THE TORTURE REPORT

Written and Directed by

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As-Produced Script
EXT. OFF-SITE LOCATION - VIRGINIA - NIGHT - COLD OPEN - FLASH FORWARD

A windowless CIA off-site facility. Armed security guard the entrance.

    CLIFFORD (PRE-LAP)
    How long have you been working on this project, Dan?

    DANIEL JONES (PRE-LAP)
    Five years.

    CLIFFORD (PRE-LAP)
    Five, wow.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - NIGHT - CONTINUOUS

DANIEL JONES (30s) enters a secured room.

    CLIFFORD (PRE-LAP)
    Every day? Nights, weekends?

Dan flips on the lights, revealing the walls -- covered with documents and black and white mugshot-like photographs.

    DANIEL JONES (PRE-LAP)
    It’s been very consuming.

Dan approaches a desk. He opens a drawer and takes out an envelope with the words “Panetta Review” written on it.

INT. CLIFFORD’S CONFERENCE ROOM - DAY - FLASH FORWARD - INTERCUT

Dan with attorney CY CLIFFORD (40s).

    CLIFFORD
    Do you have a relationship, Dan? Family? Just trying to get a better sense of who you are.

    DANIEL JONES
    When it started, I was seeing someone. But, you know, the nature of the work and the hours...

INT. OFF-SITE LOCATION - STAIRWELL - NIGHT - INTERCUT

Dan jogs up the stairs with haste, holding a locked document bag.
DANIEL JONES (V.O.)
I wasn’t a very good partner.

CLIFFORD (V.O.)
Five years -- and it could all go away...

INT. CLIFFORD'S CONFERENCE ROOM -- DAY -- INTERCUT

CLIFFORD
Just vanish in the face of these allegations. I could certainly imagine an ambitious young man like yourself spends years with his head buried in some terrible spectacle, gets frustrated with the process, sees an opportunity to get the truth out faster -- maybe crosses a line? I’m assuming this is the most important thing you’ve ever been a part of--

DANIEL JONES
I didn’t do it.

CLIFFORD
Or, I could see an equally ambitious senator encouraging you to do something. Now would be a good time to tell me.

DANIEL JONES
That did not happen. What I did, I did on my own.

INT. OFF-SITE LOCATION -- SECURITY AREA -- NIGHT -- INTERCUT

DANIEL JONES (V.O.)
I acted alone.

Dan walks through the lobby and scans his ID card. We will see this scene again.

OFF-SITE SECURITY
You ever sleep, bro?

DANIEL JONES
I used to. Got in the way of work.

Dan moves toward the door, but the security guard stops him.
OFF-SITE SECURITY
(boilerplate)
Anything in that bag contain the
real names of CIA officers, assets,
or partners, or any information
that would be in violation of the
agreement between the Central
Intelligence Agency and the United
States Senate?

DANIEL JONES
Have a good night, Jay.

OFF-SITE SECURITY
You too, Dan.

Dan walks out.

EXT. OFF-SITE LOCATION - VIRGINIA - CONTINUOUS

Dan, with his document bag over his shoulder, hurries toward
the parking lot.

CLIFFORD (V.O.)
So you did steal the document?

DANIEL JONES (V.O.)
I did not steal it; I relocated it.

CLIFFORD (V.O.)
Everyone has their own words...

INT. CLIFFORD'S CONFERENCE ROOM - DAY - INTERCUT

CLIFFORD
The language is built to choose
sides. Now, why did you "relocate"
it?

Beat.

CLIFFORD (CONT’D)
They can send you to jail, Dan.

INT. DANIEL JONES' CAR - NIGHT - INTERCUT

Dan gets in and throws the document bag onto the passenger
seat. He takes a deep breath. Pauses.

SUPER: THE TORTURE REPORT
The word “TORTURE” is then redacted.

OVER BLACK:

DANIEL JONES (V.O.)
I think I should start at the beginning.

TIMELINE SUPER: 2003

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EXT. CAPITOL BUILDING STEPS - MORNING

Daniel Jones -- clean-cut and earnest, in his mid-20s -- walks up the steps and pauses to take a photo of the Capitol. He keeps going.

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INT. HART SENATE BUILDING - HALLWAY - MOMENTS LATER

Dan sits on a bench, looking at something in his hands...

ANGLE ON A SNOW GLOBE OF THE US CAPITOL

The snow swirls around inside the souvenir in Dan’s hands.

DENIS MCDONOUGH, 40s, approaches. Harried.

DENIS
You Dan Jones?

DANIEL JONES
Yeah.

DENIS
Denis McDonough.

Denis extends a hand.

DANIEL JONES
Hi, thank you so much for meeting me.

DENIS
Come on in. Yeah, absolutely.

Dan follows Denis into the office.

DENIS (PRE-LAP) (CONT’D)
So, thanks for coming in. Tell me your story.
INT. DENIS MCDONOUGH’S SENATE OFFICE – MOMENTS LATER

Dan sits with Denis McDonough, who has Dan’s resume in front of him. An informal interview.

DANIEL JONES
My second day of grad school was September 11th. I was headed to a lecture and everything just...stopped. The next day, I changed all my classes to National Security.

DENIS
Good man. So, what’s the long-term plan? Where do you see yourself in 10 years? You run for office?

DANIEL JONES
Oh, no, no politics for me. I think I’d be more effective behind the scenes. Somewhere I can really make a difference.

DENIS
So what about before Harvard? What’d you fill up your days with then?

DANIEL JONES
Teach for America for three years in Baltimore. Seventh graders. I read that you taught high school Spanish in St. Paul, Minnesota after college.

DENIS
And LBJ’s first job was teaching at the Mexican school in south Texas. Knowing how to deal with children is a highly useful skill when working on the hill.

Dan laughs.

DENIS (CONT’D)
But, from my perspective as Senate staff, I would wait until things turn around up here. I think Senator Daschle would say the same thing. Go get some real world experience in counterterrorism, in foreign policy -- try the CIA, try FBI.

(MORE)
DENIS (CONT’D)
Have them teach you what they don’t teach in a classroom. Then, you can come back here and help us fix all the things that Bush and Cheney are breaking--

The phone rings and Denis answers.

DENIS (PHONE) (CONT’D)
McDonough. Yes, Senator...One second.

He covers the phone.

DENIS (CONT’D)
(sotto to Dan)
The boss. Here. Keep in touch, huh?

He gives Dan a business card.

DANIEL JONES
Thank you very much.

DENIS (PHONE)
I do not have that information right now, but I can certainly get that for you in the next fifteen.

Dan leaves forgetting the snow globe on Denis’ chair.

TIMELINE SUPER: 2007

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EXT. HART SENATE BUILDING – MORNING

Dan, a bit older now, approaches the entrance.

DANIEL JONES (PRE-LAP)
In regards to the bomb plots in Germany, three men were arrested in Medebach...

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INT. SENATE CONFERENCE ROOM – LATER

Dan briefs a few other SENATE STAFFERS who take notes.

DANIEL JONES
...with 1,500 pounds of hydrogen peroxide and 26 military-grade detonators. The CIA suspects the Islamic Jihad Union--
MARCY, Chief of Staff to Senator Dianne Feinstein, pokes her head into the meeting.

MARCY
Excuse me. Can I borrow you for a minute, Dan? The Senator would like to see you.

DANIEL JONES
Yeah, of course.

Dan gathers his things.

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INT. SENATOR FEINSTEIN’S BULLPEN – MOMENTS LATER

Marcy and Dan walk through.

SENATOR FEINSTEIN (PRE-LAP)
Morning, Dan.

DANIEL JONES (PRE-LAP)
Morning, Senator.

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INT. SENATOR FEINSTEIN’S OFFICE – CONTINUOUS

Dan, Marcy, and SENATOR DIANNE FEINSTEIN (70s) -- very serious and formal.

SENATOR FEINSTEIN
Have you seen the story today in the New York Times?

DANIEL JONES
No, Senator. I have not.

Marcy hands Dan the paper.

MARCY
Evidently, the CIA destroyed tapes of interrogations of al-Qaeda detainees.

DANIEL JONES
Did the Intel Committee know there were tapes?

SENATOR FEINSTEIN
No. This is the first I’ve heard of it. So, I want to find out what was on the tapes -- why they were destroyed.
MARCY
We want you to lead the investigation, Dan.

The Senator nods.

DANIEL JONES
But, if the tapes were destroyed, how do we--

SENATOR FEINSTEIN
They’re saying they have written records -- thousands of pages. Let’s see about that. I want you to find out exactly what they have and read every word of it.

Dan nods.

TIMELINE SUPER: 2009

INT. HART SENATE BUILDING -- HALLWAY -- MORNING

Dan signs in at a desk in front of the Senate SCIF. He carries a locked document bag.

PRE-LAP: sound of a gavel.

SENATOR FEINSTEIN (PRE-LAP)
This report on the destruction of tapes by the CIA has been two years in the making. The findings are very troubling, but it will remain classified.

Dan enters the SCIF. AN IMPOSING METAL DOOR closes behind him.

INT. SENATE SCIF -- MOMENTS LATER

Dan sits at the witness table, facing the 15 SENATORS OF THE INTELLIGENCE COMMITTEE -- each seated behind a placard with their name.

SENATOR FEINSTEIN
Based on these revelations, a larger study into the entire CIA Detention and Interrogation program is clearly in order. All in favor say yay.
SSCI CLERK (O.S.)
Mr. Whitehouse?

SENATOR WHITEHOUSE (O.S.)
Yay.

SSCI CLERK (O.S.)
Mr. Burr?

SENATOR BURR (O.S.)
Yay.

SSCI CLERK (O.S.)
Mr. Rockefeller?

SENATOR ROCKEFELLER (O.S.)
Yay.

SSCI CLERK (O.S.)
Mr. Chambliss?

SENATOR CHAMBLISS (O.S.)
Nay.

SSCI CLERK
Mr. Risch?

The yays accumulate off screen.

SENATOR CHAMBLISS (PRE-LAP)
Now, I think this is a waste of time...

INT. SENATOR FEINSTEIN’S OFFICE - LATER

Chambliss and Feinstein discuss the new investigation.

SENATOR FEINSTEIN
I know you voted against this, Saxby--

SENATOR CHAMBLISS
You already had your tapes investigation--

SENATOR FEINSTEIN
Yes, but the rest of us voted to go further, 14-1. It is our job to provide oversight.
SENATOR CHAMBLISS
All during the campaign, you got candidate Obama saying how he wanted to be the first post-partisan President.

SENATOR FEINSTEIN
Saxby, you know me. It’s my intention that this report be seen as coming from the entire Intelligence Committee. Not just from the Democrats.

SENATOR CHAMBLISS
So, who takes the lead?

SENATOR FEINSTEIN
Well, I was thinking Dan Jones--

INT. DC ST. REGIS - RESTAURANT - MORNING

Marcy slides a DCI ID card with Dan’s photo across the table to Dan.

SENATOR FEINSTEIN (V.O.)
He spent four years doing counterterrorism at the FBI. He’s already got the security clearances.

Marcy gives Dan instructions on his new assignment.

MARCY
The rules are the same as the tapes investigation. No politics. No bias. And the Senator isn’t interested in opinions or theories -- just facts. Based on what you found out already, this could go to a pretty dark place. You need to keep your personal feelings out of it -- that’s the first thing Republicans are gonna look for. No talking to the press, or your girlfriend, or any family members. Nobody outside of the Committee.

Dan nods.

MARCY (CONT’D)
You’re going to get a team of six -- three Republicans, three Democrats...

(MORE)
MARCY (CONT’D)
but there can’t be any Republican sentences or Democratic paragraphs...

DANIEL JONES
And how long do we have?

MARCY
We’re hoping you can wrap it up in a year or so...

EXT. VIRGINIA ROAD – NEXT DAY
Dan drives his car to his new workplace.

MARCY (V.O.)
You’re going to have to keep the Senators updated on your work. Nobody wants any surprises.

EXT. OFF-SITE LOCATION – VIRGINIA – LATER
Dan walks toward an entrance where SEAN MURPHY (40s) awaits him.

MARCY (V.O.)
There’s a covert CIA off-site in Virginia. You start tomorrow.

SEAN
Jones, right?

DANIEL JONES
Sean? Hi, I’m Dan.

They shake hands.

SEAN
Sean Murphy from the Agency. Let’s go inside.

DANIEL JONES
Okay.

They walk toward the entrance.

INT. OFF-SITE LOCATION – SECURITY AREA – MOMENTS LATER
Dan and Sean enter the facility.
OFF-SITE SECURITY
Identification, gentlemen?

Sean swipes his ID, as does Dan.

SEAN
The room we’ve designated is a SCIF-no phone reception. No photos. You know the drill. Lead walls.

THEY DESCEND THE STAIRS

DANIEL JONES
And per the agreement, the room is off limits to everyone except Committee personnel.

SEAN
Absolutely. No one inside without your permission.

THEY WALK DOWN A HALLWAY

DANIEL JONES
And the computers?

SEAN

They arrive at a SERVER built into the wall.

SEAN (CONT’D)
We’ll be updating the database as we go -- the files will be loaded on here as we collect them from across the Agency.

DANIEL JONES
Great. We’ll want all the relevant documents as soon as possible.

SEAN
Well, we gotta vet it first. There’s a lot to--

DANIEL JONES
Vet? Director Panetta agreed to give us everything pertaining to the program. Who -- who would be vetting it?
SEAN
It’s a big Agency -- we gotta make
sure you don’t get anything you’re
not supposed to.

They arrive at a door with a combination pad on it and a
sign: UNITED STATES SENATE INTELLIGENCE COMMITTEE STAFF ONLY.
BY ORDER OF THE DIRECTOR OF CENTRAL INTELLIGENCE.

Sean punches in a code and opens the door.

INT. OFF-SITE BASEMENT – WINDOWLESS ROOM – CONTINUOUS

Dan surveys the space. A very grey, sterile room with SIX
DESKS and SIX COMPUTER MONITORS. Spotless.

Dan clicks a lamp on and off, then plays around with a
keyboard.

SEAN
Make yourself at home.

DANIEL JONES
There’s no printer. No paper.

SEAN
No documents are allowed to leave
the room without CIA approval.
Paper has a way of getting people
in trouble at our place.

DANIEL JONES
I think at some point we’re gonna
need a printer. And paper. At our
place, paper is how we keep track
of laws.

Beat.

DANIEL JONES (CONT’D)
Okay.

Dan walks out, Sean follows.

INT. OFF-SITE BASEMENT – WINDOWLESS ROOM – LATER

Dan sits at his computer. Fellow STAFFERS JULIAN, APRIL, and
THREE REPUBLICAN STAFFERS all sit at desks surrounding Dan.

Dan types “September 11” and “al-Mihdhar” into the search
engine. Hits enter. The results pop up: CIA internal
documents, memos, emails. Dan reads off his computer screen.
Flashes of documents, words and images pertaining to 9/11 dart across the screen, taking us to...

INT. COUNTERTERRORISM CENTER – FLASHBACK

SUPER: 11 SEPTEMBER 2001, COUNTERTERRORISM CENTER

A room full of distraught CIA OFFICERS stare at a bank of MONITORS playing 9/11 footage in a sickening loop. AUDIO of NEWS COVERAGE of the terrorist attacks is heard in the background. Phones continue to ring, but no one answers them.

GRETCHEN (30s) sits at a desk. She is approached by an ANALYST who hands her a folder.

CIA ANALYST
You're not gonna like this.

And with that, Gretchen stands and approaches BERNADETTE, 40s, intense and grim.

GRETCHEN
We confirmed some of the names.

BERNADETT
The hijackers?

Gretchen hands her the folder.

GRETCHEN
Two of the guys from the Malaysia meetings -- the San Diego guys. They took down flight 77. Pentagon.

Beat. This settles in on Bernadette hard.

She looks up at the monitors -- the towers begin to collapse as they turn to ash. THOMAS EASTMAN (40s), CTC CHIEF COUNSEL, enters.

EASTMAN
Attention everyone. We have reason to believe that the Counterterrorism Center is a potential target. We are asking all personnel to evacuate. Immediately.

Everyone begins to leave, but Bernadette remains in place, in a state of shock and disbelief. Filled with regret. Finally, she places the folder on a desk and walks out.
INT. DIRECTOR TENET'S OFFICE - ANOTHER DAY - FLASHBACK

SUPER: CIA HEADQUARTERS, SEPTEMBER 16, 2001

Push past a sign on the door: DIRECTOR CENTRAL INTELLIGENCE: GEORGE TENET. COFER BLACK, Counterterrorism Director, wanders in. Inside, Tenet watches Meet the Press.

CHENEY (TV)
We also have to work sort of the dark side, if you will. We're going to spend time in the shadows in the intelligence world. A lot of what needs to be done here will have to be done quietly, without any discussions...

CHENEY (TV) (CONT'D)
Using sources and methods that are available to our intelligence agencies if we're going to be successful...

COFER
And before that, in July, what did we say? "There will be significant terrorist attacks against the United States in the weeks and months to come." It's not your fault.

CHENEY (TV)
It is a mean, nasty, dangerous, dirty business out there, and we have to operate in that arena. I'm convinced we can do it. We can do it successfully. But we need to make certain that we have not tied the hands, if you will, of our intelligence communities.

INT. CIA CONFERENCE ROOM - TWO DAYS LATER - FLASHBACK

Tenet, Cofer, CIA CHIEF COUNSEL JOHN RIZZO, Thomas Eastman, and others gather.
TENET
Counterterrorism Director Black and I saw President Bush at Camp David this weekend -- and the President gave me his word that there will be no changes in CIA leadership as a result of Tuesday's attacks. We will look forward now -- and not waste time second guessing, or looking for blame. Going forward, we will be the tip of the spear in the battle against al-Qaeda.

COFER
As I said to the President -- two weeks, we'll have flies walking across al-Qaeda eyeballs.

TENET
I've asked Chief Counsel Rizzo here to walk us through where we are from a legal standpoint.

RIZZO
The President has issued a Memorandum of Notification giving CIA the power to capture and detain suspected terrorists on the battlefield.

EASTMAN
Detain them where? Are we bringing them to the US?

COFER
We're really not in the prison business over in Counterterrorism.

TENET
Look, the budget for Counterterrorism last week was, what, 600 million dollars? The budget this week is whatever you need it to be, and we are in whatever business it takes to get the job done.

DANIEL JONES (PRE-LAP)
Initially CIA legal stated...
Dan briefs Senator Feinstein and Marcy, the first of many such meetings.

DANIEL JONES
...that any facility used to hold detainees had to meet the requirements of the US Bureau of Prisons. But, then Deputy Director Pavitt thought that was going to be too limiting.

MARCY
So, who came up with black sites?

DANIEL JONES
Not totally clear. My guess is either a senior officer at Counterterrorism -- CTC -- or ALEC station bin Laden unit decided black sites were the best option.

SENATOR FEINSTEIN
Well, did the CIA tell the State Department they were making deals to hold people on foreign soil? Where was Secretary of State Powell in all this?

DANIEL JONES
Well, I found a memo -- the CIA’s General Counsel said the decision was made not to tell Powell about the program because...

Dan leafs through some documents. Finds a quote.

DANIEL JONES (CONT’D)
He would “blow his stack if he were to be briefed on what was going on.”

SENATOR FEINSTEIN
Well, who decided that?

DANIEL JONES
Someone inside the White House.

SENATOR FEINSTEIN
Mhm. What about interrogations?
DANIEL JONES
President Bush’s memoranda just authorized capturing and detaining -- it didn’t say anything about interrogations.

SENATOR FEINSTEIN
And who gave them permission to play that role?

DANIEL JONES
Nobody. Looks like it started with legal at CTC.

Beat.

DANIEL JONES (CONT’D)
Do you want me to brief Senator McCain on this? I know he’s interested--

SENATOR FEINSTEIN
The Republicans just pulled out of the study, Dan.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - NEXT DAY

April walks in. Notices only half the staff are now here.

DANIEL JONES
Good morning.

APRIL
Where is everybody?

DANIEL JONES
Attorney General Holder opened a criminal investigation into the CIA. As a result, the Agency won’t allow any of their people to be interviewed for our report. The Republicans don’t see how we can move forward, so they’re out.

APRIL
So does this mean we stop? I mean, the Committee voted to investigate--

DANIEL JONES
The Senator says we keep going.
JULIAN
But, we can’t actually speak to anyone who was involved in the program.

DANIEL JONES
Right. According to CIA legal, CIA personnel is only speaking to DOJ.

APRIL
And is DOJ going to share their findings? I mean, can we work with them?

DANIEL JONES
I’ve reached out to the special prosecutor -- I’m waiting to hear back.

APRIL
Okay. But, if nobody who actually worked on the program is going to talk to us, how do we investigate?

DANIEL JONES
So, we have their files, their emails and cables, their memos. We have to use their own communications to tell the story.

APRIL
Do you have any idea how hard that’s gonna be? The tapes investigation took two years, Dan, and this is about a lot more than what was on the tape.

JULIAN
Yeah, we don’t even know what ‘this’ is.

DANIEL JONES
Right, but we do know who it starts with. We go one detainee at a time.

Dan returns to his computer. April and Julian follow suit. Dan types “Abu Zubaydah” “March 2002” “Detention Site Green” into the search engine.

Flashes of documents, words and images pertaining to Abu Zubaydah dart across the screen, taking us to...
EXT. AIRSTRIP - DETENTION SITE GREEN - NIGHT - FLASHBACK

SUPER: DETENTION SITE GREEN, MARCH 2002

ABU ZUBAYDAH, strapped to a gurney, is wheeled from a plane on a palm tree lined airstrip. He is met by a small group of MEN. One of them is ALI SOUFAN of the FBI.

Ali says something to Zubaydah in Arabic. No answer.

   ALI
   You speak English?

Zubaydah moans from a fresh gunshot wound.

   ALI (CONT’D)
   My name is Ali Soufan. I’m with the FBI...You’re under arrest. Do you understand?

   ABU ZUBAYDAH
   Where are you taking me?

Zubaydah is transported into a large van.

INT. DETENTION SITE GREEN - INFIRMARY - DAY - FLASHBACK

Ali Soufan sits with his PARTNER and Abu Zubaydah, who is still in CRITICAL condition from his wounds. Ali gently puts blocks of ice on Zubaydah’s lips.

   ALI
   Your wound is infected, but we are going to take good care of you.

Beat.

   ALI (CONT’D)
   I want to show you something...

He shows Zubaydah a film clip on a toughbook. It’s of bin Laden speaking to members of al-Qaeda.

   ALI (CONT’D)
   He’s talking to someone off screen. He’s calling him “Mukhtar.” You know who that is?

Zubaydah looks at Ali, then at Ali’s partner. He’s trapped, no way out of this.
ZUBAYDAH
(Arabic)
Mukhtar. The man whose brain flew away. Like an airplane.

ALI
The man who lost his mind.


ZUBAYDAH
No, not him.

Zubaydah leafs forward a few pages. Points to a photo. Ali conceals his surprise.

ALI
Khalid Sheikh Mohammed?

Ali nods at his partner — they got it.

ALI (CONT’D)
(Arabic)
We’ll get the doctor in to see you. Then I’ll come back and we’ll talk more. Pepsi?

Zubaydah nods.

ZUBAYDAH
(Arabic)
Am I going to live?

ALI
(Arabic)
God willing.

Ali and his partner walk out.

INT. DIRECTOR TENET’S OFFICE — LATER — FLASHBACK

Tenet, Cofer, and Bernadette.

BERNADETTE
Abu Zubaydah confirmed that KSM is the leader of all al-Qaeda operations outside of Afghanistan. He trained the hijackers — we’re calling him the mastermind.

TENET
Outstanding! Hats off to the bin Laden group.

(MORE)
TENET (CONT'D)
Whichever one of your people did this -- I want to call and congratulate them in person -- who was it?


COFER
Wasn't our guy.

TENET
What? Who got it?

BERNADETTE
FBI is working Abu Zubaydah.

TENET
An FBI guy got this?

BERNADETTE
Yes. Ali Soufan -- they used him in the Cole investigation. He's part of their counterterrorism group -- he speaks Arabic.

Tenet explodes.

TENET
I don't care who speaks Arabic! This is not just a criminal investigation. We are gathering intelligence here -- that is what we do. The FBI is looking at the past; we need to stop attacks in the future. I want CIA in the room with this guy, okay? I want CIA in the room with Zubaydah!

INT. CTC - CONFERENCE ROOM - LATER - FLASHBACK

Eastman, Bernadette, Gretchen and Cofer.

GRETCHEN
So, who do we have that can work on him? CIA runs sources -- people who cooperate. That's not these guys.

COFER
Every second we are not draining the detainees' brain, we are rolling the dice.
BERNADETTE
We need our people in the room. We need to be the ones asking the questions now.

EASTMAN
I heard from someone over in Technical Services, a woman named Miriam... about a couple of Air Force psychologists who came in and pitched a whole new approach to interrogations: Jim Mitchell and Bruce Jessen. Miriam says Mitchell has the special sauce.

INT. CTC - CONFERENCE ROOM - DAY - FLASHBACK

JAMES MITCHELL (40s) and BRUCE JESSEN (50s) present their interrogations plan to Eastman, Bernadette and NEW CTC DIRECTOR JOSE RODRIGUEZ.

MITCHELL
Zubaydah didn’t tell us everything because we stopped short of where we needed to go.

Mitchell clicks through a powerpoint presentation.

MITCHELL (CONT’D)
SERE stands for survival, evasion, resistance and escape. It’s a program to help prepare U.S. Special Forces for whatever they might encounter if captured. Now, I have over fourteen thousand hours observing SERE interrogation techniques. Bruce here has more than that.

BERNADETTE
Observing? As opposed to--

JESSEN
I took a course in conducting interrogations as well. I’ve worked with volunteers in actual simulations.

MITCHELL
We feel we can reverse-engineer these SERE techniques to induce learned helplessness.
EASTMAN
Can you explain what that means: "reverse-engineer"?

JESSEN
Instead of using these techniques to protect our people, we use them to achieve compliance in the detainees.

MITCHELL
Our plan involves using individual assessments of detainees to create a program designed to induce debility, dependency, and dread.

JESSEN
We call these the three D's.

Mitchell nods.

MITCHELL
Three.

EASTMAN
And there's science to back this up?

MITCHELL
Oh, yes, yes sir.

BERNADETTE
Excuse me, Dr. Mitchell. Can you elaborate on the techniques you'll be employing?

MITCHELL
Absolutely.

Mitchell moves ahead in his powerpoint. Each technique has a corresponding slide.

MITCHELL
The attention grasp, walling, facial hold.

JESSEN
The facial slap or insult slap, cramped confinement, wall standing, stress positions.

MITCHELL
Sleep deprivation, waterboarding.
JESSEN
Use of insects and mock burials.

Beat. The room shifts uncomfortably.

BERNADETTE
Well, from my perspective, this seems like it could be a potential game changer. But, of course, it's up to Director Rodriguez--

JOSE
I think if we're serious about stopping the next threat, we need to put on our big boy pants and provide the authorities these guys need.

JESSEN
These approaches might raise some eyebrows at Defense--

JOSE
Well, we're not at Defense, we're at the CIA. Besides, you just said, we use this SERE stuff on our own guys all the time. I don't see a problem.

Mitchell and Jessen nod.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - PRESENT

Dan reads off of his computer screen. Julian and April stand behind him.

DANIEL JONES
Shortly, after the CIA's decision to engage Dr. Mitchell, Abu Zubaydah was moved to a cell that was lit 24 hours a day. Loud noise was fed into his cell to disrupt his sleep...

JULIAN
What about the guy who got him talking? Ali... Soufan?

APRIL
Wait. He's FBI, not CIA. So we can ask him questions, right? No rule against that.
DANIEL JONES
We can try.

EXT. ONE WORLD TRADE - NEW YORK CITY - MORNING
The new World Trade Center under construction on a cloudy day.

EXT. CENTRAL PARK - BETHESDA FOUNTAIN - MORNING
Ali sits on the edge of the fountain. Dan walks toward him and sits down.

ALI
There’s only one interrogation technique that works: rapport building. You get close to these guys, and they open up. But, the CIA didn’t believe that. Just look at Abu Zubaydah.

DANIEL JONES
Well, you got him to talk. How’d you do that?

ALI
I walked in one day and played him a tape of himself. Most of it was of a phone conversation -- we had tapped his phones but he forgot to hang up at the end of the call -- so we had all this background noise of his house. Then, my partner walked in with a big box full of cassette tapes. We told him we had bugged his safe house. We had been listening for months. We knew everything, so lying was pointless. He looked at the box full of tapes and--

DANIEL JONES
And all the tapes were blank?

ALI
Of course they were! But, he didn’t know that. So, he talked.

DANIEL JONES
What happened when the contractors showed up?
Ali’s demeanor changes. Unsettled.

INT. D.S.G. - CHIEF OF STATION OFFICE - DAY - FLASHBACK

Ali with Bernadette, Mitchell, and GARY THE CIA INTERROGATOR.

SUPER: APRIL 2002

ALI
Who the fuck is this?

BERNADETTE
Dr. Mitchell is an Air Force psychologist and he’s developed a new method of interrogation.

ALI
Why -- why do we need a new method?

MITCHELL
He’s not telling you everything.

BERNADETTE
We think he knows more -- we put him at number 3 or number 4 in al-Qaeda leadership -- he probably knows the next move.

ALI
Do you speak Arabic, Jim? Does Gary here?

MITCHELL
Don’t need to.

ALI
Can I ask you something? Have you ever interrogated any sort of extremist before? Know much about al-Qaeda?

MITCHELL
Nope.

ALI
Have you ever interrogated any sort of terrorist before?

MITCHELL
No.

ALI
Any sort of criminal?
MITHCELL

No.

ALI
Have you ever interrogated anyone before?

MITCHELL
It's not important. He's a human. I'm a psychologist. He knows a secret, and I'm going to get him to tell that secret to Gary.

ALI
What are you gonna to do to him that isn't--

MITCHELL

INT. DETENTION SITE GREEN - HOLDING CELL - ANOTHER DAY - FLASHBACK

LOUD HEAVY METAL plays on speakers. A naked and bruised Zubaydah is chained in a standing stress position. Guards dressed in hoods and all black forcefully unchain Zubaydah and drag him out.

GUARD
Let's go shitbird!

GUARD 2
Move it, asshole.

INT. DETENTION SITE GREEN - HALLWAY - CONTINUOUS - FLASHBACK

The hooded guards drag Zubaydah down the hall. He pleads for his life in Arabic. He is thrown into the interrogation cell.

INT. D.S. GREEN - INTERROGATION CELL - CONTINUOUS - FLASHBACK

Zubaydah is tossed onto a metal chair. The guards grab his hair to hold him in place as they begin to shave him.

ANGLE ON a tripod camera in the cell recording the scene.
Mitchell, Ali, Bernadette, and physician’s assistant Raymond Nathan (40s) watch a monitor as the guards shave Zubaydah’s beard and head.

ALI
You can’t just shave a Muslim man. Do you know what that means? He’s going to shut down.

MITCHELL
Gotta humiliate him right off the bat. Same reason we took away his clothes.

BERNADETTE
Why the loud music?

MITCHELL
Sleep deprivation. We stop the music when he starts talking. Then he can sleep.

NATHAN
Tired people tell the truth?

MITCHELL
Learned Helplessness. You’re familiar with Dr. Martin Seligman?

Raymond Nathan just looks at him, incredulous.

MITCHELL (CONT’D)
Seligman did an experiment with dogs. He put ‘em in a cage with a barrier running down the middle -- one side of the cage was electrified, the other wasn’t. At first when he shocked the dogs, they’d jump over the barrier to get away. And then he electrified both sides. There’s no escape. No belief they could change anything. He’d open the door to the cage and they wouldn’t even leave. That’s learned helplessness -- that’s what we’re going to instill in this man. You’ll see.

ANGLE ON A TERRIFIED ZUBAYDAH ON THE TV MONITOR

PRE-LAP: sound of hammering.
EXT. DETENTION SITE GREEN – ANOTHER DAY – FLASHBACK

ANGLE ON A BOX OF BUGS, ALIVE AND SQUIRMING


ALI
A coffin? You’re gonna kill him?

MITCHELL
Let’s call it a confinement box. I got this one. I got a smaller one.

ALI
And you’re gonna put him in there?

MITCHELL
With these -- which based on my evaluation, he hates.

Mitchell shows Ali a box of bugs.

ALI
Are you out of your mind?

Ali turns to Gary.

ALI (CONT’D)
We don’t do this. You know this is against the law.

MITCHELL
The most senior people have signed off on it.

ALI
We’re putting him on trial. How are we gonna build a case against him?

Mitchell appears genuinely confused by this.

MITCHELL
Who says he’s getting a trial?

EXT. CENTRAL PARK – BETHESDA FOUNTAIN – PRESENT

Back to Ali and Dan.

ALI
I wanted to arrest them right there on the spot. I told the Bureau that-
DANIEL JONES
What’d they say?

ALI
They briefed Director Mueller and
told me to get the hell out of
there. So, I did.

DANIEL JONES
When was that?

ALI
Late May -- mid-May.

DANIEL JONES
Because I’m finding records that
say that -- well, Mitchell left a
little while later -- early June --
for R and R and some meetings at
headquarters. But, we had one high
value detainee in custody: Abu
Zubaydah. And after Mitchell left,
the CIA put him in isolation and
didn’t ask him a single question
for 47 days.

ALI
Are you fucking kidding me? The
whole country was on red alert that
summer. If they were so concerned
about the next attack -- why’d they
stop asking questions?

DANIEL JONES
Right, it doesn’t make any sense.

ALI
Once the psychologists showed up,
almost nothing did anymore.

EXT. WASHINGTON MONUMENT, D.C. - NIGHT

Late evening in the nation’s capital.

INT. SENATOR FEINSTEIN’S OFFICE - NIGHT

Most employees have gone home for the day, but Dan and
Senator Feinstein meet -- and discuss Zubaydah.
DANIEL JONES
The CIA said Zubaydah was “involved in every major terrorist operation carried out by al-Qaeda.” They told the President he was number 3 or 4 in the organization.

SENATOR FEINSTEIN
Yes, that was my understanding as well.

DANIEL JONES
And the claim that Zubaydah was a major player was the main justification they gave to the Justice Department for needing to go harder -- they were certain he knew about the next attack.

Dan hands Senator Feinstein some documents.

DANIEL JONES (CONT’D)
(off his notes)
But, last night I found this -- turns out Zubaydah wasn’t 3 or 4 in the organization. He wasn’t part of al-Qaeda leadership at all. They only had one source calling him that, and that source later admitted he was lying.

SENATOR FEINSTEIN
So, they exaggerated who he was to the President and the Department of Justice in order to get legal approvals for these new techniques -- is that what you’re saying?

DANIEL JONES
I think that’s a possibility. The program really starts with him.

SUPER: DETENTION SITE GREEN, AUGUST 4, 2002

Mitchell and Jessen set up the waterboard. They prepare everything they will need. Rags. Large buckets of water. Raymond Nathan observes.
NATHAN
Have you guys used this thing before?

JESSEN
The waterboard? No, it's a Navy thing. But, we watched a video.

MITCHELL
We tested it on each other -- just to get a feel for the experience.

NATHAN
Is it safe?

Beat.

JESSEN
(unconvincing)
Yes.

INT. D.S. GREEN - HOLDING CELL - DAY - FLASHBACK

Zubaydah, naked, bruised, bleeding, chained in a standing stress position. Heavy metal music blares over the speakers.

INT. D.S. GREEN - INTERROGATION CELL - LATER - FLASHBACK

Mitchell and Jessen, wearing hoods, slam Zubaydah into a wall -- this is walling. In between slams, Mitchell questions him.

INT. D.S. GREEN - OBSERVATION ROOM - CONTINUOUS - FLASHBACK

A shocked Raymond Nathan and steely Bernadette watch the interrogation on a TV monitor.

MITCHELL (HEADPHONES)
Who are the operatives inside the U.S.?

ZUBAYDAH (HEADPHONES)
I don't know.

INT. D.S. GREEN - INTERROGATION CELL - CONTINUOUS - FLASHBACK

More heavy metal. More stress positions. More walling. Between slams:

MITCHELL
When is the next attack?
ZUBAYDAH
I don’t know.

INT. D.S. GREEN - OBSERVATION ROOM - LATER - FLASHBACK
Bernadette, Raymond Nathan, and others watch as Zubaydah is strapped to the waterboard. A towel is forced onto his face. Zubaydah pleads with his captors, in English and Arabic.

INT. D.S. GREEN - INTERROGATION CELL - CONTINUOUS - FLASHBACK
Mitchell and other guards hold down Zubaydah. Jessen holds Zubaydah’s face and pours water from an old plastic gallon milk carton. He begins to count the seconds as he pours...

JESSEN
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14...

Zubaydah gasps and shakes violently.

Water drips into the drain... water coats the entire floor.

INT. D.S. GREEN - OBSERVATION ROOM - CONTINUOUS - FLASHBACK
Raymond Nathan watches the waterboarding, horrified.

JESSEN
15, 16, 17, 18, 19, 20...

INT. D.S. GREEN - INTERROGATION CELL - CONTINUOUS - FLASHBACK
The waterboarding continues...

JESSEN
21, 22, 23, 24, 25, 26...

Jessen tosses an empty jug on the floor. He rips the towel off of Zubaydah’s face. Zubaydah spits out water and chokes, gasping for breath.

INT. D.S. GREEN - OBSERVATION ROOM - CONTINUOUS - FLASHBACK
Raymond Nathan and Bernadette watch the monitor. Mitchell shouting at Zubaydah is heard through their headphones.

MITCHELL (HEADPHONES)
When is the next attack?
(louder)
(MORE)
MITCHELL (HEADPHONES) (CONT'D)
Who are the operatives inside the U.S.?

Zubaydah continues to choke.

INT. OFF-SITE LOCATION - SECURITY AREA - NIGHT - PRESENT

Dan carries the locked document bag past SECURITY.

OFF-SITE SECURITY
(boilerplate)
Anything in that bag contain the real names of CIA officers, assets, or partners? Or, any information that would violate the agreement between the Central Intelligence Agency and the United States Senate?

DANIEL JONES
All good.

OFF-SITE SECURITY
Alright, good night.

DANIEL JONES
Have a good night, Jay.

OFF-SITE SECURITY
Get home safe.

Dan waves to the security guard at the door as he walks out into the wee hours.

EXT. OFF-SITE PARKING LOT - VIRGINIA - LATE NIGHT

Just a few cars at this hour. Dan approaches his car and hears a voice from the shadows.

NATHAN
Dan Jones?

Dan turns.

DANIEL JONES
Do I know you?

NATHAN
No, but I think I can help you.

DANIEL JONES
Help me with what?
NATHAN
The EIT program. That’s what you’re looking into, isn’t it?

Dan nods. REVEAL: Raymond Nathan.

NATHAN (CONT’D)
I need to know I won’t be named. Anywhere. I’m still with the Agency. My even being here with you...talking...

DANIEL JONES
What was your involvement?

NATHAN
Office of Medical Services: black sites.

DANIEL JONES
So, you’re a doctor?

NATHAN
Physician’s Assistant. The American Medical Association won’t allow doctors to be involved. They take an oath: do no harm. We’re the next best thing. I was there when the contractors arrived.

Beat. Dan considers what to do, and then -- he takes a few steps forward, trusting Nathan.

DANIEL JONES
They made tapes of the Abu Zubaydah interrogations -- but there’s a 21-hour period where the transcripts are missing -- nothing.

NATHAN
They were using the waterboard. Zubaydah lost consciousness. He was choking to death. Drowning. Not just thinking he was drowning, he was actually fucking drowning.

INT. D.S.G. - CHIEF OF STATION OFFICE - DAY - FLASHBACK

Raymond Nathan with Bernadette. They’re alone.
NATHAN
I was told that the waterboard was only going to be used as a last resort.

BERNADETTE
The contractors did an assessment of the prisoner and they made a call--

NATHAN
What kind of assessment? They bounced him off the walls a few times and then strapped him down and poured water down his throat.

BERNADETTE
We understand this is a different approach -- but it's based on science.

NATHAN
Science? Come on, what science? Have you seen their science?

BERNADETTE
They believe the waterboard is working here to create compliance--

NATHAN
Well, of course they do. They're the ones who get to decide when it's used. They're also the ones who get to decide if it’s working -- how is that even ethical?

BERNADETTE
The people we're dealing with weaponized daily life. Would you like to talk about the ethics of that? We are here to make sure that nothing like that ever happens again. They're training their people to resist traditional interrogations in the back of a cave somewhere. So, we need to change our approach, before another bomb goes off or another building falls down.
NATHAN
Okay, okay, what is gonna happen when one of our soldiers gets captured and takes out a card with the Geneva Convention on it and wants to be treated like a human being? You think his captors aren’t going to remember the way these people were treated here? And for what?

BERNADETTE
Do you have a kid at home?

Beat. Nathan does not respond.

BERNADETTE (CONT’D)
We’re not gonna get beat again.

EXT. OFF SITE PARKING LOT - VIRGINIA - PRESENT

DANIEL JONES
Besides the Chief of Station, did you report your concerns up the chain of command?

NATHAN
We got a cable from Director Rodriguez telling us to stop putting our objections in writing. No paper trail. I told them if they were going to keep using the new techniques, I wanted out. I wasn’t the only one. Guys were choking up.

A CAR UNLOCK BEEP is heard. Nathan and Dan both clock it.

NATHAN (CONT’D)
It’s all in the emails.

Nathan hurries away.

INT. SENATOR WHITEHOUSE’S OFFICE - ANOTHER DAY

Whitehouse lays on the couch in his office. Dan briefs him.

DANIEL JONES
As early as November 2001, the CIA's legal team circulated a memorandum describing a "novel" legal defense for their officers who might engage in torture...
SENATOR WHITEHOUSE
C’mon. They actually called it torture? The CIA? They just forgot we have laws against that?

DANIEL JONES
Yes, sir. Mitchell and Jessen renamed it “enhanced interrogation” to help sell it, but the Agency was talking about doing it before they even had a single detainee. My question, Senator, is: how did the CIA know they needed to torture prisoners before they even had one?

Dan hands Senator Whitehouse a few documents and memos.

SENATOR WHITEHOUSE
That didn’t come from Cheney and Addington?

DANIEL JONES
Seems like it happened the other way around. The CIA took it to the Bush White House and John Yoo at the Office of Legal Counsel...

YOO (PRE-LAP)
So, here’s where we’re at...

INT. DOJ – CONFERENCE ROOM – NIGHT – FLASHBACK

SUPER: OFFICE OF LEGAL COUNSEL, JULY 2002

A group of LAWYERS discus how to make torture legal. Rizzo and Eastman from CIA. JOHN YOO from the OFFICE OF LEGAL COUNSEL (OLC) and YOO’S ASSISTANT.

YOO
The crime of torture -- as described in Section 2340 -- requires that the defendant -- in this case, an interrogator -- intends to cause severe pain or suffering. But, in this case that’s not the interrogator’s intent.

EASTMAN
Right. The intent is to gain intel. Save American lives.
RIZZO
But, John, what if the techniques the interrogator employs do, nonetheless, cause "pain" and "suffering" -- how do we deal with that?

YOO
Well, the key phrase is: "severe pain or suffering." But, 2340 never actually defines the term 'severe.' We found this definition in a Medicare statute... Severe pain or suffering: "acute symptoms that place the individual in serious jeopardy and are hard to endure."

RIZZO
Meaning?

YOO
To constitute torture, the damage done must rise to the level of organ failure, impairment of bodily function, or death.

EASTMAN
So, basically if someone dies, we're doing it wrong?

YOO
If the President deemed it necessary to crush the testicles of a child to stop a plane from crashing into a building -- to save American lives -- there is no law or treaty that can stop him. I can make the same argument for gouging out a prisoner's eyes or dousing him with acid.

Beat.

YOO (CONT'D)
In our opinion, if it provides unique intelligence that saves lives -- and doesn't cause any lasting harm -- then it's legal for the President to order it.

EASTMAN
What do we mean when we say "unique"?
YOO
Intelligence that couldn’t have been obtained any other way.

RIZZO
And you’ve discussed all of this with the White House, I assume?

INT. SENATOR SHELDON WHITEHOUSE’S OFFICE – PRESENT

Dan and Whitehouse.

SENATOR WHITEHOUSE
And? Did they tell Bush what they were going to do to Zubaydah?

DANIEL JONES
No.

SENATOR WHITEHOUSE
And National Security Advisor Rice – where was she in all this?

DANIEL JONES
National Security Advisor Rice was told about the program, but she was also told that the President would not be briefed.

SENATOR WHITEHOUSE
Who tells the President’s National Security Advisor not to brief the President?

Beat. Dan does not answer.

SENATOR WHITEHOUSE (CONT’D)
Cheney and Addington.

DANIEL JONES
According to CIA records, Bush wasn’t told about the program until April of 2006 -- four years later.

Whitehouse looks at the memos.
DANIEL JONES (CONT’D)
And the records we found state that when the President was finally told about the program, he expressed discomfort with the “image of a detainee, chained to the ceiling, wearing a diaper, forced to go to the bathroom on himself.”

SENATOR WHITEHOUSE
How long until you get this thing done, Dan? We’ve gotta get this out.

TIMELINE SUPER: 2010

INT. OFF-SITE BASEMENT – WINDOWLESS ROOM – ANOTHER DAY

Dan, April and Julian at their desks. April sees something strange.

APRIL
What about this guy: Gul Rahman?
Captured in Peshawar November 2002.
He’s not at Gitmo. He’s not anywhere...

Dan gets up and looks through their files of detainees. April gets up and tapes a photo of Gul Rahman to the growing detainee wall.

DANIEL JONES
(to himself)
Gul Rahman...
(to April)
No. They didn’t tell the Committee about him. He’s detainee number 24.

Flashes of documents, words and images pertaining to Gul Rahman dart across the screen, taking us to...

SCRUBBED (PRE-LAP)
HQ says he knows operational detail about al-Qaeda...

INT. DETENTION SITE COBALT – TUNNEL – FLASHBACK

A horrific dungeon of a place. SCREAMS echo.

SUPER: DETENTION SITE COBALT, NOVEMBER 2002
Bruce Jessen walks down the hall with a FRESHLY SCRUBBED CIA OFFICER and a YOKED UP colleague.

SCRUBBED
The guy's an asshole. Threw his food at us -- threatened to kill the guards.

JESSEN
I've asked headquarters to approve the application of the enhanced measures for this detainee -- and the request has been approved.

SCRUBBED
Great. We haven't had any luck loosening him up.

INT. DETENTION SITE COBALT - TUNNEL - EARLIER - FLASHBACK

Guards/officers throw Gul Rahman against a wall. He falls to the ground and they begin kicking him. Hard. Rahman winces.

YOKED (V.O.)
Ran him up and down the hall, beat the crap out of him. Nothing.

BACK TO:

INT. DETENTION SITE COBALT - TUNNEL - FLASHBACK

SCRUBBED
(demonstrating)
Even been trying this thing they call short shackling -- chain a dude's hands to a bolt on the floor...

INT. D.S. COBALT - RAHMAN'S CELL - EARLIER - FLASHBACK

GUL RAHMAN chained in a seated short shackle. Naked except for a sweatshirt. Rahman has bruises and sores all over his body. Marilyn Manson blares over the speakers.

SCRUBBED (V.O.)
Then you chain his feet to the same bolt.

BACK TO:
INT. DETENTION SITE COBALT - TUNNEL - FLASHBACK

SCRUBBED
Farmers call it hog-tying, I think. He finally admitted to something.

JESSEN
What was that?

YOKED
That he was who we said he was: Gul Rahman.

Jessen shakes his head.

JESSEN
What you want to do first is take away his sense of control. If you’d like, I could spend some time showing you how to achieve this with the enhanced techniques—

SCRUBBED
Great. We got another 30 guys here to deal with.

INT. D.S. COBALT - RAHMAN’S CELL - LATER - FLASHBACK

SCRUBBED and a HOODED MAN enter. Rahman is still short shackled to the floor.

SCRUBBED
(shouting over blasting music)
I heard you told the doctor you were cold.

They toss a bucket of water on Rahman and leave him shivering in the night. The heat visibly escapes his body.

INT. SENATOR FEINSTEIN’S BULLPEN - MORNING - PRESENT

A sleepless Dan waits for the Senator. He fidgets trying to keep himself awake. Finally, Marcy and the Senator enter.

DANIEL JONES
Senator, do you have a few minutes this morning?

SENATOR FEINSTEIN
Absolutely. Come on in, Dan.
SECRETARY
(to Marcy)
The Senator is needed on the floor
for a vote.

MARCY
Give her five minutes.

Feinstein, Dan, and Marcy enter the office.

SENATOR FEINSTEIN (PRE-LAP)
Did you sleep last night, Dan?

INT. SENATOR FEINSTEIN'S OFFICE - MOMENTS LATER

Senator Feinstein sits at her desk. Dan straightens his tie
and explains...

DANIEL JONES
Senator, a prisoner died.

INT. D.S. COBALT - RAHMAN'S CELL - FLASHBACK

Gul Rahman lies motionless on the floor in a frozen pile of
water. A CIA officer kicks him to see if there's any life
left. Dead.

BACK TO:

INT. SENATOR FEINSTEIN'S OFFICE - CONTINUOUS - PRESENT

DANIEL JONES
Gul Rahman. They thought he was
maybe working for an Afghan Warlord
or that he knew something about an
attack--

MARCY
Did he?

DANIEL JONES
He died before they ever found out
anything besides his name. Dumped
cold water on him one night and
found him dead in his cell in the
morning. Autopsy said hypothermia.

Senator Feinstein is dubious.

SENATOR FEINSTEIN
Where did you get this from?
DANIEL JONES
Inspector General’s report.

Dan takes out the IG REPORT.

DANIEL JONES (CONT’D)
The CIA did their own investigation into the death of Gul Rahman.

He opens the report. Pages marked with post-its.

DANIEL JONES (CONT’D)
The Officer in Charge was recommended for a performance bonus. They promoted him. He’s still out there in the field.

Beat.

SENATOR FEINSTEIN
Well, are you accusing the CIA of murder, Dan? Because that sounds like where this is going.

DANIEL JONES
We have proof the Deputy Director coached the Officer in Charge how to cover up what happened -- told him to be careful what he put in writing. So, why would they need to cover it up if they were following standard operating procedure? Why didn’t they tell the Committee? Why didn’t they tell you?

SENATOR FEINSTEIN
(off the report)
I’m going to need to review all this personally. It’s very disconcerting.

She leaves Dan and Marcy alone. Dan picks up the IG report from the Senator’s desk.

DANIEL JONES
(to himself)
Disconcerting... Very disconcerting?

MARCY
Dan, you need to be careful here. You’re getting emotionally involved.
DANIEL JONES
They fucking killed a guy and nobody was held accountable? We don’t know he was a terrorist. We barely even know his name.

MARCY
I understand. And what you need to understand is that her name is going on this report. Not yours. Senate staff doesn’t have to run for re-election, but she does.

DANIEL JONES
Their legal argument said EITs wouldn’t cause lasting harm –- so how long is Gul Rahman gonna be dead for?

Dan walks out.

**INT. OFF-SITE BASEMENT - HALLWAY - ANOTHER DAY**

Dan hustles toward the windowless room.

**INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - MOMENTS LATER**

Dan sits at his desk, reading something on his computer screen.

DANIEL JONES
Are you guys seeing this Panetta review? It just showed up...

JULIAN
I don’t understand. Looks like the CIA did their own investigation -- confirms everything we’ve been finding.

The printer spits out a document. When it’s finished, April picks up the document from the printer tray and brings it over to Dan.

APRIL
So, what’re you gonna do with it?

Dan puts the document in an envelope labeled “Panetta Review” -- the same envelope Dan took from the room in the cold open.

DANIEL JONES
Hopefully, nothing.
Dan puts the envelope in a drawer. Closes it.

DANIEL JONES (PRE-LAP) (CONT’D)
Special Prosecutor Durham, please?...

EXT. OFF-SITE LOCATION - VIRGINIA

Dan sits on a bench nearby on the phone.

DANIEL JONES
I’ve already left several messages. It’s Dan Jones from the Intelligence Committee. How are you?... Good. I just wanted to check in again to see if the special prosecutor is available to meet on the CIA probe... It can be off the record. I just want to compare notes... Yes, same number. Thank you.

He hangs up frustrated. Walks back in.

INT. DC BAR - NIGHT

Dan, April and Julian have drinks. They watch MARC THIESSEN on NBC News.

THIESSEN (TV)
You know, we’ve got to think back to the period after 9/11. We didn’t even know who hit us. We didn’t know that Khalid Sheikh Mohammed was the mastermind of 9/11 or the operational commander of al-Qaeda. And then we started rounding up these terrorists... we caught Abu Zubaydah, we caught Razmi bin al-Shibh, and KSM. And these guys provided us information under questioning by the CIA that stopped a number of terrorist attacks... They were planning to blow up the U.S. Consulate in Karachi, Pakistan...

Dan shakes his head. The wrong story hitting the airwaves...

JULIAN
Shit.
INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - MORNING

Dan prints a photo of KSM. April enters, surprised to see Dan already there hard at work and heavily caffeinated.

APRIL
Good morning.

Dan ignores niceties and dives right in.

DANIEL JONES
(holding the photo)
Khalid Sheikh Mohammed was indicted in New York for trying to blow up airplanes in 1995. The CIA already knew about him. They knew he was close to bin Laden. They knew about him before Zubaydah ever identified him.

Dan tapes the photo onto the growing wall of detainees. April walks to her desk and puts her things down.

APRIL
How long have you been here?

Dan rushes over to his desk to show April what else he has found.

DANIEL JONES
Also, according to this cable--
(answering her question)
A few hours... A CIA officer in Islamabad began working someone they call Asset X. X claimed to have direct access to KSM, but was eventually turned away when he asked for money.

He hands April a print-out of the cable.

APRIL
How much money?

DANIEL JONES
A few thousand bucks. Two years later -- after they've been putting him off, putting him off, putting him off -- they finally pay him and almost immediately he sends a text to his CIA handler saying: "I’m with KSM."

(MORE)
DANIEL JONES (CONT'D)
It had nothing to do with the waterboard!

April reacts -- a mix of shock and astonishment.

DANIEL JONES (CONT'D)
Good morning.

APRIL
Good morning.

They both take up their posts at their desks. Dan searches “Khalid Sheikh Mohammed.”

Flashes of documents, words and images pertaining to KSM dart across the screen, taking us to...

INT. DETENTION SITE BLUE - INTERROGATION CELL - FLASHBACK

SUPER: DETENTION SITE BLUE, MARCH 2003

KSM is waterboarded -- and very different from what happened to Zubaydah. This is gallons of water, all at once, much more intense. Yankee Doodle blares over the speakers.

JESSEN
1, 2, 3, 4, 5, 6...

INT. DETENTION SITE BLUE - INTERROGATION CELL - ANOTHER DAY - INTERCUT

Zubaydah in a diaper, hands chained to the ceiling. He’s badly bruised and appears barely awake. Mitchell and Jessen, in hoods and dressed all in black, shout at him.

MITCHELL
Who are you working with in the U.S.?

BACK TO:

INT. DETENTION SITE BLUE - INTERROGATION CELL - INTERCUT

Another waterboarding session.

JESSEN
7, 8, 9, 10, 11...

BACK TO:
INT. DETENTION SITE BLUE - INTERROGATION CELL - ANOTHER DAY

Jessen holds a photo of two young Pakistani children.

JESSEN
We have your kids!

BACK TO:

INT. DETENTION SITE BLUE - INTERROGATION CELL - INTERCUT

A video camera captures another waterboarding session.

JESSEN
12, 13, 14, 15...

INT. DETENTION SITE BLUE - OBSERVATION BAY - CONTINUOUS

Bernadette and Gretchen watch from above through a two-way mirror as Jessen and Mitchell waterboard KSM.

JESSEN
16, 17, 18...

INT. DETENTION SITE BLUE - INTERROGATION CELL - CONTINUOUS

JESSEN
It will stop if you talk!

A heavy stream of water flows from a bucket, drenching the t-shirt over KSM's face. He shakes violently. Mitchell stops the pour.

MITCHELL
Where is the next attack?

Underneath the t-shirt, KSM barely makes out--

KSM
Canary wharf... Canary wharf!

Mitchell and Jessen look up at the observation room and nod--confirming they got something.

INT. DETENTION SITE BLUE - HALLWAY - LATER

Bernadette, Gretchen, Mitchell and Jessen.
BERNADETTE
Okay, here’s the problem: we already know about the Heathrow and Canary Wharf plots -- he knows that. It’s in his goddam notebook.

GRETCHEN
We asked about plots in the U.S. -- not London.

BERNADETTE
He’s fucking with you again.

JESSEN
To be honest, I’ve never met a resistor like this guy. He’s a “super resistor.”

BERNADETTE
He lied to you to make you stop.

GRETCHEN
He just tells us shit he knows we already have -- that’s all he does.

MITCHELL
Then, that’s what we’re learning. That’s what the waterboard is giving us. We now know he’s lying.

BERNADETTE
I thought it was meant to give us the truth?

JESSEN
And, the truth is: he’s lying.

Bernadette is floored. Doesn’t respond. Walks away.

GRETCHEN
Headquarters says we go again.

She follows Bernadette.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - LATER - PRESENT

DANIEL JONES
The chief of interrogations ordered the rectal rehydration of KSM -- not for health reasons, but as a way of showing total control over the detainee.
INT. D.S. BLUE - OBSERVATION BAY - FLASHBACK - INTERCUT

Bernadette and Gretchen watch as Mitchell and Jessen perform rectal rehydration on KSM.

DANIEL JONES (V.O.)
Even though rectal rehydration was never an approved technique.

INT. DETENTION SITE BLUE - INTERROGATION CELL - CONTINUOUS

Mitchell and Jessen stick a feeding tube in KSM’s rectum. He squirms.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - PRESENT

APRIL
Total control isn’t chaining the guy to a wall, keeping him awake for days, and threatening his family? You need to shove a tube up his ass?

BACK TO:

INT. DETENTION SITE BLUE - INTERROGATION CELL - FLASHBACK

Water drains from an IV fluid bag. Zubaydah drools, face down on an operating table. Mitchell stands over him.

MITCHELL
This right here is the rest of your life, unless you start telling the truth.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - PRESENT

Dan, Julian, April still at their desks reading CIA internal memos off their computers.

JULIAN
(reading)
Then, they went back to waterboarding him. “When a medical officer pressed on KSM’s--

DANIEL JONES
Wait. Where are you?
JULIAN
Next page. “When a medical officer pressed on KSM’s abdomen, he expressed water from his mouth and nose.”

APRIL
So, he was swallowing all the water.

DANIEL JONES
(reading)
“On March 17th, the waterboard technique began to evolve…”

INT. D.S. BLUE - INTERROGATION CELL - ANOTHER DAY - FLASHBACK

KSM now face up on the waterboard. Jessen holds his hands over KSM’s mouth, while Mitchell pours gallons of water into the triangle formed by Jessen’s hands.

DANIEL JONES (V.O.)
Interrogators used their hands to maintain a pool of water over KSM’s nose and mouth.

INT. D.S. BLUE - OBSERVATION BAY - CONTINUOUS - FLASHBACK

Bernadette and Gretchen watch as the new waterboarding technique continues.

INT. D.S. BLUE - INTERROGATION CELL - CONTINUOUS - FLASHBACK

Mitchell and Jessen stop pouring. KSM spits up water. He chokes and gasps for air.

MITCHELL
Who are the operatives inside the U.S.?

KSM
(between gasps)
Issa... Isaa al Britani

Mitchell and Jessen look at one another.

JESSEN
Where is the next attack?
KSM
(gasping)
Montana...

Mitchell and Jessen look up at the observation bay.

INT. D.S. BLUE – OBSERVATION BAY – CONTINUOUS – FLASHBACK

Gretchen takes off her headphones, turns to Bernadette, smiling.

GRETCHEN
We got something.

INT. SENATOR FEINSTEIN’S OFFICE – DAY – PRESENT

Dan briefs the Senator on KSM.

DANIEL JONES
KSM told interrogators he sent Abu
Issa al-Britani to the U.S. to
recruit African American Muslims in
Montana to blow up gas stations and
start forest fires.

SENATOR FEINSTEIN
Montana? Muslims in Montana?

DANIEL JONES
The FBI had serious doubts as well.
Later, KSM admitted he just told
them what they wanted to hear to
make it stop.

SENATOR FEINSTEIN
So, did they get anything
actionable from him at all?
Anything that saved lives?

DANIEL JONES
They waterboarded him 183 times,
and then concluded “KSM may never
be forthcoming or honest.”
Everything they got from him was
either a lie or something they
already had.

SENATOR FEINSTEIN
Okay, so my first question is: if
it works, why do you need to do it
183 times?
DANIEL JONES
Maybe when the report comes out, people will finally see that.

SENATOR FEINSTEIN
Well, let’s worry about getting it right and getting it done. We can worry about changing the world later.

INT. DC ST. REGIS RESTAURANT – MORNING

Dan sits at a table, staring out the window lost in thought. Julian arrives.

JULIAN
Sorry I’m late.

DANIEL JONES
It’s okay.

JULIAN
Barely slept.

DANIEL JONES
Want some coffee?

Julian nods, and Dan pours him a cup.

JULIAN
Hey, can I ask you something? You ever have dreams, you know, about the stuff that’s in the report?

DANIEL JONES
Yeah. I have one where I’m drowning. I can’t move my arms or legs. I can’t breathe. That wakes me up.

JULIAN
Last night I dreamt I was trapped in one of those confinement boxes. They just left me there.

From across the room, GRETCHEN leaves her table and approaches Dan and Julian.

GRETCHEN
Daniel Jones, right?

DANIEL JONES
Do I know you?
GRETHE N
I just wanted to tell you to your
face that I think you and that
report are garbage.

JULIAN
Excuse me--

GRETHE N
You weren’t there, so you don’t
know what worked and what didn’t,
or what we were up against. You may
not realize, but we were trying to
protect this country from people
who want to destroy everything we
believe in.

DANIEL JONES
You may not realize it, but we’re
trying to do the exact same thing.

GRETHE N
Your bullshit report will never see
the light of day.

She walks away, leaving Dan and Julian rattled.

INT. OFF-SITE LOCATION - STAIRWELL - NIGHT

Dan is on the phone, exasperated.

DANIEL JONES (PHONE)
Special Prosecutor Durham, please.
It’s Dan Jones, calling again about
the Justice Department
investigation of the CIA... We
really need to meet... You have?...
Okay, what are their findings?

Dan listens for a few seconds, then hangs up.

DANIEL JONES (CONT’D)
(to himself)
Fuck.

SENATOR WHITEHOUSE (PRE-LAP)
Nothing?

INT. SENATOR WHITEHOUSE’S OFFICE - NEXT DAY

SENATOR WHITEHOUSE (CONT’D)
No indictments at all?
DANIEL JONES
No charges against Jose Rodriguez or Gina Haspel for destroying the tapes. Nothing against the CIA for torturing people. Nothing against Jim Pavitt and the others for providing misinformation. Nothing at all. DOJ says they don’t have enough admissible evidence to convict anyone. You go after the contractors and they’re indemnified. You go after the Head of Counterterrorism and he’d just say he was following orders from the CIA Director. You go after the Director and he -- well, he would just site the President. Then the White House would claim National Security.

SENATOR WHITEHOUSE
DOJ at least share what they found?

DANIEL JONES
No. They won’t turn anything over. We’re the only ones still looking at this.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - ANOTHER DAY

Dan reads a document on his computer: “Testimony of John Hart.”

APRIL
Dan?...Dan?

DANIEL JONES
Did you know a CIA officer testified before Congress in 1978 regarding the use of coercive physical interrogation techniques in Latin America? And the officer said, “the techniques result in false answers” and have “proven to be ineffective.” And before Latin America, they did it in Vietnam--

APRIL
Dan, I need to tell you something--

DANIEL JONES
They knew it didn’t work and they did it again.
DANIEL JONES (CONT’D)        APRIL
Don’t even listen to their    I’m leaving the study...
own fucking people.

APRIL (CONT’D)
I got a job offer and I can’t turn
it down. I’m sorry, but don’t you
see what this is doing to you? To
all of us? I mean, my kids are at
home growing up and I’m down here
reading about how they put a power
drill against one guy’s head and
how they pulled another guy’s arms
out of his sockets. And I just --
this is how I’m spending my
Sundays. And my Saturdays. This is
how I spend every day. I just -- I,
I, I can’t. I’m gonna leave after
Thanksgiving.

Beat.

DANIEL JONES
Okay. I understand. Okay,
Thanksgiving. That gives us... That
gives us a couple months.

JULIAN
Dan, it’s November. Thanksgiving is
next week.

APRIL
How many pages have we written so
far? Thousands? We don’t even know
if this is ever gonna come out. The
tapes investigation never did. It’s
still classified. You just said it
yourself: the CIA knew this shit
didn’t work in 1978 -- and it
didn’t stop them from doing it
again... Look, we’ve been down here
for two years, Dan, in this
basement. Nobody is waiting for us
to come out.

She walks back to her desk. Dan is slightly rattled, but he
simply returns to the computer and beings typing.

Flashes of documents, words and images pertaining to Abu
Ghraib dart across the screen, taking us to...
INT. CTC - BULLPEN - ANOTHER DAY - FLASHBACK

SUPER: APRIL 2004

Mitchell, Jessen, Bernadette and OTHERS look up at the TV monitors.

WOLF BLITZER (TV)
...shocking photos that apparently show U.S. troops abusing detainees in a prison outside Baghdad...

BERNADETTE
We have a problem.

INT. CIA CONFERENCE ROOM - DAY - FLASHBACK

Tenet, Rizzo and Eastman. News footage of Abu Ghraib plays in the background -- the scandal is not going away.

TENET
Both myself and the President have gone on record saying we do not torture people. He just made a statement for the UN’s goddamn day in support of victims of torture. What, what did he say?

RIZZO
“The United States does not torture. It's against our laws and it’s against our values. I have not authorized it, and I will not authorize it.”

TENET
I’m not sure where that leaves either of us.

INT. CTC - CONFERENCE ROOM - MOMENTS LATER

Mitchell, Jessen, Rodriguez, and Eastman.

JOSE
So, here’s the deal.

EASTMAN
Some new lawyer over at OLC -- Jack Goldsmith -- is saying there are issues with the John Yoo memo--
MITCHELL
Legal issues?

EASTMAN
Yeah, and there’s the Inspector General’s Report: allegations of ‘war crimes’ and ‘torture.’

JOSE
Throws the whole program under the goddamn bus.

JESSEN
What’s it say?

JOSE
“The Inspector General finds that EITs are inconsistent with the public policy positions the United States has taken regarding human rights”...blah blah blah. “The program, as implemented, diverges sharply from how the CIA has described”...blah blah...”There is also little evidence that the waterboard is effective in gaining information”--

EASTMAN
Look, guys, Director Tenet wants to pause the program--

MITCHELL
You know, I retired from the Air Force just a couple months before 9/11. Twenty two years -- and then I wake up that morning, and I turn on the news, see what’s happening... A lot of people just went back to their coffee and corn flakes... But Jim wanted to do something to keep people safe.

EASTMAN
We are going right back to the National Security Council today and asking to have the program re-certified -- as many techniques as possible.

MITCHELL
Thank you, thank you.
TIMELINE SUPER: 2011

INT. DANIEL JONES’ OFFICE - NIGHT - PRESENT

Dan is typing away writing the report. On his computer, we see: “On July 6, 2004, National Security Advisor Rice approved the request to re-certify the enhanced interrogation techniques for detainee Janat Gul, with the exception of the waterboard.”

The phone rings and rings. Finally, he picks up.

DANIEL JONES (PHONE)
Jones... Yes, Senator...

Dan scrambles to find the remote. When he does, he turns on the TV.

CBS NEWS ANCHOR (TV)
On the Sunday talkshows, former Defense Secretary Donald Rumsfeld and former Vice President Dick Cheney argued Enhanced Interrogation Techniques played a major role in leading up to the raid on bin Laden’s compound...

DANIEL JONES (PHONE)               CHENEY (TV)
No, that’s not right...That’s not what happened... I’ll look into it. It was a good program, it was a legal program. It was not torture. And I would strongly recommend that we continue it.

CBS NEWS ANCHOR (TV)
At the heart of the controversy is a process called “waterboarding.”

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - NIGHT

Dan sits at his desk -- flipping through stacks of documents, furiously reading and writing.

DANIEL JONES (PRE-LAP)
Okay, here’s what the CIA is claiming... They got bin Laden after using EITs against detainees...
Dan works feverishly on the whiteboard, writing Abu Zubaydah, Riyadh the Facilitator, Ammar al-Baluchi, Abu Ahmed al-Kuwaiti and other names.

**DANIEL JONES (CONT’D)**
They say it all started in 2002 with Abu Zubaydah and a detainee they called ‘Riyadh the Facilitator’...

Dan writes various dates and places on the board, drawing lines between the names and years. As he works on connecting the dots...

**INT. SENATOR FEINSTEIN’S OFFICE – NEXT DAY – INTERCUT**

Dan stands in front of the Senator and Marcy presenting a neater version of the diagram from the windowless room whiteboard.

**DANIEL JONES**
...who tipped them off to Abu Ahmed al-Kuwaiti, who had ties to bin Laden.

**MARCY**
That’s not what happened?

**DANIEL JONES**
The truth is: the CIA was on al-Kuwaiti’s phones, emails, identity, long before they captured any detainees. Before they even had an EIT program. Zubaydah told us al-Kuwaiti had nothing to do with bin Laden! Same with KSM and the others. But now we have former CIA Director Michael Hayden on the radio saying this all came from EITs. And former Attorney General Mukasey is out there saying KSM broke like a dam after waterboarding—

**SENATOR FEINSTEIN**
Where is he saying that?

**DANIEL JONES**
Wall Street Journal. I found a memo -- it’s from a few months back, in March.

(MORE)
DANIEL JONES (CONT'D)
It’s called “The Public Roll-out.” The memo states the Agency wanted their PR people to connect the bin Laden raid to intel obtained via EITs before it even happened.

SENATOR FEINSTEIN
So, if the CIA got bin Laden, then who cares what else it did? If it saved lives, there’s no need for accountability.

DANIEL JONES
Exactly. They lied to Bush about the program. Now they’re lying to President Obama. This document about bin Laden and the role of EITs -- it just isn’t true.

Beat. The Senator looks to Marcy.

MARCY
You want me to get you the White House?

SENATOR FEINSTEIN
Let’s do that.

INT. SENATOR FEINSTEIN’S CONFERENCE ROOM – MOMENTS LATER

Senator Feinstein, Marcy and Dan on a speaker phone. Deputy National Security Advisor Denis McDonough is on the other end of the call.

SENATOR FEINSTEIN
It’s very clear to us: the EITs did not lead to bin Laden. The CIA is misrepresenting the operation. I’m sure you see that, don’t you?

DENIS (SPEAKERPHONE)
I’m not sure I understand, Senator. The mission was a success -- that’s the headline here.

SENATOR FEINSTEIN
This is a crucial moment in our nation’s history. I want to make certain that the Agency isn’t manipulating it to sanitize their own past actions--
DENIS (SPEAKERPHONE)
I will let the National Security
Advisor know your concerns,
Senator.

SENATOR FEINSTEIN
Thank you.

DENIS (SPEAKERPHONE)
Thank you, Senator Feinstein.

McDonough hangs up.

DANIEL JONES
That’s it? They don’t care the
story is wrong?

SENATOR FEINSTEIN
Well, I don’t think we can look to
the White House for support.

Senator Feinstein, dejected, stands and leaves the room.

DANIEL JONES
What the hell just happened?

MARCY
The CIA just got the President re-
elected. That’s what happened.

TIMELINE SUPER: 2012

111  INT. DANIEL JONES’ OFFICE – NIGHT
Dan watches an ad for Zero Dark Thirty on TV, distressed.

MARTHA RADDATZ (TV)
...It was the greatest manhunt of
all time. You think you know the
story, but hold on to your seats.
Zero Dark Thirty: the riveting new
film brings you the hunt for Osama
bin Laden, as it has never been
seen before.

112  INT. OFF-SITE BASEMENT – WINDOWLESS ROOM – NIGHT
We see Dan typing away -- working. Julian picks up a photo
from the printer and walks along the wall, now COVERED IN
PHOTOS of DETAINEES, exactly as we saw in the cold open.
He hangs up the printed photo in the last empty section of the wall, near the door.

JULIAN
This is it. The last guy we have.
Number 119: Muhammad Rahim, captured June 2007.

Dan goes back to typing.

INT. CTC - CONFERENCE ROOM - ANOTHER DAY - FLASHBACK

Jose and Bernadette with Mitchell and Jessen.

MITCHELL
We kept Rahim awake for 138 hours straight. Used the attention grasp, facial hold, dietary manipulation.

JESSEN
Abdominal slaps, stress positions -- we even offered him a towel to wear if he cooperated.

MITCHELL
Gave us nothing.

JESSEN
He said that if we hurt him, he’d just make things up to get us to stop.

MITCHELL
And then he said he was at our mercy, and we could kill him if we wanted.

JOSE
What’s the point of moving forward without the waterboard? It’s like trying to play baseball without the bat.

MITCHELL
We’ve been going at him for 60 days now, not getting anywhere.

JESSEN
The problem is that CTC hasn’t given us any good intel to question him about. We don’t have any leverage.
BERNADETTE
Hold on, you’re the psychologists.
You told me you were going to get
us intel -- now you’re saying we
need to give it to you?

MITCHELL
I’m thinking we improve his
treatment for a week or two -- give
him some hope -- and then we go
back at him hard and create a sense
of helplessness...

Bernadette rolls her eyes. Five years of these kinds of
meetings, with nothing to show for it.

JESSEN
Or, we could try recruiting him.
Tell him he can be a CIA agent if
he talks -- the FBI does that.

BERNADETTE
We’re not the FBI. We don’t do
that.

MITCHELL
The way the science works is we
only get the intel after-

BERNADETTE
After what? Why are so many of
these guys still lying to us after
you work on them? Where’s the
special sauce?

Beat.

BERNADETTE (CONT’D)
You have to make this work. It’s
only legal if it works.

INT. SENATOR FEINSTEIN’S OFFICE - DAY - PRESENT

Dan, Feinstein, Marcy and Julian.

JULIAN
The CIA’s questioning of Muhammad
Rahim resulted in zero intelligence
reports. On April 21, 2008, the
Agency convened an after-action
review of his interrogation.
DANIEL JONES
Senator, I just want to point out that this is the first time the Agency stopped and evaluated the effectiveness of the program. And they concluded that in the future, CIA interrogators should use rapport building.

Beat.

DANIEL JONES (CONT’D)
They even suggested asking other agencies, law enforcement, and even other countries about effective interrogation methods.

Senator Feinstein is distraught.

SENATOR FEINSTEIN
So... for the past six years, there's been a steady stream of CIA personnel -- directors, deputies, analysts -- coming over here and telling me about what an amazing success EITs have been. Somehow not even one of them managed to mention that part. How many detainees have been through the program in total?

DANIEL JONES
At least one hundred and nineteen. The Agency admits a quarter of them should never have been detained. The EIT program never worked, not on anyone.

INT. SENATE SCIF - DAY

Dan sits at the witness table next to two towers of paper -- the completed 7,000 page report. He faces the SENATORS OF THE INTELLIGENCE COMMITTEE once again.

SENATOR FEINSTEIN
Today, we are gathered to approve the Committee's Study of the CIA Detention and Interrogation Program. I would like to thank Daniel Jones and his small staff who prepared this study. Clerk, would you call the roll?
SSCI CLERK
Mr. Udall?

SENATOR UDALL
Yay.

SSCI CLERK
Mr. Rubio?

SENATOR RUBIO (O.S.)
Nay.

SSCI CLERK
Mr. Rockefeller?

SENATOR ROCKEFELLER
Yay.

SSCI CLERK
Mr. Warner?

SENATOR WARNER (O.S.)
Yay.

SSCI CLERK
Mr. Blunt?

SENATOR BLUNT (O.S.)
Nay.

Dan watches each Senator vote and counts the yays and nays as they accumulate.

SSCI CLERK (O.S.)
Mr. Conrad?

SENATOR CONRAD (O.S.)
Yay.

SSCI CLERK (O.S.)
Mr. Coats?

SENATOR COATS (O.S.)
Nay.

SSCI CLERK (O.S.)
Mr. Nelson?

SENATOR NELSON (O.S.)
Yay.

SSCI CLERK (O.S.)
Mr. Risch?
SENATOR RISCH (O.S.)

Nay.

SSCI CLERK (O.S.)

Ms. Mikulski?

Yay.

SENATOR MIKULSKI (O.S.)

Mr. Burr?

Nay.

SSCI CLERK (O.S.)

Mr. Wyden?

Yay.

SENATOR WYDEN (O.S.)

Ms. Snowe?

Yay.

SENATOR SNOWE (O.S.)

Mr. Chambliss?

Nay.

SENATOR CHAMBLISS (O.S.)

Ms. Feinstein?

SENATOR FEINSTEIN

Yay.

Senator Feinstein hammers the gavel once.

SENATOR FEINSTEIN (CONT’D)
The motion passes. The report will now be sent to the CIA for final comments.

TIMELINE SUPER: 2013

EXT. US CAPITOL - DAY

A very grey, cloudy sky in January.
BRENNAN (PRE-LAP)
I, John Owen Brennan, do solemnly swear to tell the truth, the full truth, and nothing but the truth...

INT. SENATE HEARING ROOM - DAY

JOHN BRENNAN’s confirmation hearing.

BRENNAN
So help me God.

SENATOR FEINSTEIN
Thank you, Mr. Brennan. I look forward to hearing your testimony.

BRENNAN
I am honored to appear before you today as the President’s nominee for Director of the CIA. I’d like to say from the beginning that honesty -- truthfulness -- was a value inculcated in me growing up in New Jersey by my parents, Owen and Dorothy. Now, none of us are perfect beings. I am far from perfect. But, I will be honest with this Committee and do everything possible to meet your legitimate needs and requirements.

SENATOR UDALL
Mr. Brennan, I've long believed that our government has an obligation to the American people to face its mistakes transparently, to help the public understand the nature of those mistakes, and to correct them. The enhanced interrogation techniques were brutal, and, perhaps most importantly, they did not work. Now, the CIA has a responsibility to correct any inaccurate information it provided to the previous White House, the Department of Justice, Congress, and the public. So, here's my question: do you agree that the CIA has this responsibility? And I'd appreciate a yes or no answer.
BRENnan
Yes, Senator. Absolutely.

EXT. WHITE HOUSE - DAY

Phone rings.

RECEPTIONIST (O.S.)
Office of the Chief of Staff. Mr. McDonough is in a meeting right now.

INT. WHITE HOUSE - MCDONOUGH’S OFFICE - ANOTHER DAY

Denis McDonough, now President Obama’s Chief of Staff, watches news coverage on the President’s approval ratings.

NBC NEWS ANCHOR (TV)
According to the latest NBC News/Wall Street Journal poll, the President’s approval rating is at 44% -- that’s up 3 points since March...

MCDONOUGH SECRETARY
Excuse me. Mr. McDonough, Director Brennan is here--

McDonough mutes the TV.

DENIS
There he is! Congratulations, Mr. Director.

BRENnan
Thank you.

DENIS
Welcome. Come on in.

BRENnan
Thank you and thank President Obama.

DENIS
I’ll let him know. Speaking of... He wanted me to ask you if there’s any new information on the drone strikes of April 29th?
BRENNAN
We can confirm that the al-Qaeda planner, Abu Sulayman al-Jazairi, has been killed. Unfortunately, we also believe that there were between 5 and 10 civilian casualties.

DENIS
Shit. Well, I’ll let the President know. What about the Intelligence Committee report?

BRENNAN
We need to talk about that.

DENIS
John, we gave the CIA until February to come up with its response. It’s now May. I’ve got Senator Feinstein all over my phone sheet. I don’t want to be the one who has to push on this, but the President would really like to get this behind us.

Brennan takes a thin bound PAPERBACK out from his briefcase. THE RESPONSE.

DENIS (CONT’D)
And?

120 INT. HART SENATE BUILDING – SCIF – DAY

BRENNAN
We acknowledge that the Detention and Interrogation Program had shortcomings and that the Agency made mistakes. The most serious of those occurred early on and stemmed from the fact that we were unprepared. Now as you know, we part ways on some key points. According to our review, indications are that interrogations of detainees upon whom the enhanced interrogation techniques were used did produce unique intelligence that helped thwart attack plans, capture terrorists, and saved lives.
DANIEL JONES
Excuse me, intelligence gathered from EITs--

BRENNAN
And that intelligence continues to inform our counterterrorism efforts. It led us to bin Laden. Now, it’s one thing to disapprove of the program -- I welcome that conversation, but it’s something else all together to say that it was mismanaged and ineffective.

DANIEL JONES
Excuse me, Director Brennan. The report is based on CIA records. CIA officers themselves called it ineffective.

BRENNAN
CIA officers? Well, you didn’t speak to any CIA officers in the program, did you Dan?

SENATOR FEINSTEIN
Your lawyers would not make them available to us because of the Department of Justice’s criminal inquiry.

BRENNAN
We also disagree with the study’s characterization of how the CIA briefed Congress, the White House and the press. Now, we have documentation that certainly proves that--

DANIEL JONES
Excuse me sir, what documents? If the Director is referencing cables or emails we were never shown, then that’s a violation of our agreement.

SENATOR FEINSTEIN
Everything was supposed to have been provided to us--
BRENNAN (fed up)
Do we just give the Committee access to the entire CIA computer system? Is that where this goes? Dan gets to read every email, gets to see every document?

SENATOR FEINSTEIN
Every relevant document or email, yes. I have always supported the intelligence community. I broke with my own party to support the drone program, but what this report makes very clear is a real need for oversight and accountability.

BRENNAN
You asked for our response and we gave it to you -- we looked in the mirror. Now, we made mistakes. There were abuses, and those abuses have been addressed. But, I vehemently disagree with the narrative that you're trying to string together here. It lacks context. It does not paint an accurate picture of the work that was done.

Brennan gets up to leave and turns to his aide.

BRENNAN (CONT’D)
Let’s go.

DANIEL JONES (PRE-LAP)
Senator, John Brennan’s name is in that report.

INT. SENATOR FEINSTEIN’S OFFICE - LATER
Dan stands in front of the Senator and Marcy. Infuriated.

DANIEL JONES
He was Director Tenet’s Chief of Staff and then Deputy Executive Director when the program started. He grew up at the Agency.

MARCY
He claims to have spoken out against the EIT program--
DANIEL JONES
Where? I just spent five years looking at their emails. I never found anything to suggest that’s true.

SENATOR FEINSTEIN
Well, we knew this wasn’t going to be easy. They have their own narrative, and they’re going to stick to it.

MARCY
Maybe we could come up with some middle ground, find some common language?

DANIEL JONES
I thought our job was to provide oversight and accountability. Not middle ground.

Dan’s gone too far.

SENATOR FEINSTEIN
I have a question for you. Do you work for me, or for the report? And I’d encourage you to think about that before answering.

EXT. ROCK CREEK PARK – MORNING

Dan is out for a morning jog and runs into DENIS MCDONOUGH.

DENIS
Dan! Dan Jones... There he is! Look at you, chief investigator of the largest study the Senate’s ever conducted. My God... how you doing? It’s good to see you out getting some fresh air. It’s so funny, I was just thinking the other night -- do you remember that time you came and saw me, right after you got out of school?

DANIEL JONES
You said go get intel experience. Wait til the Dems got the Senate back.
DENIS
And look at you now: working for the Senate Intelligence Committee for Dianne Feinstein. You told me once you wanted to make a difference. I hope you still get that chance.

DANIEL JONES
What does that mean?

DENIS
What does it mean? It means, Dan, get out of the Senator’s head about the CIA. You’re not doing yourself any favors.

DANIEL JONES
Have you read the report?

DENIS
It’s 7,000 pages, Dan. The Bible tells the history of mankind in less than that. Look, buddy, we’re gonna get the CIA to sit down with you.

INT. HART SENATE BUILDING - SCIF - DAY

DENIS (V.O.)
...Give you their side of the story. It would help if you would listen.

Dan and Julian meet with CIA OFFICER FOX to discuss the CIA’s response to the Committee’s report.

FOX
The study seems to most seriously diverge from the facts by asking the reader to believe the CIA withheld information from the executive branch and Congress. We’d like to see that removed from the report.
INT. SENATOR FEINSTEIN'S CONFERENCE ROOM - LATER

DANIEL JONES
After the photos of Abu Ghraib came out in 2004, Deputy Director McLaughlin appeared before Congress, in front of you, and said: “the CIA is not authorized to do anything like what you’ve seen in those photos.” But what they were doing was even worse. Then in 2005, Senator Rockefeller called for a review of the program, and the Deputy Chief of Counterterrorism got nervous where that might lead. So, he sent a message to senior leadership discussing the need to manage the situation. He said: “we either get out and sell, or we get hammered. Congress reads it, cuts our authorities, messes up our budget. We need to make sure the impression of what we do is positive.” This is the Deputy Chief of Counterterrorism.

SENATOR FEINSTEIN
That all stays in.

INT. HART SENATE BUILDING - SCIF - ANOTHER DAY

Dan and Julian back with Fox. Dan’s frustration grows.

FOX
We fundamentally disagree with the assertion that the program was poorly managed and executed and that unqualified officers imposed brutal conditions, used unapproved techniques, and were rarely held accountable.

SENATOR FEINSTEIN (PRE-LAP)
What about Mitchell and Jessen?

INT. SENATOR FEINSTEIN'S CONFERENCE ROOM - LATER

Dan passes out documents to the Senator and Marcy as he explains.
DANIEL JONES
Mitchell’s PHD thesis was on diet and exercise for controlling hypertension. Jessen’s dissertation was on family therapy, something called family sculpting where you make clay figures of your family members.

DANIEL JONES (CONT’D) SENATOR FEINSTEIN
They had no experience in real world interrogations... paid?

DANIEL JONES
No science to back up their claims. They were allowed to assess the effectiveness of their own program without providing any scientific evidence.

SENATOR FEINSTEIN
How much in total did the U.S. taxpayers give them for their work?

DANIEL JONES
Over 80 million dollars.

INT. HART SENATE BUILDING – SCIF – ANOTHER DAY
Dan is at the end of his rope with the CIA’s continued lies and denials.

FOX
The Agency also disagrees that the Detention and Interrogation Program did not produce unique intelligence that disrupted plots and saved lives. For instance, the identity of Jose Padilla, the dirty bomber. If we hadn’t stopped Padilla, this entire area would be radioactive today.

DANIEL JONES (PRE-LAP)
Jose Padilla?

INT. SENATOR FEINSTEIN’S CONFERENCE ROOM – LATER
Dan is furious.
DANIEL JONES
Padilla found the instructions for his dirty bomb online in an article entitled: “making and owning an H-bomb is the kind of challenge real Americans seek.” It says, “fill two buckets with uranium and swing them above your head as fast as possible.” It was a joke. As far as we can tell, everything they attribute to BTs they already had – from other sources, from foreign governments, from other methods. They claim they saved lives, but what they really did was make it impossible to prosecute a mass murderer like KSM -- because if what we did to him ever came out in a court of law, the case is over. The guy planned 9/11 -- and instead of going to jail for the rest of his life, the CIA turned him into a recruiting tool for a war we’re still fighting.

SENATOR FEINSTEIN
Stop meeting with them.

Beat. She stands.

SENATOR FEINSTEIN (CONT’D)
This is a remarkable document you’ve created. Truly. It will provide an enduring history -- whether it comes out or not.

DANIEL JONES
What does that mean: “whether it comes out or not?” What does she mean? What does that mean? We’ve been working on this thing for nearly five years.

MARCY
Yes, and it is still our word against theirs. She’s gonna need more than that.

EXT. LINCOLN MEMORIAL - MORNING

Dan jogs down the steps. His phone begins to ring. He answers.
DANIEL JONES
This is Jones.

EVAN (PHONE)
Hey Dan, this is Evan Tanner. Um, I hear rumors the report might not be coming out now. A lot of pushback from the Agency. They’re calling it “flawed.”

DANIEL JONES
Who told you that?

EVAN (PHONE)
Dan, I’m the National Security reporter for the New York Times. Do you have any thoughts?

DANIEL JONES
It’s not my place to talk about rumors.

EVAN (PHONE)
No, I didn’t think you would. I was wondering if you might want to comment? It can be off the record. I just think we can help each other here.

DANIEL JONES
You know I can’t do that.

INT. SENATOR MARK UDALL’S OFFICE - ANOTHER DAY

Dan, Senator Udall, and Julian discuss the upcoming confirmation hearing of Caroline Krass for General Counsel of the CIA.

JULIAN
And here’s what we know about Caroline Krass: 20 years in the Executive Branch, including the Office of Legal Counsel where she worked with John Yoo--

SENATOR UDALL
Guys. This confirmation’s a done deal -- we’re not gonna stop it. But, it is a public hearing, and it just seems like there’s an opportunity to say something.
JULIAN
What are you looking for, Senator?

SENATOR UDALL
I don’t know -- something to move
the study forward, to break us out
of this stalemate.

Beat.

SENATOR UDALL (CONT’D)
Any ideas?

DANIEL JONES
Senator, there is a document.

131 EXT. OFF-SITE LOCATION - VIRGINIA - NIGHT
The same tilt-down of the CIA off-site facility we saw in
scene 1.

132 INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - MOMENTS LATER
Dan enters and turns on the lights. The room is just as he
left it: whiteboards are covered with notes, flowcharts,
timelines. Photos of detainees and CIA documents still cover
the walls.

Dan moves to his desk and opens a drawer. He takes out the
envelope that says “Panetta Review.”

He takes the envelope and puts it in his document bag. He
zips and locks the bag as he leaves.

133 INT. OFF-SITE LOCATION - SECURITY AREA - MOMENTS LATER
Dan walks through the lobby and scans his ID card. The same
scene we saw at the beginning.

OFF-SITE SECURITY
You ever sleep, bro?

DANIEL JONES
I used to. Got in the way of work.

Dan moves toward the door, but the security guard stops him.
OFF-SITE SECURITY  
(boilerplate)
Anything in that bag contain the 
real names of CIA officers, assets, 
or partners, or any information 
that would be in violation of the 
agreement between the Central 
Intelligence Agency and the United 
States Senate?

DANIEL JONES
Have a good night, Jay.

OFF-SITE SECURITY
You too, Dan.

Dan walks out.

EXT. OFF-SITE LOCATION - VIRGINIA - CONTINUOUS
Dan, with his document bag over his shoulder, hurries toward 
the parking lot.

INT. DANIEL JONES’ CAR - MOMENTS LATER
Dan drives his car through DC, with the document bag on his 
passenger seat.

INT. DANIEL JONES’ OFFICE - LATER
Dan walks into his office and locks the door behind him. He 
opens his SAFE. He unlocks the document bag, unzips it, and 
puts the PANETTA REVIEW in the safe.

PRE-LAP: The sound of a GAVEL.

INT. SENATE HEARING ROOM - DAY
CAROLINE KRASS sits before the Committee. Her HUSBAND and TWO 
KIDS sit behind her.

SENATOR FEINSTEIN
The Committee will come to order. 
Today, we are gathered for the 
confirmation hearing of Caroline 
Krass to be General Counsel of the 
CIA. Welcome, Ms. Krass.
KRASS
I’m honored to be here before the Committee, and I’d like to take this moment to acknowledge my family and thank them for their support.

SENATOR FEINSTEIN
Thank you. Before we begin, I would like to remind members not to discuss classified topics or ask questions which require a classified answer. With that said, I turn to Senator Udall.

SENATOR UDALL
Ms. Krass, nice to see you again. We had a chance to sit down last week and discuss the Senate’s study on the Detention and Interrogation Program. You told me you found the study to be hard reading.

Krass nods.

SENATOR UDALL (CONT’D)
Also, last week, a number of articles appeared discussing the one year anniversary of the vote to approve the Committee’s study. And in one of those articles, the CIA claimed to have found significant errors. Now, I gotta tell you -- I don’t believe that is accurate. In fact, I’m more confident than ever in the factual accuracy of the Committee’s study.

Beat. The crowd reacts.

SENATOR UDALL (CONT’D)
I want to say that again: I’m more confident than ever. It appears that the CIA performed their own study of the EIT program -- initiated by former Director Panetta. And the findings in that review are entirely consistent with our Committee’s report -- but amazingly, conflicts with the CIA’s official response to that report.

(MORE)
SENATOR UDALL (CONT’D)
So, why is a review the CIA
conducted internally -- and never
revealed to Congress -- so
different from the CIA’s formal
response to the Committee’s report?
Do you have an answer for that?

KRASS
Um, not at this time.

Senator Feinstein looks over at Dan-- she knows he gave Udall the ammunition.

138    INT. SENATOR FEINSTEIN’S OFFICE - LATER

Senator Feinstein lectures Dan.

SENATOR FEINSTEIN
If I wanted the public to know
about the Panetta review, I would
have told them myself.

MARCY
We hear that the Republicans are
going to censure Udall for that
performance.

DANIEL JONES
But the review proves our point --
they found the same things we did.
The Agency didn’t know how or where
to hold people. They didn’t know
how to interrogate people -- and
more importantly, the CIA did give
it to us. I don’t know if it was an
accident or it was a whistleblower--

SENATOR FEINSTEIN
Well, if it was a whistleblower,
you may have just exposed them. Not
to mention, yourself.

139    EXT. OFF-SITE LOCATION - VIRGINIA - NIGHT

SEAN MURPHY and four other CIA OFFICERS, dressed in plain
clothes, walk across the plaza toward the entrance.

140    INT. OFF-SITE LOCATION - SECURITY AREA - CONTINUOUS

The five CIA officers enter the building and breeze through security.
INT. OFF-SITE BASEMENT - HALLWAY - MOMENTS LATER

Sean and the officers approach the server outside the windowless room. Sean unlocks the server door and removes a hardware component. One of the officers puts the component in a locked bag.

INT. OFF-SITE BASEMENT - WINDOWLESS ROOM - CONTINUOUS

The CIA officers enter the secured room. Some take photos of the walls and whiteboards. One officer sits at Dan’s desk and searches the files on Dan’s computer until he finds something that makes him stop. He waves over Sean and shows him a document on the computer screen.

SEAN
We got something here.

INT. HART SENATE BUILDING - SCIF - ANOTHER DAY

Senators Feinstein and Chambliss meet with Brennan and Eastman.

EASTMAN
The Director has asked me here today, in my capacity as Agency legal counsel. What we have to discuss has serious implications.

SENIOR FEINSTEIN
Alright.

BRENNAN
We have proof that the staff of the Senate Intelligence Committee illegally gained access to the CIA’s computer network and obtained classified documents.

SENIOR FEINSTEIN
What kind of proof?

BRENNAN
We found the document in question on Daniel Jones’ computer. We did not provide it to him or to the Committee. If he didn’t hack us, how did it get there? We feel that Jones and his team need to be disciplined.
EASTMAN
Immediate dismissal is in order, at
a minimum, I would think.

SENIOR FEINSTEIN
John, are you saying that you broke
into the computer system of the
United States Senate?

BRENNAN
We never gave you clearance on that
document -- it was classified, yet
you chose to make it public. We’ve
made our investigation and our
findings known to the White House.

Senator Feinstein is in shock.

INT. HART SENATE BUILDING - DAN’S OFFICE - LATER

Marcy and Dan. Dan is enraged.

DANIEL JONES
You’re fucking kidding me. They’re
saying I broke into the most top
secret computer system in the
world?

MARCY
Brennan and Eastman came over--

DANIEL JONES
Eastman? Eastman’s name is in the
report over a thousand times.
That’s not a conflict?

MARCY
Dan, they filed a criminal referral
against you. They want you gone.

DANIEL JONES
How did the Agency come to the
conclusion that I’m a hacker? How
do they even know what’s on my
computer?

MARCY
They say they conducted a search.
DANIEL JONES
Of the United States Senate? The whole reason this Committee was established in the first place was to stop the CIA from spying on US citizens--

MARCY
The Senator is talking to Harry Reid about that very thing right now--

DANIEL JONES
Did they go into that room?

MARCY
And Senator Reid said he’s reaching out to the President.

DANIEL JONES (CONT’D)
That room is off-limits. Did they go into that fucking room?!

MARCY
I don’t know...I don’t know. But, I do know the Republicans are going to run with this. They’re going to use it to discredit the report; they’re going to use it to discredit you.

Beat. Dan tries to absorb this.

MARCY (CONT’D)
Dan, they’re accusing you of breaking the law. You’re going to need a lawyer.

INT. CLIFFORD, BERG AND WIGGINS LAW FIRM – LOBBY – DAY

Dan sits anxiously in the lobby.

DANIEL JONES (PRE-LAP)
There’s a saying at the Agency: “admit nothing, deny everything, make counteraccusations.” That’s what they’re doing.

CLIFFORD (PRE-LAP)
The CIA is investigating you for--

DANIEL JONES (PRE-LAP)
They’re the ones who should be investigated, not me!
CLIFFORD’S SECRETARY approaches.

CLIFFORD’S SECRETARY
Mr. Jones? Mr. Clifford will see you now...

DANIEL JONES (PRE-LAP)
Our computer system isn’t even connected to the CIA mainframe---

INT. CLIFFORD’S CONFERENCE ROOM - MOMENTS LATER

Dan and CY CLIFFORD (40s). Dan is on his feet, freaking out.

DANIEL JONES
So did I just go over to Langley and break in on a weekend?

CLIFFORD
Seems unlikely. So what evidence do they have?

DANIEL JONES
A document.

CLIFFORD
A document? What kind of a document?

DANIEL JONES
I can’t tell you that.

CLIFFORD
Because, what? It’s classified?

DANIEL JONES
I was tasked to lead an investigation into a CIA program they started after 9/11 -- what they called “Enhanced Interrogation.”

CLIFFORD
And I assume your work is critical of the Agency?

Dan keeps quiet -- he can’t divulge the content of the classified report.
CLIFFORD (CONT’D)
You know Dan, a lot of people in this country felt the CIA was justified in doing whatever they had to do to keep us safe. I have friends who lost people that day.

DANIEL JONES
And a lot of people watch “24” on Thursday nights and hear Jack Bauer say, “I don’t want to bypass the Constitution, but these are extraordinary circumstances,” just before, you know, he sticks a knife in them and makes them give up a plot -- it doesn’t work that way.

CLIFFORD
Well, as Winston Churchill said, “history is written by the victors.”

DANIEL JONES
Churchill didn’t really say that -- Herman Goring did. And what he said was, “we will go down in history either as the world’s greatest statesmen, or its worst villains.”

CLIFFORD
So your report is going to determine that: statesmen or villains?

Beat.

CLIFFORD (CONT’D)
How long have you been working on this project, Dan?

DANIEL JONES
Five years.

CLIFFORD
Five years and it could all go away -- just vanish in the face of these allegations. I can certainly imagine an ambitious young man like yourself spends years with his head buried in some terrible spectacle, gets frustrated with the process, sees an opportunity to get the truth out faster -- maybe crosses a line?

(MORE)
CLIFFORD (CONT'D)
I’m assuming this is the most important thing you’ve ever been a part of--

DANIEL JONES
I didn’t do it.

CLIFFORD
Or, I could see an equally ambitious Senator encouraging you to do something. Now would be a good time to tell me--

DANIEL JONES
That did not happen. What I did, I did on my own. I acted alone.

CLIFFORD
So, you did steal the document?

DANIEL JONES
I did not steal it. You needed it to--

DANIEL JONES
I relocated it. I put it in a safe. If they had a way of destroying tapes, then surely they could--

CLIFFORD
Everyone has their own words -- the language is built to choose sides. Now, why did you “relocate” it?

DANIEL JONES
Documents had a way of disappearing off the server. For instance, in 2010, over 800 documents just vanished without any explanation.

CLIFFORD
So, you had computer issues all along. Who else knew what was on the computers?

DANIEL JONES
Well, the CIA hired an outside firm to vet the documents -- Centra. And CACI was also involved.

CLIFFORD
Who are they?
DANIEL JONES
Contractors, but Jim Pavitt is on their board.

Clifford shrugs.

DANIEL JONES (CONT’D)
Former Deputy Director of Operations for the CIA, Jim Pavitt -- during the program, Jim Pavitt.

CLIFFORD
And is he named in the report?

Dan stops himself.

CLIFFORD (CONT’D)
Can’t tell me. So, they can’t destroy the document. Then, they can go after the next best thing -- you. Make you a zealot. Anything you touch is tainted. I could see the Agency saying this is a violation of the Espionage Act, the Computer Fraud and Abuse Act -- who knows what else.

Dan sits down for the first time, the gravity of the situation hitting him.

DANIEL JONES
And if they file a charge against me, how long could I go away for?

CLIFFORD
I don’t know. Twenty years -- maybe more.

Beat.

DANIEL JONES
I did not hack into the CIA computer system. I mean, my computer skills stop at Microsoft Word.

CLIFFORD
They probably know that. Let me ask you something: how much does a Senate staffer make?

DANIEL JONES
At my level? About a hundred grand.
CLIFFORD
Any retirement? Savings? Family money?

Dan shakes his head.

DANIEL JONES
No, no.

CLIFFORD
So, we should discuss my retainer.

DANIEL JONES
How much is that?

CLIFFORD
Thirty thousand to start. And if it goes to trial, add a zero.

That sinks in. Dan swallows hard.

CLIFFORD (CONT’D)
Nothing could make them happier than knowing you’re sitting here talking to me. That’s what they want, Dan. Make you bleed money all over my floor. Do you want my expert opinion? For free? You don’t really have a legal problem -- you have a sunlight problem. I’m sure you know people who can help you solve it.

EXT. MONUMENT WALK - DC - DAY


EVAN
Daniel Jones. Didn’t think you’d ever return my calls. Does your boss know you’re talking to a guy with a byline and a tape recorder?

DANIEL JONES
There’s something going on I think you should look into. It involves the Agency.

EVAN
Okay. Is it that report you’ve been working on -- the one that never quite comes out?
DANIEL JONES
Computers. It has to do with the hacking of computers.

EVAN
Alright, whose?

Evan reaches into his pocket to get his tape recorder. Dan stops him.

DANIEL JONES
The United States Senate.

EVAN
Someone hacked into the Senate. No shit? Okay... Any idea if it was foreign or domestic?

Dan wavers. He needs Evan to connect the dots.

EVAN (CONT’D)
Uh, alright, yes, sorry, you said it was the Agency -- so what does the CIA have to do with U.S. Senate computers?

DANIEL JONES
Evan, you’re the National Security Reporter for the New York Times. You can figure it out. Alright?

Dan walks away.

INT. SENATOR FEINSTEIN’S OFFICE - NEXT DAY

Dan knocks and enters.

DANIEL JONES
Morning, Senator. You wanted to see me?

Marcy sits on the couch with a copy of the morning’s NYT. She tosses it on the table in front of her.

MARCY
You know anything about this? “Computer Searches at Center of Dispute on CIA Detentions.” You have any idea how that ended up in the New York Times?
DANIEL JONES
Yeah I saw that. It looks accurate.
Senator McCain is already calling
the CIA a rogue agency.

SENATOR FEINSTEIN
What are your thoughts on someone
like Edward Snowden, Dan?

DANIEL JONES
Well Senator, I know how you feel
about leaks.

SENATOR FEINSTEIN
I think he’s a traitor, plain and
simple. It’s my job to provide
oversight with the tools of
governance, not lights and cameras
and headlines.

Beat. Dan steps forward.

DANIEL JONES
Do you want me to resign?

SENATOR FEINSTEIN
No. But I think I might need you to
write me a speech.

PRE-LAP: sound of APPLAUSE.

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INT. COUNCIL ON FOREIGN RELATIONS – NEXT DAY

The audience claps as BRENnan walks on stage.

CANDACE AMES
Senator Feinstein claimed today on
the Senate floor that the CIA
hacked the Senate Intelligence
Committee’s computers to thwart an
investigation into past practices.
Can you respond to that?

BRENnan
Well first, we in no way, shape, or
form tried to thwart the release of
the report. We want that behind us.
As far as this allegation that the
CIA somehow hacked into the Senate
computer system...

Brennan scoffs.
BRENNAN (CONT'D)
Nothing could be further from the truth. We just wouldn’t do that.
It’s beyond the scope of reason.

EXT. GOLDEN GATE BRIDGE – SAN FRANCISCO – ONE WEEK LATER

EXT. FEINSTEIN HOME – PACIFIC HEIGHTS, SAN FRANCISCO – DAY

A black sedan pulls up to the palatial abode. Denis McDonough rides in the backseat.

DENIS
(to driver)
Thank you.

Denis gets out and enters the home.

DENIS (CONT'D) (PRE-LAP)
I understand your position,
Senator, and I am aware of Director Brennan’s comments.

INT. FEINSTEIN HOME – PACIFIC HEIGHTS, SAN FRANCISCO – MOMENTS LATER

Denis sits across from Senator Feinstein.

SENATOR FEINSTEIN
Did you hear what Lindsay Graham said this morning? About the Agency breaking into our computers? “The legislative branch should declare war on the CIA, heads should roll, people should go to jail.”

DENIS
Is that what you want? Send people to jail?

SENATOR FEINSTEIN
We do have jails for a reason.

DENIS
The Justice Department investigated the CIA and they decided not to prosecute. That’s their call, not ours. Now, when this administration took office, we faced the very real possibility of economic collapse.

(MORE)
DENIS (CONT’D)
We had a decision to make: do we spend our political capital on going around trying to find people to blame, or do we solve the problem?

SENATOR FEINSTEIN
Maybe the way to solve the problem is to hold people accountable. Do you ever wonder why history repeats itself? Well, I think maybe it’s because we don’t always listen the first time.

DENIS
Senator, the people at the Agency -- they have families. There are children who might lose a parent.

SENATOR FEINSTEIN
Years ago, some radical group put a bomb in the flower box outside of my daughter’s bedroom window, right out here. Had it been any warmer out, it would have exploded. And then there was the time that I found Harvey Milk shot to death in his office -- I think I’m aware of the risks of public service.

DENIS
President Obama ended the torture program three days after taking office. The EITs, what the CIA did, that is not our mess.

SENATOR FEINSTEIN
No, it’s not, but that’s not the question we’re asking, is it? The question we’re asking is “who is going to clean it up?” So, let’s do that. Right after Director Brennan apologizes to me and my staff.

INT. DIRECTOR BRENNAN’S RECEPTION AREA – DAY

Eastman walks in, harried.

BRENNAN’S SECRETARY
The Inspector General is here... Go ahead in.

Eastman enters Brennan’s office.
BUCKLEY (PRE-LAP)
In regards to the CIA search of Senate computers...

154  INT. DIRECTOR BRENNAN’S OFFICE – MOMENTS LATER

INSPECTOR GENERAL BUCKLEY sits across the desk from Brennan, with Eastman behind him.

BUCKLEY
We’ve looked into the matter and have recommended that the Department of Justice begin a criminal investigation.

EASTMAN
Good. So have we: Dan Jones, lead Senate Investigator--

BUCKLEY
Not the Senate staff. The CIA.

BRENNAN
Us? Are you accusing me or my staff of breaking the law?

BUCKLEY
My understanding is that five CIA employees entered a room that was off-limits. On whose orders? Senator Feinstein is right to call this a violation of the separation of powers. The CIA cannot spy on the U.S. Congress. As Inspector General, I’m going to have to launch a full investigation into the Agency’s actions.

155  INT. HART SENATE BUILDING – HALLWAY – ANOTHER DAY

Dan sits and waits by himself. And then Brennan storms out of a room with Eastman. They glare at Dan and walk away. Senator Feinstein emerges with Marcy a moment later. Feinstein sighs and rolls her eyes.

DANIEL JONES
Am I going to jail?

SENATOR FEINSTEIN
No, they’re dropping the charges. You’re going back to work.

(MORE)
SENATOR FEINSTEIN (CONT’D)
Take the most important findings,
finish the summary -- no more than
400 pages. I’m going to ask the
Committee to vote to release it.

TIMELINE SUPER: 2014

INT. WHITE HOUSE – MCDONOUGH’S OFFICE – ANOTHER DAY


DENIS
So you saw they voted? Eleven to
three. They want to release an
executive summary.

BRENNAN
That thing goes out, it puts my
people in danger -- people who are
out there in a dangerous world
today, trying to do their jobs.
Pulls the rug out from under them.

DENIS
 Anything that you feel puts your
people in harm’s way stays
classified.

BRENNAN
My concern is this: if the Senate
puts out a small pile of pages and
the press goes nuts, then
everybody’s going to want to see a
bigger pile of pages. You keep
saying the President wants to turn
the page, well then turn the page!
Close the damn book.

DENIS
Senator Feinstein has asked the
White House to head up final
comments and redactions. She wants
us right in the middle of it.

BRENNAN
And?

DENIS
And I think that’s exactly where
you want us. You’ll have the pen.
INT. CIA CONFERENCE ROOM – ANOTHER DAY

Krass, Fox, and other CIA OFFICERS redact the Executive Summary. They cross out whole paragraphs with thick black SHARPIES.

KRASS
Leadership specified that we should redact anything that could result in legal exposure for officers in the field, past or present. Basically, if there’s any questions, black it out.

INT. DANIEL JONES’ OFFICE – DAY

Julian walks in and hands Dan a folder.

JULIAN
You see this?

Dan opens the folder.

DANIEL JONES
What the fuck is this?!

Dan grabs his jacket and walks out.

INT. SENATOR FEINSTEIN’S BULLPEN/CONFERENCE ROOM – MOMENTS LATER

Dan rushes in, barely stopping to get out--

DANIEL JONES
Where’s Marcy?

SECRETARY
Conference room.

MARCY (PHONE)
Early the next week... Wednesday... yeah, that’ll work... And get me the agenda. Thank you.

Dan enters and Marcy hangs up the call. Dan holds up the folder. He now opens it and inside are pages of the report -- HEAVILY REDACTED. Whole paragraphs are BLACKED OUT.
Imagine you pick up a book, and “blank” turns water into wine on page 237 and on page 71, “blank” heals a leper, and on page 295, “blank” rises from the dead. How do you know the blanks are all the same person?

I thought that the CIA agreed to using pseudonyms.

Dan slides the redacted pages across the table to Marcy.

They did, but now even the fake names are gone. And the dates. The entire story is gone.

TWO SEDANS enter the grounds.

Dan, Senator Feinstein, and Marcy sit in the moving car.

(to Dan)
I hope you took your strong pills today.

Dan, Senator Feinstein, Marcy, Denis, Eastman, Krass and Fox.

Isn’t it enough to know what actually happened? Do we need to know the names of the people involved?

But the actual names aren’t in the report.

Someone could figure out who our people are based on their pseudonyms.

(MORE)
KRASS (CONT’D)
You know, I found a photo of my husband on the internet linking him to me. Secrecy is very hard to maintain.

DANIEL JONES
I believe you introduced your husband publicly at your confirmation hearing. It was on C-SPAN.

KRASS
Some of these people -- they are out there in the world, right now.

DANIEL JONES
Yes, they are. There’s an officer from ALEC Station mentioned 41 times in 500 pages. In 1998, her team missed the bombing of the U.S. Embassy in Kenya and Tanzania. In 1999, they missed the bombing of the Marriott Hotel in Islamabad. In 2000...

INT. CTC – BULLPEN – FLASHBACK

Two FBI agents -- MILLER AND ROSSINI -- approach Bernadette and Gretchen. They hold photos of al-Mihdhar and al-Hazmi.

DANIEL JONES (V.O.)
She was made aware of two al-Qaeda operatives who arrived in Los Angeles. FBI officers, working within the bin Laden unit, requested permission to investigate.

BERNADETTE
That’s not how we want to play it.

DANIEL JONES (V.O.)
The CIA knew they were on American soil and didn’t do anything.
DANIEL JONES
Al-Mihdhar then left the States to play a key role in the bombing of the USS Cole, before returning to hijack flight 77 with al-Hazmi and crash into the Pentagon.

SENATOR FEINSTEIN
And you want to protect this person’s identity.

KRASS
We’d also like to redact the pseudonyms of the contractors.

DANIEL JONES
Dr. Mitchell was already quoted by name in The New Yorker. He was handing out brochures at professional conferences telling people he worked for the CIA.

FOX
If we are protecting the identities of CIA staff, we need to protect our contractors as well.

DANIEL JONES
Mitchell and Jessen were given a contract by the Agency for a program that didn’t work!

Mitchell and Jessen fly in style on the CIA’s and U.S. taxpayers’ dime.

DANIEL JONES (V.O.)
The CIA also agreed to a five million dollar indemnification clause for their company that covered, among other expenses, criminal prosecution.

MITCHELL
You know, I kept the rag we used on KSM.

JESSEN
You should E-bay that bad boy when this is all over. Make a mint.
DANIEL JONES (V.O.)
An internal CIA memo concluded that
Mitchell and Jessen “have both
shown blatant disregard for the
ethics shared by almost all of
their colleagues.”

INT. WHITE HOUSE - SITUATION ROOM - LATER

SENATOR FEINSTEIN
The pseudonyms for the contractors
need to stay.

DENIS
Guys, we’ve been at this for
months.

DANIEL JONES
What about the locations of the
black sites? The country names?

EASTMAN
We made commitments to those
countries to maintain their
secrecy. No country names. Not open
to negotiating these points.

DENIS
We need to consider the morale of
the CIA here. Now, we publish this
report, there’s a very good chance
we could lose them.

SENATOR FEINSTEIN
Lose them? What does that mean?

DANIEL JONES
What about the morale of all the
people at the Agency who spoke out
against the Program? What about
them? People who sent cables back
from black sites saying they wanted
to be transferred because they were
disgusted by what was being done.

SENATOR FEINSTEIN
Alright, look. We have -- Dan more
than anyone -- have worked to
uncover the truth about this when
no one else would. We will not
allow this to be covered up by the
Executive Branch.
DENIS
President Obama called it torture.
Bush and Cheney wouldn’t do that.
He signed an executive order
getting rid of it. Now, just
imagine, God forbid, there’s
another terrorist attack on our
watch. There won’t be another
Democrat in the White House for
twenty years.

Dan holds up a page of the report -- entirely BLACKED OUT.

DANIEL JONES
I’d also like to talk about the
redactions concerning KSM.

167  EXT. U.S. CAPITOL - NIGHT

WOLF BLITZER (V.O.)
Corey Gardner, the Republican
challenger...

168  INT. PARTISAN BAR - DC - NIGHT

Election Night 2014. Dan, Julian, and April watch the
election returns amongst balloons and bunting. Grim faced as
the Democrats lose big.

WOLF BLITZER (TV)
...will be the next United States
Senator from the State of Colorado,
defeating the Democratic incumbent,
Mark Udall. A major, major win for
the Republicans... Chris Frates is
standing by.

Dan is wrecked. With Republicans in the majority, the report
will never come out. The window for release is closing.

CHRIS FRATES (TV)
This is huge for Colorado, Wolf.
This is the first time a republican
has won the Senate race state-wide
in Colorado since 2002. Big night
for Colorado, and a big night for
control of the United States
Senate.
INT. SENATOR FEINSTEIN’S BULLPEN – ANOTHER DAY

Dan and Marcy walk through, passing an INTERN.

INTERN
She’s expecting you.

SENATOR FEINSTEIN (PRE-LAP)
So, I just got a call from Secretary of State Kerry...

INT. SENATOR FEINSTEIN’S OFFICE – MOMENTS LATER

Senator Feinstein, Dan, and Marcy. The Senator is nervous.

SENATOR FEINSTEIN
He thinks that with the release of the report, that the coalition against ISIL could collapse.

DANIEL JONES
Isn’t that a bit convenient? He calls you just before--

MARCY
Dan--

DANIEL JONES (CONT’D)
Where did Kerry get his intel on this. The CIA?

DANIEL JONES (CONT’D)
Is it credible?

SENATOR FEINSTEIN
Embassies could be attacked, hostages could be killed--

DANIEL JONES
It’s just another stall tactic--

SENATOR FEINSTEIN
He suggested giving the report to the President, so that it can be released later, when hostilities cease--

DANIEL JONES
You lose control of the Committee in a week, Senator.

SENATOR FEINSTEIN
Yes, I am aware of what happens when the Republicans are in the majority, Dan.

(MORE)
SENATOR FEINSTEIN (CONT'D)
Look, I want to get this report out as much as anyone, but I have known him a long time. I tend to believe him.

DANIEL JONES
Nobody else is going to tell this story--

MARCY
Dan, the Senator has a luncheon--

DANIEL JONES
If we stop now aren’t we a part of the cover up? Strong pills, Senator?

Beat. Senator Feinstein studies Dan, weighing her options and the consequences.

SENATOR FEINSTEIN
I think you should go home and get some rest. You look tired. Marcy, if I could have five minutes...

MARCY
Of course.

Dan bolts past Marcy for the door. Senator Feinstein goes to the window and looks out at the world.

MATCH CUT TO:

171 INT. DANIEL JONES’ OFFICE - NIGHT
Dan stares at hard copies of the executive summary of the report and the Panetta review, both sitting on top of his safe. He’s tense, weighing his options.

172 INT. HART SENATE BUILDING - HALLWAY - MOMENTS LATER
Most people have gone home for the night. Dan walks alone with his bag over his shoulder -- a bag that contains the report and the Panetta review.

173 EXT. DC STREET - LATE EVENING
Dan drives his car along the near-empty streets. He puts on his blinker and pulls into a parking garage.
INT. PARKING GARAGE – MOMENTS LATER

Dan pulls his car into a space and parks. He exits his car and walks to the passenger side door of a nearby parked car.

INT. EVAN TANNER’S CAR – CONTINUOUS

Dan opens the door and gets in. He has his shoulder bag on his lap. He’s visibly anxious.

EVAN
Did you ever meet a guy called Greg Craig?

DANIEL JONES
Just in pass -- White House Counsel when Obama took office?

Evan nods.

DANIEL JONES (CONT’D)
Just in passing.

EVAN
Right. So, right after he got elected, the President asked Craig to come up with a plan to deal with the aftermath of the Torture Program. So, he got Secretary of Defense Gates, Janet Napolitano, Hillary Clinton -- serious people -- in a room and he asked for their recommendation.

DANIEL JONES
And?

EVAN
And the consensus was that the President should appoint an independent bipartisan commission into interrogations and detainee treatment, like a deep dive into what worked and what didn’t and who was responsible. You know, like what they did after 9/11 and like what you’ve been trying to do.

DANIEL JONES
So why didn’t they do that?
EVAN
Well, evidently, the President listened closely to the recommendation. He then thought about it, and then he said “no.” He’d just spent an entire campaign saying he was post-partisan, so going after the Bush administration flew in the face of all that. And right then, everyone in that room changed their minds. They sided with the President: no independent commission. Everyone except Craig -- because he thought it was too important. You couldn’t just torture people, lie about it, and then hide it from history. A few months later, Craig was gone, and this mess wound up with the Senate -- and you.

DANIEL JONES
Well, the President must have known that by doing that, he was making it next to impossible... I mean, he came from the Senate.

EVAN
Dan, they sent you off to build a boat, but they had no intention of sailing it. They probably didn’t think you’d get as far as you did.

Beat.

EVAN (CONT’D)
Let me ask you a question... If the CIA knew that torture didn’t work, why did they continue to do it?

DANIEL JONES
After 9/11, everyone was scared -- scared it might happen again, and the CIA would be blamed if it did. Or maybe they were ashamed? You know, how come the most sophisticated intelligence organization on Earth couldn’t keep its own people safe?

(MORE)
DANIEL JONES (CONT'D)
But, fear and shame don’t make for better policy decisions, and the fact that the people who we captured didn’t look like us or believe the same things we do, made it that much easier to do the things we did. So once the CIA program started, they had to keep telling people it worked, even if it wasn’t true. Their own position was that if it didn’t work, it was illegal. So they misrepresented the results--

Dan stops himself.

EVAN
If we had your report, we would print it tomorrow... all of it.

DANIEL JONES
The Senator said she would release a summary of the report--

EVAN
Really? Over the objections of the CIA and the White House -- you really think that’s gonna happen?

DANIEL JONES
If I gave it to you, what would happen?

Evan sighs.

EVAN
Some people will think you’re a hero, and some will probably think you’re a traitor. Look at Edward Snowden.

Beat. Dan considers the line between patriot and traitor... Is he willing to cross it?

DANIEL JONES
No. If it’s gonna come out, it’s gonna come out the right way.

EVAN
What if it doesn’t?

DANIEL JONES
Then I didn’t do my job.
Dan opens the car door.

DANIEL JONES (CONT’D)
I’m sorry. Sorry.

176 INT. DANIEL JONES’ OFFICE - NIGHT

Dan enters his office. He turns on the light. He kneels down to his safe, just as he had done after relocating the Panetta review. Dan unlocks the safe, opens it, and takes the executive summary and the Panetta review out of his bag and places them in the safe.

177 EXT. CAPITOL BUILDING - DC - MORNING

Snow on the ground in front of the Capitol.

178 INT. CAPITOL BUILDING - HALLWAY - MORNING

Denis McDonough, flanked by Secret Service, walks down the hallway.

They pass a sign: DEMOCRATIC CAUCUS IN PROGRESS.

DENIS (PRE-LAP)
So, with the Affordable Care Act behind us...

179 INT. MANSFIELD ROOM - CONTINUOUS

Democratic Senators sit alongside each other. Dan sits in the back of the room. All watch Denis speak at the podium, laying out the Obama agenda for the coming term.

DENIS
The President would like to begin a serious discussion about immigration reform. Now, obviously we’ve had some setbacks in both the House and the Senate, so strategy has become paramount -- unity as well. So, we would like to really start talking about--

SENATOR FEINSTEIN
Excuse me, Mr. McDonough. I would like to discuss the report on the CIA and the White House’s position.
DENIS
That’s not the topic of this particular caucus. The President would like to discuss--

SENATOR HEINRICH
Our country did things the Nazis did -- things that made us condemn other regimes. And the position of this administration is to suppress this information, to keep the people who did these things safe?

DENIS
I can assure you that is not the position of this administration, Senator.

SENATOR ROCKEFELLER
You worked with John Brennan at the National Security Council. Now, I understand that Brennan gave this President his first security briefing when he took office. And now CIA Director Brennan is working closely with the President on the drone program.

DENIS
You know, it’s funny... Every time I go over to the CIA, they claim I’m doing the Senate’s bidding, and every time I come here, you claim I’m doing the CIA’s bidding.

SENATOR UDALL
I only have a few days left in my term here -- and if there isn’t a plan to release the report before I go, I’m prepared to read it on the floor of the Senate. And either the White House or the Republicans will have to stop me.

DENIS
What would you have us do? Now we go after Bush and Cheney on this, what’s to prevent the Republicans from coming back at us and trying to repeal healthcare? We go after the CIA, maybe they say, “okay, well, immigration reform is off the table.” Maybe it’s gun control. (MORE)
DENIS (CONT'D)
Now, Democracy is messy, but let’s just think how many countries there are in the world where a report like this could even get done.

Senator Feinstein looks back at Dan. Then to Denis.

SENATOR FEINSTEIN
I would like us to be more than the country that did the report. I’d like us to be the country that made it public. And that is what I intend to see happen.

EXT. CAPITOL BUILDING - ANOTHER DAY

US SENATOR (PRE-LAP)
I yield the floor to the Senior Senator from California.

INT. SENATE FLOOR - DAY

Senator Feinstein makes her way to the lectern. Dan sits in the back of the Senate Chamber.

SENATOR FEINSTEIN
Over the past six years, a small team of investigators poured over more than 6.3 million pages of CIA records to complete this report. It shows that the CIA’s actions a decade ago are a stain on our values and on our history. The release of this 500 page summary cannot remove that stain, but it can and does say to our people and the world that America is big enough to admit when it’s wrong and confident enough to learn from its mistakes. Releasing this report is an important step toward restoring our values and showing the world that we are, in fact, a just and lawful society. There are those who will seize upon the report and say, “see what the Americans did?” And they will try to use it to justify evil actions or to incite more violence.

(MORE)
SENATOR FEINSTEIN (CONT'D)
We cannot prevent that, but history will judge us by our commitment to a just society governed by law and the willingness to face an ugly truth and say “never again.”

Beat.

SENATOR FEINSTEIN (CONT’D)
Thank you. I now yield the floor to the Senator from Arizona.

INT. DIRECTOR BRENNAN’S OFFICE - CONTINUOUS

Brennan and Krass watch McCain’s speech on TV.

MCCAIN (TV)
What might come as a surprise is how little these practices did to aid our efforts to bring 9/11 culprits to justice and to find and prevent terrorist attacks today and tomorrow. That could be a real surprise, since it contradicts the many assurances provided by intelligence officials on the record and in private that enhanced interrogation techniques were indispensable in the war against terrorism.

INT. CTC CONFERENCE ROOM - CONTINUOUS

Bernadette, Gretchen, Eastman, and other CIA officers and analysts gather to watch McCain.

MCCAIN (TV)
I think it’s an insult to the many intelligence officers who have acquired good intelligence without hurting or degrading prisoners to assert we can’t win this war without such methods. Yes we can, and we will.

INT. WHITE HOUSE - MCDONOUGH’S OFFICE - CONTINUOUS

Dennis also watching McCain.
MCCAIN (TV)
But in the end, torture’s failure
to serve its intended purpose isn’t
the main reason to oppose its use.

Denis stands from his desk and walks toward the window.

MCCAIN (TV) (CONT’D)
This question isn’t about our
enemies; it’s about us. It’s about
who we were, who we are, and who we
aspire to be. It’s about how we
represent ourselves to the world.
Our enemies act without conscience.
We must not.

Denis stares out his window.

INT. DANIEL JONES’ OFFICE - LATER

Newspapers from all over the country and the world cover
Dan’s desk, all with headlines concerning the report, the
CIA, and the torture program. Dan types at his computer. The
news is on in the background.

RACHEL MADDOw (TV)
Senator Dianne Feinstein today
exposed the CIA’s now extinct
enhanced interrogation techniques.
The thing that strikes me about
what the Senate was doing today --
Dianne Feinstein, Jay Rockefeller --
is they were doing everything they
can to make sure this doesn’t
happen again. Because by going
public like this and putting this
report out there...

Senator Feinstein appears in the doorway.

RACHEL MADDOw (TV) (CONT’D)       SENATOR FEINSTEIN
It’s saying to the current          Dan, you did well. Thank you.
CIA and really saying to the
next 20 years of people going
to work at the CIA...

DANIEL JONES
Thank you.

RACHEL MADDOw (TV)
We’re going to be on you if you try
to do this.
EXT. CAPITOL BUILDING - DAY

Dan walks down the steps. He looks behind him, and then proceeds past camera.

SUPER: DANIEL J. JONES LEFT THE COMMITTEE AFTER THE RELEASE OF THE REPORT.

EXT. CAPITOL REFLECTING POOL - MOMENTS LATER

Dan continues walking away from the Capitol. He passes camera.

SUPER: IN 2015, THE MCCAIN-FEINSTEIN AMENDMENT WAS SIGNED BY PRESIDENT OBAMA, BANNING THE CIA’S ENHANCED INTERROGATION TECHNIQUES.

EXT. CAPITOL - DC MALL - MOMENTS LATER

Dan continues walking down the mall. The camera pans as Dan walks toward the Washington Monument.

SUPER: NO CIA OFFICERS HAVE BEEN CHARGED FOR THE ACTIONS OUTLINED IN THE REPORT.

SUPER: MANY WERE PROMOTED.

SUPER: ONE OF THEM BECAME DIRECTOR OF THE CIA.

SUPER OVER BLACK: “Should any American soldier be so base and infamous as to injure any [prisoner]... I do most earnestly enjoin you to bring him to such severe and exemplary punishment as the enormity of the crime may require... for by such conduct they bring shame, disgrace and ruin to themselves and their country.” –George Washington

FADE TO BLACK.