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Key House panel targets international tribunal

Adam Clymer The New York Times
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WASHINGTON With strong administration support, an important House committee has voted authorization for the president to use force to rescue any American held by the new International Criminal Court and to bar arms aid to nations that ratify the court treaty.

The measure, sponsored by Representative Tom DeLay, the Texas Republican who is the majority whip, is part of an appropriations bill that contains \$29.4 billion for military and domestic security spending. The House is likely to pass the bill this week.

DeLay told the Appropriations Committee on Thursday that his provision was necessary so the United States would never see an "American soldier or elected leader dragged before this court," which he called a "rump court" and a "rogue court."

The bill would also codify the Bush administration's announced policy of refusing to cooperate in any way with the court, and it would bar the extradition of anyone sought by the court. Its founding treaty has been signed by 139 nations and ratified by 66, including most democratic nations.

The Senate overwhelmingly passed a weaker version of the DeLay measure last December, but Democratic leaders who opposed it were able to kill it in a House-Senate conference. This year, with the court scheduled to come into existence on July 1, they may not be able to block the measure.

DeLay said that he had spoken with both Defense Secretary Donald Rumsfeld and Secretary of State Colin Powell and that they "have endorsed this in its entirety."

Victoria Clarke, assistant secretary of defense for public affairs, said that while "I am confident the secretary has not read every line, he is very supportive of the intent" of the measure.

Rumsfeld said recently that the court imperiled American servicemen and women by putting them "at risk of politicized prosecutions."

The arms deal ban would exempt NATO countries and other major allies, but arms deals with nations like Colombia or the Philippines would require a waiver.

The proposal would also cover participation in peacekeeping operations that might put service members at risk of court jurisdiction.

Before the committee voted, 38 to 18, to adopt DeLay's plan, it was bitterly attacked by several Democrats. Representative Patrick Kennedy of Rhode Island said that the DeLay measure sent a message of unilateralism to the world.

Representative David Obey, a Wisconsin Democrat, said the Appropriations Committee should not even consider the measure but leave it to the International Relations Committee.

After demonstrating that some committee members did not know the court would be in The Hague, Obey asked if DeLay understood that under the rescue provision, "We would be sending our troops to invade the Netherlands." DeLay said he did not consider that a serious question.

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