

we kill it, what kind of confidence with good government do the people of this country have that we are doing our business here in this Congress?

□ 2330

There are compelling arguments to make that this body has an obligation to debate these issues, to consider them, and to vote on them. That is one of the reasons the gentleman from Mississippi (Mr. TAYLOR) has been making the motions that he has made all night long, so that Members of Congress can do their duty, their principled obligation, to bring ideas to the floor, get debate, work with Members of the Republican majority party, and get amendments put into bills or have them defeated.

Now, the Crusader has a military requirement that Napoleon may have used, may have benefited from; Ulysses S. Grant sure could have shortened the Civil War; John Pershing really could have used it probably in World War I. But Secretary Rumsfeld says he does not want it to fight terrorists. He does not need it in this new century to fight wars against our enemies. Why, then, does the Congress refuse to have a debate on this issue? Maybe the opponents would lose; maybe they can convince us. But not to have this debate in this great body says to the American people, and the headlines tomorrow will be Congress has never met a weapons system, even in war, that the Secretary does not want that they will not approve, that they cannot kill.

Now, the President of the United States has supported Secretary Rumsfeld. They have both said they do not want it. The military requirement is no longer there. What about using the \$11 billion that this Congress wants to spend on that and put it toward the war on terrorism? What about buying some more ships? What about health care? What about an additional pay raise for our military? Those are things that we could do with \$11 billion on a Crusader that we do not need, that is not a requirement, and that this administration does not want. But we cannot even debate it. We cannot even have a vote on that important amendment.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, the gentleman has asked the question why we cannot debate it, and he is entitled to an answer. It would be a little embarrassing for people who have been arguing almost all the time that with a war going on, we must rally around the President and support the Commander in Chief, give the Defense Department what it asks for. It would be embarrassing for them to then have to vote exactly contrary to that.

Now, the rules of this House do not require consistency. The rules do not require Members having stated a principle to live by it, so they could say

that, but it would be embarrassing. So that is the answer to the gentleman's question. The majority clearly could not simultaneously continue to argue that it is everybody's patriotic duty to rally around the Commander in Chief and the Secretary of Defense on military matters, and then vote to repudiate them. So the way they do this is by silence.

Mr. PAUL. Mr. Chairman, I yield myself the remaining time.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Chairman, it is unprecedented to repudiate a signature on a treaty, but it is very important. They must have felt it was extremely important for the protection of our soldiers. So it is this discomfort we might feel about the repudiation of a signature versus doing what we think is best to protect our troops. I honestly believe that this is very necessary.

Now, the argument that all of a sudden we are going to capture Saddam Hussein and we are not going to have the international criminal court to deal with him, that is really not a good argument because the special tribunals for Yugoslavia as well as Rwanda can and still be set up. It has nothing to do with that, so that would still be available.

And it is the jurisdiction, it is the sovereignty, it is the civil liberties of the American soldier that we are dealing with. The gentleman from Georgia (Mr. BARR) brought this up, and this is very true. These trials, they do not have juries. The judges are appointed in secret. They cannot face their accusers. And we are going to join an organization like that, endorse it, send money and say that our troops may become subject to this? To me, it is an extremely dangerous situation that we have here now, because we did not even ratify the treaty. We have repudiated the signature and they are still saying this is going to apply to our soldiers. We have a serious problem on our hands and we should at least do this very little thing here, because this is a sense of Congress resolution that we would not like to have the President spend any money on this, and this would support his position.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

It is now in order to consider amendment No. 10 printed in part B of House report 107-450.

PART B AMENDMENT NO. 10 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. BEREUTER:

At the end of subtitle D of title V (page 125, after line 9), insert the following new section:

SEC. 533. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

“(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

“(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

“(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

“(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).”

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

“(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

“(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

“(2) Not more than \$2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES.—” after “(a)”; and

(2) in subsection (b), by inserting “AUTHORIZED LOCATIONS.—” after “(b)”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—