

STELLAR WIND

Written by

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Based on a True Story

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"Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary." Reinhold Niebuhr

- Tweet by James Comey (@Comey) 11:44AM 30 October 2017

INT. CLASSROOM - DAY

CHYRON: SEPTEMBER 11TH, 2001.

PRESIDENT GEORGE W. BUSH sits in a classroom filled with third graders, and a well meaning and articulate TEACHER (50).

TEACHER

Open your book up to lesson sixty
on page 153.

ANDREW CARD (56), the President's Chief of Staff, approaches the President and leans into his ear.

CARD

(whispering)

A second plane hit the second
tower. America is under attack.

Bush nods and looks into the distance.

TEACHER

At the count of three everyone
should be on page 153.

MONTAGE:

- THE TWIN TOWERS FALLING
- THE PENTAGON SMOKING
- FOOTAGE OF THE INVASION OF AFGHANISTAN

OVER MONTAGE, CHYRON:

On September 11th, 2001, America experienced the most devastating attack on US soil since Pearl Harbor. 2,996 people were killed and over 6,000 were injured.

No one in the American government knew for certain whether more attacks would follow.

Shortly after the 9/11 attacks, President George W. Bush authorized the largest warrantless electronic surveillance program in modern history, code named "Stellar Wind."

Because of the scope and power of Stellar Wind, the program required re-authorization every 45 days via two signatures; the President, authorizing the program, and the Attorney General, certifying it's legality.

INT. DEPUTY ATTORNEY GENERAL'S OFFICE - NIGHT

Dark wood, flags, and furniture that was nice ten years ago. JIM COMEY (44), Deputy Attorney General, sits at his desk, tired. He has the look of a man who has stared into the brink and gotten sick of staring. He sips an ice water and rubs his eyes, as his Chief of Staff CHUCK ROSENBERG (44) runs through action items for the next day.

**CHYRON: MARCH 10TH, 2004. 1 DAY TO STELLAR WIND
RECERTIFICATION DEADLINE. 6:20 PM.**

CHUCK ROSENBERG

After the threat briefing, we have
to review -

(reads off a paper)

Amending Executive Order 13257 to
Implement the Trafficking Victims
Protection Reauthorization Act of
2003. Should be a quick one.

COMEY

Right. Sure.

Suddenly the phone starts to ring. Comey looks to Rosenberg. Both men snap out of their stupor. An ASSISTANT steps into the room.

ASSISTANT

Sorry to interrupt - that's
Christopher Wray on 1.

COMEY

I'll call him back.

Comey rubs his eyes, sighs. Stands up.

COMEY (CONT'D)

We'll deal with the rest of this in
the morning. If anyone from the
White House calls - anyone -
Addington, Gonzales, Card - hell
even one of their assistants - get
me on my cell.

CHUCK ROSENBERG

I'll let them know.

Comey puts on his jacket.

COMEY

Thanks Chuck. Have a good night.

CHUCK ROSENBERG
You too sir.

INT. PRESIDENT'S SCHEDULER'S OFFICE - NIGHT

ALBERTO GONZALES (48), White House Counsel, is waiting like a teenager trying to catch a moment with a girl he's got a crush on. Only that girl is President George W. Bush. The STAFFER (40) keeping the gate is pleasant but over it.

GONZALES
Just for a moment. You can tell him it's something that's happening in the Justice Department.

STAFFER
I will mention it but he's set to go back to the residence shortly.

DICK CHENEY (63) barrels down the hallway. He barely acknowledges the Staffer -

STAFFER (CONT'D)
Good evening Mr. Vice President,
The President is ready for you.

And marches past Gonzales, offering him a brisk nod, before opening the door and disappearing into the Oval Office.

GONZALES
I'll come back.

He walks back towards the open hallway.

INT. INTENSIVE CARE UNIT - ROOM - NIGHT

JANET ASHCROFT (58) is sitting next to her husband, Attorney General JOHN ASHCROFT (61), who is heavily sedated. Janet looks like she hasn't left this spot in about a week because she hasn't.

The soft whir and beep of various machines making sure that John doesn't suddenly drop dead are the only sounds in the room, until an FBI AGENT (40) appears at the door.

FBI AGENT
Mrs. Ashcroft - I know you said no calls -

JANET ASHCROFT
I did say no calls.

FBI AGENT
The President is on the line.

INT. MAKESHIFT FBI SECURE COMMS CENTER - NIGHT

A rudimentary FBI mobile comms center set up in the adjacent hospital room. Two other FBI STAFFERS (20s) mill around, quietly monitoring equipment.

Janet Ashcroft takes a seat at a small table. She points to a phone on the center of the table.

FBI AGENT
You can just pick it up and press the first line. They'll connect you on the other end.

JANET ASHCROFT
Thank you Michael.

Janet Ashcroft picks up the phone.

JANET ASHCROFT (CONT'D)
This is Janet Ashcroft.

OPERATOR (O.S.)
One moment for the President.

INT. OFFICE OF THE VICE PRESIDENT - NIGHT

Gonzales stands, leaning against a couch. Andrew Card sits on the edge of his chair, leaning forward, fingers working his Blackberry. DAVID ADDINGTON (48) works on his computer.

GONZALES
Is the President aware that we can implement these changes?

Addington and Card barely look up from what they're doing.

DAVID ADDINGTON
(absent mindedly)
The President is aware that some fucking Justice Department busybody is trying to castrate his ability to fight the war on terror. And that is really the only salient fact.

Gonzales is silent. Cheney blows into the room. Card and Addington jump their feet.

CHENEY

The President made the call.
George Washington Hospital. Get
there as quickly as you can.

Addington, Card and Gonzales start to leave. Cheney calls out.

CHENEY (CONT'D)

Not you David. This has to be only
the Office of the President.

Addington nods. Gonzales and Card head out the door.

EXT. COMEY HOME - ALEXANDRIA, VIRGINIA - NIGHT

Jim Comey stands outside in the cool night air, his breath visible, slow and steady. Inside, through the window, he can see his CHILDREN clearing their places after dinner.

His reverie is interrupted by AGENT PILAR VELAZQUEZ (40) -

AGENT VELAZQUEZ (O.S.)

Do you think you'll need anything
else tonight sir?

Comey turns to them, we reveal an unmarked FBI SUV idling behind him with the window down. Comey smiles at them.

COMEY

I think I'm good for the night.

Just then, his phone rings. He looks down at the caller ID. DAVID AYRES - ASHCROFT CHIEF OF STAFF.

COMEY (CONT'D)

(into phone)

This is Jim Comey.

We don't hear the conversation. We stay with Comey. He listens.

COMEY (CONT'D)

Thank you.

He hangs up. Walks immediately to the car, as he does-

COMEY (CONT'D)

We need to get to George Washington
Hospital immediately.

He opens the door and slides in.

INT. FBI SUV - NIGHT

The SUV screeches as it pulls a U-Turn.

COMEY

Turn on the emergency equipment.

Agent Velazquez, driving, reaches forward and flips on the siren.

INT. OFFICE OF THE VICE PRESIDENT - DAY

**CHYRON: FEBRUARY 17TH, 2004. 23 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.**

Dick Cheney stands, leaning on an armchair. Gonzales, Card and Addington sit or stand around him.

CHENEY

Who the fuck is Jim Comey?

CARD

Deputy AG. Ashcroft will not let this go. We need to discuss our position.

ADDINGTON

Our position is that the President has sole discretion in all matters of surveillance during war time and the Attorney General can go fuck himself if he thinks differently.

CARD

For some reason I don't think Ashcroft will accept your position.

CHENEY

My question is does it go away if we let him read in his guy.

CARD

Good chance.

GONZALES

I think it's a good idea. We already know we're on sound legal footing. Let's make it official.

ADDINGTON

I'm not worried about this Comey prick telling me it's illegal.

(MORE)

ADDINGTON (CONT'D)

My concern is letting John Ashcroft think we need his fucking permission, in war time, to prevent another catastrophic loss of American life.

CHENEY

We're all on the same page here. The President does not ask permission. I have a call - see you gentlemen in a few hours.

Cheney picks up the phone. Card, Gonzales and Addington start to filter out.

INT. SITUATION ROOM - DAY

Cheney sits at the head of the Situation Room conference table. On his left are Addington, Gonzales, Card. On his right, JOHN ASHCROFT (61), in perfect health, alongside JACK GOLDSMITH (45), Assistant Attorney General for Office of Legal Counsel, and his deputy, PATRICK PHILBIN (43).

CHENEY

We already have multiple legal opinions on this. The President wants to keep the circle tight.

ASHCROFT

Your legal opinions. That's what you have. But the official opinion on a Presidential order from the Vice President's lawyer is simply not relevant. Justice certifies. Not you.

ADDINGTON

The opinions are well researched. It should be enough for Justice to certify.

ASHCROFT

Justice will certify when we've completed our diligence, and I can't complete our diligence without Jim Comey.

CHENEY

You've signed off on this program for the past two years.

ASHCROFT

We believe there are problems with the program.

CHENEY

Well, this program is essential to national security. So you can understand why your problems with the program seem banal at best.

ASHCROFT

Do you think that I want to be the lawyer that let's 9/11 happen again because of legalese? Do you Mr. Vice President?

Cheney is silent.

ASHCROFT (CONT'D)

(calmer now)

Let me look under the hood with my guys so I can certify. That's it.

CHENEY

Fine. Read in Comey.

INT. JUSTICE DEPARTMENT SECURED ROOM - DAY

CHYRON: FEBRUARY 19TH, 2004. 21 DAYS TO STELLAR WIND RECERTIFICATION DEADLINE.

Jim Comey sits at a conference table. Across from him, MIKE HAYDEN (58), Director of the NSA, smiles at him from across the table. Comey forces a smile back.

MIKE HAYDEN

I'm just happy you're being read in so I'm not the only one on the witness stand when John Kerry gets elected President.

Hayden offers a hearty laugh.

Comey shifts in his seat, uncomfortable.

MIKE HAYDEN (CONT'D)

All right, so, essentially, Stellar Wind is the most advanced electronic surveillance network that the NSA has ever implemented.

Comey leans forward and starts to take notes.

INT. DEPUTY ATTORNEY GENERAL'S OFFICE - DAY

**CHYRON: FEBRUARY 22ND, 2004. 19 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.**

Comey sits with Goldsmith and Philbin at a small table in his office.

COMEY

This program is a complete minefield.

PHILBIN

It's a disaster.

GOLDSMITH

And the legal framework behind these opinions from John Yoo is a joke.

COMEY

So walk me through how emails are collected.

PHILBIN

There are multiple intercept points... Maybe it's best if we start with methodology actually.

COMEY

Go ahead.

CUT TO:

INT. DEPUTY ATTORNEY GENERAL'S OFFICE - LATER

Comey, Philbin and Goldsmith stand at white boards that have been marked up. Comey looks at them.

COMEY

Setting aside the issues of whether these emails are being intercepted overseas or stateside, which is a nightmare on it's own... this rationale with the querying... it doesn't hold water.

GOLDSMITH

Exactly. They're claiming that the data is not seized until it's queried. That intercepting and storing it doesn't constitute seizure.

PHILBIN

And they claim they query less than 5%. It's like your mom telling you she's recording all the phone calls in your house but she only listens to 5% of them.

Goldsmith laughs.

GOLDSMITH

(joking)

I mean yes, that is an analogy but it is a bizarre analogy Philbin, did that happen to you? Did your mom record you?

Comey can't help but chuckle.

PHILBIN

You get the point.

COMEY

I do. They are seizing American data.

INT. ASHCROFT HOME - BEDROOM - NIGHT

Ashcroft and Janet kneel by the side of the bed, praying, silent.

Janet finishes her prayer and opens her eyes. She sees John is still praying. She waits for him to be done. She squeezes his hand.

JANET ASHCROFT

Is everything okay?

ASHCROFT

Yes. I'm struggling right now because... I wish I could explain it all to you, but - there's a program that's made to protect people. And I think it goes too far.

Janet kisses his cheek.

JANET ASHCROFT

God protects people. We have to do what's right.

EXT. ADDINGTON HOME - NIGHT

David Addington sits in his car, waiting. A PICK UP TRUCK pulls up to the house.

PULL BACK to reveal that while the front of the facade is mostly intact, one half of it has clearly been the victim of a very real house fire. The roof has a huge hole burned in, windows are burned out, black marks lick the cedar shingled sides.

Addington gets out. So does the man in the pick up truck.

ADDINGTON

Hi. You're Jerry?

JERRY (55), the man, waves hello.

JERRY

Yup that's me. Wanna walk through?

Addington nods.

INT. ADDINGTON HOUSE - NIGHT

Addington and Jerry walk through the foyer, hang left, then walk into a huge burned out room.

JERRY

So, what your wife and I discussed was doing more of a vaulted ceiling here, with exposed support beams. Give you a more airy feeling.

Addington walks around the room, listening with one ear, peaking in the burned out cupboards here and there.

JERRY (CONT'D)

This is gonna be your office right?

ADDINGTON

That's right. It was my office.

JERRY

Ah okay. Real shame about the fire. I am sorry. I know how tough it must be to lose your home.

Addington nods.

ADDINGTON

Had a lot of stuff in this office. Things I can't replace.

(MORE)

ADDINGTON (CONT'D)
Photos, letters, that kind of
thing. It's funny what those
things mean to you.

JERRY
They add up to a life.

ADDINGTON
Who said that?

JERRY
I don't know... I think it's
something I've heard. Is it a
saying?

Addington doesn't reply. Just keeps looking around the
office.

ADDINGTON
You want to show me the kitchen?

INT. OFFICE OF THE ATTORNEY GENERAL - DAY

**CHYRON: MARCH 4TH, 2004. 7 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.**

Comey and Ashcroft pour over a report in a manila folder.

COMEY
We have recommendations. If NSA
makes certain changes, we can bring
this in line with the law.

ASHCROFT
I just want you to know what is at
stake. Curtailing this program
might cost American lives.

COMEY
I understand.

ASHCROFT
So can you tell me that this-

Ashcroft puts his finger on Comey's report.

ASHCROFT (CONT'D)
Is flawless? Because it has to be.

COMEY
The legal arguments in this memo
are unimpeachable.

(MORE)

COMEY (CONT'D)

Stellar Wind spies on every single American citizen every single day. This program isn't just unconstitutional, it's the first step to a Gestapo state.

Ashcroft nods. Takes a moment. Then-

ASHCROFT

Let's inform the President's office immediately. Stellar Wind is illegal and unless the NSA takes the steps prescribed by Justice to bring this thing inside the law, we will not re-certify the order.

INT. OFFICE OF THE ATTORNEY GENERAL - DAY

Ashcroft works at his desk, on the computer. DAVID AYRES (45), his Chief of Staff knocks at the door.

DAVID AYRES

Can I trouble you with some housekeeping?

ASHCROFT

What do we got?

DAVID AYRES

Just want to run through the memo on Amending Executive Order 13257 to Implement the Trafficking Victims Protection Reauthorization Act of 2003.

ASHCROFT

They need to get an acronym for that soon.

Ayres walks to the desk, sits down. Sets two manila folders on the desk, slides one to Ashcroft.

DAVID AYRES

This is a rubber stamp I think, but I'm happy to walk you through the specifics.

ASHCROFT

Let's start and see where we get.

DAVID AYRES
 Okay. Page 1, standard
 Constitutional executive order
 backing straight out of case law.

Ayres looks up. Ashcroft is bent over, head in his hands.
 His face looks suddenly jaundiced.

DAVID AYRES (CONT'D)
 Are you okay sir?

ASHCROFT
 No. I don't... I'm in a lot of
 pain right now. Just. Give me a
 second.

Ashcroft falls out of his chair. Tries sitting up, can't.
 Lays back down. Ayres picks up the phone on Ashcroft's desk.

DAVID AYRES
 (into phone)
 The Attorney General just
 collapsed, we need an ambulance
 here immediately.

INT. SECRET SERVICE SUV - NIGHT

**CHYRON: MARCH 10TH, 9:45 PM. 1 DAY TO STELLAR WIND
 RECERTIFICATION DEADLINE.**

Card hands Gonzales a manila folder out of his briefcase.

CARD
 Can you check this and make sure
 the signature page is spotless?

Gonzales looks it over. As he does, Card continues.

CARD (CONT'D)
 When we get in there, let's keep it
 simple. Ashcroft signed off on
 this 45 days ago. It's just for
 another 45 days. The deadline is
 tomorrow. Let's try not to even
 mention the name Comey.

INT. RESTAURANT - NIGHT

Jack Goldsmith sits across from his wife JUDY (43). He keeps
 checking his Blackberry between bites.

JUDY
What do you think?

GOLDSMITH
About what?

JUDY
The food.

GOLDSMITH
It's good. I really like this
place. You can taste the cinnamon
in the bolognese, which I love.

JUDY
Good. Well-

Goldsmith's phone starts to ring.

GOLDSMITH
I'm sorry.

He gets up and walks outside, then moments later comes
barreling back inside.

GOLDSMITH (CONT'D)
I have to go. Do you have - can I
take the car? Do you have some
cash for a cab?

JUDY
What is going on Jack?

GOLDSMITH
Here. Here's a hundred bucks. You
have the credit card for dinner...

He pauses, his mind moving a million miles a minute.

JUDY
Jack.

GOLDSMITH
Remember how I told you that I
thought it was so great that when
you get my job, you take an oath to
the Constitution, not the
President? That the Constitution
is what I answer to, not some...
corporeal being or, you know?

JUDY
Yes.

Jack takes a long sip of wine.

GOLDSMITH

Well. I'm leaving here right now to protect it from people that want to pick and choose which words matter and which words don't.

He takes another sip.

JUDY

Oh so go already. Go on. Do it.

GOLDSMITH

I'm not always like this. I know I'm not. Right?

Judy cracks a smile.

JUDY

Go I told you to go!

She pours herself another glass of wine. He smiles at her and kisses her on the cheek.

INT. SECRET SERVICE SUV - NIGHT

Card bounces his leg. Gonzales stares out the window.

CARD

I want you to lead with the legal framework.

GONZALES

What legal framework?

CARD

We have congressional support.

GONZALES

Okay...

CARD

The guy wants to make sure he's not going to jail when this thing is all over. If we tell him Pelosi, Daschle, Lott, and the rest of the leadership are in on it, he's not going to care. I don't want you to say it like that. Just say... I don't know.

GONZALES
I'll say we've reached a
legislative remediation.

CARD
Great.

INT. FBI SUV - NIGHT

Comey isn't done making calls. He flips through his
contacts, finds the name he's looking for -

BOB MUELLER - D OF FBI.

He dials Mueller as his SUV speeds towards the hospital.

COMEY
(into phone)
Card and Gonzales are headed to the
hospital to see Ashcroft. I think
they're going to try to get him to
sign off on Stellar Wind. He just
had his gall bladder removed
yesterday.

Comey listens.

COMEY (CONT'D)
Yes. I want you there. Thank you.
I'll see you soon.

EXT. GEORGE WASHINGTON HOSPITAL - INTENSIVE CARE WARD - NIGHT

The FBI SUV pulls up to the curb, lights still flashing.

Comey jumps out of the car, rushes towards the doors.

Velazquez follows, turns back to the car to FBI AGENT KEVIN
BUCKLEY (32), who sits in the passenger seat.

VELAZQUEZ
Park and radio, see you up there.

INT. GEORGE WASHINGTON HOSPITAL - INTENSIVE CARE WARD - NIGHT

Comey rushes past the duty nurse. He breaks into a trot.
Velazquez isn't far behind him. He rounds a corner and
slows. He can see an open doorway at the end of the hallway.
The FBI protection detail outside it tells him he's in the
right place.

He slows as he approaches the room, nods at the FBI protection detail, and steps inside the room. Velazquez catches up to him as he enters and waits outside.

Buckley comes rushing up to Velazquez.

AGENT BUCKLEY
What the fuck is going on?

EXT. WHITE HOUSE WEST WING ENTRANCE - NIGHT

CHYRON: MARCH 4TH, 2004. 7 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.

Buckley smokes a cigarette, leaning on the Suburban. He can't sit still. Chews gum. Taps his foot. Velazquez sits inside the car, on her phone, emailing someone. A Secret Service Agent stands nearby - BRIAN WALTERS (42), African American.

BUCKLEY
Hey.

Walters doesn't acknowledge him.

BUCKLEY (CONT'D)
Yo hey. Can I ask you a question?

WALTERS
What's up?

BUCKLEY
Do all of you guys have a military background?

WALTERS
Some of us, yeah.

BUCKLEY
I was a Marine. Did a tour in Kandahar. Now I'm here.

WALTERS
Listen man - I'm on duty right now.

BUCKLEY
Yeah okay. Maybe I buy you a beer, pick your brain about it?

WALTERS
Sorry.

Buckley saunters back to the FBI SUV. Leans into talk to Velazquez.

BUCKLEY
Are all these Secret Service guys
pricks?

VELAZQUEZ
(shrugs)
When they're on duty.

Just then, Comey and Ayres come barreling out of the West Wing. They jump in the car.

INT. FBI SUV - DAY

Comey and Ayres put on their seat belts. Velazquez throws the car into gear. Buckley rides shotgun.

COMEY
George Washington Hospital.

AYRES
The Attorney General has acute
gallstone pancreatitis. It's
severe, he's going to need his
gallbladder removed, but they can't
operate until the inflammation in
his pancreas goes down.

COMEY
What's the prognosis?

AYRES
It's good... but people die from
acute pancreatitis... so we are
cautiously optimistic.

Comey nods. Ayres pulls a manila folder out of his briefcase, holds it out to Comey.

AYRES (CONT'D)
The letter is form. You want to
check it?

COMEY
That's fine. Thanks David.

INT. GEORGE WASHINGTON HOSPITAL - INTENSIVE CARE WARD -
HALLWAY - DAY

Comey and Ayres rush down the hallway, into a room -

INT. GEORGE WASHINGTON HOSPITAL - INTENSIVE CARE WARD - ROOM - DAY

Where John Ashcroft lays on a bed, Janet next to him.

Comey and Ayres approach the bedside.

COMEY

How are you feeling Sir?

ASHCROFT

Did you bring the paperwork?

AYRES

I have it here sir. You're appointing James Comey Acting Attorney General until such time as you see fit to return to office.

ASHCROFT

Good. Where do I sign?

AYRES

Here.

Ayres holds out a pen and points to the signature line. Ashcroft signs it.

ASHCROFT

Thank you gentlemen.

COMEY

We'll pray for you.

INT. GEORGE WASHINGTON HOSPITAL - INTENSIVE CARE WARD - HALLWAY - DAY

Comey and Ayres walk out into the hallway with Janet Ashcroft. As they do, she flags a doctor over.

JANET ASHCROFT

(to Comey and Ayres)

Just give me a moment please.

(she turns to the doctor)

It's okay for you to administer the pain killers now. I already let the nurse know but - he's in a lot of pain.

DOCTOR

Of course Mrs. Ashcroft. I'm on it.

He walks into the hospital room.

Janet turns to Comey and Ayres.

JANET ASHCROFT

You both should know you have John's full support. He made sure I knew that as soon as I saw him. I'm banning all visitors. This is serious and I know John knows you'll get the job done.

COMEY

Thank you Mrs. Ashcroft. Please let us know if you need anything.

EXT. NICE BUT DEPRESSING APARTMENT BUILDING - NIGHT

A suburban apartment building. Plenty of parking and wall to wall carpeting. Brian Walters, who we'll recognize as a Secret Service Agent, pulls into a parking spot in his hatchback, and pops the back. Walks out and grabs an IKEA foam mattress, rolled up and shrink wrapped. He wrestles it out of the car and onto the slushy ground. Locks the car, and picks it up.

He walks to the apartment's exterior stairwell and wrestles it up the stairs.

INT. NICE BUT DEPRESSING ONE BEDROOM - NIGHT

Walters drags the rolled up mattress into his one bedroom. There's a random mishmash of furniture in it. An old floral print sofa. A recliner. A too small for the space breakfast table. Walters drags the mattress into the bedroom and pulls out a pocket knife.

He cuts the plastic open and unfurls the mattress on the floor. He lays on it. Feels pretty good. Bounces a few times on it. Then stops, crosses his hands over his stomach and stares at the ceiling for a moment.

INT. COMEY HOME - ALEXANDRIA, VIRGINIA - NIGHT

Comey sits down to dinner with his family - wife PATRICE (40), three daughters and two sons, ranging in age from 6-16. KATE (16) is brooding. MARGARET (13) leads them in a prayer. Everyone's heads are bowed.

MARGARET

God grant me the serenity
to accept the things I cannot
change;
Courage to change the things I can;
And wisdom to know the difference.

Amens all around.

KATE

Why do we say that at dinner?

COMEY

The serenity prayer?

KATE

Yeah. I heard it was for
alcoholics.

COMEY

It's for everyone.

KATE

I heard it was just for AA.

COMEY

Reinhold Niebuhr wrote it, and he
is someone I think a lot about.

KATE

I think it's weird that we say a
drunk's prayer but whatever.

It's been a long day and this is the last thing Comey wants
to deal with. So he takes a breath.

COMEY

Can you please pass the milk
Patrice?

Comey takes the milk and pours himself a big glass and takes
a sip. Patrice clocks Comey's irritation.

PATRICE

Let's be nice at the table. That's
not a nice thing to say.

KATE

Why? It's true.

Comey takes another sip of milk.

COMEY

You know why it's not a nice thing to say. I don't have to explain that to you. You're a smart girl. There's no reason to be unkind.

INT. CHENEY HOUSE - NIGHT

Dick Cheney and Lynne Cheney lay in bed together, galleys of a CHILDREN'S BOOK, "When Washington Crossed the Delaware" by Lynne Cheney on their laps.

LYNNE CHENEY

It's not a complicated story to understand - and when you do, you understand... our country. Military strategy. Patriotism. Really. Patriotism, why it matters.

CHENEY

I like it when you mention nineteen year old Alexander Hamilton.

LYNNE CHENEY

Thank you! Saying he's a teenager, it's going to make kids think.

CHENEY

It's a great story but... Did you tell this story every Christmas?

LYNNE CHENEY

Oh I don't know. I told it at Christmas, at least twice, I know that I did. I know our children know this story.

CHENEY

I think it is great, I just couldn't remember. That you told it at Christmas always.

LYNNE CHENEY

Well am I under oath?

CHENEY

No dear. No.

LYNNE CHENEY

Okay. So yes. I did always tell it at Christmas.

Cheney chuckles to himself.

LYNNE CHENEY (CONT'D)

Wait till you see the illustrations. They're artistic, you know, but accessible. It's a sort of impressionism that I think kids will really understand.

Cheney has settled in on his back. His eyes are closed.

CHENEY

I can't wait to see it.

LYNNE CHENEY

You're asleep.

CHENEY

No I'm not.

LYNNE CHENEY

You fell asleep while I was talking.

CHENEY

(eyes closed)

But not while I was reading the book. The book I was wide awake for.

LYNNE CHENEY

I love you goodnight.

CHENEY

I love you goodnight.

INT. FBI SUV - MORNING

**CHYRON: MARCH 5TH, 2004. 6 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.**

The sun has just risen. Comey sits next to FBI Director ROBERT MUELLER (59) in an FBI SUV.

MUELLER

We go through the threat matrix. It takes about a half an hour.

COMEY

Anything I should know?

MUELLER

It's around twenty pages long.
Laid out like a grid. Every active
threat we're tracking.

COMEY

Right.

MUELLER

Don't get overwhelmed by it. Half
the threats are specious at best.
Last month we spent 48 hours
ransacking every train to
Pittsburgh because some dope in the
CIA overheard a conversation in a
men's room in Kiev. The President
still won't let Tenet live that one
down.

Comey manages a smile.

COMEY

Anything Ashcroft did that I should
know?

MUELLER

You're fine. Funny that after all
these years, I'm suddenly working
for you.

COMEY

Hardly.

Mueller claps his shoulder. Comey laughs.

INT. OVAL OFFICE - DAY

Comey, Mueller, Condoleezza Rice, George Tenet, Andrew Card,
Tom Ridge, Cheney and Bush are gathered. Mueller has the
floor.

MUELLER

Theft of nuclear materials is most
likely to occur in transit, and the
intelligence suggests that the
theft will take place in the mid-
Atlantic region. We've stepped up
our security presence at key
processing facilities, and added
secondary armed escort to every
truck transporting defunct nuclear
materials.

PRESIDENT BUSH
 Sounds like a lot of trouble. You
 hear this in a latrine in Minsk or
 something?

Everyone forces a chuckle. They've heard this one before,
 but it's one of the President's favorites.

PRESIDENT BUSH (CONT'D)
 Oh no that's Tenet that has sources
 in bathrooms.

Comey looks around the room, and finds Cheney not laughing,
 staring at him. Comey calmly looks back down at the Threat
 Matrix.

TENET
 Got me Mr. President.

PRESIDENT BUSH
 Anyway, you're sure about this
 Director Mueller.

MUELLER
 I'm sure Mr. President.

PRESIDENT BUSH
 You're always sure and I like that
 about you Director. Let's keep
 going.

Comey looks back to Cheney, who is now focused on the
 President.

MUELLER
 Next on the matrix...

EXT. WHITE HOUSE DRIVEWAY / INT. FBI SUV - DAY

Velazquez and Buckley sit in the SUV, waiting for Comey and
 Mueller. Agent BRIAN WALTERS, who we'll recognize as the guy
 living alone in the suburban apartment with the mattress on
 the floor, approaches their car.

WALTERS
 Need you to move back to the
 holding lot.

VELAZQUEZ
 Our protectee is due out in about
 two minutes...

WALTERS

Sorry, not today. Can't wait here.

Buckley leans forward in the car.

BUCKLEY

Hey why are you guys such fucking
dicks?

WALTERS

Excuse me?

BUCKLEY

Just curious why you and your pals
are such dicks.

WALTERS

(to Velazquez)

What is his problem?

VELAZQUEZ

We're moving. Apologies.

Velazquez turns on the car.

BUCKLEY

Keep walking dick.

Walters turns around. He's heard enough.

WALTERS

You want me to revoke your White
House clearance?

BUCKLEY

For calling you a dick?

VELAZQUEZ

We're moving. Sorry.

Velazquez rolls up Buckley's window, puts the car in gear.

VELAZQUEZ (CONT'D)

What the fuck was that?

BUCKLEY

Sorry. I don't like assholes.

VELAZQUEZ

I expect professionalism.

BUCKLEY

Whatever.

VELAZQUEZ
 We're on their turf, so shut the
 fuck up. Do you hear me? Shut the
 fuck up.

Buckley is silent, sullen.

VELAZQUEZ (CONT'D)
 Not that hard to just get along
 with these guys.

INT. WHITE HOUSE - WEST WING HALLWAY - DAY

The meeting is letting out - Comey steps into the hall with
 Mueller. FRAN TOWNSEND (40) steps out of the Oval Office,
 walks up to Comey.

TOWNSEND
 Hey Jim.

COMEY
 Fran. How are you? Good to see a
 friendly face here.

TOWNSEND
 I'm good. How's John?

COMEY
 He needs our prayers. We have high
 hopes, but... he needs our prayers.

Fran nods.

TOWNSEND
 Let me know if you need anything.

COMEY
 Will do. Thanks

INT. FBI SUV - OUTSIDE WEST WING - DAY

Comey and Mueller climb into the SUV. Velazquez and Buckley
 in front.

COMEY
 You can just take us back to
 Justice. Thanks guys.

VELAZQUEZ
 Yes sir.

The car starts to move.

MUELLER
What'd you think?

COMEY
So who does Dick Cheney stare at
when I'm not in the room?

Mueller laughs.

MUELLER
He's not shy about letting you know
he's unhappy with you.

INT. OFFICE OF THE VICE PRESIDENT - DAY

David Addington leans on his chair. His tone is
conspiratorial, but angry.

Cheney, Gonzales and Card sit and stand around him.

DAVID ADDINGTON
This is a fucking b-team, second
string lawyer, who is trying to
tell the President how he can and
cannot prosecute the war on terror.

CHENEY
Well, he's not going to tell the
President what to do. Let's stay
calm.

GONZALES
I think we should share Justice's
recommendations with the President.
They're not onerous. He should
weigh in.

Andrew Card looks down at his Blackberry - starts reading an
email, suddenly not paying attention.

DAVID ADDINGTON
Not fucking onerous? Are you
kidding me when you say that out
loud?

CHENEY
I'm not going to give the President
a reason to doubt the legitimacy
and importance of this program.

ANDREW CARD
I just got an email. Ashcroft has
acute pancreatitis.

(MORE)

ANDREW CARD (CONT'D)
He's in the hospital waiting for surgery. Out for at least a week.

CHENEY
When do we reauthorize?

ANDREW CARD
March 11. So we have... six days.

DAVID ADDINGTON
We can get this little JV fuck to back down by then.

CHENEY
I'm not concerned. Let's set a meeting with him four days from now. Let him sweat.

INT. ADDINGTON RENTAL HOUSE - NIGHT

Addington sits in an cramped home office in his rental house, going through a memo with a RED FELT TIPPED PEN. His daughter ANNA (13) knocks on the door.

ADDINGTON
What's up Pumpkin?

ANNA
Do you have a copy of my birth certificate?

ADDINGTON
I sure do. In fact, it's one of the only things in the office that didn't get burnt to a crisp.

Addington turns to a safe and starts to work the combination.

ADDINGTON (CONT'D)
(as he spins dial)
What's it for?

ANNA
A school project.

ADDINGTON
Sounds cool.

Addington pulls out a small folder, filled with documents. He sets it on the desk. Anna comes up and watches while he flips through it. He finds it.

ADDINGTON (CONT'D)

We have a winner.

He hands it to her.

ADDINGTON (CONT'D)

Hey... want to see something else
that survived the fire?

Anna turns back.

ANNA

Sure.

Addington shows her a letter.

ADDINGTON

Now... you can't tell anyone that I
have this okay?

Anna nods, suddenly serious.

ANNA

What is it?

ADDINGTON

Well, this letter was signed by the
Vice President. And basically what
it says is - well... let me explain
first that an important part of my
job, is making sure that the
government, that America, it always
keeps going. A part of that is
making sure we always know who is
in charge. So here's my question
for you. Do you know what happens
if the President gets assassinated?
Or dies in an attack?

ANNA

The Vice President becomes
President.

ADDINGTON

But what if the Vice President
can't take over... what if he can't
do his job, if he's knocked out and
can't wake up, but he's still alive-

ANNA

Like a coma.

ADDINGTON

Exactly. We don't have a plan for that.

ANNA

Okay.

ADDINGTON

So, if that happened, and the Vice President was in a coma, which we have to pray never happens, with this letter, the President could find a new Vice President, so the country will never be stuck with a Vice President who can't take over if something happens to the President.

ANNA

That is confusing. But I definitely get it.

ADDINGTON

Well you're very smart. Go do your homework.

ANNA

Gosh okay!

Addington smiles. Anna walks off.

ADDINGTON

I love you pumpkin.

Addington turns back to his memo.

INT. SITUATION ROOM - DAY

**CHYRON: MARCH 9TH, 2004. 2 DAYS TO STELLAR WIND
RECERTIFICATION DEADLINE.**

Cheney sits center of the table. Addington to his right. Card, Gonzales, Robert Mueller and Mike Hayden rounding out his side.

Comey, Goldsmith, Philbin on the other. It's quiet. The sound of a room when an argument is still calm but there's something flammable in the air.

CHENEY

The program cannot be adjusted in this timeline. And we cannot turn it off. That would leave us blind.

COMEY

With all due respect Mr. Vice President, those recommendations were submitted almost four days ago.

CHENEY

General Hayden - do you want to tell the Deputy Attorney General what happens if we're left blind?

COMEY

I want this program to be legal. We already have an oversight infrastructure in place. The FISA Court can -

ADDINGTON

The President will not be overseen by a civilian court while he wages war.

COMEY

The FISA Court-

ADDINGTON

(louder this time)

The President will not have some Justice appointed by Bill Clinton looking over his shoulder while he decides which weapons he will use to find and kill the savages that are trying to kill us.

COMEY

Well that's the goddamn law that Congress passed. We have to use that court. You don't like it get Congress to change the law. But you're a lawyer. You of all people should know you can't ignore the law just because you don't like it.

ADDINGTON

We're one bomb away from getting rid of that stupid court anyway.

COMEY

There is currently no lawful basis for Stellar Wind.

CHENEY

Well as we've discussed, others see it differently. We're comfortable relying on our legal analysis.

COMEY

(calm)

The legal analysis is flawed - in fact, fatally flawed. No lawyer reading that could reasonably rely on it.

ADDINGTON

I'm a lawyer, and I did.

COMEY

No good lawyer.

Silence. Comey stands up.

COMEY (CONT'D)

I cannot negotiate with you over this. You have our recommendations. Implement them or we can't certify.

INT. HOSPITAL - DAY

Two FBI PROTECTION AGENTS sit outside a surgery room. Inside, the SURGEON is closing up John Ashcroft. He's wiped down with antiseptics and scrubbed out.

The doors are carefully opened. Ashcroft, unconscious, still on his IV drip, is carefully moved down the hallway back to his room, the two FBI Agents escorting his unconscious body.

INT. HOSPITAL - DAY

Janet sits with John, holding his hand. A SURGEON sits next to her.

SURGEON

The surgery was successful, to be sure. But this type of surgery - this type of internal event - it's very traumatizing to the body. He's also going to be in immense pain, so we'll be giving him pain killers via the IV - all this to say, we're very hopeful but he has to stay in intensive care until he's more fully recovered.

Janet watches John.

JANET ASHCROFT
That's fine. Thank you.

She takes his hand, leans into him, and quietly sings a gospel tune into his ear.

INT. OFFICE OF THE VICE PRESIDENT - DAY

Cheney stands at his desk, shaking his head.

CARD
There's just no down side to asking them. Let's have the meeting, let's tell them. We already know what they're going to say.

CHENEY
Asking permission implies we need it.

CARD
It does and it doesn't. Because we all know the answer. We all know that there's no way they can pass any legislation without acknowledging the existence of the program. And -

CHENEY
I understand the argument, I am simply not dissuaded by it. You repeating the same thing in different ways does nothing but irritate me.

CARD
Sorry. Absolutely Mr. Vice President.

Cheney sighs, takes off his glasses and rubs his eyes. Puts his glasses back on.

CHENEY
Okay. We'll do the meeting.

INT. APARTMENT - KITCHEN - NIGHT

Velazquez makes tea. It's late. She's tired. Her husband JOSE emerges from a back bedroom.

JOSE

Hey. Day okay?

He kisses her cheek.

VELAZQUEZ

Yeah. I got this kid working for me. He's just... ugh. He's got to be the man, you know?

JOSE

I'm sorry baby.

VELAZQUEZ

Yeah. It's whatever. It's fine.

JOSE

Did you get groceries?

VELAZQUEZ

No. Sorry. I'll go in the morning.

JOSE

Okay. It's okay either way. We can do Chinese food.

VELAZQUEZ

No. It's my turn to get the groceries. Sorry. We should cook.

JOSE

I love you baby.

He kisses her cheek and walks to bed.

JOSE (CONT'D)

Come to bed soon.

INT. BAR - NIGHT

Buckley posts up at a bar, beer in hand. A young female HILL STAFFER has a drink in her hand and her body language says "I am trying to extricate myself from this conversation."

BUCKLEY

I mean, a year ago I was in Kandahar. So. It's weird but I'm happy I'm back. I'm in the FBI now. Protection unit, so, senior Justice Department officials. Thinking...

(MORE)

BUCKLEY (CONT'D)
maybe I go for Secret Service. Not
sure yet. But. You, you're
beautiful. What about you?

HILL STAFFER
My friends are over there...

BUCKLEY
Oh okay. You have nice looking
friends. But you're the pretty
one.

She smiles and slides off the bar stool, making to leave. He
stands up too and steps in her way.

BUCKLEY (CONT'D)
Listen, I don't want to sound like
a cowboy. I'm excited for boring.
I want to get married. I'm that
kind of guy.

HILL STAFFER
Cool.

BUCKLEY
What's your name?

HILL STAFFER
Thanks for the drink. You're
sweet.

BUCKLEY
That doesn't sound like a name.

HILL STAFFER
I don't think you're my type.

He touches her arm.

BUCKLEY
I just got you that drink.

HILL STAFFER
I know. And I just said thank you.

She smiles. He smiles back. She walks away. He signals to
the bartender for another drink.

INT. WEST WING HALLWAY - MORNING

CHYRON: MARCH 10TH, 2004. ONE DAY TO STELLAR WIND
RECERTIFICATION DEADLINE. 8:10 AM.

Comey drinks a coffee while waiting for the doors to the Oval office to open up. He spots Fran Townsend and approaches her.

COMEY

Fran - If I say a word, will you tell me if it means anything to you?

FRAN TOWNSEND

All right.

COMEY

Stellar Wind.

Fran pauses. If there's a surveillance program she's not read into, then it's a pretty big secret.

FRAN TOWNSEND

I think this is something I am not a part of. I can't have this conversation.

The doors open to the Oval Office. Mueller and others waiting head inside.

COMEY

Wait.

Fran stops.

COMEY (CONT'D)

I need to know if your boss is read in on something. There was a meeting yesterday... she wasn't there. I expected her to be there.

Fran nods.

FRAN TOWNSEND

Okay. I'll mention it to her.

The doors open to the Oval Office. Comey follows Mueller and Townsend inside.

INT. FBI SUV - DAY

Mueller and Comey sit together, en route back to the Justice Department. Velazquez sits up front. Buckley is missing.

COMEY

Fran Townsend isn't read in.

Mueller hides his shock.

MUELLER
She's in the National Security
Council.

COMEY
The only ones read in are Cheney's
people, the intelligence chiefs and
you. If they haven't told Bush
about Justice's reservations...
then nobody has. Nobody else
knows.

MUELLER
I think you're right. They're
trying to force your hand.

INT. OFFICE OF THE VICE PRESIDENT - DAY

Cheney paces. Card looks sheepish. Gonzales is beat.
Addington is rabid.

CHENEY
What the fuck do you mean she won't
pick up your calls?

CARD
The FBI detail at the hospital is
under strict orders from Janet
Ashcroft that there are to be no
calls.

CHENEY
But he's out of surgery.

CARD
He's still sedated sir.

Cheney opens the door and shouts into the hallway -

CHENEY
Call George Washington Hospital and
get me Janet Ashcroft on the phone
right now.

Cheney comes back inside and sits on the edge of his desk.

CHENEY (CONT'D)
Have you tried David?

ADDINGTON
I haven't sir.

CHENEY
 (dismissive)
 Well if she wouldn't take Andy's
 call she won't take yours.

An AIDE appears at the door.

AIDE
 Mr. Vice President - Janet Ashcroft
 is not taking any calls.

CHENEY
 Thanks. That's fine.

The Aide walks off.

CHENEY (CONT'D)
 I have to talk to the President
 about this? Jesus fucking Christ.

INT. ANTE-ROOM - COMEY'S OFFICE - JUSTICE DEPARTMENT - DAY

Chuck Rosenberg had his phone to his ear. On the other end
 his friend CAL WATSON (38).

ROSENBERG
 Hey listen. I don't know about
 squash tonight. Things are a
 little crazy here.

WATSON
 Yeah. No worries. Is this
 anything to do with this emergency
 meeting at the White House with the
 Gang of Eight?

ROSENBERG
 No. I don't think so.

WATSON
 Just got word from Cheney's office
 a few minutes ago.

Rosenberg pauses for a sec. Stands up.

ROSENBERG
 I have to go.

INT. COMEY'S OFFICE - DAY

Rosenberg bursts into Comey's office.

ROSENBERG

I just got off the phone with my friend in Daschle's office. Cheney asked the Gang of Eight to the West Wing for an emergency briefing.

COMEY

I need to be in that meeting.

INT. ANTE-ROOM - COMEY'S OFFICE - DAY

Rosenberg sits at his desk, phone pressed to his ear. Comey hovers over him.

ROSENBERG

(into phone)

I want to make clear that if the Stellar Wind program is being discussed -

Rosenberg pauses, listening to the line.

COMEY

Give me the phone.

Comey takes the phone from him.

COMEY (CONT'D)

(into phone)

This is Deputy Attorney General James Comey. If the Gang of Eight is being briefed on Stellar Wind I must be in the room.

(beat)

You can let the Vice President know-

Comey listens for a moment then slams the phone down.

COMEY (CONT'D)

He said I'm not invited.

INT. CONDELEEZA RICE'S OFFICE - DAY

Rice works on her computer, a document in front of her. Fran Townsend opens the door.

FRAN TOWNSEND

Is now a good time?

RICE

Come on in. What's up?

FRAN TOWNSEND

Jim Comey said something to me this morning. He asked me if I was a familiar with the term "Stellar Wind."

Rice gives her nothing.

RICE

Okay.

FRAN TOWNSEND

He said there was a big meeting on the subject and you weren't there.

RICE

What else did he say?

FRAN TOWNSEND

That's it. I don't know what's going on, but I've known Comey a long time. He asked me that question because he was looking for an ally. There's something going on at Justice.

INT. SITUATION ROOM - DAY

Cheney, Addington, Card and Gonzales sit with Mike Hayden, George Tenet and Robert Mueller in a cluster on one half of the table. The GANG OF EIGHT sits on the other half; Senators TOM DASCHLE, TRENT LOTT, PAT ROBERTS, JAY ROCKEFELLER, members of congress NANCY PELOSI, DENNIS HASTERT, JANE HARMAN and PORTER GOSS.

Hayden is standing, concluding a power point presentation on Stellar Wind.

HAYDEN

This intelligence apparatus is already at work, and has already helped our country track suspected terrorists across the globe, and prevented real attacks. It is absolutely vital to national security.

Hayden sits. The lights snap on. Cheney remains seated, but leans forward in his chair.

CHENEY

Now, John Ashcroft certified the legality of this program forty five days ago. He has taken ill, and in his place, his Deputy...

DAVID ADDINGTON

Jim Comey.

CHENEY

Jim Comey, has flagged some potential issues with the program. Now this program has been thoroughly vetted - Al - can you speak to that?

GONZALES

To keep it simple, the attorneys at NSA, CIA, and Justice for that matter, approved this program years ago. Mr. Comey has taken the view that... the program is outside the scope of the President's authority.

CHENEY

It's vital to the program's success that it's existence not be... disclosed to the general public. So - is there a way of obtaining legislative remedy while still maintaining the program's secrecy?

The Senators and Members look to each other.

HASTERT

I do not believe that we can obtain legislation without compromising the program.

PELOSI

It would be near impossible to prevent a leak.

Cheney chooses his words carefully.

CHENEY

This program is up for renewal tomorrow, and this... Jim Comey just recently raised his concerns. Now... he seems to be making a sort of stand while his boss is sick. He is... way out of his lane here.

ROBERTS

Sounds like you need new lawyers.

Addington and one other Republican chuckles. The Democrats don't crack a smile.

CHENEY

Given that we've come to rely on this program - is there anyone here that believes it should be stopped tomorrow, if Mr. Comey is... uncomfortable signing?

Most people shake their heads. Some don't. But nobody speaks up.

INT. WEST WING HALLWAY - DAY

Rice walks down the corridor, spots Cheney moving with Addington.

RICE

Mr. Vice President.

CHENEY

Hello Condi.

RICE

Got a second?

Cheney slows.

CHENEY

Sure.

RICE

What's going on with the Justice Department?

CHENEY

Nothing for you to be concerned about.

RICE

I'm the National Security Adviser. I think it's pretty firmly in my purview.

CHENEY

That's okay Condi. I'll let you know if I need anything.

Cheney walks off.

INT. ANDREW CARD'S OFFICE - DAY

Card, Gonzales, Cheney, Addington and Mueller sit in Cheney's office. All eyes are on Mueller, who is tense but calm, sitting upright in an armchair, hands folded.

CARD

We just want to make sure you're...
with the President on this.

MUELLER

I'm with the law on this.

CARD

We have very solid legal opinions
on the program.

MUELLER

Not from Justice.

ADDINGTON

Jim Comey is over his head.

MUELLER

(to Addington)

Jim Comey helped me put John Gotti
behind bars and I don't know you
from Sally. If the Justice
Department believes this program is
illegal, I, as a functionary within
the Justice department, will have
to review the legality of the
Bureau's participation.

ADDINGTON

(teasing the dog)

What happens when the President
overrules Justice and orders you to
participate?

MUELLER

At that point I'd have to consider
how I could continue leading the
Bureau.

CHENEY

Gentlemen can you give me a moment
in private with Director Mueller?

Card, Gonzales and Addington stand, and walk out the door.
It's just Cheney and Mueller. Cheney is angry, and he shows
it.

CHENEY (CONT'D)

For Chrissake Bob, forget all of that and remember that we're trying to defend our nation. Don't you understand that? One lawyer says this, one lawyer says that - it doesn't matter. What matters is the President needs this program to protect the American people. And if that mattered to you-

Mueller has the calm of a righteous man who knows he is in the right and has nothing to prove.

MUELLER

It matters to me. It matters to me so much I got shot in the thigh while I was leading a Marine platoon in Vietnam. That was 1969. You remember that year? It was one of six it took you to finish college. I'll afford you the respect the office deserves and not an inch more. So don't tango with me Cheney. You're not gonna like the way I dance.

Mueller stands.

CHENEY

The President isn't going to like this.

MUELLER

You're not going to tell him. My guess is he doesn't know about any of this. You're hoping Comey caves before you have to, and I can tell you right now that's not gonna happen. But maybe you don't want to take my word for it.

Mueller walks off.

INT. HOSPITAL ROOM - NIGHT

CHYRON: MARCH 10TH, 2004. 9:45 PM. 1 DAY TO STELLAR WIND RECERTIFICATION DEADLINE.

Comey steps into the hospital room. Janet gets up from her seat, walks to him. He hugs her.

COMEY
Thank you for calling us.

JANET ASHCROFT
I'm happy you're here.

COMEY
They haven't come yet?

JANET ASHCROFT
No.

Jack Goldsmith and Patrick Philbin step into the room.

COMEY
Gentlemen, you know Mrs. Ashcroft?

Janet steps forward.

JANET ASHCROFT
Janet, please.

They all shake hands.

COMEY
Thanks for coming.

JANET ASHCROFT
Here. Sit here, next to John.
I'll sit next to you.

Janet sits down in a chair, gestures to a second at Ashcroft's bedside for Comey.

COMEY
Thank you. I just need to make a call.

INT. HOSPITAL - HALLWAY - NIGHT

Comey steps into the hallway, phone pressed to his ear.

COMEY
Hi Bob. What's your ETA?
(listens)
Gonzales and Card will have Secret Service with them. I'm concerned that they'll eject me from the room... If they put a pen in the hand of a man on a morphine drip, they are not going to want an audience.

Comey looks up from the call.

COMEY (CONT'D)

This is Director Mueller. He wants
to talk to you.

Velazquez looks to either side. Me?

Comey nods. He hands the phone to Velazquez. She takes it.

VELAZQUEZ

This is Special Agent Pilar
Velazquez. Yes sir.
(she listens)
Yes sir.

She hangs up, hands the phone back to Comey. Comey steps
back into the hospital room.

BUCKLEY

What the fuck is going on?

VELAZQUEZ

If the Secret Service tries to
eject the Deputy Attorney General
from that hospital room by force,
we have orders to stop them.

Buckley nods. He stands still for a moment. This is the shit
he lives for.

BUCKLEY

Okay.

He pulls out his pistol and checks the chamber and safety,
then reholsters it.

VELAZQUEZ

If you draw that pistol again
tonight I'm going to write you up.

BUCKLEY

For what?

VELAZQUEZ

Or I'll just fucking shoot you, you
rookie fucking asshole. Fuck you
and your Marine Corps bullshit.

Buckley could give a fuck.

BUCKLEY

Relax.

VELAZQUEZ

No. You relax. You've been looking for something to shoot since you got into my car. Clear heads win the day here. Stand there, shut up, and follow my lead.

EXT. HOSPITAL - NIGHT

A SECRET SERVICE SUV stops short at the curb. The doors open and Card and Gonzales emerge into the night air. Gonzales slows for a moment. Walters follows them out of the car, close behind but keeping his distance.

GONZALES

I need a second.

CARD

What?

GONZALES

I need to talk to you for a second.

CARD

What the fuck are you talking about?

GONZALES

I want to have a conversation about what we are and are not willing to do when we walk into that hospital room.

CARD

We're going to get his signature. That's what we're going to do.

GONZALES

Can we agree though that there is a line we won't cross?

CARD

Do you know what is at stake? You want me to agree to a line that I'm not willing to cross when there are people out there trying to dream up ways they can steal radioactive waste and rig it to a pipe bomb so they kill ten people at once, and give two generations birth defects? Sorry Al. Can't do it for you.

GONZALES

Fine. We don't have to talk about it. But I hope you don't cross a line.

CARD

Don't come. I don't mind telling the President you wanted to sit this one out.

Gonzales pauses.

GONZALES

Okay. Let's go.

They head into the hospital. AGENT WALTERS jumps out of the SUV and follows them.

INT. HOSPITAL - INTENSIVE CARE ROOM - NIGHT

Comey, Goldsmith, Philbin and Janet sit or stand, tensed, waiting. Comey checks his phone.

INT. HOSPITAL - HALLWAY - NIGHT

Velazquez and Buckley wait. It's quiet. Then, footsteps coming down the hall. Card and Gonzales, Walters just behind them, taking fast purposeful strides towards Velazquez and Buckley.

Card and Gonzales head right into the hospital room. Walters waits just outside. A SECOND SECRET SERVICE AGENT walks briskly down the hall catching up.

Buckley eyes Walters. Walters stares back. Buckley dangles his hand near his holster. Walters shakes his head and crosses his arms.

VELAZQUEZ

We've had this whole wing on lockdown for the past five days, so we're not expecting any issues.

Walters nods.

WALTERS

Thanks.

INT. HOSPITAL - INTENSIVE CARE ROOM - NIGHT

Card and Gonzales approach Ashcroft's bedside. They don't acknowledge the other side of the bed - Goldsmith, Philbin, Comey and Janet Ashcroft.

GONZALES

Mr. Attorney General, we've achieved a legislative remediation that will address Justice's concerns.

ASHCROFT

I don't understand.

GONZALES

We met with the Gang of Eight from Congress. They've signed off on the program.

CARD

Mr. Attorney General - I need your signature on this recertification order. You authorized this program, Stellar Wind, ten weeks ago. This is simply extending the authorization.

Ashcroft looks over at them, trying to get it together.

CARD (CONT'D)

This program is critical for our national security. Absolutely critical to the President, and Congress agrees with us.

INT. HOSPITAL - HALLWAY - NIGHT

Velazquez tries to stay casual and nonchalant. Buckley is having more trouble. Walters looks at him. Then, to Velazquez -

WALTERS

What's his problem?

Buckley sneers at him.

VELAZQUEZ

He thinks you're rude.

WALTERS

What's your full name?

VELAZQUEZ

Why do you need his name?

WALTERS

I asked him.

VELAZQUEZ

I'm his superior. And if there's an issue you can take it up with me.

Walters shakes his head. Fuck this. Leans against the wall and looks off.

INT. HOSPITAL - INTENSIVE CARE ROOM - NIGHT

Card rests the manila folder with the signature pages on the bed.

CARD

Al - do you have a pen?

Gonzales fishes in his pocket. He hesitates - doesn't hand it to Card right away - then - Ashcroft looks straight at them -

ASHCROFT

Stellar Wind in it's current form is illegal. It's a dramatic violation of Fourth Amendment rights, and it's being inflicted on almost every single person in America in some way shape or form. You have the recommendations from Justice. And I won't sign this. But none of this matters, because right now, I am not acting Attorney General. He is -

Ashcroft raises a finger and points to Comey.

Ashcroft drops his hand.

GONZALES

Thanks for your time Mr. Attorney General. Sorry for disturbing you.

Card shoots a look of pure venom at Comey. They turn to exit. Janet Ashcroft sticks her tongue out at them.

INT. HOSPITAL - HALLWAY - NIGHT

Walters and his partner turn and follow Card and Gonzales down the hallway. Velazquez and Buckley watch them go. Velazquez heaves a sigh of relief. Buckley can't help looking disappointed.

Moments later, Mueller rounds the turn and starts walking down the hallway towards Velazquez and Buckley. They snap to attention. Mueller breezes into the hospital room. Moments later, he and Comey step out.

We don't hear Comey, we just see them talking down the hall, in low voices. Seeing Mueller nod his head.

INT. HOSPITAL - INTENSIVE CARE ROOM - NIGHT

Mueller steps into the room, Comey by his side. He takes Ashcroft's hand.

MUELLER

How you doing John?

ASHCROFT

Bob. I don't know what's happening.

MUELLER

There comes a time in every man's life when he's tested, and you passed your test tonight.

Comey hugs Janet Ashcroft, then shakes hands with Goldsmith and Philbin.

Suddenly, an FBI Agent is at the door.

FBI AGENT

Mr. Comey - there's a call for you.

INT. FBI COMMS CENTER - NIGHT

Comey stands, secured line phone to his ear. Both sides of the phone call. Card is screaming at him. Cheney and Addington are watching.

CARD

What the fuck was that?

COMEY

I could ask you the same thing.

CARD

I need you at the White House.
Now.

COMEY

After what I just saw -

CARD

What did you just see? We were
there to wish him well.

COMEY

After what I just saw, I will not
meet with you without a witness
present. And I intend for that
Witness to be the Solicitor General
of the United States.

Comey hangs up.

COMEY (CONT'D)

Get me Ted Olson on the line.

CUT TO:

INT. GEORGETOWN TOWNHOUSE - NIGHT

Ted Olson sits at a dinner party. The atmosphere is high class but informal. A housekeeper serves, but people jump up, grab a drink, talk.

Ted, in the midst of a conversation, feels his pocket. Looks at the number.

OLSON

Please excuse me.

Olson walks out into -

INT. GEORGETOWN TOWNHOUSE - OFFICE - NIGHT

The party continues through the open french doors. Olson stands in the center of the room, phone pressed to his ear.

OLSON

This is Ted Olson.

INTERCUT:

INT. FBI COMMS CENTER - NIGHT

Comey phone pressed to his ear.

COMEY

Yeah hi Ted it's Jim Comey. I'm at the hospital with the Attorney General - and - well - I need your help.

INT. JUSTICE DEPARTMENT - CONFERENCE ROOM - NIGHT

Comey, Goldsmith, Philbin, Rosenberg, Ayres and several other staffers are gathered. People sit and stand, nervously pacing, checking blackberries. Comey walks in the room.

COMEY

Before I see Card, I think we need to discuss what happens if the President moves forward without Justice's signature.

GOLDSMITH

That's illegal.

COMEY

Do you think that means they won't do it?

Silence.

PHILBIN

So what does happen?

COMEY

I took an oath to uphold the Constitution and I intend to honor it. If I can't, I won't continue in this job.

Everyone looks at each other.

PHILBIN

Okay.

GOLDSMITH

Let's be clear about something - you're going to threaten Card and Gonzales with our resignations?

COMEY

I don't threaten. But if they make it impossible for me to uphold my oath, I won't be able to continue in the job and I'll have to resign.

GOLDSMITH

Okay. Of course.

PHILBIN

I'll resign.

GOLDSMITH

Me too.

Nods all around the room.

ROSENBERG

I'm not staying if you leave.

Murmurs of assent from other staffers.

AYRES

I'll speak with Ashcroft as soon as I can. I'm sure he'll resign as well.

COMEY

Thank you all. I don't take this lightly. But I also know this is right.

INT. COMEY'S OFFICE - JUSTICE DEPARTMENT - NIGHT

Comey grabs his jacket off his chair and throws it on. Grabs his briefcase, is about to walk out the door when he runs into -

GOLDSMITH

Does anyone know what the President knows about this situation?

Comey stops.

COMEY

No. We have no idea.

GOLDSMITH

As far as we know, the President knows nothing.

COMEY
Can you get word to him? Outside
Cheney's camp?

GOLDSMITH
I'm friends with the staff
secretary. I'll make a call.

Goldsmith exits as Olson steps in.

OLSON
Ready?

Comey nods, grabs his briefcase.

COMEY
Go home Goldsmith. We're done here
tonight.

INT. ANDREW CARD'S OFFICE - NIGHT

BRETT KAVANAUGH (35) stands in front of Card, Cheney and
Addington.

KAVANAUGH
He said Comey, Goldsmith, Philbin,
and probably some others. I just
got the call a few minutes ago,
from one of Goldsmith's people.

Cheney shakes his head.

ADDINGTON
Fuck them. We can weather those
resignations.

CHENEY
Nobody outside this room hears
about this. Do you understand?

KAVANAUGH
Of course.

CHENEY
That will be all. Thanks.

Kavanaugh leaves the room.

GONZALES
Maybe it's time to loop in the
President.

CHENEY

I'll tell you when it's time.
Minor functionaries at Justice
resigning is not worth the
President's time.

ADDINGTON

How the fuck did they find out we
were going over?

CHENEY

It doesn't matter.

ADDINGTON

His fucking wife told them.

CHENEY

I said it doesn't matter. Did
Comey mention anything on the phone
about resignations?

CARD

No.

ADDINGTON

I want to meet with Comey. I want
to rip his fucking head off and
shit down his throat.

CARD

I don't think that's a good idea.

ADDINGTON

You want to let him cool off?
Should we just let it go Andy?
Would that be better for you?

(to Cheney)

I should be in the meeting. These
guys had their chance and they blew
it.

GONZALES

We did what we could. There was no
way -

CARD

It's fine Al.

ADDINGTON

If you did what you could we'd have
a signature and I'd be at home
having a scotch and pretending to
be interested in my daughter's
genealogy project.

CHENEY

I am going home. Addington you are too. Card, make nice with Comey. Feel him out. Be conciliatory. See how he reacts. And find out if these resignations are for real.

Cheney gets up.

ADDINGTON

Fuck this.

CHENEY

You calm down David. There is no political upside to pissing down Comey's collar right now. Go home.

INT. CHENEY HOUSE - NIGHT

Cheney comes home. Lynne has several mock ups of illustrations spread on the dining room table. He hasn't set down his briefcase down yet.

LYNNE CHENEY

They're here! I want to show you. Come on.

Off Cheney's look-

LYNNE CHENEY (CONT'D)

The illustrations!

CHENEY

I want to put down my briefcase. Just give me a second.

LYNNE CHENEY

They're here though! Just come here and look for a second.

CHENEY

Lynne, I just told you - I need to put down my briefcase.

He glares at her.

LYNNE CHENEY

Okay.

INT. JUSTICE DEPARTMENT PARKING GARAGE - NIGHT

Goldsmith and Philbin step off the elevator into the parking garage.

GOLDSMITH

Jesus Christ. I have no idea where my car is.

PHILBIN

Did you drive it to the hospital?

GOLDSMITH

Um. Yes... shit. My wife is going to be so pissed. Can you give me a lift home?

INT. CHENEY HOUSE - NIGHT

Cheney, alone, stands in front of the dining room table, looking at the ILLUSTRATIONS for Lynne's book on Washington crossing the Delaware.

He peers at them closely.

CHENEY

Illustrations look great Lynne.

He keeps looking at them.

LYNNE CHENEY (O.S.)

What?

CHENEY

(louder)

I said the illustrations look really great.

LYNNE CHENEY (O.S.)

Oh. Thanks.

CHENEY

(louder)

Really. They do.

INT. FBI SUV - NIGHT

Pennsylvania Avenue is empty. A fog has settled on the city. Comey and Olson ride in the back seat in silence.

INT. WEST WING - NIGHT

Comey and Olson approach Card's office. Card stands up and walks to his door.

CARD
I'm sorry but Mr. Olson is not invited to this meeting.

COMEY
I'll repeat myself; after the conduct I witnessed -

CARD
Mr. Olson is not read in.

COMEY
That didn't matter when Janet Ashcroft was in the room.

CARD
That was an emergency meeting. This is the West Wing.

COMEY
I'd like Mr. Olson to attend.

CARD
Well he can't. So if you'd like to meet, fine. Or I can let the President know you refused to meet with me.

Comey shoots Olson a look.

COMEY
Give me a moment.

Olson nods. Comey steps in the room and closes the door.

INT. ANDREW CARD'S OFFICE - NIGHT

Card stands behind his desk. Comey next to the door.

COMEY
Getting the "approval" of the Gang of Eight does not constitute legality. They didn't pass a law.

CARD
These are extraordinary times.

COMEY

The constitution still applies in extraordinary times.

CARD

They informed us that they would not be able to pass legislation without drawing undue attention to the program. And they agreed that it was vital to National Security.

COMEY

I really don't know what they agreed to. I wasn't in the meeting, because I was barred from attending.

CARD

What are we supposed to do Jim? I mean really. NSA needs this program. If Congress formally legalizes it, we're shining a light on our most powerful weapon in the war on terror. We did what we could. Congress said it was okay.

COMEY

I am talking about the Constitution goddamnit. And you and the Vice President and a few Senators and Congressmen don't get to decide when it matters and when it doesn't.

Card sits down. Calms.

CARD

(dismissive)

Okay Jim. You've been heard.

Comey turns to leave. Card speaks up again, a sneer in his voice-

CARD (CONT'D)

By the way - what's this I hear about a bunch of Justice department lawyers threatening to resign?

Comey turns back to him.

CARD (CONT'D)

Are you really going to do that Jim? Make threats?

COMEY

I don't believe in making threats.
If you are telling me that a
condition of my employment is that
I violate an oath, a sacred oath,
that I took to uphold the
Constitution then yes. I cannot
continue.

Card is silent. He knows Comey isn't bluffing.

COMEY (CONT'D)

Anything else?

INT. FBI SUV - NIGHT

Comey sits in his FBI SUV. Velazquez and Buckley up front.
He leans his head against the window, starts to doze. They
go over a bump. He opens his eyes, checks his phone, then
back to sleep.

INT. GOLDSMITH HOME - BEDROOM - NIGHT

Goldsmith slips into his bedroom. Judy is asleep.

GOLDSMITH

Hey babe. Sorry I'm late.

JUDY

(half asleep)

It's fine.

GOLDSMITH

Babe I don't know where I parked
the car. I just got to the
hospital and I ran. And I don't
know where the car is.

JUDY

(still half asleep)

Wow.

GOLDSMITH

Yeah. Crazy huh? Craziest night.

JUDY

(wishing she was more
asleep)

Yeah.

INT. FBI PARKING GARAGE - NIGHT

Velazquez and Buckley climb out of their FBI issue Suburban in the parking garage / vehicle depot. They pull their stuff out of the car.

BUCKLEY

Listen - I'm sorry if I said something -

VELAZQUEZ

I'm writing you up.

BUCKLEY

For what?

VELAZQUEZ

For drawing your gun.

BUCKLEY

I was checking the chamber. There was nobody around.

VELAZQUEZ

I don't want you in my car. Do you understand?

BUCKLEY

What? Why?

VELAZQUEZ

You. Your cowboy marine bullshit. This isn't Kandahar. We aren't going to rumble with the Secret Service. You were aggressive and out of line and you're a liability to me out there.

Buckley punches the side of the car.

BUCKLEY

What the fuck am I good at? Jesus fucking - What? What do you want from me? Fuck. I'm just doing the job. I don't know. What am I good at it if I can't do this?

VELAZQUEZ

What you do next week or the week after doesn't matter to me. It really doesn't.

(MORE)

VELAZQUEZ (CONT'D)

Quit the bureau, I don't give a shit, all I care about is my husband and three kids, and the last thing I need is an asshole like you checking the chamber of his pistol every chance he gets.

Buckley punches the car again.

BUCKLEY

Fuck! Fuck you!

Velazquez pauses. Walks back to him. Leans against the car.

VELAZQUEZ

Don't hit my car.

Buckley shakes his head, wipes his eyes.

VELAZQUEZ (CONT'D)

Second of all just calm the fuck down. Calm wins here. Calm and alert.

BUCKLEY

All right.

VELAZQUEZ

Let's go home, come on.

INT. WEST WING - OVAL OFFICE ANTE-ROOM - DAY

CHYRON: MARCH 11TH, 2004. STELLAR WIND RECERTIFICATION DEADLINE. 7 AM.

Rice approaches Bush's EXECUTIVE SECRETARY.

RICE

Is the President in?

The Secretary nods.

EXECUTIVE SECRETARY

Can I tell him what it's regarding?

RICE

I'll be quick. Just something he should hear.

INT. OVAL OFFICE - NIGHT

Bush sips a coffee. Rice walks in. Bush looks up.

RICE
Mr. President.

PRESIDENT BUSH
Guru. What's on your mind? We
hear something on Madrid?

RICE
No sir. You got all the facts in
the briefing.. It's something
else... sir one of my staffers told
me there's something going on at
the Justice Department. Something
with Jim Comey.

PRESIDENT BUSH
We're on it. But thank you.

RICE
I wouldn't bring this up if I
didn't think it was important. I
think you should hear him out Mr.
President. Comey. He's a
reasonable man. I don't think he'd
raise an alarm with my staffer if
it wasn't important.

Bush nods, suddenly more concerned.

PRESIDENT BUSH
Thanks Condi. I have a speech in
two hours - I'm going to take a sec
with the papers.

Rice nods.

RICE
Of course.

She exits. Bush sits, thinking for a second.

INT. PRESIDENTIAL LIMOUSINE - DAY

Bush sits on the long seat closest to the door. Gonzales
kitty corner. Bush sips a Diet Coke, legs crossed.

BUSH
Talk to me Fredo. What's your
recommendation?

GONZALES
I'm going to recommend that you do
not sign the order without the
Justice Department's signature.

BUSH
That's your recommendation as...

GONZALES
As the White House Counsel.

BUSH
But what about as my guy.

GONZALES
I don't think it's a good idea Mr.
President. It is an illegal order.

BUSH
Okay Fredo. I hear you. Loud and
clear.

The car starts to slow. The SECRET SERVICE AGENT (45) inside
speaks up.

SECRET SERVICE AGENT
We're two minutes out Mr.
President.

Bush nods.

BUSH
Ready when you are.
(to Gonzales)
I think I understand where we're
at.

Bush takes a final sip of his Diet Coke.

GONZALES
Why do you call me Fredo?

BUSH
Everyone has a nick name.

GONZALES
But Card's nick name is Andy.
Because his name is Andrew. You
call the Vice President "Big Time."
Why am I Fredo?

SECRET SERVICE AGENT
Sir, we've arrived.

BUSH

Cause it's easier than Alberto.
Cause I don't know, cause you're
fucking Fredo okay? What's going
on with you?

~(to the Secret Service
Agent)

Ready when you are.

GONZALES

Nevermind. Thank you Mr.
President.

Bush shakes his head. The door to his limo opens. He steps
out.

INT. OVAL OFFICE - DAY

Comey, Mueller, Condoleezza Rice, George Tenet, Andrew Card,
Tom Ridge, Cheney and Bush are gathered. Today there's real
news. Rice has the floor. The mood is somber. Heads buried
in the threat matrix.

CHENEY

The President has an event this
morning, so we should begin.
Condi?

RICE

Ten total explosions on four
separate commuter trains. Same
line, all explosions took place
between 7:37 and 7:40 am. Early
estimates, at least 100 dead, at
least a thousand injured.

Comey looks up from the Threat Matrix. Everyone is looking
up.

CHENEY

Was it al Qaeda?

TENET

It's still unclear.

CHENEY

How is it unclear?

TENET

Aznar's people are claiming that
they believe it's a Basque
separatist group. Based on the
explosive materials used.

(MORE)

TENET (CONT'D)

Aznar took Spain into Iraq, and he has an election in a few days. An Islamic terrorist attack could cost him the vote.

HAYDEN

We know they're not Moroccan Islamic Combatant Group, that's the al Qaeda franchise on the Iberian peninsula.

CHENEY

So they're who?

TENET

Intelligence suggests a loose affiliation with al Qaeda, but we've got to dig deeper before we can confirm.

CHENEY

But am I to understand that this wasn't on NSA or CIA's radar?

HAYDEN

That's correct sir.

Cheney seethes in his chair. Looks at Comey for a moment filled with hate. Then-

CHENEY

Let's keep moving. What's next?

INT. AIR FORCE ONE - BUSH'S PRIVATE OFFICE - DAY

Bush eats a turkey sandwich. Across from him is Andy Card, legal pad out.

BUSH

Hell, you too Andy?

CARD

I'm taking a broader view. This will cause political headaches for you in the short term. And I think we can rejigger the program to bring it into compliance.

BUSH

Sounds a lot like some second string lawyer is telling me what I can and can't do to win the war on terror.

CARD

I know that there are people who have that opinion... in this administration.

BUSH

What about Mueller? Is he gonna resign?

CARD

No. It's the Deputy AG and lower level attorneys.

BUSH

Fine. They want to leave the country in its time of need they can go for it.

CARD

I agree sir. Totally agree.

INT. JUSTICE DEPARTMENT - HALLWAY - DAY

Comey walks down the hall, fast. CHRISTOPHER WRAY (48), Assistant Attorney General, Criminal Division stops him.

WRAY

I don't know what it's about - but I'm hearing things. That it's bad right now with the White House. That there might be resignations.

COMEY

It's not good.

WRAY

Let me know before you jump. I'm not staying if you're out.

Comey nods and pats his shoulder.

INT. DEPUTY ATTORNEY GENERAL'S OFFICE - DAY

Comey breezes into his office, stopping by Rosenberg's door.

COMEY

Anything?

Rosenberg shakes his head. Comey sighs. Walks into his office and shuts the door behind him.

INT. OFFICE OF THE VICE PRESIDENT - DAY

Cheney, Addington, Card and Gonzales meet. Gonzales sits on the couch with Card and Cheney. Addington drops an executive order on the table.

ADDINGTON
We're moving ahead, and the President is going to sign this afternoon.

CARD
Great.

ADDINGTON
Gonzales, you're going to sign in Comey's place.

GONZALES
But... I have no legal authority...

ADDINGTON
Yes you do. You're the White House Counsel.

Silence around the room.

CHENEY
What's the problem?

Gonzales steps forward takes the pen.

GONZALES
My signing it - it has no basis in law.

ADDINGTON
We're at war. The Chief Executive has incredible latitude in determining the law as it relates to prosecuting a war.

GONZALES
But, I'm just saying, it doesn't mean anything if -

ADDINGTON
We're the fucking lawyers, okay Gonzales? This is our job. We are the people that figure out why a country that's all about freedom can do particular things to maintain that freedom.

(MORE)

ADDINGTON (CONT'D)

They need us, they need you, to justify it because it is what is necessary in the face of... I mean fuck, you get the threat briefings don't you? What scares you more than that? More than a nuke on a train to Pittsburgh?

CARD

What difference does it make Addington? Who cares if he signs it? Either way it goes through. Just lose the signature line.

ADDINGTON

I wish I could tell you your opinion mattered Andy. But it doesn't, because you're not a lawyer. And we need a lawyer's signature on this line because there is a sound legal basis, a legal basis by which the program has been operating for months, and it makes no sense for me to sign it. I work for the Vice President. But Gonzales is the White House Counsel, he is the President's lawyer. So he has to sign off.

Addington turns back to Gonzales.

GONZALES

But legally - my signature means nothing. It doesn't need to be on the page. Putting my signature on the page is a lie, because we're presenting my signature as having some level of authority. And why - why am I the only one who is putting their name on the page?

ADDINGTON

You're afraid of having your signature on the page? Afraid of having to answer some difficult questions, afraid they're gonna haul you up in front of Congress?

(MORE)

ADDINGTON (CONT'D)

When it happens to me I'm not even gonna get a fucking lawyer, because I know why we're doing it and I know it's right, and I'm perfectly happy to stare down Tom Daschle or whatever fuck face Democrat and tell them in no uncertain terms that I am the reason America gets to sleep at night, because of the work I'm doing today, in my fucking office all day long, not seeing my fucking kids, so that this nation can defeat an enemy that flies planes into buildings, has no borders, and believes that some obscene number of virgins awaits them in the afterlife. They don't have to know, all the people out there, don't have to know what we know. They don't have to wake up in the morning and think about Pittsburgh and whether it's gonna exist at 10 am eastern standard time.

Addington sits down, suddenly calm.

ADDINGTON (CONT'D)

I want them to hate me. I want them to loath me, for doing the thing that they couldn't do. I want them to think about me when they tuck their kids in at night, and I want them to hate me in that moment because their kids are safe, because of men like me, pale men who live in fluorescents, you know when I go to a party, I don't have anything to say to anyone. Not one thing. I don't like being there, but I get through it because I like knowing that nobody will ever know or appreciate what we're doing. We make it all possible, all of it. I like being that person. You're that person too. It's your job. So just sign it. Just sign it so we can keep doing a thankless task that some day everyone might hate us for, because that they get to hate us, is a luxury we provide them.

Gonzales looks at his hands.

GONZALES

All right. I'll sign it.

Gonzales walks up and signs it quickly, before he loses his nerve.

GONZALES (CONT'D)

There. It's done.

ADDINGTON

Good man.

Addington snatches the papers off the desk.

INT. COMEY'S OFFICE - JUSTICE DEPARTMENT - DAY

Comey sits across from Rosenberg.

ROSENBERG

Bush signed. With Gonzales certifying.

COMEY

He's not... he has no authority to certify.

ROSENBERG

I know. But that's what just happened.

Comey nods.

COMEY

Call a staff meeting for an hour from now. Cancel the rest of the afternoon till then.

ROSENBERG

What else?

COMEY

Nothing. I'm going to write my resignation letter.

INT. JUSTICE DEPARTMENT - CONFERENCE ROOM - DAY

Comey stands at the head of the conference room. Everyone from Justice is there; David Ayres, Patrick Philbin, Jack Goldsmith, Chuck Rosenberg, Ted Olson, etc.

COMEY

You all know what's happening. The men we're in conflict with - they're good men. But they are making decisions out of fear. And we cannot let fear undermine the rule of law. The Constitution exists for times of fear. The Constitution exists for moments when the Nation considers setting aside its ideals because we're afraid - the Constitution is for right fucking now, in this room. We're going to sit in this room and document every moment of the past week, including the underlying legal arguments in our memorandum on Stellar Wind, and compile it all, for the record. Because what we did here will matter. It might not matter until after we resign, or after Bush leaves office. But I want it on record because I want the record to show that the Justice Department stood up for the Constitution and refused to back down.

Ayres raises his hand.

AYRES

I just want you to consider postponing the resignations until Monday. I know that the Attorney General will want to resign at the same time.

Comey nods.

COMEY

Then we'll wait till Monday. In the mean time, we've got work to do.

MONTAGE:

-COMEY AND TEAM PULLING DOCUMENTS

-TAKING NOTES

-THE WORKING COPY OF THE MEMO IS PROJECTED ON A SCREEN AS THEY CONTINUE, ADDING TO IT AS THEY GO

INT. HIGH SCHOOL BASKETBALL GAME - NIGHT

Comey watches as his daughter Kate plays basketball. He's alone in a small crowd on the stands. He cautions a glance at his Blackberry.

INT. FBI SUV - NIGHT

Comey sits with his daughter Kate and her friend MARY (15) in the back seat, Velazquez and Buckley up front.

COMEY
You guys played a great game. Mary
you got so many rebounds.

KATE
What about me?

COMEY
That three pointer! Come on.

KATE
Can we put on Good Charlotte?

COMEY
I think we should do quiet.

Kate pulls a CD out of her backpack.

She taps Buckley on the shoulder -

KATE
Can you put this in?

Buckley takes the CD.

BUCKLEY
Sir?

COMEY
Fine.

The CD starts playing. It's "Life Styles of the Rich and Famous" by Good Charlotte.

KATE
Can you turn it up?

Comey nods. Buckley turns it up.

Kate and her friend start singing along.

KATE / MARY
 Always see it on T.V.
 Or read in the magazines
 Celebrities want sympathy
 All they do is piss and moan
 Inside the Rolling Stone
 Talkin' about how hard life can be.

Kate nudges Comey.

KATE
 Come on dad.
 (to Mary)
 My dad literally knows every word
 of this song.

Comey starts mouthing the words along. Then starts to sing.

COMEY/KATE/MARY
 If they could spend a day or two
 Walking in someone else's shoes
 I think they'd stumble and they'd
 fall
 They would fall (fall)

As the chorus hits, he starts singing along full throttle...

COMEY/KATE/MARY (CONT'D)
 Lifestyles of the rich and the
 famous
 They're always complainin'
 Always complainin'
 If money is such a problem
 Well they got mansions
 Think we should rob them

EXT. ALBERTO GONZALES'S HOUSE - NIGHT

Philbin and Goldsmith ring the doorbell. It's perfectly quiet. A few lights on in the house. It's 11pm.

Gonzales opens the door in a bathrobe and pajamas. Smiles at them.

GONZALES
 Hey guys. Come on in.

INT. GONZALES'S HOME STUDY - NIGHT

Gonzales sits in an armchair, Philbin and Goldsmith on a couch. Goldsmith hands him a Justice Department classified pouch.

GOLDSMITH

This is a document detailing the events of the last week, as well as all relevant events and legal opinions in the lead up to tonight. For the record. In case there's ever any review.

Gonzales smiles at them. He's tired too.

GONZALES

I don't think there's going to be a review some day Jack.

PHILBIN

Well in case there is. This is what happened. The truth of what happened.

GONZALES

Guys. This is going to work out.

GOLDSMITH

I am quite sure this is not going to work out. I think the West Wing is going to implode.

INT. OVAL OFFICE - DAY

**CHYRON: MARCH 12TH, 2004. ONE DAY AFTER STELLAR WIND
RECERTIFICATION DEADLINE.**

Comey, Mueller, Gonzales, Card, Rice, Cheney, and this time, President Bush.

RICE

We can confirm that Islamic militants carried out the attacks, but they do not have a formal connection to al Qaeda - they are not Moroccan Liberation Army.

Everyone takes notes.

TIME CUT:

The meeting is breaking up. Everyone is standing.

BUSH

All right, thank you ladies and gentlemen.

Everyone starts to head out.

BUSH (CONT'D)
Jim - can I talk to you a minute?

All eyes on Comey in the room.

COMEY
Of course.

Mueller leans into him.

MUELLER
I'll wait for you downstairs.

INT. BUSH'S PRIVATE DINING ROOM - DAY

Bush pours himself an ice tea. Comey stands, watching.

BUSH
Ice tea?

COMEY
No thank you sir.

Bush takes a seat at the end of the table.

BUSH
Please, take a seat.

Bush points to the chair on his right. Comey sits.

BUSH (CONT'D)
You don't look well.

COMEY
I feel okay.

BUSH
I'm worried about you. You look
burdened.

COMEY
I am, Mr. President. I feel like
there's a tremendous burden on me.

BUSH
Let me lift that burden from your
shoulders. Let me be the one that
makes the decision here.

COMEY
Mr. President, I would love to be
able to do that.

BUSH

What exactly is the problem?

COMEY

There is no one problem. The entire program - it's troubling. We're mass collecting data on American citizens without a warrant. It is illegal.

BUSH

Jim I am article 2 of the Constitution. Me. I decide what the law is for the executive branch in war time.

COMEY

That's absolutely true sir. You do. But I decide what the Department of Justice can and cannot certify to, and despite my best efforts I simply cannot certify this program.

Bush stares at him.

COMEY (CONT'D)

As Martin Luther said, "Here I stand; I can do no other." I've got to tell you, Mr. President, that's where I am.

Bush nods.

BUSH

I wish you weren't raising this at the last minute.

COMEY

Oh, Mr. President, if you've been told that, you have been very poorly served by your advisers. We've been telling them for months we have a huge problem that we can't get past. We've been working this and working this, and here I am, and there's no place else for me to go.

BUSH

Give me six weeks. Recertify. If we can't fix it in six weeks, we'll shut it down.

COMEY

I can't do that. You say what the law is in the executive branch, I believe that. And people's jobs, if they're going to stay in the executive branch, is to follow you. But I can't agree, I'm just sorry.

BUSH

Okay then. I'm sorry to hear that.

Bush stands. Comey follows. The implication; get the fuck out of my office. Before he goes, Comey turns to Bush -

COMEY

I think you should know that the Attorney General and Director Mueller are also going to resign.

Bush raises his eyebrows.

BUSH

Thank you for telling me that. I really appreciate it Jim. I'll talk to him.

INT. WHITE HOUSE - WEST WING HALLWAY - DAY

Comey walks down the hall towards a waiting Mueller. He stops when he reaches him.

COMEY

I don't know what is going to happen. We spoke at length about the program, and-

An ASSISTANT steps forward, interrupting them.

ASSISTANT

Director Mueller - the President would like a word.

INT. BUSH'S PRIVATE DINING ROOM - DAY

Mueller and Bush sit, in much the same position as Comey and Bush moments before.

MUELLER

It's a rule of law question for me Mr. President.

(MORE)

MUELLER (CONT'D)

The FBI cannot be party to a program that the Justice Department deems in breach of criminal law.

BUSH

I decide what's legal for the executive branch.

MUELLER

With all due respect sir, the Constitution is our framework. Not you or Alberto Gonzales.

BUSH

And is it true that I've heard you'll resign?

MUELLER

That's correct Mr. President.

BUSH

Why are you doing this to me Bob? Why are you putting me in this position?

MUELLER

It's not personal Mr. President. It's not about you. It's never about you. It never will be. It's about the Constitution. That's what matters. You're a good man Mr. President. You're a fine President. But if you started to see it the way I see it, you could be a great President. And the only measure that should matter is the Constitution. I think you could break these laws. I think you could, President George W. Bush, could surveil the American people and I think you would use the information in a way that protects the people of this Nation, in a way that saves lives. But what about the next President, who reaches a little further? And the next? Do this and you weaken our country in a way no terrorist can.

Bush takes a sip of coffee, staring straight ahead, not looking at Mueller at all, just thinking.

BUSH

Tell Jim to do what needs to be done.

INT. WHITE HOUSE - WEST WING HALLWAY - DAY

Comey looks down at his Blackberry, trying to focus, but watching the hallway out of the corner of his eye.

Mueller turns a corner, walking towards him. He leans in as he gets close.

MUELLER

The President is putting the program on hold until he can implement Justice's recommendations.

Comey nods. He shakes Mueller's hand. The two men turn and walk to their car, both trying not to break into full out shit eating grins.

INT. JUSTICE DEPARTMENT - CONFERENCE ROOM - DAY

Comey blows into the conference room. Ayres taps out an email on his phone. Rosenberg leafs through resignation letters. Goldsmith is on the phone with his wife. He hangs up when Comey walks in the room.

GOLDSMITH

(into phone)

I gotta go babe. See you tonight.

Rosenberg stands.

ROSENBERG

I have everyone's resignation letters here. We're just waiting on word from the hospital on Ashcroft.

AYRES

I don't know that he'll sign today. But it will be Monday.

COMEY

That won't be necessary. Please circulate a memorandum to everyone in Justice who is read in. CC Cheney, Mueller, Gonzales, Addington and Card.

(MORE)

COMEY (CONT'D)

The President agreed to suspend the program until our recommendations can be implemented.

GOLDSMITH

Get the fuck out.

Comey finally cracks a smile. Everyone cheers. People hug.

COMEY

Thank you everyone.

He waits for the commotion to die down.

COMEY (CONT'D)

I'm not one for resting on my laurels, but I think it's worth saying out loud, to you here today, that I have a good feeling we're going to remember this as one of the Justice Department's finest hours. And let's always remember that it wasn't about obeying orders; it was about defending the Constitution.

Everyone claps.

COMEY (CONT'D)

All right. I think we've all got work to do.

Everyone starts to file out, still smiling and clapping each other on the back.

CHYRON: FEBRUARY 3RD, 2005, LESS THAN A YEAR LATER, ALBERTO GONZALES REPLACED JOHN ASHCROFT AS ATTORNEY GENERAL.

CHYRON: BY JANUARY 2006, JIM COMEY AND JACK GOLDSMITH HAD LEFT THE JUSTICE DEPARTMENT. PATRICK PHILBIN LEFT AFTER HE WAS DENIED A PROMOTION TO RUN THE OFFICE OF LEGAL COUNSEL, A POSITION FORMERLY HELD BY JACK GOLDSMITH.

CHYRON: ANDREW CARD RESIGNED APRIL 14, 2006 OF HIS OWN VOLITION. HE IS NOW THE PRESIDENT OF FRANKLIN PIERCE UNIVERSITY.

INT. SENATE JUDICIARY COMMITTEE HEARING ROOM - DAY

CHYRON: JUNE 15, 2007.

Jim Comey sits at the witness table; 19 Senators sit at a semi-circular table, each with microphones in front of them. SENATOR CHUCK SCHUMER (D) questions Comey.

COMEY

It was Wednesday, March the 10th, 2004.

SENATOR SCHUMER

And how do you remember that date so well?

COMEY

This was a... uh.. Very memorable period of my life, probably the most difficult time of my entire professional life, and that night was probably the most difficult night of my professional life, so it's not something I'll forget.

SENATOR SCHUMER

Okay. Were you present when Alberto Gonzales visited Attorney General Ashcroft's bedside?

INT. SENATE JUDICIARY COMMITTEE HEARING ROOM - DAY

CHYRON: JULY 24, 2007.

Gonzales in the same chair. The same Senators in attendance. SENATOR ARLEN SPECTER (R) grills Gonzales.

SENATOR SPECTER

First of all, Mr. Attorney General, what credibility is left for you when you say there's no disagreement and you're party to going to the hospital to see Attorney General Ashcroft under sedation to try to get him to approve the program?

Gonzales searches for his words carefully.

GONZALES

The disagreement that occurred, and the reason for the visit to the hospital, Senator, was about other intelligence activities. It was not about the terrorist surveillance program that the president announced to the American people.

(MORE)

GONZALES (CONT'D)

Now, I would like the
opportunity...

SENATOR SPECTER

Mr. Attorney General, do you expect
us to believe that?

INT. ANDREW CARD'S HOUSE - DAY

Card sits in his home office, watching the Gonzales hearing
on a TELEVISION.

His wife KATHLEENE CARD (55) walks in.

SPECTER (O.S.)

No, I want to move to the
point about how can you get
approval from Ashcroft for
anything when he's under
sedation and incapacitated -
for anything?

KATHLEENE CARD

I'm going to the grocery
store. Do you need anything?

CARD

They're raking Gonzales across the
coals.

Kathleene turns and watches the TV.

GONZALES (O.S.)

May I continue the story, Senator?

SPECTER (O.S.)

No I want you to answer my
question.

KATHLEENE CARD

That's too bad. You liked
him, right?

CARD

Yeah.

GONZALES (O.S.)

Senator, obviously there was
concern about General Ashcroft's
condition.

INT. SENATE JUDICIARY COMMITTEE HEARING ROOM - DAY

Comey searches for exactly the right words. The room is dead
quiet. A JOURNALIST (40) drops a pen on the table and the
clatter makes the whole room look over. Comey takes a breath
and continues-

COMEY

I was concerned that this was an effort to do an end-run around the acting attorney general and to get a very sick man to approve something that the Department of Justice had already concluded - the department as a whole - was unable to be certified as to its legality. And that was my concern.

SENATOR SCHUMER

Okay. And you also believe - and you had later conversations with Attorney General Ashcroft when he recuperated, and he backed your view?

COMEY

Yes, sir.

INT. SENATE JUDICIARY COMMITTEE HEARING ROOM - DAY

Gonzales shifts uncomfortably in his chair, trying to stay cool. Schumer is relentless.

SENATOR SCHUMER

Did the president ask you to go?

GONZALES

We were there on behalf of the president of the United States.

SENATOR SCHUMER

I didn't ask you that.

GONZALES

I understand...

SENATOR SCHUMER

Did the president ask you to go?

GONZALES

Senator, we were there on behalf of the president of the United States.

SENATOR SCHUMER

Why can't you answer that question?

Gonzales looks down and smiles, slightly shaking his head, the look of a man who's had enough of all of it.

GONZALES

That's the answer that I can give you, Senator.

SENATOR SCHUMER

Well, can you explain to me why you can't answer it directly?

GONZALES

Senator, again, we were there on an important program for this president, on behalf of the president of the United States.

SENATOR SCHUMER

Did you talk to the president about it beforehand?

GONZALES

Senator, obviously, there were a lot of discussions that happened during that period of time. This involved one of the president's premier programs...

INT. OFFICE OF THE VICE PRESIDENT - DAY

Addington and Cheney watch the Gonzales testimony.

CHENEY

This is bad.

ADDINGTON

This is a disaster. He needs to go.

CHENEY

Bolten is on it. The President knows.

EXT. CAPITOL BUILDING - DAY

CHYRON: JUNE 15, 2007.

Comey walks out of the Capitol building, amongst a scrum of reporters-

REPORTER

What's next for you Mr. Comey?

COMEY
I'm going to go home. I will have
no further comments today.

EXT. BUSH RANCH - MIDLAND, TX - DAY

CHYRON: AUGUST 26, 2007.

Gonzales and Bush sit outside. They've just finished eating lunch.

BUSH
I need Justice to be rock solid.
You understand that right?

GONZALES
So it is you then. That wants me
to go.

BUSH
It is. I'm sorry. It's the only
way.

GONZALES
Thanks for telling me, face to
face.

BUSH
I owe you that much Al.

A moment of quiet between the two men.

Bush stands. Gonzales follows. They hug.

GONZALES
We came a long way.

Bush kisses Gonzales' forehead.

BUSH
Be strong.

FADE TO BLACK.

CHYRON: ALBERTO GONZALES WAS FORCED TO RESIGN FROM THE
JUSTICE DEPARTMENT.

CHYRON: DAVID ADDINGTON CONTINUED TO WORK FOR DICK CHENEY
UNTIL THE END OF HIS TERM. HE IS NOW WORKING IN THE PRIVATE
SECTOR.

CHYRON: JIM COMEY WAS APPOINTED BY PRESIDENT BARACK OBAMA TO
SUCCEED ROBERT MUELLER AS DIRECTOR OF THE FBI IN 2013.

HE WAS DISMISSED IN 2017 BY PRESIDENT DONALD TRUMP FOR ALLEGED IMPROPRIETY.

CHYRON: ROBERT MUELLER CONTINUED TO SERVE AS DIRECTOR OF THE FBI FOR TWELVE TOTAL YEARS UNDER PRESIDENTS GEORGE W. BUSH AND BARACK OBAMA. AFTER J. EDGAR HOOVER, HE WAS THE LONGEST SERVING FBI DIRECTOR IN HISTORY. HE IS NOW SPECIAL COUNSEL TO THE JUSTICE DEPARTMENT, CHARGED WITH INVESTIGATING ALLEGATIONS OF COLLUSION BETWEEN PRESIDENT TRUMP'S CAMPAIGN AND THE RUSSIAN GOVERNMENT. AT THE TIME OF HIS APPOINTMENT, HE WAS HERALDED BY REPUBLICANS AND DEMOCRATS ALIKE AS ONE OF AMERICA'S GREATEST LAW MEN.

THE END. CREDITS.