

what should our relations be with nations that would destroy cities such as the leveling of Brazzaville, and actually the illegal conduct of Angola and what it has been doing.

□ 1530

I want to compliment the gentleman from California [Mr. MENENDEZ] for bringing this to the floor and the gentleman from California [Mr. ROYCE] for his good leadership in this regard. And I urge a yes vote on this important resolution.

Mr. MENENDEZ. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. PAYNE] on a related matter, since he was unavoidably detained on the Kenya resolution, but has just come back from a trip to the whole area as one of our outstanding members in the Subcommittee on Africa.

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

Mr. PAYNE. Mr. Speaker, let me, first of all, commend the gentleman from New Jersey [Mr. MENENDEZ], the ranking member of the Subcommittee on Africa, for the outstanding work that he has done at the Subcommittee on Africa. I would like to stand here in support of the previous Concurrent Resolution 130, as has been indicated regarding Kenya.

As has been mentioned, I visited Kenya on a brief trip from July 4 to July 6. When I went there, it was to evaluate the situation there and to listen to what was going on. My mission had two principal objectives: First, to urge the President to meet with opposition and religious leaders to discuss opposition demands for constitutional reforms; and, second, encourage the government to create a level playing field for the upcoming election. I also delivered a letter from President Clinton.

Kenya is one of the most important countries in Africa, and I think today for many reasons we are seeing Kenya's unwavering commitment and leadership of IGAD. Starting on October 28 in Nairobi, President Moi, as chairman of IGAD, was instrumental in getting the SPLA and the National Islamic Front, NIF, to agree on a joint communique. Nelson Mandela concluded that Inter-Governmental Authority on Development remained the best forum, and President Moi was working hard to try to get those two groups together.

After much prodding, after the World Bank and the IMF suspended its loan program and the subsequent fall of the Kenya shilling, I suppose that Mr. Moi had no other option but to meet with the opposition party members in the Inter-Parties Parliamentary Group, IPPG. In all fairness, though, President Moi stated that the opposition was divided and fractionalized, and I think that was one of his reasons for ambiguity on the reform package that he presented.

I do not think that the people of Kenya can survive any more uprisings

and civil unrest like they had in 1995 and Saba Saba in July of this year, when 10 people were killed.

I also had an opportunity to meet with President Moi again last month on a Presidential mission with Ambassador Richardson. Let me say that President Moi has truly been responsive to the calls for reform. He is the promoter of a bill amending the Constitution. It sailed through its third reading in the Parliament on November 4. Shouts of triumph filled the chamber as members of different parties celebrated the bill's passage.

The political and constitutional reforms of November 7 that Mr. Moi signed into law will make Kenya a multiparty democracy and will allow residents greater freedom of speech. The reforms repeal laws restricting freedom of speech and assembly, give greater representation on the Electoral Commission to opposition parties, and establish a multipartisan commission to review the Constitution after general elections.

I do feel that President Moi should allow all political parties to become a part of the elections. There is still one party that has not been registered. I think that should be done. And, also, I think we need to take a look at the fact that there has been abolition of the Parliament. But I understand that, according to the procedures, that this happens right before elections.

So I would just like to once again thank the gentleman from Florida [Mr. HASTINGS] for this resolution. I support it, and I hope that Kenya can get on the right track of its election, have them fair and transparent so that that country that was great in the past can move forward in the future for all the people of Kenya.

Mr. MENENDEZ. Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I ask that my colleagues support this resolution, which sends an important message to the region. In 2 days, Angolan troops are supposed to be withdrawn from Congo-Brazzaville, and at this point it is unlikely that they will complete their withdrawal on time. Nevertheless, this is a key deadline. My colleagues' support of this resolution today will confirm American determination that this deadline must be kept, absent some good reason why it cannot be kept.

Since this is the last of 6 resolutions produced by the Subcommittee on Africa this session, let me take this opportunity to commend the gentleman from California [Mr. MENENDEZ], the ranking minority member, and all my subcommittee colleagues on both sides of the aisle for a very cooperative working relationship this year, including the gentleman from Florida [Mr. HASTINGS] and the gentleman from New Jersey [Mr. PAYNE], who have spoken on the last two resolutions. I look forward to a productive second session.

Mr. ROYCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. ROYCE] that the House suspend the rules and agree to the resolution, H. Res. 273, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "Condemning the military intervention by the Government of the Republic of Angola into the Republic of the Congo, urging both the Government of Angola and the National Union for the Total Independence of Angola (UNITA) to continue their commitments to the Lusaka Protocol and Angolan peace process despite the imposition of sanctions on UNITA by United Nations Security Council Resolutions 1127 (1997) and 1135 (1997), and for other purposes."

A motion to reconsider was laid on the table.

SENIOR CITIZEN HOME EQUITY PROTECTION ACT

Mr. LAZIO of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 329) providing for the concurrence by the House with an amendment to the Senate amendment to the House amendments to S. 562.

The Clerk read as follows:

H. RES. 329

Resolved, That, upon the adoption of this resolution, the House shall be considered to have taken from the Speaker's table the bill S. 562, together with the Senate amendment to the House amendment to the text of the bill, and to have concurred in the Senate amendment with an amendment as follows:

In the matter proposed to be inserted by the Senate amendment, at the end of section 304 add the following new subsection:

(c) **APPLICABILITY.**—This section shall apply only during the period beginning on October 1, 1997, and ending at the end of March 31, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. LAZIO] and the gentleman from Massachusetts [Mr. KENNEDY] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the Senior Citizens Home Equity Protection Act of 1997, which I introduced on April 10 as H.R. 1297, the Senior Homeowners Mortgage Protection Act. This House originally passed this bill under suspension on September 16, with an overwhelming vote of support, 422 to 1. That is the kind of margin I like to win my bills by, Mr. Speaker.

The core legislation was also included in the manager's amendment to H.R. 2, the Housing Opportunity and Responsibility Act of 1997, which passed the House on May 14. Although the Senate did not act upon this bill

until Sunday, the House believes it is critical to enact these measures before the end of the year.

In our efforts, I must commend the gentleman from Iowa [Mr. LEACH], the chairman of the Committee on Banking and Financial Services, for his support in providing greater protections for senior citizens seeking to obtain a home equity reverse mortgage. In partnership with the administration, we have constructed the bipartisan legislation before us today to provide security and peace of mind for thousands of senior citizens across America.

Mr. Speaker, in short, the legislation ensures that senior homeowners will be protected from being charged excessive or unnecessary fees in the reverse mortgage application process.

According to a HUD investigation earlier this year, seniors applying for reverse mortgages were being charged up to 10 percent of the total loan amount for estate planning services with third-party providers. In some cases, seniors have been charged as much as \$10,000 for services that should be provided at no cost.

Mr. Speaker, it is profoundly disturbing that such a valuable tool for senior citizens has been jeopardized by these predators. Our legislation will prevent these unscrupulous activities and will ensure that loan proceeds will go toward sustaining the quality of life for seniors throughout America.

Mr. Speaker, our legislation also provides a 2-year extension of certain rural housing programs and a 2-year extension of the National Flood Insurance Program. This is very important in many different parts of the country, particularly the coastal areas. While these programs may not be Senate priorities, the House included the additional authority to ensure the continuity of services to needy Americans.

Of particular significance is the extension of existing borrowing authority for the flood insurance program. Earlier this year, FEMA Director James Witt indicated that without the extension, FEMA might be forced to turn away families in the event of a significant disaster. Such a scenario is especially disturbing to families living in flood areas near rivers like the Ohio and Mississippi, as well as families living in coastal areas, particularly California, New York, and Florida.

Since the legislation passed in the House, we have worked closely with our Senate counterparts to accommodate minor changes in the original House legislation. In particular, let me express my appreciation for the cooperation of the chairman of the Senate Committee on Banking, Housing, and Urban Affairs, and the chairman of the Senate Subcommittee on Housing Opportunity and Community Development, and their sincere efforts to move this legislation forward.

I urge the Senate to pass this bill, with the minor changes we have made, without delay. The amendment before us today is generally the version that

passed the House on September 16, with a few very minor changes included by the Senate. These changes include the modification of provisions dealing with public housing funding flexibility and mixed financial developments. These provisions help resolve budget scoring issues. The Senate also deleted two multifamily provisions included in the House bill in order to further study the effect of the provisions on tenant rent increases and on good owners.

Additionally, a new provision was added which clarifies the owner's right to prepay a mortgage insured by the FHA. This provision is apparently necessary because the recently enacted fiscal year 1998 VA, HUD and Independent Agencies Appropriations Act extended only a segment of the prepayment authority. Regarding this particular provision, the House believes it is appropriate to extend the necessary authority for a period of 6 months, sufficient time to allow for a more complete analysis of the impact of extending this provision on a more permanent basis.

Finally, the Senate amendment makes a series of technical and clarifying changes to the Native American Housing Assistance and Self-Determination Act of 1996. This law was enacted in the 104th Congress, and like any new major law, technical corrections are often necessary. These are appropriate.

Mr. Speaker, the legislation before us today has the support of the administration, the gentleman from Massachusetts [Mr. KENNEDY], my friend and colleague, the ranking member of the Subcommittee on Housing and Community Opportunity, and numerous senior citizen organizations. I urge my colleagues here in the House and Members of the Senate to support passage of this critical legislation.

Let me end, Mr. Speaker, by complimenting and thanking the gentleman from Massachusetts [Mr. KENNEDY], the ranking member of the Subcommittee on Housing and Community Opportunity, for working tirelessly with me to ensure that we protect seniors, ensure that we have the flood insurance protection program in full force and effect for the next few months, as a matter of fact, for the next 2 years, and extend the opportunities for housing throughout America.

Mr. Speaker, I reserve the balance of my time.

Mr. KENNEDY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

First of all, Mr. Speaker, let me rise in strong support of this extended bill. I want to congratulate the gentleman from New York [Mr. LAZIO], chairman of the Subcommittee on Housing and Community Opportunity, on his efforts to make certain that this bill came to the floor before we broke up this session of Congress. This is an important series of protections that will be provided in this legislation, first and foremost, the senior citizens protection.

This bill provides important provisions that will protect senior citizens from unscrupulous practices dealing with reverse mortgages.

In recent years, scam artists have been charging seniors excessive and unnecessary fees in conjunction with HUD reverse mortgages, which allows seniors to borrow against equity in their home for needed expenses. The bill ends these scam practices by outlawing excessive fees and increasing disclosure provisions.

I want to just briefly read a letter from the Secretary of HUD, Andrew Cuomo, who writes,

If this bill had not been moved to adjournment, thousands of senior citizens would continue to be at risk of being defrauded. Many cash-poor elderly families have significant untapped equity in their homes. And HUD's home equity conversion mortgage program allows them to tap into this resource to meet medical costs, living expenses, and other needs, without selling their longtime home.

I know that the outrages that have been perpetrated need to be fixed, and we need to stop them from being able to seek profits by charging the elderly excessive fees. This program will make HUD benefits available at no charge.

Mr. Speaker, the chairman of the committee ought to again take credit for making certain that this bill did come to the House floor in an appropriate time frame, because without this action taken on the floor today, more senior citizens would have been taken advantage of. In addition, it provides many improvements and extends on existing housing programs.

For instance, the rural housing program. The bill extends affordable rural renting housing programs, including section 515 and 538 rental housing programs, in the underserved areas of the rural housing programs.

□ 1545

It also extends the multifamily programs. The bill extends federally assisted multifamily housing programs, including an expansion of a multifamily risk sharing program. The public housing provisions will also be extended, including the ceiling on minimum rent provisions as well as the suspension of various outdated rules.

It includes an important provision that extends greater financing flexibility for mixed income housing under the HOPE 6 program, critical for projects in cities like Baltimore and Philadelphia and Boston and others. It also extends the critical National Flood Insurance program, which I know we will be working on even more in the coming year in terms of some of the issues that have come forward regarding some of the very large and expensive and difficult flood and other natural disaster problems that are facing our country.

Third, it provides Indian housing. The bill makes technical corrections to the Native American Housing Assistance and Self-Determination Act.

Finally, the bill clarifies the rights of owners of section 8 housing to prepay their mortgage, a clarification

made necessary by this year's failure to fund the preservation program. While the House bill differs slightly from the Senate bill in its time extension, I am quite hopeful that the Senate will concur with this small change.

Mr. Speaker, the Department of Housing and Urban Development supports this legislation and has sent a letter indicating its support. The bill is also endorsed by the AARP. The legislation represents the hard work of the Committee on Banking and Financial Services which authorizes the housing programs. If we fail to take action today, many of the important provisions will be delayed for many, many months to come at the least. Therefore, I urge the adoption of this legislation.

Again, let me thank the gentleman from New York [Mr. LAZIO] for the hard work that he and his staff and the staff on the Democratic side have put into bringing this bill about today.

Mr. Speaker, I reserve the balance of my time.

Mr. LAZIO of New York. Mr. Speaker, I yield myself such time as I may consume. I would like to thank again the gentleman from Massachusetts [Mr. KENNEDY] for his hard work on this. This will be the third time actually that these provisions protecting seniors will have passed on the House floor. We have some additional provisions I think that will be helpful, in particular the flood insurance provisions which have been mentioned by both myself and by the gentleman from Massachusetts [Mr. KENNEDY].

Mr. Speaker, let me take this opportunity if I can to bid farewell to somebody who has served Congress very well, very admirably and will be missed I know on both sides of the aisle, and that is Kelsay Meek, who has been the staff director I know of the committee and has served with distinction. I know we have already had plenty of opportunity to acknowledge the contributions that the gentleman from Texas [Mr. GONZALEZ] has made to this body and to America. I want to reiterate again my respect for him, and again, my hat off to Kelsay Meek and wish him good luck in his future endeavors.

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume. I want to just let the chairman of the Subcommittee on Housing and Economic Opportunities know how much I appreciate his mentioning not only Kelsay Meek. Obviously this has come as a result of the retirement of one of the great Members and great advocates of housing policies in this country, HENRY GONZALEZ, who is going back to Texas and leaves a tremendous staff that has been dedicated to him.

Kelsay is the leader of that staff, and someone whom I have come to know and deeply appreciate in terms of his knowledge of housing issues and his deep commitment to protecting the

very, very poor people of this country, but he also has many other members of his staff that are also moving on. We wish all of those the best, and are delighted that many of the members of the staff are going to be staying to do battle with others on the other side of the aisle at times in the future.

I do want to also acknowledge, while we have just a moment on the House floor, the fact that I know the gentleman from New York [Mr. LAZIO] and I will miss the gentleman from New York [Mr. FLAKE], a dear friend who is leaving the committee, another fine member of the Committee on Banking and Financial Services who did tremendous work on housing issues over the course of his career. I know he is going back to the city of New York. It is the first time I have had a chance to just acknowledge the loss of a deep personal friend here in the House who will be going back but serving a higher calling than perhaps even we in the House of Representatives.

Mr. Speaker, I thank the chairman of the committee for his actions, and I yield back the balance of my time.

The SPEAKER pro tempore [Mr. SNOWBARGER]. The question is on the motion offered by the gentleman from New York [Mr. LAZIO] that the House suspend the rules and agree to the resolution, House Resolution 329.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 562.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CORRECTING ENROLLMENT OF S. 830, FOOD AND DRUG ADMINISTRATION MODERNIZATION ACT OF 1997

Mr. BURR of North Carolina. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 196) to correct the enrollment of the bill S. 830.

The Clerk read as follows:

H. CON. RES. 196

Resolved by the House of Representatives (the Senate concurring). That, in the enrollment of the bill (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 119(b) of the bill:

(A) Strike paragraph (2) (relating to conforming amendments).

(B) Strike "(b) SECTION 505(j).—" and all that follows through "(3)(A) The Secretary shall" and insert the following:

"(b) SECTION 505(j).—Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following paragraph:

"(9)(A) The Secretary shall".

(2) In section 123 of the bill, strike subsection (g) and insert the following:

"(g) APPLICATION OF FEDERAL FOOD, DRUG, AND COSMETIC ACT.—

"(1) IN GENERAL.—Section 351 of the Public Health Service Act (42 U.S.C. 262), as amended by subsection (d), is further amended by adding at the end the following:

"(j) The Federal Food, Drug, and Cosmetic Act applies to a biological product subject to regulation under this section, except that—

"(1) a product for which a license has been approved under subsection (a) shall not be required to have an approved application under section 505 of such Act; and

"(2) the amendments made to section 505 of such Act by title I of Public Law 98-417 shall not apply to a biological product for which a license has been approved under subsection (a)."

"(2) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall affect the question of the applicability of any provision of section 505 of the Federal Food, Drug, and Cosmetic Act to a biological product for which an application has been approved under section 505 of such Act."

(3) In section 125(d)(2) of the bill, in the matter preceding subparagraph (A), insert after "antibiotic drug" the second place such term appears the following: "(including any salt or ester of the antibiotic drug)".

(4) In section 127(a) of the bill: In section 503A of the Federal Food, Drug, and Cosmetic Act (as proposed to be inserted by such section 127(a)), in the second sentence of subsection (d)(2), strike "or other criteria" and insert "and other criteria".

(5) In section 412(c) of the bill:

(A) In subparagraph (1) of section 502(e) of the Federal Food, Drug, and Cosmetic Act (as proposed to be amended by such section 412(c)), in subclause (iii) of clause (A), insert before the period the following: "or to prescription drugs".

(B) Strike "(c) MISBRANDING.—Subparagraph (1) of section 502(e)" and insert the following:

"(c) MISBRANDING.—

"(1) IN GENERAL.—Subparagraph (1) of section 502(e)".

(C) Add at the end the following:

"(2) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall affect the question of the authority of the Secretary of Health and Human Services regarding inactive ingredient labeling for prescription drugs under sections of the Federal Food, Drug, and Cosmetic Act other than section 502(e)(1)(A)(iii)."

(6) Strike section 501 of the bill and insert the following:

"SEC. 501. EFFECTIVE DATE.

"(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

"(b) IMMEDIATE EFFECT.—Notwithstanding subsection (a), the provisions of and the amendments made by sections 111, 121, 125, and 307 of this Act, and the provisions of section 510(m) of the Federal Food, Drug, and Cosmetic Act (as added by section 206(a)(2)), shall take effect on the date of enactment of this Act."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina [Mr. BURR] and the gentleman from Ohio [Mr. BROWN] each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. BURR].