

message to those who wish to enter our great country and to the international community as a whole.

Furthermore, the visa lottery program is wrought with fraud. A report released by the Center for Immigration Studies states that it is commonplace for foreign nationals to apply for the lottery program multiple times using many different aliases. In addition, the visa lottery program has spawned a cottage industry featuring sponsors in the U.S. who falsely promise success to applicants in exchange for large sums of money. Ill-informed foreign nationals are willing to pay top dollar for the "guarantee" of lawful permanent resident status in the U.S.

The State Department's Office of Inspector General confirms these allegations of widespread fraud in its September report. Specifically, the report states that the visa lottery program is "subject to widespread abuse" and that "identity fraud is endemic, and fraudulent documents are commonplace." Furthermore, the report also reveals that the State Department found that 364,000 duplicate applications were detected in the 2003 visa lottery alone.

In addition, the visa lottery program is also by its very nature discriminatory. The complex formula for assigning visas under the program arbitrarily disqualifies natives from countries that send more than 50,000 immigrants to the U.S. within a five-year period, which excludes nationals from countries such as Mexico, Canada, China and others.

The visa lottery program represents what is wrong with our country's immigration system. My legislation would eliminate the visa lottery program. The removal of this controversial program will help ensure our nation's security, make the administration of our immigration laws more consistent and fair, and help reduce immigration fraud and opportunism.

FREEDOM FOR ANTONIO RAMÓN
DÍAZ SÁNCHEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Antonio Ramón Díaz Sánchez, a prisoner of conscience in totalitarian Cuba.

Mr. Díaz Sánchez is an electrician by profession. He is also a member of the Christian Liberation Movement. Mr. Díaz Sánchez is a peaceful activist in the cause of liberty who desires to exercise his basic human rights. Unfortunately, the nightmare that is the Castro regime continues to violently oppress the men and women of Cuba, including those that bravely illuminate the atrocities committed against the Cuban people for the world to see.

Unfortunately, in March 2003, as part of the dictatorship's heinous crackdown on peaceful, pro-democracy activists, Mr. Díaz Sánchez was arrested. Simply because of his courageous pro-democracy activities, Mr. Díaz Sánchez was subjected to a sham trial where he was sentenced to 14 years in the totalitarian gulag.

According to Amnesty International, Mr. Díaz Sánchez has continued to advocate for

freedom and justice while locked in the hellish squalor of Castro's gulag. He has participated in two hunger strikes to draw attention to the depravity of the conditions that political prisoners are subjected to in the gulag: including denial of medical attention, beatings, and severe malnutrition. He has courageously risked harm to himself in order to bring a semblance of humane treatment to those confined in the horror that is the totalitarian gulag.

Mr. Speaker, Mr. Ramón Díaz Sánchez, is an electrician who now shines a light of dignity and courage on the abominable disregard for human rights, human dignity, and human freedom just 90 miles from our shore. My Colleagues, we must demand the immediate and unconditional release of Antonio Ramón Díaz Sánchez, and every political prisoner in totalitarian Cuba.

RULING IN PADILLA CASE: A
PROPER CHECK ON ATTEMPTED
DENIAL OF DUE PROCESS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. UDALL of Colorado. Mr. Speaker, terrorism must be fought, but we must resist the temptation to answer the extremism of terrorists with denials of the very principles the terrorists are attacking.

That is why many of us have been so concerned about the way the Administration has dealt with two American citizens they identified as "enemy combatants."

Last year, the Supreme Court ruled that one, Yaser Hamdi, must be tried or released. But it found a technical reason to avoid a similar decision regarding the other, saying that the case had been brought in the wrong district court.

Now the case has been renewed in the correct district court, and has brought a ruling that an editorial in the Rocky Mountain News says "dealt, one hopes, a fatal blow to the assertion of an unchecked presidential power to jail a citizen indefinitely and with no access to due process."

I share that hope.

For the information of our colleagues, here is the complete text of the editorial:

[From the Rocky Mountain News, Mar. 2, 2005]

JUSTICE, FINALLY, FOR JOSÉ PADILLA

The most egregious assertion of power in the Bush administration's war on terror was the president's right to jail any American indefinitely without trial. The president merely had to designate that person an "enemy combatant." That unwelcome unilateral expansion of presidential prerogatives was used only twice—on Yaser Esam Hamdi, a U.S.-born Saudi; and José Padilla, an American petty criminal.

Hamdi was captured in Afghanistan in 2001, sent to Guantanamo Bay, Cuba, and then shipped to a Navy brig when the feds learned he could claim U.S. citizenship. Last June, the Supreme Court ruled that the administration had to either try him or release him, and even though Hamdi, now 24, was presumably so dangerous that he had to spend over two years in solitary, the administration

tamely sent him back to his parents in Saudi Arabia on the grounds that he no longer had any information to give.

Padilla, now 34, wasn't so lucky. Even though an appeals court had ruled that Padilla, too, should be tried or released, the Supreme Court said his case should have been filed in South Carolina instead of New York. Now a federal judge in South Carolina, Henry Floyd, has ruled and dealt, one hopes, a fatal blow to the assertion of an unchecked presidential power to jail a citizen indefinitely and with no access to due process—a judge, lawyer, habeas corpus, charges, a trial, all the basic constitutional safeguards.

"The court finds that the president has no power, neither express nor implied, neither constitutional nor statutory, to hold petitioner as an enemy combatant," Floyd wrote.

Well said.

HONORING SALVADOR A.
MERCADO'S SERVICE TO THE DE-
PARTMENT OF TRANSPORTATION

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor a citizen of the 28th District of Texas, Salvador A. Mercado, and his 28 years of service to the Department of Transportation.

In 1972 Salvador began his career with the Department of Transportation in Laredo, Texas. He then decided to further his education by attending the University of Texas at Austin, earning a degree in civil engineering. After he received his degree, he was able to move up at the Department of Transportation, and eventually became deputy district engineer.

During his time at the Transportation Department Salvador was able to apply his attention to detail to help establish Transportation Gateway, one of the 18t urban centers of its kind.

His professional demeanor assisted him as he made the critical decision of recruiting 20 engineering assistants for the district.

District safety has always been a main concern of Salvador's, and he has established different programs such as "El Protector," Spring Break rest stops, South Texas Fiber Optics Loop System, a Haz-Mat Task Force, traffic safety booths at local festivals, and the initiation of Construction Career Days to aid the community.

Salvador's willingness to work has not been overlooked by his peers; in 1996 he received the Gilchrist Award which honors outstanding achievement in Highway Engineering. This award is so prestigious that Salvador is only the second Hispanic engineer to ever be presented with this award.

Upon retirement Salvador will begin working in the private sector and I'm convinced will play an imperative role in whatever venture he decides to pursue.

Mr. Speaker, I am proud to have had this opportunity to recognize the many contributions of Salvador A. Mercado.