



Graphic by [CG](#)

Rating: PG

Classification: JAG Story, Romance (H/M)

Spoilers: The 2003 Virtual Season

Summary: Written for the 2003 Virtual Season - a continuation of Valerie's "A Wing and a Prayer." Harm and Mac investigate a ship's near-fatal misidentification of a commercial aircraft, and pursue larger truths on a number of levels.

Disclaimer: Well, of course we own the characters. This is the real ninth season right here, don't cha know? Sigh ... never mind. All rights belong to Bellisarius and the various PTB.

Author's Notes: If you haven't read Val's VS ep, you can find it [here](#). You'll need it to make sense of this story. Oh, and I'm pretty sure transponders don't actually work like this, but give me the benefit of the doubt, please.

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### **Previously on JAG ...**

*"Stop!" Mac lunged for the man's arm. As if in slow motion, she saw a smile flicker across his face as his thumb drove the syringe's plunger the rest of the way down. Liquid squirted onto the bubbling glass.*

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*"Sir! Sir!" Petty Officer Davidson shouted from behind him. "It's not the 747. Target is now squawking a Syrian ident."*

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*Just then, Harm saw the telltale bloom of fire coming from one of their cruisers—the Vella Gulf—as two missiles powered into the air on billowing columns of smoke.*

*"Vella Gulf is firing," Skates reported.*

*Automatically, Harm's gaze jumped ahead of the missiles' flight path, searching for their target, and his. His heart froze as he recognized the distinctive humpbacked shape of a Boeing 747.*

*"Abort missile!" he yelled into his mike. "Target is friendly! I repeat, target is friendly!"*

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*Harm glanced at Skates in the rearview mirror. "If I lent you a shoulder to lean on, do you think you could make it to land?"*

*The captain was silent for a moment, then, "That might be enough to do it," he answered thoughtfully.*

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*The pilot glanced over his shoulder at her. "There are any number of possible scenarios, but most likely we're going to end up dropping about a hundred and fifty thousand pounds of aircraft on top of our friends out there." His expression was painfully grim. "We'll crush them."*

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*Harm heaved a sigh. "All right. I guess we'll deal with that when the time comes." He paused.*

*"Mac?"*

*"I'm still here."*

*His tone softened. "For whatever it's worth... I love you, too."*

#

*"The missiles came from the U.S.S. Vella Gulf," Harm said quietly.*

*Mac blinked as she absorbed his words. "Wait a minute—The Navy? One of our ships tried to shoot down a commercial airliner?"*

*Chegwidden crossed his arms. "Unfortunately, yes. And the sooner we find out why, the better for all concerned." He turned to Harm. "Get better fast, Commander. I suspect your expertise will be needed on this one."*

*Harm nodded solemnly. "Aye, sir."*

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### ***One day after Part I***

**2043 EDT**

**North of Union Station**

**Washington, D.C.**

Mac handed a steaming mug of tea to her partner and settled back against the couch cushions. "Are they going to count that landing against your qual score?"

Harm laughed as her comment expertly summed up the madness of the past twenty-four hours. "Lord, I hope not. Although it'll be ironic if I can't keep current this year because I missed quals to pull this stunt."

Her teasing smile faded. "They won't do that, will they? You're obviously the celebrity of the week. Pulling your ticket would be a big PR mistake."

"Let's just worry about that if and when we have to." He put his feet up on the coffee table, grimacing as his muscles protested, and closed his eyes. Escaping the reporters at Bethesda had been tricky, to say the least. He was just glad he'd managed to avoid the media crush at Andrews the night before. God only knew how all the press had gotten on the scent so quickly, but the Air Force had immediately realized the potential public relations nightmare and elected to allow them to film the beleaguered passengers being tended to on the tarmac. Both officers had had to do a number of debriefings with representatives from Homeland Security, FAA, and NTSB throughout the next day, and after Harm had finally gotten the overwhelmed Bethesda doctors to complete his release form, the getaway car driven by his Marine had been a very welcome sight among the flashbulbs that assaulted him just outside the hospital doors.

Mac hadn't even been home to her apartment since ending her harrowing flight. She'd racked out in an empty on-call room at Bethesda last night, and then the endless debriefings had started early that morning. Upon reaching Harm's apartment, they'd both been too keyed up to simply say goodbye and get some sleep - despite strict orders to pursue that goal - and too exhausted to do much else, so they'd ended up just sitting here. Mac had ditched her rumpled uniform in favor of a shirt and leggings from her battered luggage. Harm had pitched his ruined flight suit into a corner and pulled on the first T-shirt and jogging pants he could find. There had been no discussion of where to go from this point. They'd been separated by only the slimmest of physical distances throughout this ordeal, but it might as well have been an ocean. Now, having weathered it all together but not quite *together*, there was an unspoken understanding that going their separate ways wasn't currently an option.

"How's your hand?"

"It's all right. Tylenol is my friend." Mac leaned forward, a slight frown creasing her forehead. "You're looking pretty banged up there yourself."

Harm gingerly touched the scratches at his cheekbone. "The hazards of colliding with aircraft much larger than mine," he offered, his lips twisting ruefully. "It could've been worse."

"Ten points on the obvious scale. Yeah, it could've been worse. You could have hit the tiniest patch of turbulence and put that pylon through your own skull."

The seriousness in her voice didn't escape his notice, but he didn't want either of them

to get dragged down into might-have-beens. "God looks out for fools and little children, or so they say."

"He must." Mac gazed at the surface of the tea in her mug, watching it waver ever so slightly. They'd talked every technical detail of the incident to death that day, but they hadn't talked about the non-technical aspects, and they hadn't talked about it with each other. "You knew it was my flight before I got on the radio, didn't you?" she asked quietly.

His response was just as quiet. "I've got a pretty good memory for numbers."

"But you would have done what you did anyway."

It wasn't a question. He nodded slowly. "Yes, I would have. But I would've had a lot easier time thinking clearly, if you know what I mean."

"Yeah, I know the feeling."

A brief silence ensued, as they sipped their tea and contemplated the events of the past two days.

"We're having a tough time catching our breath lately, huh?"

Harm looked up at her wry grin and smiled. "Thought you liked the action."

"A girl's got her limits." Mac shrugged, but her dark eyes held his. "This is the second time in the last few weeks that you've put everything on the line and saved my butt. I know you don't want me to keep dwelling on that, but it's easier said than done."

"Dwell on it all you want if it'll help you understand how important you are to me." He hesitated for half a second, reconsidering the wisdom of that statement. After something like this, the last thing they needed was a misstep in an emotional discussion. However, since the critical words had already been said, he moved forward. "Listen, we're probably too tired to have this conversation properly, but I -"

A cell phone signaled, tearing both partners' attention away. Mac consciously clamped down on her urge to yell in frustration. "It's yours," she told him, gesturing toward his sea bag. "Just hope it isn't an overeager reporter."

Harm rolled his eyes at the concept and retrieved the phone. "Rabb."

"Just saw some of the video footage from the control tower at Andrews, Commander," replied the admiral's dry voice. "That was quite a show you put on last night. Completing your quals wasn't exciting enough for you?"

"Admiral, it's entirely possible that all this can be explained by the simple fact that the cosmos enjoys toying with me."

"I suppose what I'm about to say next would appear to bear that out. I've been on the phone with the SECNAV off and on all day. Your wild exploits are giving things a positive spin right now, but it won't be long before the press starts to wonder just how a Navy crew could end up firing on a civilian airliner. The investigation into this incident needs to start ASAP."

Harm rubbed his eyes wearily. "Respectfully, sir, please tell me that you're not putting me back on a plane tonight."

There was a hint of amusement in the JAG's voice. "On the same day as your release from a medical facility? Of course not. Your transport out to the *Patrick Henry* battle group doesn't leave until 0600."

"Sir, am I really the best person to handle this? I was pretty involved in the 'incident' myself."

"This investigation is to focus entirely on the events leading up to the firing of the missile," Chegwiddden answered. "As I understand it, you didn't become involved until after that point. Also, it was brought to my attention that since carrier quals are still ongoing on the Henry, you could conceivably conduct your interviews of the firing crew and also find an opportunity to complete the traps required to maintain your flight status. Assuming that you and the flight surgeon feel that you're up to it."

The commander blinked, surprised that such an idea might have had any bearing whatsoever on his CO's thinking. "Ah, thank you, Admiral. That's - convenient."

"Just make sure you get some sleep before attempting to make said traps. And get whatever you can out of everyone associated with this debacle. There will be a very public reckoning here, whether we like it or not."

"Aye, sir."

Mac listened to Harm's half of the conversation and quickly realized that catching their breath wasn't going to happen anytime soon. When he finally hung up, she had already gathered her things. "If you're headed back to the battle group, you're going to need some sleep. I'd better get out of your way."

"Hey, wait. Don't rush out the door just because the admiral keeps trying to foist me off on Captain Ingles."

She winced sympathetically. "Just find out what happened out there. I'll be here when you get back." She took a step toward the door, but his hand on her arm stopped her from going further.

"Mac, about earlier." He paused, and they traded amused half-smiles. 'Earlier' could have meant just about anything, but both of them knew exactly what he was referring to without any elaboration. Continuing, he asked, "How much of what you said was said because of the probability that one or more of us was going to die?"

"It was only three words."

"They were big words."

"Bigger for us than most, I think." Mac swallowed hard. "I'll answer if you will."

"Okay." His piercing eyes held hers in place, daring her not to look away. "The timing was because of the circumstances. The intent wasn't. I meant it. And I think you did, too."

"I did." Tentatively, she reached up, and their lips met in a brief, gentle kiss - the simplest moment ever to change two worlds.

Harm pulled her close, reveling in the sheer bliss of that revelation. "I wish we could sit down and talk this out the way we need to," he murmured into her hair.

"I know." When she drew back, her eyes shone with surprising relief. "You'll call me the second you get back from the *Henry*. And that's not a request."

"Mac - I'm, ah, going to finish my quals while I'm out there."

She held very still for a few seconds, and he offered a shrug of regret. "The admiral's idea. I just thought you should know."

After a moment, she nodded, her features resolute. "Good luck," she said, clearly sincere. "Not that you'll need it, but ..."

"Yeah." That particular tradition would never go forgotten again. Superstition or not, the possible consequences were too much to bear. He leaned down to kiss her again, feeling somehow strengthened. "Just in case the last time gets lost in post-traumatic stress or something: I love you."

Tears welled in her eyes. "I love you, too. I'll see you in a couple of days."

When the door closed behind her, Harm trudged stiffly across the suddenly-lonely apartment and collapsed onto his bed, trying not to further aggravate his shoulder. Utterly drained, he set his alarm clock for 0500, since his sea bag was already packed. Two thoughts found their way across his consciousness before sleep shoved them aside. The first: *It says something really strange about my life that I could actually come out of a day like today feeling happy.* The second: *God, I can't believe I let her leave.*

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0852 EDT

USS *Patrick Henry*

Virginia Capes Operating Area

"I wish I had better news for you, Commander," Captain Ingles said as he turned away from the main bridge area. "When we're just out here conducting exercises and quals off the coast, we don't keep CIC manned like we would on deployment. Obviously that was an oversight which will be corrected in the future."

"So who exactly was manning CIC at the time of the incident, sir?" Harm inquired.

The captain inclined his head toward a young officer standing near the hatch, who immediately came to attention.

"Lieutenant Anders, sir. I was the officer-in-charge in CIC yesterday."

Harm swiveled to face her. "Have you got tracking data on the United flight?"

"Only up until it fell off radar at 1543, sir. After that, the signal reappeared, but it was garbled. We couldn't get an ident on it."

"The *Vella Gulf* obviously did, or they thought they did. With the assistance of hindsight, have you been able to find anything in that garbled signal that could lead someone to misidentify the aircraft?"

Anders shook her head. "It's a mess, sir. Signal-to-noise is so low that it'd take a whole team of radar experts to get anything out of it."

Harm's lips tightened as he felt his tension level already beginning to rise. A clear-cut investigation, apparently, was too much to ask. "Then we'd better hope that the *Vella Gulf*'s records show something more. When you first received communication from them about the abnormal contact, what did you do?"

"I instructed them to attempt radio contact and then alerted the captain, sir."

"But they didn't have authorization to fire on the aircraft."

"Not from us, sir. I don't have the authority to give it to them, and by the time the captain arrived, the SM-2 had already been fired."

"So that amount of time between acquisition of the new signal and the missile firing was what?"

"Three minutes, fourteen seconds, sir." Anders paused, uncertain.

"Lieutenant, if you have a concern about something, I need to hear it," Harm pressed.

"Sir, from what I could hear of the activity on the *Vella Gulf*, it seemed that there was some confusion in their CIC. I can't honestly tell you who it was that I spoke to, even."

"Then I guess I'd better get over there and let them explain it." Harm glanced back at Captain Ingles. "With your permission, skipper?"

Ingles gave a short nod. "Figure it out, Commander. There is no way that missile should have been fired without authorization from *somebody*."

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The helo touched down on the deck of the guided missile cruiser USS *Vella Gulf* approximately half an hour later. After reporting to her captain, Harm headed directly for the ship's CIC.

"The signal we got was garbled, sir, but it was readable," stated the radar officer, Petty Officer Davidson. "This is a listing of all the signals received from 1543 onward. The highlighted ones are the ones that actually correspond to aircraft types in our books. The rest are nonsense codes."

He handed the printout over to Harm, who studied it. "The highlighted ones are all the same code. This makes it look like the signal jumped around and periodically came to rest on the right one."

"Exactly, sir - it's the only real code on the list. That's how we determined that it had to be legit." Davidson next handed over a laminated list of codes. The code in question was called out as 'MiG-29, Syrian Air Force.'

Harm shook his head, still trying to piece it all together. "So you identified the only legitimate signal you received as unfriendly. What happened directly after that?"

"I reported it to the watch officer, who sounded General Quarters." Davidson abruptly came to attention as another person entered the room. "Sir!"

Commander Ballantine nodded to his subordinate and turned immediately to Harm. "Commander," he greeted. "They sent you to string us up, huh?"

"Hopefully not, XO. All of that happens someplace a lot higher up than me." Harm shook the proffered hand. "You stand by your watch officer's actions, I take it?"

"Damn right I do. We live in an age where a diving aircraft absolutely has to be considered a threat. Obviously I regret that an airliner was attacked, but Lieutenant Commander McCollum did what was necessary to prevent an unidentified aircraft from potentially reaching a high-density population center."

"He almost prevented four hundred people from safely reaching the ground," Harm pointed out, a little surprised by the XO's hurried support. "Only three minutes between contact and firing, with no request to the battle group command for authorization to fire ... no matter how we present it, the phrase 'trigger happy' is going to come up."

Ballantine regarded him coolly. "Standard rules of engagement for Operation Noble Eagle allow for certain actions to be taken parallel to command reporting if there is an urgent threat to homeland security. We weren't obligated to wait for permission to act. I can find you a copy of the ROEs if you'd like."

Harm felt a sudden desire to wipe the condescending look off the XO's face, but quelled it. "Thanks, but I've flown enough domestic combat air patrols to have my own copy. My point is that no matter how justified the action seemed in the heat of the moment, the public and possibly Congress will really only be concerned with one thing - the fact that the Navy almost blew up a 747 because a computer said it was a fighter from halfway around the world. Perception is not going to work in your favor."

"I don't judge the performance of my officers based on outside perceptions, Commander. I came in right after I heard the GQ alarm, and everything I saw was done exactly the way it needed to be done. If you ask me, the only issue here is how a 747 came to be squawking as a MiG."

Harm nodded tightly. "Well, I think your position is clear. I'll go track down Commander McCollum and get out of your way."

He found McCollum in the ship's game room, deep in discussion with three enlisted sailors. Harm waved for them all to relax as he entered, introduced himself, and pulled the other officer aside.

Lieutenant Commander Benson McCollum, like Skates, had pinned on his oak leaves only a few weeks earlier, and he currently looked as though he wished he could give them back. With a weary expression, he tipped his head back toward the sailors around the table. "That's the fire control crew from yesterday's watch," he explained. "They're a little shaken up by the idea that our missiles almost killed a planeload of civilians."

"Tough to blame them. Let's find someplace to talk."

They ended up in McCollum's cramped office, where the younger officer recounted the sequence of events. "We just weren't ready for it, sir. They teach us to be vigilant, even on exercises, but seeing something that inexplicable just threw us ... I should say that it threw *me*. We lost our cool, and I take full responsibility for it."

Harm frowned. "Commander, no one's asking you to take responsibility for anything yet. Are you saying that you believe your decision to fire was in error?"

"No, sir - that is, I'm not sure." McCollum shook his head. "I gave the order to fire based on the information given by my crew, and I stand by their actions. The ident code said Syrian, and we couldn't afford the time to stop and wonder how that could even be possible. But look at what happened - we hit an airliner! How could I not second-guess myself after that?"

He sighed heavily and scrubbed his hands over his face. "Am I headed for a court-martial, sir?"

Harm spread his hands. "I'm not going to lie to you, McCollum. Someone's going to answer for this, and since you were the officer of the watch, a lot of the fingers are probably going to point at you. But that doesn't mean a court-martial is inevitable. Just hang on to the belief that you did the right thing for the circumstances, and you'll be okay."

McCollum just looked at him. "Respectfully, sir, would you still be saying that if that plane had crashed?"

That question dragged Harm back to a scenario that he had no desire to explore in detail. "If that plane had crashed, then I wouldn't be here; because someone I care very much about would be dead, and also because this whole crew would be getting the ugliest debrief in history from about two dozen judge advocates rather than one guy with a notebook. But that isn't relevant to a discussion of the future. The plane didn't crash, so that's where you have to start from."

"But if it hadn't been for that ballsy pilot ... man, would I love to know what that guy

was thinking.”

“He was probably thinking the same thing you were. ‘Please, God, don’t let those people die.’” Harm stowed his pen and clapped the junior officer on the shoulder. “My office will be in touch after you guys dock in Norfolk in a couple of days. Thanks for your time.”

He was almost through the hatch when McCollum spoke up, his voice hushed with surprise. “It was you, wasn’t it? I think I heard your voice on some of the transmissions from the Henry ... sir, how in the name of...”

The part-time pilot shrugged. “It seemed like a good idea at the time. Good luck to you, Commander.”

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### **Commercial break (remember, this is the Virtual Season you're dealing with) ...**

On CBS this fall: a thrilling crossover event from television’s #1 drama and one of its newest hits. When murder strikes at NAS Fallon, the NCIS team travels to Nevada to join forces with the local crime scene investigators.

NCIS/CSI - coming this fall. Airing without commercial interruption with sponsorship by the Dyslexia Institute.

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### ***The following day***

**2124 EDT**

**USS Patrick Henry**

**Virginia Capes Operating Area**

Skates slid into a wardroom chair next to her friend and handed him a bottle of Coke with her left hand, resting her splinted hand on the table. “Nicely done, as usual,” she complimented with an easygoing smile. “Sucks that you had to have someone else in your backseat, but I saw all four traps from the LSO platform, and they were dead on. Apparently neither deliberate collisions with 747s nor controlled crashes will keep you from your appointed rounds.”

Harm clinked his plastic bottle against hers. “Yeah, at least quals are off my to-do list for a while.”

She feigned a wounded expression. “What, you don’t like coming out here to play with us?”

“Well, after the way our last qual attempt ended, wouldn’t you have thought twice about jumping right back into it?” Harm leaned back in his chair, fingers toying with the bottle’s label. His distant expression caused his longtime RIO to take notice.

“Don’t *tell* me you’re thinking about hanging it up.”

He glanced up sharply. “I didn’t say that. It’s just that me going out to fly every couple of months is something that affects more than just me, if that makes any sense.”

Beth stared at him, a slow grin spreading across her features. “Is that your way of saying that you and a certain Marine colonel have undergone a change of status?”

Harm tried to shoot her a withering look, but the attempt fizzled. No matter how much the possibilities intimidated the hell out of him, he couldn’t help but feel impressively pleased about that new development. “Don’t jinx me. We still have a lot to - ”

She cut him off with a smack to his shoulder and a muted squeal that was decidedly un-Skates-like. “You moron! Screw ‘jinxing it.’ You just admitted to prioritizing something - someone - over flying. This is huge. You might as well just propose already.”

“Oww.” He rubbed his sore shoulder. “Thank you, Ann Landers, but can we move on?”

“Now that I’ve had my obligatory little-sister moment, sure.” Beth smiled sweetly at him.

“Good. I wanted to ask you about what you saw on the scope during the incident. The

Henry got nothing but garbage data from the 747, and the Vella Gulf got a transient signal that kept insisting it was a Syrian MiG. When you first started tracking the 747, could you identify it at all?"

Beth gave a small shrug and a wince. "Not off the top of my head. The Henry alerted us to the contact, and I located it based on their directions. It didn't flash on the IFF."

"It didn't?"

"No, which was weird. The box is called Identification, Friend or Foe for a reason. It's supposed to distinguish that kind of thing the same way ships' systems do - by interrogating the transponders of all other aircraft in the area. I had it in basic air traffic mode, because we weren't on patrol, and I never had time to switch it up to Mode 1 before everything went to hell."

Harm's brow wrinkled. "So not only did we not get anything that sounded like a commercial aircraft, we didn't even get the garbage data that the surface fleet got?"

"We got something, apparently, because I got an unidentified blip on the scope. Beyond that, your guess is as good as mine. But something wasn't transmitting right on that jet. That's the only explanation for everyone getting a bad signal."

"That's what I think, too." He took a long drink of his Coke, considering. "Have you ever heard of a transponder getting fritzed by excessive airframe loads? Or the cabin depressurization, the dive - hell, even something on the surface disrupting the signal?"

Beth laid her hand over her heart with a wide-eyed, mocking stare. "Why, I'm just a simple RIO, sir. To figure that one out, you'd have to be - I don't know, a hotshot JAG investigator or something."

"Wow, you really pinned on another half-stripe of smartass, didn't you?"

"Learned from the best." She pushed back her chair and stood up. "Just remember, I was present for that momentous first set of 'I love you's. That ought to be good for at least a wedding invite."

"Would you just get lost?"

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### ***The following day***

**0912 EDT**

**JAG Headquarters**

**Falls Church, Virginia**

When Harm stepped off the elevator, he discovered that the admiral had elected to hold a bullpen call this morning. The staff was gathered around the admin desks as Harriet presented the guidelines for an upcoming office fundraiser. Hoping to just hover in the background, he moved through the glass doors as quietly as possible and slipped into the back of the group.

Of course, being six-foot-four, as well as wearing informal khakis in a room dominated by summer whites, didn't help in his aim to go unnoticed. Harriet glanced up as she finished her speech, and her face lit immediately. "Welcome back, sir!"

Everyone turned, and there were various murmurs of greeting. Harm offered an embarrassed wave, reminding himself that he hadn't been back here since before his exploits as a glorified tugboat pilot. Catching Mac's eye, he smiled, and they shared a gaze that seemed to go unnoticed by the rest of the staff.

Except, possibly, for Admiral Chegwidden. "I take it your interviews are complete, Commander?" he inquired placidly.

"Yes, sir - just stumbled off the COD a little while ago. I knew you needed the details ASAP - I didn't mean to interrupt anything."

"More importantly," Bud joked, "how did quals go?"

Harm smacked the heel of his hand against his forehead in mock-consternation and turned back toward the doors. "I *knew* I forgot to do something!"

Laughter sprinkled the room, and the admiral's eyes rolled skyward. "Yes, he'll be here

all week, folks. I'm sure you can all get the adventure stories and feed the commander's ego later. Right now, Mr. Rabb, you're with me. That'll be all."

As the group disbanded to return to their work, Harm followed his CO into the JAG's office, where the levity instantly vanished.

"I've been through the report you emailed last night a number of times already."

"It's only a preliminary report, sir," Harm quickly pointed out. "There is reason to believe the 747's transponder was malfunctioning during the incident, and NTSB won't have their analysis done for a couple of days yet."

"But there was disorder and a distinct lack of procedure on the Vella Gulf."

"Those wouldn't be the exact words I'd choose, sir - "

"No, those are the words of the SECNAV, uttered shortly after I forwarded your report to him." Chegwidden sat down behind his desk and folded his hands. "The decision's been made. Lieutenant Commander McCollum goes to an Article 32 for gross negligence and destruction of non-military property."

Disappointed but not entirely taken aback, Harm kept his expression neutral. "Admiral, we don't have all the information yet."

"I'd agree, but it's not my call. The media blitz over the past few days has been more intense than anticipated. Word came down from on high that accountability must be demonstrated rapidly, in hopes of staving off a major public outcry."

Harm shook his head, allowing a note of derision to creep into his voice. "So Public Affairs is setting our docket for us, sir?"

The admiral fixed him with a frosty glare. "Watch it, Commander. You know that the watch officer bears final responsibility for everything that occurs. What occurred here was an unacceptable level of confusion and a premature decision that resulted in a mishap - one that damn near killed a lot of people, including your partner."

The younger man's spine visibly stiffened. "With all due respect, Admiral, I don't need to be reminded of that. I just feel that there is more here that needs to be explored."

Chegwidden studied his officer for a long moment. Finally, he replied, "I'll infer from your statement that you don't want the prosecution?"

"If you're offering, sir, I'll take the defense."

"It's all yours. Might as well put all the information you've collected to good use. And you can continue to work on your report, so long as it doesn't come at the expense of your client's defense. Commander Turner will prosecute. That'll be all."

"Aye, sir." Harm came to attention and turned to leave.

"And Commander?"

"Sir?"

The admiral lowered his voice. "That really was a hell of a thing you did, bringing that plane in. I know a million people will be telling you that same thing, most of them strangers who don't have any conception of just how hard it was. So I wanted to make sure you knew that the people who really get it noticed, too."

Harm lowered his gaze, somewhat surprised and flattered. "Thank you, sir."

Upon exiting the admiral's office, his first order of business was to find Mac. Her office was empty, leaving him to slink back to his own office while trying not to look noticeably disappointed. This new dynamic was going to take some getting used to. When he sat down at his desk, though, there was a sticky-note affixed to his computer, written in a familiar, lilting scrawl.

*I'm in court for the rest of the day. Therefore, my place, 1900. Bring dinner. -M*

Harm smiled and tucked the note into his pocket. Possibly fate was beginning to look more favorably on him.

## Georgetown

Mac heard the knock at the door clearly, but she almost didn't believe it. Sure enough, though, her flyboy was standing on the other side, holding a carryout bag and looking expectant.

"Well? Did I make it on time?"

Caught off-guard, Mac stepped aside to let him in and took the bag out of his hands. "Yes, and I have to say that it's messing with my head. Since when has takeout at my place been worthy of such a prompt arrival time?"

"I think you can pretty well guess when." With a knowing look that quickened her pulse, Harm moved to clear off the table.

"Wow, you don't do things halfway, do you?" Mac lifted a covered dish out of the bag. Quickly, she put away the paper plates she'd set out and reached instead for actual dishes. Handing them over to him, she went back to empty the rest of the bag. "When I said bring dinner, I was really only going for pizza or Chinese, not pasta all'arrabbiata from ..."

The rest of the sentence faded away as she lifted a single rose, pale pink and tipped with red, out of the bag. Wordless, she turned to Harm, who suddenly resembled a self-conscious teenager.

"Go easy on me," he implored her. "I'm not exactly an expert at this."

Mac fingered the rose delicately, marveling at the entire situation. "You're doing pretty well so far," she said softly. "You don't have to put on a show for me, though. I already know and like you, remember?"

"I know. But that doesn't mean you don't deserve to have someone do nice things for you once in a while." He set down the dishes and reached for her hand, raising it to his lips. The gesture nearly floored her. "Also, I have a confession to make, and I was hoping to soften the blow."

When she froze, he realized his mistake and immediately backpedaled, drawing her into his arms. "God, that was a stupid thing to say. It's about work, not us. I'm sorry - I should have known better than to make a comment like that before we've completely found our footing."

Hearing the words 'we' and 'us' fall so easily from his lips calmed her, and she relaxed against him. "No, I'm sorry. I really do have more confidence than that. Why don't you make your work-related confession over dinner, and then afterwards we can talk about this 'us' concept."

Once the pasta was served, Harm decided to plunge right into the subject that had been nagging him all day. "So the brass has decided to go full speed ahead into an Article 32 against the watch officer on the *Vella Gulf*. A preemptive strike against public opinion, I guess. It's going in front of Judge Helfman. Since I did the investigation, the admiral wanted me to stay involved." He met her gaze cautiously. "I asked for the defense."

Mac nodded with little reaction. "I'll assume Sturgis is prosecuting? I'd be a questionable choice, since I was directly involved."

He blinked. "You're not bothered by this at all?"

She responded by looking at him oddly. "That's what you were worried about telling me?"

"Mac, the man did order a missile attack that almost killed you."

"But that clearly wasn't his intent," she pointed out reasonably. "I'm not going to say that I've completely worked out all my feelings about what happened, but I don't have any anger toward anyone that would override my belief in the need for a vigorous defense." She pushed her hair back with a hint of a grin. "Besides, I happen to have a deep, long-standing trust in the instincts of the investigator in this case."

Harm returned the smile, but with less enthusiasm. "I'm glad someone does. I tried to tell the admiral that we just won't have the whole story until we get the NTSB's analysis of the 747's transponder. But it doesn't seem to matter for Lieutenant Commander McCollum's case."

"The transponder had a problem?"

"It's the best explanation for why the *Vella Gulf's* system identified the aircraft as a MiG. The signal they got was corrupted somehow. And while I'm not ruling out the idea of interference from ground level, a transponder malfunction seems a lot more likely."

Mac leaned her elbows on the table, her thoughts drifting elsewhere. "Interference? You don't suppose that could have been caused by someone on the aircraft, do you?"

"The guy who broke the window?" Harm looked startled, and possibly a little irritated at himself for not having considered the possibility earlier. "I don't know. I guess I doubt that commercial transponders could get too confused by a cell phone or a Game Boy."

"What about a PDA with wireless networking capability?" The wheels were turning - and accelerating - in her head. "He must have had some kind of larger plan. Maybe the transponder signal was part of it. I mean, think about it. Why would he have just broken the window?"

"He might have thought that depressurizing the cabin would kill everyone. Not everybody out there knows how such things work. And not everybody out there is entirely stable, either."

Mac shook her head, her expression deadly serious. "Stable or not, nobody is going to go to all the trouble of smuggling specific chemicals onto an aircraft without knowing what the result would be. He wasn't a random psycho, Harm. I saw his eyes. He knew what he was doing."

A flicker of doubt still remained in his eyes, but it was clear that he didn't doubt *her* in the slightest. "Then I'd better get in touch with NTSB and Homeland Security first thing tomorrow."

"Why don't I do it? You're going to have your hands full with the hearing, and my biggest case just pled out. I could look into whether there were any surface vessels in the area at the time, talk to NTSB about the transponder, and maybe even get permission from Homeland Security to talk to their prisoner."

After a moment, he shook his head, as if in awe. "You really are amazing," he said quietly. "I come in here worried that my defending McCollum might seem like some kind of betrayal, and instead you want to help me investigate. How did I luck out like this?"

The uncharacteristic, unabashed praise sent a flush to her cheeks. "I want to find out why this happened as much as you do," she explained simply. "There might be a larger adversary at work here. And even without all that, I meant what I said. If you believe in this enough to want to defend McCollum yourself, then I'm behind you." She rose to clear the table. "Besides, we've always tried to steer clear of taking each other's cases or clients personally. That shouldn't change just because we're..."

Harm stood up as well, taking the plates from her and setting them down in the kitchen. Coming back to stand in front of her, he raised his eyebrows with a small smile. "And what are we?"

Words failed her for a few seconds, but eventually she suggested, "Involved."

"I think we've been involved for a while now. We're just finally reaching a point where we can see it for what it is, and what it could be."

He led her over to the sofa, and they both took a seat. Mac leaned her head against his uninjured shoulder, wondering if there was some way to capture this moment, this feeling. "We're never going to figure out why this was the right time, are we?"

Almost on instinct, his arm went around her. "I think it's safe to say that we could have been at this point a long time ago if we'd both made some different choices. But I'm choosing to believe that some things do happen for a reason."

"I think I like that approach." Mac lifted her head to look up at him. "This feels right. It feels like - like I expected it to, or maybe like I hoped it would."

"Me, too." He leaned down to press a kiss to her forehead. "So. Are we dating, or what?"

Her sly smile said it all. "Yeah. I think I would like to be dating you."

"And the office?"

She shrugged. "We keep it out of JAG. If someone asks, I'm not going to lie to them, but I guess I don't really want to broadcast it to everyone we know just yet."

His face took on a distinct smirk. "The admiral's gonna hit the roof."

"Better than Harriet keeling over, which is equally likely."

"True. Well, we've already got approval from Skates, so that's something." Quickly, he grew serious. "Listen, Mac - Sarah - I want to make sure we're on the same page about this."

I've been spectacularly bad about explaining myself in the past, and I realize that. I'm going to try to be better about stuff like that, but let's try to start out right, okay?"

Mac sat up a little straighter, searching his handsome features for a clue as to where this was headed. "Makes sense to me," she allowed. "What did you have in mind?"

"Well, when we say 'dating,' are we just talking about going out a few times and seeing where it goes?" Faltering slightly, he looked away, not returning his gaze to her face until the full next sentence was out. "Because I was hoping for something more along the lines of never being away from you again whenever I have a choice."

It was the strongest statement of commitment he'd ever uttered, and she recognized it as such. Suddenly all the roses and Italian dinners in the world seemed insignificant. Blinking away tears, she leaned in and kissed him long and hard. "Definitely the latter."

There was immense relief in his eyes, demonstrating a kind of vulnerability that he'd rarely dared reveal to anyone. "Do that again," he requested quietly. "It was nice."

"It was, wasn't it?" The next kiss was longer and more intense, and they slid closer to each other, craving more contact. Before long, she was nearly in his lap, and they broke off at last, recognizing how fast they'd spun out of control.

Making an attempt to catch his breath, Harm managed to look shy and unapologetic at the same time. "If I weren't so damned sore right now, Marine, I swear to God..."

"Yeah. Better take a raincheck," she agreed, her voice wavering.

"I should probably go. Work to do, and all."

"I guess." Mac followed him to the door, feeling a distinct sense of loss the instant contact was broken. "Thanks for dinner."

"Thanks for understanding my perspective on the case. And everything else." They came together for one more kiss, which turned into two and then three. "I'll see you at the office."

"Okay. Good night."

With another 'final' kiss, he was gone. Mac closed the door and leaned against it. She was pretty sure that she was grinning like a fool, and it didn't bother her in the slightest. It had been a long time since she'd felt this good - long enough that she'd wondered more than once if real happiness was even within her reach. Finally, maybe she had her answer.

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### More commercials ...

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0934 EDT

JAG Headquarters

Falls Church, Virginia

"The government calls Lieutenant Kristen Anders."

The young woman took the stand, smoothing out her white uniform skirt as she sat. Sturgis Turner rose from the prosecutor's table and nodded politely to her. "Lieutenant Anders, you were the OIC in the *Patrick Henry's* Combat Information Center during the incident in question, correct?"

"Yes, sir."

"Please tell us what took place."

Anders dutifully complied. "At approximately 1543, a Boeing 747 aircraft disappeared from our radar. Less than a minute later, we began to receive a new signal which was too erratic to decode. The contact was in the same sector where the 747 had been, and was rapidly descending. We received a transmission from the *Vella Gulf* identifying the aircraft as a Syrian MiG-29. I notified my commanding officer, Captain Ingles, and the air group commander, Captain Pike, of the potential threat. The aircraft in the vicinity were the similarly notified. Captain Ingles had just arrived in CIC when the *Vella Gulf* fired two SM-2s."

"But it wasn't a Syrian MiG in their sights, was it?"

Anders dropped her gaze to the floor. "No, sir. It was the 747."

"How does one mistake the two, Lieutenant? A MiG and a 747 have very little in common."

"The transponder signal was garbled and inaccurate, sir. The *Vella Gulf* got a signal which suggested the MiG identification."

Sturgis made a point of displaying his disbelief. "A Syrian Air Force MiG, off the eastern coast of the United States? That's an awfully long way from home, and the Syrians don't have aerial refueling capability. Even if it were possible for a fighter to have escaped detection until that point, where could it have come from?"

"There wasn't much time to consider those issues in detail, sir."

"How much time, Lieutenant? Between the contact and the firing. Five minutes? Ten?"

"Three, sir."

"Three minutes." Sturgis's tone plainly conveyed his skepticism. "Doesn't that seem a little rushed?"

"Objection," Harm called. "Calls for an opinion."

"The witness is a competent line officer who could be called upon to use such opinions in the course of her duties."

Judge Helfman considered for a moment. "Overruled. But tread carefully."

Sturgis nodded and turned back to Anders. "Lieutenant?"

"I wouldn't feel comfortable labeling the decision as 'rushed,' sir," the officer answered stiffly. "I wasn't present for the decision-making process aboard the *Vella Gulf*."

"Then let's look at it another way. Was any target on the U.S. coast in immediate danger of being hit?"

"No, sir. They were still a ways out to sea."

"Was the battle group in immediate danger?"

"Possibly, sir. The contact was much closer to us than it was to shore."

"In that case, shouldn't the order to fire have come from battle group command on the *Henry*?"

"In an ideal situation, yes, sir."

"So the *Vella Gulf* made a rapid decision and circumvented proper procedure in order to eliminate a threat whose existence seems to have something in common with the Tooth Fairy?"

"Obj- "

"Don't bother, Commander, I've got you covered," Helfman informed Harm, pinning Sturgis with a warning glare. "Not what I meant by treading carefully, Mr. Turner."

"I apologize, Your Honor. No further questions."

Harm stood up to begin his cross-examination. "The rules of engagement for Operation Noble Eagle, defense of the United States homeland, allow for some action to be taken without command authorization in the event of an emergency, correct?"

"Yes, sir. It's something of a gray area."

"I'll try to clear up the picture. After you notified Captain Ingles and Captain Pike of the potential threat, did you hear the instruction Captain Pike gave to the aircrews moving to intercept?"

"Yes, sir - we were all on the comm."

"What was the instruction?"

Anders didn't blink as she related the CAG's words. "He said, 'If it gets within half a mile of any American ship, kill it.'"

Harm nodded: he could still hear the order ringing in his ears, days later. "Doesn't that suggest to you that the order from battle group command would most likely have agreed with the *Vella Gulf's* action?"

"Can I object on the grounds of hypocrisy?" Sturgis asked dryly.

"Speculative, Commander Rabb," Helfman told him. "Let's stay away from what-ifs."

"Yes, ma'am. I have nothing further."

"Redirect, Your Honor." Sturgis got to his feet. "Lieutenant, is there any reason to believe Commander McCollum heard Captain Pike's instruction to the aircrews?"

"He wouldn't have heard it, sir. Different frequency."

"So Commander McCollum wouldn't have had any insight into what battle group command would have said. In fact, you stated in your deposition that there was audible confusion in the *Vella Gulf's* CIC. That doesn't imply a sound decision-making process, does it?"

"I suppose not, sir."

"Thank you. No further questions."

"The witness is excused."

As Anders left the courtroom, she glanced briefly at McCollum, looking almost apologetic. Harm didn't notice: his mind was working through another idea spurred on by her testimony. "Your Honor, may I have a short recess to confer with my client between witnesses?"

The judge looked less than thrilled, but didn't dismiss it. "Get it done in ten minutes, Commander."

As soon as the gavel banged, Harm hustled McCollum into the nearest conference room. "I just put something together in my head," he began, almost before shutting the door. "Commander Ballantine told me he'd come into CIC as soon as he heard the GQ alarm. Was he present at the time of the firing order?"

"Yes, sir."

Harm studied the junior officer, who flinched under the scrutiny. That alone confirmed his suspicions. "The XO wasn't just an interested observer, wasn't he? He was awfully sure of your action, but that's because it was *his* course, not yours. Did he give the order himself?"

McCollum stared straight ahead. "He never officially assumed command from me, sir. I gave the order, based on his suggestion."

"There's no such thing as a 'suggestion' from an O-5 to an O-4. That's why there was confusion in the room. He was ordering you to do something you didn't feel was prudent." Harm waited for a denial, but the other man remained silent. "Why the hell didn't you say anything before this?"

"Does it matter, sir? I still gave the order, and I did it after a debate with a superior officer that certainly contributed to the disorganized atmosphere in CIC. If I hadn't tried to contradict Commander Ballantine's course of action, maybe everything would have been calmer, and some new information might have come to light to prevent us from firing."

"How do you figure that would have worked?"

"I don't know!" Abruptly, McCollum spun away to face the window, frustration edging into his voice. "But I should have been able to do *something*."

Recognizing the raw pain in the man's voice, Harm shook his head. "Listen, Commander. I know I can't pretend to understand the amount of responsibility you feel here. But falling on your sword isn't going to help that. The only way I can see of getting past this is to let the full truth come out. In fact, my partner's doing some research right now to try and find out what happened to the 747's transponder in the first place - there's a possibility that it was tampered with. To me, that only proves that there were a lot of factors and a lot of people involved in this. Don't try to shoulder more than your share of the blame, all right?"

After a long pause, McCollum turned back to face his attorney. "What do you propose to do, sir? Put the XO on the stand and make him say it was his order, like in that movie?"

"Exactly." There was no trace of humor in Harm's response. "I was already planning on calling him first, but now he might be all we need. I don't think it speaks too highly of him that he hasn't come forward with his participation before now, but I expect that he won't be too shy about talking about it. If he honestly didn't realize that his presence in CIC created an

implied-order situation, he's the one who should be getting slapped with a negligence charge."

"He's not a bad officer, sir."

"I'm not going to try to make that judgment. I don't even necessarily disagree with his opinion. All I want to do is demonstrate that you don't have the monopoly on culpability for this incident. I won't try to tear him to pieces. You have my word on that."

McCollum nodded slowly. "All right, sir. Let's see what he has to say."

"Okay." Harm glanced at his watch - three minutes left on their recess. He pulled out his cell phone and checked his messages, hoping for an update from Mac. Fortunately, she was as reliable as ever.

*"Hey, sailor - just wanted to let you know what I'm working on. Petty Officer Coates has been talking to the FAA all morning about transponder capability, and it sounds like interference from ground level isn't really possible. They didn't rule out the possibility of interference from close range, though. I'm headed over to NTSB this afternoon to see if I can convince them to hurry up their analysis. As soon as I get anything of interest, you'll be the first to know."* There was a brief pause. "Love you."

Harm expertly concealed a grin. A guy could get used to this.

"All right. We'd better get back in there."

---

"Commander Ballantine, when the General Quarters alarm sounded on the *Vella Gulf*, what was your location?"

"I was off-duty, in my stateroom," the cruiser's executive officer answered easily. "I heard the alarm and immediately went to CIC to assess the situation."

"And what did you find when you arrived?"

"Lieutenant Commander McCollum reported that we had a contact identifying itself as a Syrian MiG-29 in a steep dive toward the battle group. There was some discussion as to whether the contact was genuine, but it didn't take long for us to see that indecision could be fatal in this situation."

Harm walked the length of the empty jury box in measured paces. "When you say 'us,' Commander, do you mean to imply that you were involved in the discussion?"

"I certainly was."

"But you didn't assume command from Commander McCollum, did you?"

"That wasn't really the issue of consequence at the time," Ballantine replied, a slight edge to his tone. "Reacting to the threat took precedence over matters of protocol."

"Wouldn't you agree that it's an issue of consequence now?" Harm asked. "The watch officer is meant to be the sole command authority. That's the reason Commander McCollum faces a trial today. If there is confusion as to who's giving orders, it's an issue of consequence in any situation."

"Is the defense testifying?" Sturgis inquired.

"I'll rephrase. Commander Ballantine, is it accurate to say that you judged the danger to be imminent and wanted to fire on the contact?"

"Yes, it is."

"And you said as much to Commander McCollum?"

"I did. He didn't agree at first, but it didn't take long before he was ready to order the missile firing."

"And you honestly don't think your urging had anything to do with that?"

Ballantine narrowed his eyes, sensing that he was beginning to come under fire himself. "I told him what I believed. I didn't order him to see it my way."

Harm looked at him in disbelief. "Commander, you're the ship's executive officer and his direct superior. It didn't occur to you that he might view your 'opinion' as an order?"

"My crew understands my style. They recognize the difference."

"There is no difference in the UCMJ, Commander. A suggestion or request from a senior officer is to be taken as an implied order, with no allowances for interpretation." Unable to

resist one small jab, Harm fixed him with the same semi-patronizing look he'd received on board the *Vella Gulf*. "If you like, I can arrange to get you a copy."

Recognizing his own words being tossed back at him, Ballantine remained silent. Sturgis looked as though he'd considered objecting to the argumentative tone, but changed his mind. "Your Honor, I'd like to request that we recess for the day so that defense counsel and I might discuss amending the charges."

Judge Helfman agreed readily, and the two lawyers headed back to Harm's office at the first opportunity.

"We just wasted a lot of time, didn't we?" Sturgis asked, shaking his head. "We're going to have to give Ballantine the same charge list. Hell, we might as well charge the captain, while we're at it. This never should have gone to Article 32 so fast. Public Affairs is so gung-ho to show the world that the Navy can hold itself accountable for its actions that we're going off every bit as half-cocked as the *Vella Gulf*."

"Well, let's see if we can put on the brakes a little. Mac's over at NTSB trying to figure out what happened with the transponder. Maybe we'll get this thing figured out before the whole crew gets charged."

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1327 EDT

National Transportation Safety Board Headquarters  
Washington, D.C.

"Colonel Mackenzie?" The young man hovered in the doorway expectantly. "I, uh, they asked me to bring you back to the lab. I mean, if that's okay."

Mac smiled inwardly at his awkwardness. "Sure. Lead the way."

She followed him through a series of hallways to a room full of computers and sophisticated equipment. The lone technician working in the room glanced up and immediately offered a hand. "Mark Walker. Nice to meet you, Colonel."

"Likewise." As they shook hands, the young messenger ducked out of the room.

"Don't mind Dennis. Interns are by definition high-strung." Walker rolled his eyes. "So you've got the trigger-happy sailors in court already?"

"Not my call. Public opinion seems to have dictated the schedule." Mac leaned in to look at the computer screen he'd been using. "Is that the flight path of United 958?"

"It's the altitude profile, actually." Walker pointed at the erratic downward line with a pen. "There's the sudden drop, corresponding to the loss of cabin pressure, and then the descent slows up with the arrival of the cowboy F-14."

"That 'cowboy' F-14 saved my life," Mac pointed out, somewhat amused. "Along with about four hundred others."

The tech's eyes were large and round. "You're one of the survivors?"

"I'm not sure I like that term, but yes."

"No kidding ... What was it like?"

"It's nothing I care to do over again." She straightened up, effectively ending the line of discussion. "Regardless, we've gotten testimony from a number of sources that indicates a discrepancy in the signal received from the transponder. All the equipment on the ship checked out, but the signal they got was intermittent and eventually identified the airliner as hostile. Given the options, we're starting to believe that the problem was with the transponder."

"That would click with the preliminary exam we did." Walker crossed over to another table, where a plain-looking box was hooked up to a laptop computer. "This thing was putting out some freaky-weird data near the end of the flight. None of us could identify them, but if they made 958 show up as military, I guess that'd explain what happened." He shook his head, incredulous. "So the computers on the ship really told those sailors that a 747 was hostile?"

"A Syrian MiG, to be exact. The question is, how? Was it a dumb-luck malfunction, or a deliberate act?"

"I don't see how a malfunction could magically come up with a code that matched

another aircraft type that exactly. The odds against it have got to be astronomical.”

“That’s what I was afraid of.” Mac bent to study the unassuming transponder, and the tech handed her a pair of latex gloves, understanding her intent. As she looked critically over every surface, something finally jumped out at her. “There’s a scratch in the paint next to this screw.”

“That could’ve happened at any time, especially during that controlled crash they called a landing.”

“What if it didn’t? What if it happened when someone was taking this cover off?” She looked at him, waiting.

After a moment, he relented and handed her a screwdriver. “I don’t need to remind you to be extremely careful, do I?”

“No, you don’t.” Cautiously, she unfastened the screws and lifted the side plate off of the transponder. Walker held up a flashlight, and they peered into a long row of identical green computer chips ... and one gray one.

Mac glanced up. “What do the odds say about *that* being the original configuration?”

Walker looked stunned. “Wow,” he breathed.

She folded her arms. “You guys would have eventually caught this, right? Tell me yes, or I’m going to give up flying.”

“I said it was a prelim exam.” He drew himself up, mildly insulted. “Giving you evidence in time for your trial isn’t our main priority, Colonel. We do things right, not fast.”

“Sorry. That was unfair.”

Walker shrugged it off. “Anyway, now the Homeland Security guys are going to be all over this, dusting everything for prints.”

Still more pieces were beginning to fall into place. Mac was now more convinced than ever that the intentional depressurization and the transponder mishap both occurring on the same aircraft couldn’t possibly be written off to coincidence. And if the two events were linked, then there was a valuable source of information sitting in a cell not far away.

“We might be able to save them the trouble.” She pulled out her cell phone and hit the memory button for her partner’s number. “Hey, it’s me again. Meet me at the lockup in an hour. This time I get to be the bad cop.”

---

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**1452 EDT**

**Federal Detention Center  
Arlington, Virginia**

Maraan al-Sayef shuffled into the interrogation room and sat down at the table without complaint. Apart from the leg irons he now wore, his treatment in this place had been far better than expected, though he often wondered whether he’d be relegated to the prison camp the Americans operated in Cuba. He’d been in and out of this room a number of times already since his arrest, but no one seemed all that interested in the meaning of what he had to say. They were content for the moment to view him in the same light as the man who’d

tried to blow up a plane with his shoes: a deluded fundamentalist lone gunman of sorts. Maraan had no great desire to enlighten them further, and the single-mindedness of his captors amused him, so he merely reiterated his contempt of the United States and tossed in a few more "Allahu akbars" for good measure.

This time was different, however. Instead of men in rumpled suits, these visitors were uniformed. The man wore Navy whites, and the woman -

Maraan cursed under his breath, recognizing the woman, who fixed him with a rather nasty smile. "Remember me?" she asked unkindly.

Reestablishing his mask of composure within seconds, he answered with smug indifference. "The lady soldier of Flight 958. How is your hand?"

"I can make a fist with it. Would you like a demonstration?"

"Cool it, Mac," advised the Navy man quietly.

The woman glared at him, and then turned her attention back to the prisoner. "You may address me as Colonel and him as Commander. Anything that deviates from that will be something you'll regret. Answer our questions, and you can be back in your cell watching Oprah in no time. How did you sabotage the transponder?"

Maraan blinked, but displayed no other reaction. This was the first time he had been questioned directly about the transponder, but it wasn't entirely unexpected. "I have no knowledge of this thing you speak of," he replied with exaggerated patience.

"So that PDA we took from you - that was somebody else's, right? You just borrowed it to play a game of Minesweeper?" The colonel's voice dripped with sarcasm. "Look, your bid for martyrdom went belly-up, so all that evidence you thought would be lost is actually safe and sound. So spare me the clueless crap."

Maraan looked up at the commander, who'd been hanging back from the table, observing. "Are all your women so distasteful, or is it only the ones in the military?"

The colonel banged her hand down on the metal table. "All right, you son of a bitch - "

"Mac." The commander's voice was perfectly level. "Go get a cup of coffee."

She whirled, eyes blazing. "Excuse me?"

In two strides, he was in her face. "You are *dismissed*, Colonel!"

Under his unflinching stare, she wilted every so slightly. "Yes, sir," she forced out through gritted teeth, turning on her heel and leaving the room.

Maraan relaxed a little, having enjoyed watching the man put her in her place. The commander took a seat across from him at the table. "I apologize for that. She's right about your PDA, though. We've got it, so we know you had a means of transmitting to the aircraft's transponder through the altered circuits we found in the unit. The question now is how that tampering was done. Now, we can go back through the maintenance logs at United and run down every person who ever touched that plane, but the folks who are going to prosecute you aren't too patient, and in the meantime, they might just hit you with all the charges associated with that act, too. It's up to you. You want to tell me how your friends got access to that transponder, or do you want to take the fall all by yourself?"

Maraan merely shook his head. "The information you have is not enough for you? You need to hear my confession as well? No. Follow what you have. I am not going to make it easier for you."

His wording clearly set off a signal, because the commander leaned forward, his brow furrowed. "You're not trying very hard to protect your brethren."

At that, Maraan couldn't help but chuckle. "If they were indeed my brethren, I would."

---

Mac glanced up from the video monitor as Harm came through the interrogation room door.

"You get all that?"

She nodded toward the young woman working furiously at a nearby computer. "It sounds like there's more on that PDA than we thought. Agent Kuenzel here is trying to pull up

the content files so we can try to figure out what the hell he's talking about."

"Yeah, it's too bad we were bluffing about knowing how he accessed the transponder."

"That can wait. We basically confirmed the fact that he did it, and that's a step toward tracking his cohorts."

Harm had to smile. "Good call on playing off his gender bias. Pretty good acting job, too - for a minute I thought you were really considering hitting him."

"That part wasn't too tough. My best moment was when I pretended I actually had to follow your orders." Mac's eyes danced, but the levity soon fell dormant as she focused on the issue at hand. "So he's not in this with a fundamentalist faction?"

"Doesn't sound like it. He sure doesn't have any love for Americans, though. My guess is that he really did have visions of a one-man jihad, but he needed help from someone with better intel and funding."

"The enemy of my enemy is my friend," Mac murmured. "So we're looking for someone who doesn't like us, has a bankroll and tech assets, and wouldn't mind throwing our Mideast relations into a tailspin."

"That might be a long list of suspects," Harm admitted grimly.

"Colonel, Commander," CIA Agent Deborah Kuenzel broke in. "I have a roster of the PDA contents for you. You can go through it yourselves, but if you run into something that's password-locked, I can see about getting you clearance."

"Thanks." Mac slid into the chair vacated by the agent, and Harm leaned over her shoulder to study the screen. "Ninety percent of the thing's memory was taken up by one program - probably the one he used to connect to the transponder."

"Right now we might as well concentrate on the other ten percent."

"Yep. Calendar, flight information - that figures ... hey, there's an email folder on here." Mac scanned down the page. "Looks like half the messages are to the same address. Agent Kuenzel? Can you access the text of these messages?"

"I'll give it a shot. But don't peek over my shoulder, or they'll have my ass." As the two officers stepped back, Kuenzel slid back into the chair and entered her code. "Okay, it's a net-based account. The screen name is Jade. They talk about how great their time in Bangkok was, and there are mentions of a friend in the U.S. - "

"A friend who might have had access to the aircraft at some point?" Mac theorized.

Kuenzel's eyebrows shot up as she continued. "Yikes. The stuff he's talking about doing with her - I think it'd be frowned upon by pretty much all of Islam. Most other religions, too. Anyway, there's a phone number here with a U.S. country code. Just a minute."

She pulled out her cell phone and hit a memory key. "Carson? It's Kuenzel. Have you guys traced the phone number in this file yet? ... Well, yeah, it figures that it's a mobile number, but where's it registered?"

After another few seconds, she thanked Carson and hung up. "It's a Denver area code."

"And Denver's a hub for United Airlines." Harm cast a sideways look at his partner. "They probably do some of their maintenance work there."

Mac's expression held the same determined understanding. "Agent Kuenzel, I think your next call had better be to the FBI."

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## 0236 MDT

### Spring Valley Apartments Denver, Colorado

The lock was surprisingly easy to overcome: the FBI's special operations team didn't even need to break down the door. They moved through the apartment in silence, noting the four or five laptop computers and extra hard drives scattered about, and moved purposefully toward the bedroom.

Inside, a middle-aged Asian man was beginning to fumble in the dresser, presumably for a gun. His companion, a young woman of similar background, hadn't been roused by the team's

approach.

The team lead spoke quietly but left no room for interpretation. "Move and you will be shot."

The man took one look at the four weapons trained on him and raised his hands in surrender. Within minutes, the two were being led down to a waiting van in nightclothes and handcuffs, and the apartment was being sealed off as a crime scene.

Most of the neighbors hadn't even woken up.

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1453 EDT

JAG Headquarters

Falls Church, Virginia

"The woman Maraan al-Sayef knew as Jade was in fact a computer expert named Kyung Se Pak, Your Honor. Her partner's identity isn't known for certain at this time. His American visa lists him as Te Han Seung, but it's been confirmed that this name is an alias, and that he is in fact an operative for North Korean intelligence. Despite his extremist religious views, al-Sayef has a demonstrated fondness for Asian women. On a recent trip to Thailand, he discovered Pak posing as a lady of the evening named Jade, who connected him to Seung, posing as another of her clients. This client offered some assistance in a plot to bring down an American airliner, and apparently al-Sayef was willing to accept the help of unbelievers if it would help him achieve his jihad and take American lives.

"When the FBI team apprehended Pak and Seung, they found tags and a uniform at their apartment which identified Seung as a maintenance worker at Denver International Airport. Records show that the 747 involved in the United 958 incident was held over at Denver International for routine maintenance seventeen days ago. The evidence collected from the apartment suggests that Pak altered a standard transponder chip to transmit false signals when commanded. Seung then replaced a chip in the 747's transponder with the altered chip, and gave al-Sayef the means to activate it during the flight using a personal data assistant."

Harm set the report from the Department of Homeland Security down in front of Judge Helfman and stepped back from the bench. "Your Honor, there is clear evidence of extenuating circumstances in this case. When Lieutenant Commander McCollum gave the order to fire on United Flight 958, he did so according to the design of a devious plot. The conspirators based their actions on the certainty that someone would act to defend the battle group when faced with such a threat. Their deception, and not the *Vella Gulf's* decision to fire, should be considered the first and most significant cause of this incident."

Helfman scanned down the evidence sheet, suitably impressed by the turn of events. "In light of this new evidence, I presume the defense has a motion to make?"

"Yes, ma'am. The defense requests an indefinite recess in order to confer with the prosecution and the convening authority regarding the disposition of these charges, as well as the charges facing Commander Ballantine."

"The government has no objection," Sturgis stated.

"So ordered."

The gavel came down with a sharp crack, and Sturgis immediately crossed the room to the defense table. "Quite the detective job there," he commented, folding his arms. "How in God's name did you get al-Sayef to let slip that bit about his cohorts not being his brethren?"

"Secret weapon, my friend." Harm glanced back at Mac, sitting in the back row of the courtroom, and they exchanged a brief but telling smile. Sturgis watched the partners and narrowed his eyes. Something was definitely up with those two. God only knew how long it would be until he figured out just what it was.

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McCollum sat down in the chair opposite Harm's desk, still shaking his head. "I'm still not sure I understand all this. North Korea faked an attack by a Syrian fighter to get us to fire on a civilian aircraft. What would they have to gain that would be worth risking an operation like that?"

Harm spread his hands. "Any time and resources we might have spent on a possible escalation of force against Syria would have been time and resources not available to focus on North Korea's nuclear development. Maybe they were planning something big and needed the distraction. But unless one of our new prisoners gets more talkative, it'll be tough to prove. Since the aircraft wasn't immediately destroyed, giving us a chance to figure out the ruse, we're not going to be distracted by any false conflicts - we'll actually be even more vigilant toward North Korea. So they'll probably play very nice for a while."

McCollum frowned. "Aren't we going to call them out on this? What they did amounted to an act of war!"

"It would, if we had evidence that it was state-sponsored. But even if we did, the moment we raise that issue, we essentially become obligated to respond. And with the instability of relations in that region, plus the uncertainty of their arsenal, it wouldn't be likely to go well. The North Korean government seems to be just as hesitant, because it's denying all knowledge of the operatives we're holding. The official position is that they were rogues, acting without authorization. So we'll probably get some quiet concessions at some point, and peace is preserved. Such as it is."

The younger man sat back, absorbing it all. "Well," he said finally. "I'm certainly glad to know the reason for the misidentification, but I can't say it warms my heart to know that we basically fell for their trap."

"They knew you'd act to defend the battle group as soon as the threat was identified. They banked on you doing your job. That's not something to be ashamed of." Harm reached for a file on his desk. "In any event, the idea that the 747's transponder was sabotaged by terrorists - however simplified that idea may be - has made a big difference in the public perception of the incident. Because of that, I've asked for the hearing to be resolved by way of a formal letter of reprimand to both you and Commander Ballantine, in recognition of the chain of command problems in CIC that day. On Commander Turner's recommendation, the convening authority has agreed - with the additional requirement that you both be transferred to a land post for one tour."

McCollum's face fell, realizing the career implications of that action, but since reassignments were standard procedure after such incidents, he nodded acquiescence. "It's a hit, but it could easily have been a lot worse, in more ways than one. Thank you for that, sir."

"All part of the service." Harm slid the file over to him and offered a pen. "What do you think? Can your conscience handle this result?"

"I'd say so, sir. All the same, I think I'm going to make myself available to the passengers of Flight 958 ... just in case some of them need closure as much as I did."

He took the pen and signed his acceptance of the non-judicial punishment. The two men stood up from Harm's desk and exchanged a firm handshake.

"Good luck, Commander," Harm told him sincerely.

"Thank you, sir. I feel like I owe you on a lot of levels - could I maybe buy you a beer after Taps?"

With a smile, Harm replied, "I appreciate it, but maybe on my next trip to Norfolk. Tonight I've got plans that I'd be a fool to break."

McCollum broke into a knowing grin. "Girlfriend keeps getting stood up in the name of duty, huh?"

"Let's just say that I have a lot of lost time to make up for."

\*\*\* THE END \*\*\*