

Court of Appeals decision, *Rafeedie v. INS*—asked “whether that government interest is so all-encompassing that it requires that the petitioner be denied virtually every fundamental feature of due process.”

In *Rafeedie*, Judge David Ginsburg noted in 1989 that the permanent resident alien in that case, in this country for 14 years, was “like Joseph K. in Kafka’s ‘The Trial’ in that he could only prevail if he were able to rebut evidence that he was not permitted to see.”

Kiareldeen is now free after 19 months, but Judge Walls’s decision that secret evidence is unconstitutional applied only to the state of New Jersey. The INS did not pursue its appeal because it wants to avoid a Supreme Court decision. The INS continues to insist it will keep on using secret evidence.

One of the victims of these prosecutions in darkness still in prison is Nasser Ahmed, who has been in INS detention for 3½ years.

Congress has the power to bring in the sunlight by passing the Secret Evidence Repeal Act of 1999 (H.R. 2121)—introduced in June by Rep. David Bonior (D-Mich.). It would “abolish the use of secret evidence in American courts and reaffirm the Fifth Amendment’s guarantee that no person shall be deprived of liberty without due process.”

Will a bipartisan congress vote in favor of the Constitution? And then, will the president allow the removal of the secret evidence provisions of his cherished 1996 Anti-Terrorism Act?●

HAPPY BIRTHDAY PERRY, GEORGIA

● Mr. CLELAND. Mr. President, on the eve of its one hundred and seventy-fifth birthday, I rise today to recognize a most charming and prosperous town, Perry, GA. When the first settlers came to the fertile plains of central Georgia, they found a wealth of natural resources that promised prosperity. The land proved not only beautiful, but also perfectly suited for agriculture. The town’s initial successes attracted entrepreneurial citizens who contributed greatly to Perry’s strong industrial and agricultural presence in Georgia which continues to grow to this day.

Perry is the seat of Houston County, and is blessed with a rich abundance of natural, historic and cultural diversity. Formerly known as Wattsville, Perry became the first official town in the county on November 25, 1824. Perry is named after Commodore Oliver Perry, who became famous for a battle on Lake Erie during the war of 1812. During the battle of September 10, 1813, Perry defeated and captured a flotilla of six large British frigates with an improvised fleet of nine American vessels and in so doing neutralized the British naval presence on Lake Erie.

For as long as anyone can remember, Perry has been a favorite place for tourists to stop. Known as the “Crossroads of Georgia,” Perry is located in the geographic center of the state where U.S. Highways 341 and 41 and the Golden Isles Parkway intersect with Interstate 75. With an ideal location along I-75, Perry has long enjoyed the distinction as Georgia’s halfway point

to Florida. As a result, snowbirds and vacationers of every type have recognized Perry as a pleasant place to stop and rest, grab a bite to eat at one of Perry’s many restaurants, including one of my favorites, The New Perry Hotel, or simply to enjoy the peacefulness of the small town. Combined with the graciousness with which they are received by Perryans, many have found it difficult to leave!

For festival-goers, Perry’s warm climate and 628-acre events complex provide ample opportunity for fun and entertainment. Perry is home to Georgia’s National Fair, a much-anticipated, 10-day extravaganza held each October. Activities at the fair are reminiscent of county fairs of old, revolving around livestock and horse shows, FAA and FHA events, home and fine arts displays, as well as the ever-popular baking and quilting competitions. This year marked the 10-year anniversary of the fair. The 628-acre complex is the largest of its kind, and the events hosted at the Georgia National Fairgrounds and Agricenter have an estimated economic impact of \$30 million annually.

For about two weeks starting in mid-March, the Peach Blossom Trail on U.S. 341 north of Perry is lined with pink and white blossoms. From mid-May through mid-August, an abundance of fresh peaches can be found for sale at roadside stands. Dogwoods and azaleas bloom profusely during the spring and camellias brighten the landscape during the winter. The dogwood has been adopted as the city’s official tree. Perry’s downtown has been maintained as a colonial-style village with specialty shops and restful atmosphere.

More than the festivals, beauty, history or industry, it is the wonderful people of Perry who make it such a unique place. Perry manages to maintain a less hectic pace and small town friendliness that has become a rarity in today’s hustle-bustle society. There is an extremely strong sense of community in Perry as is evident in the strong church attendance, school participation, civic activism and neighborhood involvement among Perry’s citizens. Additionally, Perry can be claimed as home by such noted national leaders as General Courtney Hodges of World War II fame, former U.S. Senator Sam Nunn, and the late former Congressman Richard Ray.

Mr. President, I warmly request that you and my colleagues join me in paying tribute to a jewel of a town, Perry, GA.●

JOHN GIOVANNINI

● Mr. SANTORUM. Mr. President, I rise today to recognize a genuine hero, who paid the ultimate price so that a loved one might live.

John Edward Giovannini, born in 1958, was an employee of US Airways

and a member of the Pennsylvania Air National Guard, stationed in Harrisburg, PA. He served in the Marines from 1976 to 1980, and joined the Air National Guard in 1985.

On September 13, 1999, while vacationing with his girlfriend and her family in Ocean City, Maryland, John was faced with a fateful decision. While enjoying a relaxing day on the beach, the calm was suddenly shattered by desperate cries from Kim, the 21-year-old daughter of John’s girlfriend. Kim was swimming in the ocean when a rip tide threatened to carry her out to sea. Without concern for his own safety, John immediately swam out to reach Kim before the current could carry her away. Being an exceptionally strong swimmer, John was able to reach Kim despite the rip tide, and began towing her toward the beach. Before reaching shore, John became overwhelmed with exhaustion from fighting the strong current. He continued to struggle toward shore, and when unable to swim any further, John fought with all his might to keep Kim above water as he cried out for help. Kim’s grandmother, Deanna, swam out to the pair and successfully helped Kim back to shore. Meanwhile John’s friend, Ron, came to his aid and pulled John the remaining distance to the beach. By the time John reached shore, he was completely incapacitated, having expended all of his energy in his effort to save Kim. The lifeguard and medical technicians were unable to revive John, and he died while being transported to the hospital. If not for John’s quick actions and refusal to put his own life before Kim’s, she would surely have been swept away.

Words can not begin to adequately describe the ultimate sacrifice John made on that fateful September day. His selfless courage is rarely demonstrated today apart from storybooks and movies. John Giovannini is truly an American hero, and as I extend my heartfelt condolences to John’s loved ones for their tragic loss, I would also like to express my sincere admiration for the courage which John displayed throughout this tragic event.●

RECOGNITION OF CAPTAIN JAMES L. CARDOSO

● Mr. TORRICELLI. Mr. President, I rise today in recognition of Captain James L. Cardoso, a native of Cherry Hill, New Jersey, as he receives the Silver Star for gallantry from the United States Air Force. Captain Cardoso’s daring rescue of a downed F-117 “Stealth Fighter” pilot makes him more than worthy of this prestigious honor. It is a pleasure for me to be able to honor his accomplishments.

On March 27, Captain Cardoso led his helicopter unit through Serbian air defenses within 25 miles of Belgrade. His extraordinary effort is even more remarkable considering the low visibility