

The key to a mystery at the heart of September 11th -
one that could rock the CIA and scandalize two Administrations -
is an obscure footnote to the Commission's Final Report...

Footnote 44

A FEATURE INVESTIGATIVE DOCUMENTARY PROPOSAL

CIA cable, 'Activities of Bin Laden Associate Khalid Revealed,' Jan. 4, 2000. His Saudi passport -- which contained a visa for travel to the United States -- was photocopied and forwarded to CIA headquarters. This information was not shared with FBI headquarters until August 2001. An FBI agent detailed to the Bin Laden Unit at CIA attempted to share this information with colleagues at FBI headquarters. A CIA desk officer instructed him not to send the cable with this information. Several hours later, this same desk officer drafted a cable distributed solely within CIA alleging that the visa documents had been shared with the FBI. She admitted she did not personally share the information and cannot identify who told her they had been shared. We were unable to locate anyone who claimed to have shared the information. Contemporaneous documents contradict the claim that they were shared."

9/11 Commission Final Report
6th Chapter, 44th Footnote

*Did a covert, illegal CIA operation inside the United States try to infiltrate the hijackers?
'FOOTNOTE 44' is the most shocking true story of 9/11 yet to be told.*

GLOBALVISION INC

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A FEATURE INVESTIGATIVE DOCUMENTARY PROPOSAL

Dear Friend,

We hope you will consider commissioning this project. 9/11 has received more media attention than any event in recent history. There is one story related to the attacks, however, that has never been told, and it is potentially more explosive than all the others. From Globalvision, the award-winning media company with a 20-year track record producing cutting-edge and timely documentaries, comes **FOOTNOTE 44**, a movie that could rock the CIA and scandalize two Administrations. CIA agent Bob Baer (basis for the movie *Syriana*) and Oscar-nominated director Sandy McLeod are both consulting producers.

The story was unknown until July 2004, when the 9/11 Commission released their report. The media, considering it the last word on the attacks, moved on to other subjects. Little noticed was an obscure footnote in Chapter 6 that revealed a long-hidden scandal. 'The Jersey Girls', four tenacious widows who had fought for the Commission, did notice.

As it read, the CIA actually knew in January 2000 that two of Osama Bin Laden's top men had arrived in the United States, immediately after attending a high-level Al Qaeda meeting in Malaysia. An FBI desk officer at the CIA's special 'Bin Laden Unit' attempted to warn his colleagues in the Bureau. They alone, not the CIA, were permitted to monitor these terrorists inside America. But a CIA deputy chief specifically ordered the agent not to send the message, ominously stating, "This is not a matter for the FBI."

The result, of course, was that the future hijackers operated unhindered in the U.S., ultimately crashing a plane into the nation's military headquarters. "Half the guys in the Bureau think CIA was trying to 'turn' [these terrorists] to get inside Al Qaeda," explains *The New Yorker's* Lawrence Wright, whose Pulitzer Prize-winning book further fleshed out the CIA/FBI cat-and-mouse game that continued right up until the attacks.

FOOTNOTE 44 combines stunning insider interviews with stylistic, motivated reconstructions of this *Rashomon*-like tale in which many participant accounts differ, and the truth requires peeling back layers like an onion. It is a true-life espionage story. The now-embittered FBI Cole bombing investigators who were obsessed with stopping the coming attacks. The CIA managers who hid the terrorists on six other documented occasions. And a search for the definitive answers to 'Why?' Treatment and budget available.

Please call Ray Nowosielski at 317.698.4642 or email Ray@BandedArtists.com

FOOTNOTE 44

An Espionage Story at the Heart of September 11th

Genre: *Feature-Length Documentary Reconstruction*

Approach: *'No End in Sight' meets 'The Thin Blue Line'*

Available: *September 2008 (Budget Available.)*

Why have so many veteran FBI agents, award-winning journalists, and 9/11 victims' relatives come to believe that the CIA covered up a failed covert op inside the U.S., run illegally, to infiltrate the hijackers? **FOOTNOTE 44** is a feature-length documentary exposing the most shocking true story of September 11th yet to be told.

Among the thousands grieving after September 11th, twelve determined victims' relatives chose to fight the White House for fourteen difficult months lobbying for what would become the 9/11 Commission. Leading them were four attractive, tenacious widows known as 'the Jersey Girls'. These families were presented with the fruits of their labor, the Commission's Final Report, at a photo op in July 2004. The Jersey Girls were startled to discover a government scandal, one that had been successfully hidden from the public until that day.

The revelation did not come in the body of the report, but rather in an obscure footnote to Chapter 6. The commissioners never commented on it anywhere else in the book. Nonetheless, the footnote said it all.

"It becomes increasingly clear," wrote widow Kristen Breitweiser, "that the CIA's repeated failure to share information with the FBI about two of the 9/11 hijackers was purposeful." Alluding to additional cases from the FBI Inspector General's 9/11 Report—the Commissioners' source for the footnote, released later in 2004—she continued, "Once, twice, maybe even three times could be considered merely careless oversights. But at least seven documented times [between January 2000 and September 11th]? To me, that suggests something else."

The full story was made clearer with the release of the FBI's 9/11 Report—the Inspector General having received unprecedented access to those involved. Then, in 2006, the Pulitzer Prize-winning work of journalist Lawrence Wright shed further light on the subject. But no single outlet has ever told this story in full—or on film—until now.

Directed by award-winning filmmakers Rory O'Connor, Ray Nowosielski, and John Duffy, with consulting producer support from famed CIA agent Bob Baer (basis for the movie *Syriana*) and Oscar-nominated director Sandy McLeod, **FOOTNOTE 44** seeks to reconstruct this fascinating string of incidents, emphasizing the many colorful characters involved, with a goal of peeling away the layers of fiction until the truth is laid bare. (See bios below.)

THE STORY

Here's what we know: In December 1999, President Clinton's national security team learned of an al Qaeda plot to blow up multiple worldwide targets simultaneously during the approaching millennium celebrations. On the list was Los Angeles International Airport. The FBI was soon

able to round up the cells involved, the plot foiled.

U.S. officials could not be certain they had arrested all the conspirators, thus remaining highly concerned about dramatic new Al Qaeda attacks. The following week, more than a dozen of Osama Bin Laden's most trusted associates met in Malaysia to coordinate what would be the 9/11 attacks.

Deputy chief Tom Wilshire and the 30 agents that made up the CIA's special 'Bin Laden Unit' monitored the meeting, providing daily updates to CIA director George Tenet, his counter-terror chief Cofer Black, and officials in the Clinton White House.

Khalid Almihdhar and Nawaf Alhazmi, Al Qaeda veterans who had fought with the jihadists in Bosnia and Chechnya, were among those at the summit. They were followed as they left four days later and headed to Bangkok, where the agents lost track of them—or so they claim. A week later, these terrorists flew to the United States. Twenty months after that, they crashed Flight 77 into the Pentagon.

That the pair were heading for America should have been no surprise to the CIA Bin Laden Unit. The agents had secretly obtained a copy of Almihdhar's passport, revealing he held a multiple-entry visa to the U.S. Moreover, the terrorists purchased airline tickets using their real names. Two months later, Thai intelligence even confirmed that they had landed at Los Angeles International Airport -- one of the targets of Al Qaeda's millennium plot only the month before.

White House officials and CIA agents were on alert for more attacks, and they must have wondered what these Bin Laden operatives were doing in America. Yet Wilshire and his Bin Laden Unit agents never informed the FBI, nor even followed the standard protocol of adding the summit attendees to a terror watch list to be kept out of the country.

Doug Miller was an FBI counter-terrorism agent who had been assigned to the CIA's Bin Laden Unit at the time that Almihdhar and Alhazmi flew to the United States. Knowing that his colleagues at FBI were the only ones who could continue tracking the terrorists in America, he drafted an urgent message to warn them.

Tom Wilshire, for reasons we hope to get to the bottom of, ordered Miller not to send the message, barking, "This is not a matter for the FBI." Just in case some other of his agents got the same idea, he sent an email throughout the CIA falsely claiming that the FBI *had* already been informed.

Where the Commission Report's 44th footnote ends, the investigations of the FBI Inspector General and *The New Yorker* journalist Lawrence Wright continues the story. And it's here that the plot thickens. In October 2000, some of Bin Laden's men who had attended the Malaysia meeting bombed a U.S. war ship, the Cole, killing 17 sailors. The FBI's I-49 squad, a small, tough group of dedicated Bin Laden-hunters, headed to Yemen to investigate.

Ali Soufan, the only Arabic-speaking FBI agent at the New York office, known for his enthusiasm in going after the bad guy, interrogated one of the Cole plotters, a short, smirky terrorist named

Al-Quso who had turned himself in. Soufan realized that many of the plotters could be connected to a meeting in Malaysia in early 2000, so he asked the CIA's Bin Laden Unit for any information they had. Wilshire's unit never responded.

Soufan felt sure that the Agency had more info than they were giving, so he went all the way to the top. Louis Freeh, the FBI director himself, went straight to the CIA, probably to director George Tenet. Freeh too claims he walked away with nothing.

That spring, 2001, a flood of intel began pouring in warning of an impending al Qaeda attack, the biggest threat spike seen since the millennium plot. Around the same time, someone high up at CIA, most likely Tenet or Cofer Black, made the decision to transfer Tom Wilshire from his management job at Bin Laden Unit over to the FBI. The man who had said, "This is not a matter for the FBI," now, ironically, had the job of passing information from the CIA to the FBI.

FBI investigators saw evidence that the Cole bombing had been the precursor to another, larger attack, and they felt a duty to work to uncover other plotters. Working the case with Ali Soufan were I-49 squad members Steve Bongardt and Russell Fincher. In their midst was Wilshire, never telling them that two other Cole plotters were in the U.S.

In June, Wilshire called a meeting between CIA and FBI. He wanted to learn how much the Cole investigators knew about Almihdhar and Alhazmi. Bongardt and Fincher were shown photos the CIA had taken of the two at the Malaysia meeting. Bongardt, a straight-talking former Navy pilot, demanded to know who the men were and where the photos were taken. Wilshire and his subordinate agent Clark Shannon refused to answer. The meeting descended into a shouting match.

Though Doug Miller had not been allowed to alert his FBI colleagues of Almihdhar's and Alhazmi's arrival in the U.S. 19 months earlier, ultimately it was another FBI agent assigned to CIA Bin Laden Unit, Maggie Gillespie, who finally got the information out in August 2001. Reviewing leads about the Malaysia meeting, Gillespie accessed the CIA's database where she discovered that two al Qaeda operatives were in the U.S. She immediately initiated an FBI search for the men and demanded that the CIA finally watchlist them, which it did. When FBI I-49 agent Steve Bongardt learned the news, he replied, "You gotta be kidding me! Almihdhar's in the country? If this guy's here, it's not to go to fucking Disneyland!"

Unbeknownst to him, only the week before, another of Bin Laden's men, Zacarius Moussaoui, had been arrested inside the country by the Minnesota FBI after behaving strangely at a flight school. Those investigators were sure that Moussaoui was part of a larger plot involving planes, but they were having trouble getting a search warrant to look at his laptop.

Adding context to the Moussaoui case was an email sent two months prior by a Phoenix FBI agent who had warned that he thought Bin Laden might be using U.S. flight schools to train his men for some kind of attack. Neither the Phoenix FBI, the Minnesota FBI, nor the I-49 squad in New York knew about the others' cases.

But Tom Wilshire knew about all three. He had received both the 'Phoenix memo' and regular

updates on the Moussaoui case. He had passed it up the food chain to CIA bosses Cofer Black and George Tenet. All three were aware of Almihdhar's and Alhazmi's presence in the country.

Even though Tenet was later described as having “his hair on fire” in his frenzy to alert those in Washington of a coming attack, he claims he never told the Bush administration about Almihdhar, Alhazmi, Moussaoui, or the Phoenix memo during any of the daily briefings he gave that summer, nor during a special trip he took to Bush's Texas ranch in late August, nor at a meeting of all the national security principals in early September. "All I can tell you is, it wasn't the appropriate place. I just can't take you any farther than that," Tenet later testified to the 9/11 Commission.

The I-49 squad, having finally learned the men were in the country, never had enough time to find Almihdhar and Alhazmi before September 11th. The al Qaeda plot, set into motion twenty months prior in Malaysia, went off without a hitch.

On September 12, 2001, Ali Soufan received a package in Yemen from the CIA. Inside were the photos he had been seeking of the Malaysia summit, showing 9/11 hijackers Almihdhar and Alhazmi with some of the Cole plotters. Had he received them any of the multiple times he had requested before 9/11, he likely could have found the hijackers and stopped the attacks. Soufan went into the bathroom and vomited.

How can we explain Wilshire and his Bin Laden Unit agents' deliberate protection of two al Qaeda operatives for 20 months? As some have come to believe—including several embittered FBI agents—the CIA did not ‘lose’ Almihdhar and Alhazmi in Bangkok, but instead began a covert operation to continue trailing them illegally in the United States, in a failed attempt to get inside the plot and stop it. Consequently, they hid the men from the FBI in order to protect their cover.

There are multiple variations on this hypothesis. Some see evidence that Saudi Arabian intelligence was brought in to infiltrate Almihdhar and Alhazmi in California on behalf of the CIA. Others see evidence of the CIA bringing in Israeli Mossad to trail the hijackers for them. Still others believe that President Clinton, reportedly obsessed with stopping the next al Qaeda attack, gave a highly-classified executive order allowing the CIA to operate legally inside the country.

Whatever the exact circumstances, one has to wonder, if the CIA was trailing these future-hijackers, why the Agency was not able to stop the attacks? The 9/11 Commission concluded that the CIA provided all pertinent information to the Bush White House, but the Bush administration failed to take action. Was this the case? Did George Tenet in fact provide them with knowledge that Almihdhar and Alhazmi were in the country, but they had a different plan for battling terrorism and made the decision to shut down the Clinton era CIA operation?

For definitive answers, see **FOOTNOTE 44**, exploiting insider interviews and stylized, motivated reconstructions to emphasize the drama and intrigue of these moments in history and to pierce through the veils of secrecy thrown up by the characters involved, bringing definitive conclusions to the American public. A production of Globalvision, **FOOTNOTE 44** is intended for nationwide broadcast and a limited theatrical roll out in September 2008, followed by sales to foreign television outlets and a DVD release in stores nationwide.

FOR MORE INFORMATION, CONTACT

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COMPANY CREDENTIALS

Globalvision is an independent, international media company, producing highly-acclaimed newsmagazines, nationally televised specials, and cutting-edge documentary films for over two decades. Our work has been featured before billions of citizens in more than one hundred countries and showcased at the top film festivals and television outlets.

Co-founded by veteran television journalists **Rory O'Connor** (PBS' *MacNeil/Lehrer NewsHour*, CBS's *48 Hours*) and **Danny Schechter** (CNN, ABC's *20/20*) in 1988, Globalvision's first Emmy Award-winning news magazine series was *South Africa Now*, which ran on PBS from 1988-91. In 1992, Warner Brothers commissioned them to produce *Beyond JFK*, the official companion documentary to Oliver Stone's hit film *JFK*. Globalvision then produced a series of award-winning documentaries for the highly-respected *PBS Frontline*.

More recently, a series of politically-charged feature-length documentaries have gained the company a cult following, including *Counting on Democracy* (2002), *WMD: Weapons of Mass Deception* (2004), and *In Debt We Trust* (2007).

Their work has been honored with considerable professional recognition, including the George Polk Award, the Writer's Guild of America Award for Outstanding Documentary Achievement, the Emmy Award for Outstanding News Magazine, and numerous others.

SELECT FILMOGRAPHY:

- Boob Tube: Sex, TV and Ugly George (2008)
- In Debt We Trust (2007)
- Press For Truth (2006)
- WMD: Weapons of Mass Deception (2004)
- We Are Family (2002)
- Counting on Democracy (2002)
- Richard Speck: Born to Raise Hell (1999)
- Beyond Life: Timothy Leary Lives! (1997)
- Yellow Wasps: Anatomy of a War Crime (1996)
- Countdown to Freedom: Ten Days That Changed South Africa (1994)
- Beyond JFK (1992)

RORY O'CONNOR, DIRECTOR / WRITER / PRODUCER:

Documentary filmmaker and journalist Rory O'Connor is co-founder and president of the international media firm Globalvision, Inc., and The Global Center, an affiliated non-profit educational foundation. He has directed, written and / or produced hundreds of television programs and films and served as an executive in charge of three weekly broadcast series, *South Africa Now*, *Rights & Wrongs: Human Rights Television* (PBS), and *Children First* (ABC). O'Connor's television and film work has garnered much professional recognition, including a George Polk Award, a Writer's Guild Award, two Emmys, an Iris, and a Cine Gold Eagle. He also oversees the not-for-profit media watchdog site MediaChannel.org, and is Editorial Director of the social news network NewsTrust.net.

O'Connor began working in broadcast journalism as a reporter and producer at WGBH-TV, the PBS flagship in Boston, while his political commentary was featured regularly on WBCN-FM, one of New England's leading radio stations. He later was a Senior Producer at the ABC affiliate WCVB-TV Boston, where he produced documentaries and played a key role in the formation of the station's first investigative news team *The Investigators*; Program Producer of the nightly *Ten O'clock News* at WGBH; and News Director of the nightly cable program *The Neighborhood Network News*. He subsequently produced segments for the nightly PBS program *The MacNeill/Lehrer NewsHour*, and the weekly CBS News series *48 Hours*.

O'Connor wrote and edited for the *Boston Globe*. His freelance articles subsequently appeared in *The Atlantic*, *Vogue*, *Rolling Stone*, *Mother Jones*, *Los Angeles Times*, *Newsweek*, *The Nation*, *Details*, *Broadcasting & Cable*, *Television Week*, and many others. He is also co-author of the award-winning non-fiction book *Nukespeak*.

RAY NOWOSIELSKI, DIRECTOR / WRITER / PRODUCER:

Ray Nowosielski is the director, writer, and producer of the "underground hit" feature-length documentary *Press For Truth* (2006), the story of the September 11th widows' fight for the 9/11 Commission. An official selection of the Rio de Janeiro, Guadalajara, and Seattle True film festivals, the movie received a limited theatrical roll out nationwide during the 5th anniversary of the attacks. *Boston Globe* film critic Jay Carr gave it 3 ½ out of 4 stars, while Air America's Randi Rhodes raved that the movie is "Phenomenal! Stunning! Unbelievable!" "One of the most thought-provoking [documentaries] I've seen," wrote *DVD Savant Magazine*. *Press For Truth* sold to television networks Al Jazeera and History Channel Australia, among many others, and is available on DVD at Virgin Megastores and other select outlets across the country. The movie recently began a month-long theatrical tour of Europe. Nowosielski followed that movie up with another recently completed feature documentary, *Buying the Pharm*, a comical expose of the world's most profitable industry, the drug companies, which is currently seeking distribution. Nowosielski received his Bachelor of Fine Arts from Chicago's Columbia College film school. He co-founded Banded Artists in 2001, a movie and media production company now with offices in New York City, Los Angeles, and Austin.

JOHN DUFFY, DIRECTOR / WRITER / PRODUCER:

John Duffy produced and co-created feature-length documentary *Press For Truth* with Banded Artists partner Ray Nowosielski. His filmmaking stems from his five years of Chicagoland theatre experience, both as an actor and a director, and is informed by his love of still photography. Duffy received his Bachelor of Fine Arts through Columbia College's film program. His shorts and feature scripts, ranging from existential art pieces to absurdist comedies to controversial, social commentary documentaries, have won him multiple awards and been chosen for showcase on several prominent short film web sites, gaining him the interest of a number of prominent filmmaker patrons. Duffy has worked on music videos for Chicago based Lucid Records and full and short length videos for Chicago-based Brunette Skateboards. Still in love with performing, Duffy studied at the internationally renowned Second City.

SANDY MCLEOD, CONSULTING PRODUCER:

Sandy McLeod directed the Academy Award-nominated short documentary 'Asylum'. The film was awarded the Crystal Heart Award for Documentary Short at the 2003 Heartland Film Festival and Best Documentary at the Aspen Shortsfest 2003. Her directorial debut was in music videos, when she directed for VHI series *The Sixties*. Her next film was 'Doll Day Afternoon', a well-received short directed for *Saturday Night Live* which became a cult favorite and has been showcased at art museums nationwide. Sandy has collaborated with famed filmmaker Jonathan Demme on two Channel 4 documentaries, *Haiti* and *Dreams of Democracy*, and as visual consultant on the landmark concert film *Stop Making Sense*. She was 2nd unit director on two John Sayles' films, *Limbo* and *Silver City*, and has worked in various capacities with Richard Attenborough, Karel Reisz, Paul Schrader, Taylor Hackford, Anthony Hopkins, Merle Streep, Melanie Griffith, Spaulding Gray, Jason Robards, Deborah Winger, John Lithgow, Tim Curry, Nick Nolte, Michael Lindsey-Hogg, Alex Cox, UB40, Bruce Springsteen, Chrissy Hynde, and Roy Orbison. Sandy is founder of the independent film company Make-Do Productions.

BOB BAER, CONSULTING PRODUCER:

Famed CIA case officer Robert "Bob" Baer's books *See No Evil* and *Sleeping With the Devil* were the basis for the 2005 Academy Award-winning Warner Bros. motion picture *Syriana*. The film's character Bob Barnes, the role for which George Clooney won the Oscar, is loosely based on Baer. He joined the CIA's Directorate of Operations in 1976. During his twenty year CIA career, Baer worked covertly in dozens of nations, speaking Arabic fluently, and, according to journalist Seymour Hersh, "was considered perhaps the best on-the-ground field officer in the Middle East". He quit the Agency in 1997 and received the CIA's Career Intelligence Medal the following year. His best-selling non-fiction books *See No Evil: The True Story of a Ground Soldier in the CIA's War on Terrorism* and the follow-up *Sleeping With the Devil: How Washington Sold Our Soul For Saudi Crude* document his experiences while working for the Agency. For the past two years, Baer has worked closely with a Channel 4 production company in the UK, presenting two authoritative documentary series *The Cult of the Suicide Bomber I* and *II*.

TREATMENT AND BUDGET AVAILABLE