

There was no objection.

TRIP TO IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Madam Speaker, here is a quote: "Victory means exit strategy, and it's important for the President to explain to us what the exit strategy is."

Those words were not spoken by a Member of Congress, not by a prominent opponent of the Iraq War. They were not even spoken about this President or this war. Those words were spoken in April, 1999, about President Clinton's military campaign in Kosovo, and they were spoken by a Republican Governor named George W. Bush.

What a difference 6½ years makes because it is precisely an exit strategy that is missing from our Iraq policy. With 2,000 of their fellow citizens dead and 1 billion of their tax dollars being sent to Iraq every week, the American people have a right to some honest answers to some important questions like: What exactly defines victory? What are the benchmarks of success? What is the long-term plan? What does the end game look like?

We are paying for this war in blood and money. My home district lost a 23-year-old soldier on Saturday. Why will the President not repay us with some honesty and transparency? Why does he insult us with empty platitudes about "staying the course" and "staying in Iraq as long as it takes"?

Madam Speaker, I had the privilege of traveling to Iraq last week with a few of my House colleagues. We were briefed by the commanders on the ground. We saw the military facilities, which I am happy to report are state of the art. The quality of our soldiers' medical care in particular is excellent as far as I could see. Good equipment and the best docs that one could have.

The most rewarding and enlightening part of the trip was simply having meals and talking with the enlisted men and women, mostly those from California and particularly from my district north of the Golden Gate Bridge.

Madam Speaker, these young people are the very best America has to offer. They are brave. They are intelligent. They are loyal, loyal to their country, to their mission and to each other. They are profoundly committed to this mission, even those who told me privately they do not support the policy that underlies it.

These are genuine heroes whose courage and resolve are greater than our accolades can convey. We truly have the most capable military the world has ever known. So what is the problem?

The problem is that we do not have leaders in Washington that are worthy of these fine soldiers. Our troops have not failed. They have been failed by their civilian superiors, those who sent

them to Iraq on false pretenses, on a poorly defined mission without all the tools they needed and without a plan to get them out of there.

This morning's speech from the President was the same old shopworn rhetoric: Terrorism bad, freedom good. We know that and we agree, but that alone does not justify an open-ended military commitment. What comes next? Do not tell us. Show us. Show us that there is some kind of long-term strategy to return Iraq to the Iraqi people and the troops to their families back home.

If the President will not lead, then we will. Last month, I assembled a group of Middle East experts and military strategists to explore viable and compassionate exit strategies.

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I do not have all the answers, and I am not prepared to endorse a single approach, but I have felt for many months now that it was about time we started this conversation about troop withdrawal and started throwing ideas out and on the table.

Madam Speaker, our troops have endured enough sacrifice. We need to plan to bring them home.

At the same time, we must give Iraq back to the Iraqi people through a range of economic, political, and humanitarian partnerships. The American people deserve better than the poor planning that has characterized every phase of this war, and the extraordinary men and women whom I met in Iraq most certainly deserve better. They deserve leaders as courageous and honorable as they are. In return for their unflinching loyalty, they deserve basic competence and integrity.

COORDINATED STRATEGY OF CHARACTER ASSASSINATION

The SPEAKER pro tempore (Mrs. SCHMIDT). Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Madam Speaker, tonight I think we need to speak about the partisanship that is not just encountered here in Washington, D.C., not from the people just here in this body, but the partisanship we have seen from a prosecutor down in Austin, Texas. It is part of a coordinated strategy that those on the other side in this House have. It is a coordinated strategy of character assassination.

A couple of months ago I spoke before the House, and I outlined a few simple things. I said the Democrat leadership has led their party on a campaign against Republicans, against the Republican majority of this House, through a conspiracy of character assassination and misleading attacks.

The U.S. News and World Report wrote back in April: "Democratic strategists, confident that voters are increasingly fed up with the Republican establishment, are planning an

all-out attack on what they call 'the abuse of power' by the Republicans."

I said at the time the liberal magazine, the New Republic, published an article entitled: "How Democrats can Overthrow the House," this House, Madam Speaker, and I quote from that article: "Democrats should consider fighting back by extra-parliamentary means, going beyond the standard parameters of legislative debate, and attacking Republicans not on issues, but on ethics, character. In other words, it may be time for Democrats to burn down the House in order to save it."

Those are not my words, Madam Speaker. Those are the words of the liberal New Republic outlining the Democrat strategy to take the majority in this House. "Burn down the House in order to save it," they say.

Well, at the time, a lot of people thought that what I was outlining was something that was far off; that maybe it would not happen; that maybe we would have some high-minded individuals on the other side that would say enough is enough. This is not the right strategy for America; it is not the right type of political discourse we should have in this country. But, no, no, no, we saw this just a week ago with a partisan prosecutor in Austin Texas named Ronnie Earle.

After impaneling seven grand juries, he was able to come up with one charge, conspiracy; conspiracy against our majority leader, our Republican leader in the House. Well, as it turns out, those charges, not only were they false but they also were based on a statute that was not in effect at the time that they claim these events happened.

What we saw was a partisan prosecutor that was so focused on scoring political points that it did not matter what the law said; and so on Monday, he came up with a new charge based on new evidence, he claims. After going through seven grand juries, Madam Speaker, after going through 2 years of investigating our Republican leader, intent on taking him down, they said in 2 days they came up with new information and came up with a new charge.

It is an amazing thing that has happened. The American people have heard it before by watching the TV. They know the details of this.

But I want to outline what a former U.S. Attorney from the Southern District of New York, Andrew McCarthy, outlined. He said, "Ronnie Earle, district attorney of Travis County, Texas, has no business wielding the enormous power of prosecution. A matter of national gravity is being pursued with shocking ethical bankruptcy by the district attorney, by Ronnie Earle. If Congressman DELAY did something illegal, he, like anyone else, should be called into account. But he, like anyone else, is entitled to procedural fairness, including a prosecutor who not only is, but also appears to be, fair and impartial."

Those are the words of a former U.S. Attorney. Madam Speaker, I will enter this into the RECORD.

Madam Speaker, also McCarthy adds, "Ronnie Earle is a disgrace to his profession and has done grievous disservice to thousands of Federal, State and local government attorneys, prosecutors of all persuasions whose common bond is a good-faith commitment to the rules, but who will now bear the burden of suspicions fostered by Earle's excesses."

Madam Speaker, you may say that is just a columnist talking. But what does the liberal Austin American Statesman say? It says: "Ronnie Earle has created a circus-like investigation alleging Republican campaign funding illegalities, but he has not proven it."

Madam Speaker, we see the Democrats' agenda is to burn down this House by attacking our leaders on baseless accusations, and they will stop at nothing until they bring down our majority.

Madam Speaker, I include for the RECORD the article by Andrew C. McCarthy:

RONNIE EARLE SHOULD NOT BE A PROSECUTOR
(By Andrew C. McCarthy)

If there is one thing liberals and conservatives ought to be able to agree on, it is this: Ronnie Earle, district attorney of Travis County, Texas, has no business wielding the enormous powers of prosecution.

I don't know Congressman TOM DELAY, the House Majority Leader. I certainly don't know if he's done anything illegal, let alone something so illegal as to warrant indictment. It doesn't look like it—and at least one grand jury has already refused to indict him (a fact Earle appears to have tried to conceal from the public as he scrambled to find a new grand jury that would). Yet experience shows it is foolhardy for those who don't know all the facts to hazard a judgment about such things.

One thing is sure, though, and it ought to make anyone who cares about basic fairness angry. The investigation of DELAY, a matter of national gravity is being pursued with shocking ethical bankruptcy by the district attorney—by Ronnie Earle.

For nearly 20 years, I had the privilege of being a prosecutor in the best law-enforcement office in the United States, the U.S. Attorney's Office for the Southern District of New York. Being a prosecutor is the world's greatest job because it is honest work for the highest cause—service to one's own community. And it is work that has precious little to do with politics.

In their private lives, many of my fellow government lawyers were political independents, either by design (i.e., out of a conscious rectitude holding that law enforcement should be above politics) or because they were just apolitical. Most, as one would expect in New York, were Democrats. A large percentage, as, again, one would expect from a group of mostly young people educated in top schools, was proudly liberal. Over coffee or lunch, or dinner, they and we few, hardy conservatives would have spirited debates over all manner of issues.

In the four corners of a case, however, none of that mattered a wit. Within those four corners, there were rules and responsibilities. There was recognition that prosecutors have breathtaking power over the lives of those they investigate. Power inarguably vital to the rule of law. But power which, if

used recklessly or maliciously, can leave lives in tatters. The lives not only of the innocent and the guilty, but of the justice system itself.

This was especially so in investigations of political corruption. We prosecuted Republicans and Democrats, in about equal measure. The cases were hard, but checking your politics at the door was never hard, for at least two reasons.

First, there tends to be nothing ideological about the crimes committed by politicians. They are a stew of pettiness, greed and above-it-all arrogance over which neither party has a monopoly, and the offensiveness of which cuts across philosophical divides.

Second, some wrongs are simply not intended to be crimes. Among them are political wrongs: sleazy abuses of power, cronyism, most acts of nepotism, half-truths or outright lies in campaigns, etc. In a free society, these get sorted out in our bumptious political system. Usually, absent shades of financial fraud, bribery, and extortion, prosecutors should stay their hands. There are too many real crimes to waste resources on that sort of thing. More significantly, the risk of criminalizing politics would only discourage honest citizens from participating in matters of public concern.

The code prosecutors live by is not a liberal or conservative one. It is a code of ethics—of nonpartisan, non-ideological honor. Of course many prosecutors are ambitious. Of course prosecutors want to win. But even the ambitious ones who care a bit too much about winning quickly learn that success is intimately tied to doing things the right way. And not least because that is the norm their colleagues follow—as well as the standard by which the defense bar and the judiciary (populated by no small percentage of former prosecutors) scrutinize them. It is, moreover, the standard the public demands they meet.

People want to see the guilty convicted, but they also want to feel good about the way it is done. The prosecutor is the public's lawyer, and his duty is not merely to get the job done but to get it done right. The second part is just as crucial as the first. They are equal parts of doing justice. No one expects perfection, which is unattainable in any human endeavor. But if the outcomes of the justice system are to be regarded as legitimate, as befitting a decent society, people have to be confident that if they stood accused, the prosecutor would enforce their rights and make sure they got a fair fight.

So there are certain things that are just flat-out verboten. Most basic are these: to resist public comment about non-public, investigative information; to abjure any personal stake in the litigation that could suggest decisions regarding the public interest are being made to suit the prosecutor's private interests; and—if all that is not Sesame Street simple enough—to remain above any financial or political entanglement that could render one's objectivity and judgment suspect.

In the profession, these things come under the hoary rubric of "avoiding the appearance of impropriety." In layman's terms, they are about having an I.Q. high enough that you know to put your socks on before your shoes. This is bedrock stuff. It is central to the presumption of innocence, due process, and equal protection under the law that prosecutors owe even the most despicable offenders. It is foundational to the integrity of the system on which rest our security, our economy, and our freedoms.

And Ronnie Earle has flouted it in embarrassing, mind-numbingly brazen ways.

As Byron York has been reporting on NRO (see here, here, and here), Earle has partnered up with producers making a

movie, called *The Big Buy*, about his Ahab's pursuit of DELAY. A movie about a real investigation? Giving filmmakers access to investigative information while a secret grand jury probe is underway? Allowing them to know who is being investigated and why? To view proposed indictments even before the grand jury does? Allowing them into the sanctuary of the grand jury room, and actually to film grand jurors themselves? Creating a powerful incentive—in conflict with the duty of evenhandedness—to bring charges on flimsy evidence? For a prosecutor, these aren't just major lapses. They are firing offenses. For prosecutors such as those I worked with over the years, from across the political spectrum, I daresay they'd be thought firing-squad offenses.

Attending partisan fundraisers in order to speak openly about an ongoing grand jury investigation against an uncharged public official. As a moneymaking vehicle.

Penning a nakedly partisan op-ed (in the *New York Times* on November 23, 2004) about the political fallout of his grand-jury investigation of DELAY, then uncharged.

Settling cases by squeezing businesses to make hefty financial contributions to pet personal causes in exchange for exercising the public's power to dismiss charges.

Secretly shopping for new grand juries when, despite the incalculable advantages the prosecution has in that forum, the earlier grand jurors have found the case too weak to indict.

Ignoring the commission by members of his own party of the same conduct that he seeks to brand felonious when engaged in by members of the other party.

Such actions and tactics are reprehensible. They constitute inexcusably dishonorable behavior on the part of a public servant, regardless of whether the persons and entities investigated were in the wrong. They warrant universal censure.

If Congressman DELAY did something illegal, he, like anyone else, should be called to account. But he, like anyone else, is entitled to procedural fairness, including a prosecutor who not only is, but also appears to be, fair and impartial.

Ronnie Earle is not that prosecutor. He has disgraced his profession, and done grievous disservice to thousands of Federal, State, and local government attorneys. Prosecutors of all persuasions whose common bond is a good faith commitment to the rules—but who will now bear the burden of suspicions fostered by Earle's excesses.

The burden, but not the cost. That will be borne by the public.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LATINOS AND HIV/AIDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Madam Speaker, today I rise to bring attention to the devastating impact the epidemic of HIV/AIDS continues to have on the Latino community nationwide. According to the latest data and statistics from the Centers for Disease Control and Prevention, although Latinos make up