

CONDEMNING THE GOVERNMENT
OF CANADA

Mr. STEVENS. Mr. President, very soon, Senator MURKOWSKI will submit for himself, for me, and for Senator GORTON and Senator HELMS, a resolution condemning the Government of Canada for its failure to protect the right of innocent passage of the Alaska ferry *Malaspina* in the Canadian territorial sea. The *Malaspina* entered the Port of Prince Rupert on Sunday morning and was blockaded by, we are told, about 200 Canadian fishing vessels and was prevented from leaving that port.

On Sunday, at the request of the State of Alaska, a Canadian court issued an injunction against the blockaders. The governments of Canada and British Columbia ignored the court's directions to enforce that injunction. The *Malaspina* was finally able to leave Prince Rupert on Monday evening, only when the Canadian fishermen agreed to end the blockade.

In my judgment, through its inaction, the Government of Canada has exhibited a disregard for its own domestic laws, for international law, and for what I would call the concept of being a good neighbor to our country, the United States.

Mr. President, over the past 3 years the Government of Canada has shown a pattern of complacency—and, in some cases, complicity—in the harassment and illegal treatment of United States vessels and our citizens.

In 1994, Canada charged an illegal transit passage fee to United States fishing vessels proceeding from the Seattle area north to Alaskan waters. Following that, at my request, Congress directed the State Department to reimburse these United States fishermen and to seek repayment from Canada for the illegal fees that were imposed upon our citizens. To date, Canada has not repaid and, as a matter of fact, has ignored the request for reimbursement to the United States for these costs.

The Government of British Columbia continues to seek to prevent use by the United States of an underwater missile testing range that is critical to NATO activities, at a place called that Nanoose Bay. I found that to be unacceptable, Mr. President. To have one NATO partner use land that has been made available under NATO for leverage on a fisheries issue is unprecedented.

The United States vessels have also periodically been harassed by the Governments of Canada and British Columbia under the guise of enforcement of Canada's customs laws. My colleague and I are here today to call on the Government of Canada to put a stop to these actions. We ask that the President of the United States now take action to ensure that harassment of our citizens comes to an end.

The measure my colleague will submit condemns the Government of Canada for its failure to protect United States citizens from these types of ille-

gal actions and harassment while our people exercise their absolute right for innocent passage through these Canadian territorial waters. They are international waters under international law and available to our people just as our inside passage in southeast Alaska is available to and used by the Canadian people.

Our resolution calls on the President to ensure that this pattern of harassment will not continue. We ask that the President use assets of the United States to protect our citizens if necessary, and, also his authority to prohibit the importation of Canadian products into this country until Canada agrees to protect our citizens.

We also believe the President should find a way to provide financial support to those who were damaged by the blockade of the *Malaspina*.

Mr. President, there were, I am told, over 300 people on board that vessel, and many had to be removed and transported by air to Alaska. In addition to that, it is my information that the *Malaspina* carries the United States mail. It is absolutely unheard of for the Government of Canada to interfere with the delivery of United States mail.

I hope that Congress will consider favorably the resolution that my colleague will introduce, and we intend to consider other measures as well.

We have already passed a bill and sent it to conference with the House that will deny funds for the environmental cleanup of defense sites that were used by Canada and the United States during the cold war period because of the action of British Columbia authorities to try to discontinue our use of Nanoose Bay. That, Mr. President, is essential to our testing program for torpedoes. It has been a joint venture between our Canadian neighbors and our Nation in defense efforts for many years. I am really saddened by that in terms of our relationship for our mutual defense. But we believe that we should assure that Canada will protect our citizens as they exercise their right of innocent passage through Canadian waters, and we believe very sincerely that Canada or its citizens should repay those people that have been damaged by the illegal blockade of the *Malaspina*.

We also call on Canada to repay the United States the illegal transit fees that were charged to our fishing vessels in 1994. And, further, we plead with Canada and its citizens to match the good-faith efforts of the United States to continue to negotiate and renew the Pacific salmon treaty.

Mr. President, it is a time for leadership in these matters. We risk getting more and more rhetoric involved. I have tried to be restrained today. I think Alaskans share this point of view, but we are pushed to increase the stakes.

Our people are most upset. They are even more upset by the act of burning our U.S. flag. I think for a neighbor

that shares such a long border to allow citizens to burn a flag of this country is really uncalled for. I don't know really how to express our deep concern about that. To my knowledge, there has been no action at all taken with regard to that. We have a flag-burning issue here in our own country. But to see it done as an act of defiance by people illegally blocking the ferry owned by our State is upsetting. That vessel is owned by the State of Alaska, and it is part of the trek for people who come from all over the world. Many take a ferry up to Canada. Then they take a Canadian ferry from Vancouver Island to Prince Rupert. They take the Alaska ferry on up into Alaska. It is a right of all vessels to have innocent passage through the waters of a neighboring country.

This blockade of our vessel on top of the harassment and seizure of our fishing vessels is too much, Mr. President.

I don't know. We are few in number in Alaska. If this happened to California, there would be 54 Members of the House talking about it. We have one. And, unfortunately, right now he is recovering from a very serious operation.

But, Mr. President, the rights of American citizens should be protected by our Federal Government. We have heard nothing really yet from our National Government in response to these measures. I think that it is high time that this Government stands up to Canada and explains once again what the role of good neighbors really must be.

I do not want to get to the point where we really have to start retaliating and raise the level of this rhetoric even further. But, clearly, those people who say, "Well, now, just let it cool off," don't understand. We cooled off after 1994 when they put our people in jail and charged them fees. Congress agreed, and we paid the fishermen back for the fees they paid to the Government of Canada. Now we see our vessel with 300 Americans on board held up for more than 2 days, denied the right to keep their schedule and go on to Alaska according to the ferry schedules.

Mr. President, I hope the Senate and the Congress will view this matter with as deep concern as we do and will assist Alaska in assuring that we have the same rights of all Americans as we try to pursue our right of innocent passage through the territorial sea of our neighboring country.

I urge the support of the measure prepared by Senator MURKOWSKI. This happens to be the part of our State that Senator MURKOWSKI came from. He knows Ketchikan very well, and he is proud about his heritage and about the area he comes from. He has transited these waters down to Seattle many times.

I sincerely believe there must be some recognition by the Government of Canada and the Government of the United States of this trespass on the rights of Alaskans and other Americans that were on board the *Malaspina*.

I yield the floor.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

AMENDMENT NO. 962

(Purpose: To make technical corrections to the bill)

Mr. COCHRAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for himself and Mr. BUMPERS, proposes an amendment numbered 962.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 55, line 20, strike "1997" and insert "1998".

On page 55, line 21, strike "1997" and insert "1998".

Mr. COCHRAN. Mr. President, this is a technical amendment offered for myself and in behalf of the Senator from Arkansas [Mr. BUMPERS]. It has been cleared on both sides of the aisle.

I ask that it be approved by the Senate.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment of the Senator from Mississippi.

The amendment (No. 962) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 963

(Purpose: To make an amendment relating to rural housing programs)

Mr. COCHRAN. Mr. President, I send an amendment to the desk on behalf of Senators D'AMATO and SARBANES.

The PRESIDING OFFICER. The clerk will report.

The assistant clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. D'AMATO, for himself and Mr. SARBANES, proposes an amendment numbered 963.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . RURAL HOUSING PROGRAMS.

(a) HOUSING IN UNDERSERVED AREAS PROGRAM.—The first sentence of section

509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking "fiscal year 1997" and inserting "fiscal year 1998".

(b) HOUSING AND RELATED FACILITIES FOR ELDERLY PERSONS AND FAMILIES AND OTHER LOW-INCOME PERSONS AND FAMILIES.—

(1) AUTHORITY TO MAKE LOANS.—Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking "September 30, 1997" and inserting "September 30, 1998".

(2) SET-ASIDE FOR NONPROFIT ENTITIES.—The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking "fiscal year 1997" and inserting "fiscal year 1998".

(3) LOAN TERM.—Section 515 of the Housing Act of 1949 (42 U.S.C. 1485) is amended—

(A) in subsection (a)(2), by striking "up to fifty" and inserting "up to 30"; and

(B) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:
 "(2) such a loan may be made for a period of up to 30 years from the making of the loan, but the Secretary may provide for periodic payments based on an amortization schedule of 50 years with a final payment of the balance due at the end of the term of the loan;"

(ii) in paragraph (5), by striking "and" at the end;

(iii) in paragraph (6), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:
 "(7) the Secretary may make a new loan to the current borrower to finance the final payment of the original loan for an additional period not to exceed twenty years, if—

"(A) the Secretary determines—

"(i) it is more cost-effective and serves the tenant base more effectively to maintain current property than to build a new property in the same location; or

"(ii) the property has been maintained to such an extent that it warrants retention in the current portfolio because it can be expected to continue providing decent, safe, and affordable rental units for the balance of the loan; and

"(B) the Secretary determines—

"(i) current market studies show that a need for low-income rural rental housing still exists for that area; and

"(ii) any other criteria established by the Secretary has been met.";

(c) LOAN GUARANTEES FOR MULTIFAMILY RENTAL HOUSING IN RURAL AREAS.—Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p-2) is amended—

(1) in subsection (q), by striking paragraph (2) and inserting the following:

"(2) ANNUAL LIMITATION ON AMOUNT OF LOAN GUARANTEE.—In each fiscal year, the Secretary may enter into commitments to guarantee loans under this section only to the extent that the costs of the guarantees entered into in such fiscal year do not exceed such amounts as may be provided in appropriation Acts for such fiscal year.";

(2) by striking subsection (t) and inserting the following:

"(t) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 1998 for costs (as such term is defined in section 502 of the Congressional Budget Act of 1974) of loan guarantees made under this section such sums as may be necessary for such fiscal year.";

Mr. D'AMATO. Mr. President, I rise to support the amendment relating to Department of Agriculture rural housing programs. I would like to express my appreciation to Chairman COCHRAN and Ranking Minority Member BUMPERS for their consideration of this

amendment and their continued commitment to providing affordable housing for our Nation's rural Americans.

The Department of Agriculture has a number of successful housing programs under the auspices of its Rural Housing Service [RHS]. Although operated by the Department of Agriculture, rural housing programs are under the jurisdiction of the Banking Committee. As chairman of the Banking Committee, I respectfully request the consideration of this much needed amendment.

This amendment contains provisions which will permit important housing programs to continue in an uninterrupted and cost-efficient fashion. It includes 1-year extensions of housing programs which have expired or will expire in the near future. Specifically, the RHS Section 515 Rural Rental Housing Program, the RHS Section 538 Rural Rental Housing Loan Guarantee Program, and the RHS Underserved Areas Program would be extended until September 30, 1998.

Due to the uncertainty of final passage of housing reauthorization legislation this year, these short-term extensions are essential. In addition, the amendment would alter the section 515 loan term and amortization schedule. This provision would change the loan term from 50 to 30 years, but allow the borrower to have the loan amortized for a period not to exceed 50 years. This statutory change incurs no cost to the American taxpayer, and is necessary to ensure that budget authority provided will support the administration's proposed fiscal year 1998 section 515 program level.

The need for affordable housing in rural areas is severe. According to the 1990 census, over 2.7 million rural Americans live in substandard housing. In my home State of New York, 76 percent of renters are paying 30 percent or more of their income for housing. Approximately 60 percent of New York renters pay over 50 percent of their income for rent.

The section 515 and section 538 programs are some of the few resources available to respond to this serious unmet housing need. Since its inception in 1962, the section 515 rental loan program has financed the development of over 450,000 units of affordable units in over 18,000 apartment projects. The program assists elderly, disabled, and low-income rural families with an average income of \$7,200. The alteration of the section 515 loan term and amortization schedule will provide over 500 additional units. The section 538 program is a relatively young loan guarantee program which has already proven to have widespread national appeal. With a proposed subsidy rate of approximately 3 cents per \$1, it is an example of cost-effective leveraging of public resources.

I thank the Appropriations Committee for its recognition of the great need for these important rural housing programs and its steadfast commitment to