

Terror in the Skies, Again?

**By Annie Jacobsen**

*Note from the E-ditors: You are about to read an account of what happened during a domestic flight that one of our writers, Annie Jacobsen, took from Detroit to Los Angeles. The WWS Editorial Team debated long and hard about how to handle this information and ultimately we decided it was something that should be shared. What does it have to do with finances? Nothing, and everything. Here is Annie's story.*

On June 29, 2004, at 12:28 p.m., I flew on Northwest Airlines flight #327 from Detroit to Los Angeles with my husband and our young son. Also on our flight were 14 Middle Eastern men between the ages of approximately 20 and 50 years old. What I experienced during that flight has caused me to question whether the United States of America can realistically uphold the civil liberties of every individual, even non-citizens, and protect its citizens from terrorist threats.

On that Tuesday, our journey began uneventfully. Starting out that morning in Providence, Rhode Island, we went through security screening, flew to Detroit, and passed the time waiting for our connecting flight to Los Angeles by shopping at the airport stores and eating lunch at an airport diner. With no second security check required in Detroit we headed to our gate and waited for the pre-boarding announcement. Standing near us, also waiting to pre-board, was a group of six Middle Eastern men. They were carrying blue passports with Arabic writing. Two men wore tracksuits with Arabic writing across the back. Two carried musical instrument cases - thin, flat, 18" long. One wore a yellow T-shirt and held a McDonald's bag. And the sixth man had a bad leg -- he wore an orthopedic shoe and limped. When the pre-boarding announcement was made, we handed our tickets to the Northwest Airlines agent, and walked down the jetway with the group of men directly behind us.

My four-year-old son was determined to wheel his carry-on bag himself, so I turned to the men behind me and said, "You go ahead, this could be awhile." "No, you go ahead," one of the men replied. He smiled pleasantly and extended his arm for me to pass. He was young, maybe late 20's and had a goatee. I thanked him and we boarded the plane.

Once on the plane, we took our seats in coach (seats 17A, 17B and 17C). The man with the yellow shirt and the McDonald's bag sat across the aisle from us (in seat 17E). The pleasant man with the goatee sat a few rows back and across the aisle from us (in seat 21E). The rest of the men were seated throughout the plane, and several made their way to the back.

As we sat waiting for the plane to finish boarding, we noticed another large group of Middle Eastern men boarding. The first man wore a dark suit and sunglasses. He sat in first class in seat 1A, the seat second-closest to the cockpit door. The other seven men walked into the coach cabin. As "aware" Americans, my husband and I exchanged glances, and then continued to get comfortable. I noticed some of the other passengers paying attention to the situation as well. As boarding continued, we watched as, one by one, most of the Middle Eastern men made eye contact with each other. They continued to look at each other and nod, as if they were all in agreement about something. I could tell that my husband was beginning to feel "anxious."

The take-off was uneventful. But once we were in the air and the seatbelt sign was turned off, the unusual activity began. The man in the yellow T-shirt got out of his seat and went to the lavatory at the front of coach -- taking his full McDonald's bag with him. When he came out of the lavatory he still had the McDonald's bag, but it was now almost empty. He walked down the aisle to the back of the plane, still holding the bag. When he passed two of the

men sitting mid-cabin, he gave a thumbs-up sign. When he returned to his seat, he no longer had the McDonald's bag.

Then another man from the group stood up and took something from his carry-on in the overhead bin. It was about a foot long and was rolled in cloth. He headed toward the back of the cabin with the object. Five minutes later, several more of the Middle Eastern men began using the forward lavatory consecutively. In the back, several of the men stood up and used the back lavatory consecutively as well.

For the next hour, the men congregated in groups of two and three at the back of the plane for varying periods of time. Meanwhile, in the first class cabin, just a foot or so from the cockpit door, the man with the dark suit - still wearing sunglasses - was also standing. Not one of the flight crew members suggested that any of these men take their seats.

Watching all of this, my husband was now beyond "anxious." I decided to try to reassure my husband (and maybe myself) by walking to the back bathroom. I knew the goateed-man I had exchanged friendly words with as we boarded the plane was seated only a few rows back, so I thought I would say hello to the man to get some reassurance that everything was fine. As I stood up and turned around, I glanced in his direction and we made eye contact. I threw out my friendliest "remember-me-we-had-a-nice-exchange-just-a-short-time-ago" smile. The man did not smile back. His face did not move. In fact, the cold, defiant look he gave me sent shivers down my spine.

When I returned to my seat I was unable to assure my husband that all was well. My husband immediately walked to the first class section to talk with the flight attendant. "I might be overreacting, but I've been watching some really suspicious things..." Before he could finish his statement, the flight attendant pulled him into the galley. In a quiet voice she explained that they were all concerned about what was going on. The captain was aware. The flight attendants were passing notes to each other. She said that there were people on board "higher up than you and me watching the men." My husband returned to his seat and relayed this information to me. He was feeling slightly better. I was feeling much worse. We were now two hours into a four-in-a-half hour flight.

Approximately 10 minutes later, that same flight attendant came by with the drinks cart. She leaned over and quietly told my husband there were federal air marshals sitting all around us. She asked him not to tell anyone and explained that she could be in trouble for giving out that information. She then continued serving drinks.

About 20 minutes later the same flight attendant returned. Leaning over and whispering, she asked my husband to write a description of the yellow-shirted man sitting across from us. She explained it would look too suspicious if she wrote the information. She asked my husband to slip the note to her when he was done.

After seeing 14 Middle Eastern men board separately (six together, eight individually) and then act as a group, watching their unusual glances, observing their bizarre bathroom activities, watching them congregate in small groups, knowing that the flight attendants and the pilots were seriously concerned, and now knowing that federal air marshals were on board, I was officially terrified. Before I'm labeled a racial profiler or -- worse yet -- a racist, let me add this. A month ago I traveled to India to research a magazine article I was writing. My husband and I flew on a jumbo jet carrying more than 300 Hindu and Muslim men and women on board. We traveled throughout the country and stayed in a Muslim village 10 miles outside Pakistan. I never once felt fearful. I never once felt unsafe. I never once had the feeling that anyone wanted to hurt me. This time was different.

Finally, the captain announced that the plane was cleared for landing. It had

been four hours since we left Detroit. The fasten seat belt light came on and I could see downtown Los Angeles. The flight attendants made one final sweep of the cabin and strapped themselves in for landing. I began to relax. Home was in sight.

Suddenly, seven of the men stood up -- in unison -- and walked to the front and back lavatories. One by one, they went into the two lavatories, each spending about four minutes inside. Right in front of us, two men stood up against the emergency exit door, waiting for the lavatory to become available. The men spoke in Arabic among themselves and to the man in the yellow shirt sitting nearby. One of the men took his camera into the lavatory. Another took his cell phone. Again, no one approached the men. Not one of the flight attendants asked them to sit down. I watched as the man in the yellow shirt, still in his seat, reached inside his shirt and pulled out a small red book. He read a few pages, then put the book back inside his shirt. He pulled the book out again, read a page or two more, and put it back. He continued to do this several more times.

I looked around to see if any other passengers were watching. I immediately spotted a distraught couple seated two rows back. The woman was crying into the man's shoulder. He was holding her hand. I heard him say to her, "You've got to calm down." Behind them sat the once pleasant-smiling, goatee-wearing man.

I grabbed my son, I held my husband's hand and, despite the fact that I am not a particularly religious person, I prayed. The last man came out of the bathroom, and as he passed the man in the yellow shirt he ran his forefinger across his neck and mouthed the word "No."

The plane landed. My husband and I gathered our bags and quickly, very quickly, walked up the jetway. As we exited the jetway and entered the airport, we saw many, many men in dark suits. A few yards further out into the terminal, LAPD agents ran past us, heading for the gate. I have since learned that the representatives of the Federal Bureau of Investigation (FBI), the Los Angeles Police Department (LAPD), the Federal Air Marshals (FAM), and the Transportation Security Association (TSA) met our plane as it landed. Several men -- who I presume were the federal air marshals on board -- hurried off the plane and directed the 14 men over to the side.

Knowing what we knew, and seeing what we'd seen, my husband and I decided to talk to the authorities. For several hours my husband and I were interrogated by the FBI. We gave sworn statement after sworn statement. We wrote down every detail of our account. The interrogators seemed especially interested in the McDonald's bag, so we repeated in detail what we knew about the McDonald's bag. A law enforcement official stood near us, holding 14 Syrian passports in his hand. We answered more questions. And finally we went home.

### **Home Sweet Home**

The next day, I began searching online for news about the incident. There was nothing. I asked a friend who is a local news correspondent if there were any arrests at LAX that day. There weren't. I called Northwest Airlines' customer service. They said write a letter. I wrote a letter, then followed up with a call to their public relations department. They said they were aware of the situation (sorry that happened!) but legally they have 30 days to reply.

I shared my story with a few colleagues. One mentioned she'd been on a flight with a group of foreign men who were acting strangely -- they turned out to be diamond traders. Another had heard a story on National Public Radio (NPR) shortly after 9/11 about a group of Arab musicians who were having a hard time traveling on airplanes throughout the U.S. and couldn't get seats together. I took note of these two stories and continued my research. Here are excerpts from an article written by Jason Burke, Chief Reporter, and published in *The Observer* (a British newspaper based in

London) on February 8, 2004:

**Terrorist bid to build bombs in mid-flight: Intelligence reveals dry runs of new threat to blow up airliners**

"Islamic militants have conducted dry runs of a devastating new style of bombing on aircraft flying to Europe, intelligence sources believe.

The tactics, which aim to evade aviation security systems by placing only components of explosive devices on passenger jets, allowing militants to assemble them in the air, have been tried out on planes flying between the Middle East, North Africa and Western Europe, security sources say.

...The... Transportation Security Administration issued an urgent memo detailing new threats to aviation and warning that terrorists in teams of five might be planning suicide missions to hijack commercial airliners, possibly using common items...such as cameras, modified as weapons.

...Components of IEDs [improvised explosive devices]can be smuggled on to an aircraft, concealed in either clothing or personal carry-on items... and assembled on board. In many cases of suspicious passenger activity, incidents have taken place in the aircraft's forward lavatory."

So here's my question: Since the FBI issued a warning to the airline industry to be wary of groups of five men on a plane who might be trying to build bombs in the bathroom, shouldn't a group of 14 Middle Eastern men be screened before boarding a flight?

Apparently not. Due to our rules against discrimination, it can't be done. During the 9/11 hearings last April, 9/11 Commissioner John Lehman stated that "...it was the policy (before 9/11) and I believe remains the policy today to fine airlines if they have more than two young Arab males in secondary questioning because that's discriminatory."

So even if Northwest Airlines searched two of the men on board my Northwest flight, they couldn't search the other 12 because they would have already filled a government-imposed quota.

I continued my research by reading an article entitled *Arab Hijackers Now Eligible For Pre-Boarding* from Ann Coulter ([www.anncoulter.com](http://www.anncoulter.com)):

"On September 21, as the remains of thousands of Americans lay smoldering at Ground Zero, [Secretary of Transportation Norman] Mineta fired off a letter to all U.S. airlines forbidding them from implementing the one security measure that could have prevented 9/11: subjecting Middle Eastern passengers to an added degree of pre-flight scrutiny. He sternly reminded the airlines that it was illegal to discriminate against passengers based on their race, color, national or ethnic origin or religion."

Coulter also writes that a few months later, at Mr. Mineta's behest, the Department of Transportation (DOT) filed complaints against United Airlines and American Airlines (who, combined, had lost 8 pilots, 25 flight attendants and 213 passengers on 9/11 - not counting the 19 Arab hijackers). In November 2003, United Airlines settled their case with the DOT for \$1.5 million. In March 2004, American Airlines settled their case with the DOT for \$1.5 million. The DOT also charged Continental Airlines with discriminating against passengers who appeared to be Arab, Middle Eastern or Muslim.

Continental Airlines settled their complaint with the DOT in April of 2004 for \$.5 million.

From what I witnessed, Northwest Airlines doesn't have to worry about Norman Mineta filing a complaint against them for discriminatory, secondary screening of Arab men. No one checked the passports of the Syrian men. No one inspected the contents of the two instrument cases or the McDonald's bag. And no one checked the limping man's orthopedic shoe. In fact, according to the TSA regulations, passengers wearing an orthopedic shoe won't be asked to take it off. As their site states, "Advise the screener if you're wearing orthopedic shoes...screeners should not be asking you to remove your orthopedic shoes at any time during the screening process. " (Click [here](#) to read the TSA website policy on orthopedic shoes and other medical devices.)

I placed a call to the TSA and talked to Joe Dove, a Customer Service Supervisor. I told him how we'd eaten with metal utensils moments in an airport diner before boarding the flight and how no one checked our luggage or the instrument cases being carried by the Middle Eastern men. Dove's response was, "Restaurants in secured areas -- that's an ongoing problem. We get that complaint often. TSA gets that complaint all the time and they haven't worked that out with the FAA. They're aware of it. You've got a good question. There may not be a reasonable answer at this time, I'm not going to BS you."

At the Detroit airport no one checked our IDs. No one checked the folds in my newspaper or the contents of my son's backpack. No one asked us what we'd done during our layover, if we bought anything, or if anyone gave us anything while we were in the airport. We were asked all of these questions (and many others ) three weeks earlier when we'd traveled in Europe -- where passengers with airport layovers are rigorously questioned and screened before boarding any and every flight. In Detroit no one checked who we were or what we carried on board a 757 jet liner bound for American's largest metropolis.

Two days after my experience on Northwest Airlines flight #327 came this notice from SBS TV, The World News, July 1, 2004:

"The U.S. Transportation and Security Administration has issued a new directive which demands pilots make a pre-flight announcement banning passengers from congregating in aisles and outside the plane's toilets. The directive also orders flight attendants to check the toilets every two hours for suspicious packages."

Through a series of events, The Washington Post heard about my story. I talked briefly about my experience with a representative from the newspaper. Within a few hours I received a call from Dave Adams, the Federal Air Marshal Services (FAM) Head of Public Affairs. Adams told me what he knew:

There were 14 Syrians on NWA flight #327. They were questioned at length by FAM, the FBI and the TSA upon landing in Los Angeles. The 14 Syrians had been hired as musicians to play at a casino in the desert. Adams said they were "scrubbed." None had arrest records (in America, I presume), none showed up on the FBI's "no fly" list or the FBI's Most Wanted Terrorists List. The men checked out and they were let go. According to Adams, the 14 men traveled on Northwest Airlines flight #327 using one-way tickets. Two days later they were scheduled to fly back on jetBlue from Long Beach, California to New York -- also using one-way tickets.

I asked Adams why, based on the FBI's credible information that terrorists may try to assemble bombs on planes, the air marshals or the flight attendants didn't do anything about the bizarre behavior and frequent trips to the lavatory. "Our FAM agents have to have an event to arrest somebody.

Our agents aren't going to deploy until there is an actual event," Adams explained. He said he could not speak for the policies of Northwest Airlines.

So the question is... Do I think these men were musicians? I'll let you decide. But I wonder, if 19 terrorists can learn to fly airplanes into buildings, couldn't 14 terrorists learn to play instruments?

*To receive any follow-up articles about Annie's experience, go to [www.WomensWallStreet.com](http://www.WomensWallStreet.com) and register to become a member. You will receive an e-mail notifying you of any subsequent articles on this subject.*

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