

'No-fly' action takes pilot's job

Cape man fights US label as threat

By Shelley Murphy

GLOBE STAFF

Cape Air pilot Robert Gray said he feels like he's living a nightmare. Two months after he sued the federal government for refusing to let him take flight training courses so he could fly larger planes, he said yesterday, his situation has only worsened.

When Gray showed up for work a couple of weeks ago, he said Cape Air told him the government had placed him on its no-fly list, making it impossible for him to do his job. Gray, a Belfast native and British citizen, said the government still won't tell him why it thinks he's a threat.

"I haven't been involved in any kind of terrorism, and I never committed any crime," said Gray, 35, of West Yarmouth. He said he has never been arrested and can't imagine what kind of secret information the government is relying on to destroy his life.

"Ever since I came here I've loved this country for what it stands for, and this goes against everything that I've ever learned about this country and how it treats people," he said. "This is the kind of nightmarish situation you think happened in Stalinist Russia or Nazi Germany, but not in America."

Holding back tears yesterday, his fiancée, Joy Valante, said the couple is getting married next month and has had to cancel plans to visit Gray's ailing mother in Ireland and honeymoon in Tuscany.

Yesterday, Gray's lawyers, Paul Holtzman and Sarah Wunsch, accused the government of retaliating against Gray because of his lawsuit and urged a federal judge to order the government to take Gray's name off the no-fly list. But, US District Judge Douglas P. Woodlock said he lacks jurisdiction over the matter, which must be decided by the US Court of Appeals for the First Circuit.

Federal prosecutors, citing na-



GLOBE STAFF PHOTO/GEORGE RIZER

Robert Gray, with fiancée Joy Valante, is fighting federal moves listing him as a security threat, halting his work as a pilot.

tional security concerns, refused even to confirm in court that Gray is on the list, and said the government would only disclose its reasons privately to the appeals court, without sharing them with defense lawyers.

Assistant US Attorney Mark T. Quinlivan insisted that any action taken by the government was not retaliatory.

Gray said he came to the United States in 1993 to study to be a pilot and then fell in love with the country and wanted to stay. He said he has invested \$50,000 in flight training and has been flying small commuter planes for eight years, even ferrying US Representative William D. Delahunt and US Senator Edward M. Kennedy.

But last fall the Transportation Security Administration rejected Gray's request to take flight train-

ing courses, saying its decision was based on "derogatory information" that indicated he posed a threat to aviation or national security.

The agency denied an administrative appeal by Gray and refused to disclose what information it had, but it provided Gray's lawyers with a computer printout that indicated it was about a Robert Gray who is Hispanic. The Cape Air pilot is white.

"If they can't get that right, then what else have they got wrong?" Gray said yesterday outside the federal courthouse in Boston.

Valante, an American citizen who was raised in Hanover and works for Cape Air, said, "You just can't do this to people, regardless of their citizenship, regardless of whether they were born here."

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