his truthful testimony so given might incriminate him for.

U.S. ATTORNEY ARROW

That is our agreement, your Honor.

JUDGE SANCHEZ

Very well, in that case I will continue this matter until . . . (checking his calendar) . . . would 60 days be sufficient to ascertain the faithfulness of Mr. Jackson's cooperation?

U.S. ATTORNEY ARROW

Yes, your honor.

JUDGE SANCHEZ

Then I will set this matter over to the 27th of January at 9 AM, if that is convenient for all counsel.

DEFENSE ATTORNEY

That will be fine, your honor.

JUDGE SANCHEZ

(pounding his gavel)
The Court will stand in recess.
(rises out of his high back chair)

BAILIFF

All rise.

INT. PRESS CONFERENCE

After the guilty plea U.S. Attorney Arrow stands at a podium with microphone, with Assistant U.S. Attorney Black and multiple U.S. flags behind him. There are news reporters there, including one loveable wise aleck with an irrepressible grin.

MICHAEL ARROW

I'll take one more question . . . Yes.

NEWS REPORTER

(fancying himself as an amateur
prosecutor)

Isn't it true . . . that the ultimate target of this
is REPUBLICAN Congressman Todd Murky?

MICHAEL ARROW

The grand jury secrecy rules are in place to protect
both the innocent and the guilty. I cannot even
discuss where this probe might be headed.

INT. OFFICE OF U.S. ATTORNEY MICHAEL ARROW

The U.S. Attorney is the ranking law enforcement officer for
the entire federal district and has a large office, walled
with bookshelves full of case law books, a large desk and
comfortable looking chairs. Utterly straight laced, and
humorless in his legal capacity, but good natured otherwise.
He is in his fifties, but could pass for 49. His door is
standing ajar as he sorts some papers in stacks on his desk.
Assistant U.S. Attorney Rachel Silver, modestly younger than
him, pops her head in the door.

RACHEL SILVER

You wanted to see me? By the way, congratulations
on the Jackson guilty plea.

MICHAEL ARROW

Yes, thank you.

RACHEL SILVER

If I was up against you, I'd plead guilty myself,
and I haven't even done anything.

MICHAEL ARROW

(smiles only slightly)

Asst. U.S. Attorney Black has been tapped for the
district judge vacancy. He's a hard worker, will
make a fine judge.

RACHEL SILVER

We've got some good ones. Judge Sanchez usually
works after hours a couple hours into the evening
every night with his clerk, working on his rulings
for the next day.

MICHAEL ARROW

So I'm going to need some help with the grand jury.
I've prepared an appearance letter for you to join

me, if you want to sign on.

Another assistant U.S. Attorney, Bob Angle, just now also sticks his head in the door. He is a somewhat younger than either Arrow or Silver, perhaps too young to have his career station, with the wet behind the ears arrogance of a political appointee.

BOB ANGLE

Hey, Arrow, if I'm not interrupting you two legal eagles, I've got your tickets for the Law Enforcement Dinner, one for you, one for your wife.

MICHAEL ARROW

Just drop them on the corner of my desk there.

BOB ANGLE

(he does so)

What about you, Silver?

RACHEL SILVER

You know, I'm not really into the big strip hotel thing.

BOB ANGLE

(incredulous and mockingly sarcastic,
almost menacing)

Our Vice President is coming out to rally the troops, and you aren't going to be there? We wouldn't want anyone to think you're not a team player.

RACHEL SILVER

I LOVE the big glitzy strip hotel thing.

BOB ANGLE

That's more like it.

(he hands her a ticket)

Ring side table. You owe me 50 bucks.

(and quickly ducks out the door)

RACHEL SILVER

Anyway, grand jury shift works for me, where do I sign?

INT. APARTMENT OF U.S. ASST. ATTORNEY SILVER

Rachel Silver's apartment is cramped and dark. She sits on her bed eating from a takeout food container as she watches

the news on TV.

FEMALE NEWS BROADCASTER

So the favorite game of chance in town has become betting where the next shoe is going to drop in the U.S. Attorney's public corruption investigation. We now hear from Congressman Murky, who continues to assert he has done nothing wrong . . .

RACHEL SILVER

Keep talking, big guy.

INT. GRAND JURY ROOM

The grand jury meets in a somewhat bare room with tiers of chairs for the grand jurors to sit, and a simple table the lawyers and a witness can sit around. There are TV monitors hung on the wall for playing videos.

"Smoky" Jackson is a muscular, short haired guy who loves the sound of his own voice, a former military airman and a CIA pilot who has probably been involved with much more nefarious business he's gotten away with than not, and has the cockiness to prove it.

MICHAEL ARROW

So, Mr. Jackson, is it your testimony, that the numbers written on this document represent the levels of campaign contributions that KYM Corporation would have to make, to get certain dollar amounts of contracts awarded?

SMOKY JACKSON

That's what they were.

MICHAEL ARROW

And you affirm again, that is your truthful testimony.

SMOKY JACKSON

Yes. It better be, otherwise you'll make me do the fish dance.

MICHAEL ARROW

That's all I have, do the grand jurors have any questions?

(starts to pack up his papers in his brief case)

GRAND JUROR NO. 9

Actually, that expression you just used . . . fish .
. . . dance . . . I'm just curious, what does this
mean . . . this fish dance.

SMOKY JACKSON

That's what we used to call it when I was in SERE
school. It's also called waterboarding. And it's
really helped us to get information to win the war
on terror.

Arrow suddenly perks up his ears, a great show of surprise
from someone with ordinarily such a poker face.

GRAND JUROR NO. 9

Sear school?

SMOKY JACKSON

(with pride, his favorite subject)
Oh, right, that stands for survival, evasion,
resistance, escape.

MICHAEL ARROW

How does this waterboarding work?

SMOKY JACKSON

Well, first they strap you down to a board, with
your head a little lower than your feet.

As he is speaking we cut to a close up of his face, and then
zoom in and dissolve to someone of Middle Eastern descent
having this done to them as his own voice becomes a
voiceover. We see the towel being placed on the person's
beardless face, strapped to a board in a bare walled
concrete room, but we don't see the other people in the room
yet.

SMOKY JACKSON (V.O.)

And then put a wet towel or rag on your face . . .
And just pour a little water on there.

MICHAEL ARROW (V.O.)

And what does that do?

We see the person struggling and trying to twist away.

SMOKY JACKSON (V.O.)

And it triggers the gag reflex, makes you feel like
you're drowning.

Quickly cut back to present reality.

SMOKY JACKSON

(chuckling to himself)

The best of us could only hold out for about 15 seconds before we'd be confessing to the Sharon Tate murders.

MICHAEL ARROW

And the information you mentioned we got, what kind of information was that?

SMOKY JACKSON

Mostly stuff on weapons of mass destruction. See, they were looking for a way to get more information out of the terrorists they were rounding up. I was an Air Force pilot at the time, and I brought down some observers from Washington to see how the interrogations were going at Guantanamo.

MICHAEL ARROW

And who were these observers?

Flashback dissolve a close up of a closed circuit TV camera, then cut to men in a dimly lit room watching an interrogation on a closed circuit TV, the person being interrogated sitting in a comfortable upright position at a table. The questioning in the grand jury room continues as a voice over. As people are named we see shots of them in close up. Jackson himself is there wearing a baseball cap backwards.

SMOKY JACKSON (V.O.)

(searching his memory)

Gee, it was about four years ago. September, as I recall, the year before we went in to take out Saddam, so that was 2002, right. I remember Alberto Gonzales was there.

MICHAEL ARROW (V.O.)

(somewhat stunned and trying not to show it)

The current Attorney General?

SMOKY JACKSON (V.O.)

Right. And there was a guy named . . . Addington.

MICHAEL ARROW (V.O.)

David Addington?

SMOKY JACKSON (V.O.)

(voice fading out)

That's it, and a guy named Haynes or something. He was some kind of Pentagon guy. Some others.

We are now fully immersed in the flashback scene and hear only the voices of those there.

DAVID ADDINGTON

(demanding tone of voice)

What about the weapons of mass destruction in Iraq?

LEAD INTERROGATOR

They're trained to resist. I'm not sure they even have information like that.

DAVID ADDINGTON

(cutting him off)

Of course they do.

(extremely sarcastic to the point of hostility)

Have you tried tickling them with long pink feathers?

Gonzales titters slightly.

LEAD INTERROGATOR

We're just wearing the gloves we've always worn, Army Field Manual 34-52.

DAVID ADDINGTON

(maintaining his extreme sarcasm)

Well then . . . you're just going to have to take the gloves OFF, because it obviously isn't working.

SMOKY JACKSON

You know, we tried the pink feathers in SERE school, and they didn't work.

Addington breaks out with a belly laugh, then back to voice over from the grand jury room, but the visual is still in the flash back scene.

SMOKY JACKSON (V.O.)

So we got to talking about my SERE training, and it turned out the knew all about waterboarding, and they said they were going to put together a new interrogation team with an updated set of guidelines. So a couple months later, they had me fly down again to help train their new guys.

MICHAEL ARROW (V.O.)

So this would have been in November of 2002.

SMOKY JACKSON (V.O.)

Right.

DISSOLVE FORWARD TO:

The same waterboarding scene we flashed back to earlier except now we see the whole scene. The detainee is completely naked, which we could see completely except that a woman is standing there in front of his midriff, wearing riding pants and crisp shirt. There is an interrogator in a short sleeved t-shirt by the detainee's head, with a bucket of water on the ground next to him. A doctor in a lab coat is standing off further to the side. The towel is not yet on the detainee's face.

CLOSE UP SHOT OF A CLOSED CIRCUIT TV CAMERA

INT. INTERROGATION ROOM

WOMAN INTERROGATOR

(mocking)

So, Haji, where's your beard? . . . Maybe we'll shave you down here too.

She points to the area between his legs still blocked from our view.

Or maybe you'd rather have a massage.

She starts rubbing his thigh uncomfortably close to his crotch area, he grimaces painfully.

MALE INTERROGATOR

We can throw some ice water on that.

And he does just that, pouring ice water from the bucket on the man's groin, a couple ice cubes falling to the floor also. The man shivers hard. The woman laughs derisively.

MALE INTERROGATOR

(shouting at him)

Tell us about the connection between Saddam and Al Qaeda!

No answer is forthcoming. Just a cold, hateful stare.

MALE INTERROGATOR

Tell us about the weapons of mass destruction Iraq is hiding!

WOMAN INTERROGATOR

Have it your way, towel head. How about a towel for your face, a great big wet towel?

P.O.V. SHOT

We are looking up at the ceiling as if we were being waterboarded ourselves. The male interrogator leers down at us as he drapes the wet towel over our faces.

Cut to a shot of the water being poured out of the bucket in a stream. We hear the sound of coughing and choking.

MALE INTERROGATOR

(even louder)

Tell us about Iraq and Al Qaeda!

Back to the P.O.V. shot where we can see the water spashing on the towel looking up through it, as our attention is suddenly interrupted by a voice over from back the grand jury room.

MICHAEL ARROW (V.O.)

Have you ever been told that waterboarding is a form of torture?

That question instantly shocks Smoky back to the reality of the grand jury room. His collar is instantly ringed with sweat.