

Directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Government of Cambodia, except loans to support basic human needs.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 590. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 1998 for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

SEC. 591. For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans and loan guarantees in support of the development objectives of the Foreign Assistance Act of 1961 (FAA), up to \$7,500,000, which amount may be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961 and funds appropriated by this Act under the heading "Assistance for Eastern Europe and the Baltic States", to remain available until expended: *Provided*, That up to \$500,000 of the funds appropriated by this Act under the heading "Operating Expenses of the Agency for International Development" may be made available for administrative expenses to carry out such programs: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to development credit authority) of the Foreign Assistance Act of 1961, as added by section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this paragraph: *Provided further*, That direct loans or loan guarantees under this paragraph may not be provided until the Director of the Office of Management and Budget has certified to the Committees on Appropriations that the Agency for International Development has established a credit management system capable of effectively managing the credit programs funded under this heading, including that such system: (1) can provide accurate and timely provision of loan and loan guarantee data; (2) contains information control systems for loan and loan guarantee data; (3) is adequately staffed; and (4) contains appropriate review and monitoring procedures.

AUTHORIZATION FOR POPULATION PLANNING

SEC. 592. (a) Not to exceed \$385,000,000 of the funds appropriated in title II of this Act may be available for population planning activities or other population assistance.

(b) Such funds may be apportioned only on a monthly basis, and such monthly apportionments may not exceed 8.34 percent of the total available for such activities.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998".

And the Senate agree to the same.

SONNY CALLAHAN,
JOHN EDWARD PORTER,
RON PACKARD,
JOE KNOLLENBERG,
MIKE FORBES,
JACK KINGSTON,
R.P. FRELINGHUYSEN,
BOB LIVINGSTON,
NANCY PELOSI,
SIDNEY R. YATES,
NITA M. LOWEY,
ESTEBAN E. TORRES,

DAVID OBEY,
Managers on the Part of the House.

MITCH MCCONNELL,
ARLEN SPECTER,
JUDD GREGG,
RICHARD SHELBY,
R.F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,
TED STEVENS,
THAD COCHRAN,
PATRICK J. LEAHY,
DANIEL K. INOUE,
FRANK R. LAUTENBERG,
TOM HARKIN,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5(b)(1) of rule I, announced that further proceedings were postponed.

¶131.38 PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENTS TO H.R. 2607

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 105-403) the resolution (H. Res. 324) providing for consideration of the Senate amendments to the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶131.39 PROVIDING FOR THE CONSIDERATION OF THE SENATE AMENDMENTS TO H.R. 2607

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 324):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes, with Senate amendments thereto, and to consider in the House, any rule of the House to the contrary notwithstanding, a single motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the text with the amendment printed in the report of the Committee on Rules accompanying this resolution and disagree to the Senate amendment to the title. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Appropriations. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

When said resolution was considered.

After debate,

On motion of Ms. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶131.40 DC APPROPRIATIONS—FY 1998

Mr. LIVINGSTON, pursuant to House Resolution 324, moved to take from the Speaker's table the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes; with the amendments of the Senate thereto, and agree to the amendment of the Senate to the text with the following amendment, and disagree to the amendment of the Senate to the title:

On page 1, line 1, strike all through line 7.

On page 1, line 8, strike "The" and insert "That that".

On page 2, line 2, strike all from "to" through "Act," on line 3.

On page 11, line 20, after the word "fund" insert "described in section 172 of this Act".

On page 12, line 8, strike "all".

On page 34, line 16, after "or" insert "previously".

On page 44, line 15, before the period, insert: ", except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects".

On page 46, after line 9, insert:

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1997, the District of Columbia Financial Responsibility and Management Assistance Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

On page 47, line 21 strike "\$5,000,000" and insert "\$12,000,000".

On page 59, line 11 strike "(f)" and insert "(e)".

On page 77, line 17, strike all through page 78, line 2.

On page 78, after line 2, insert the following:

SEC. 166. Notwithstanding any other provision of Federal or District of Columbia law applicable to a reemployed annuitant's entitlement to retirement or pension benefits, the Director of the Office of Personnel Management may waive the provisions of section 8344 of title 5 of the United States Code for any reemployed annuitants appointed heretofore or hereafter as a Trustee under section 11202 or 11232 of the National Capital Revitalization and Self-Government Improvement Act of 1997, or, at the request of such a Trustee, for any employee of such Trustee.

SEC. 167. Section 2203(i)(2)(A) of the District of Columbia School Reform Act of 1995

(Public Law 104-134; 110 Stat. 3009-504; D.C. Code 31-2853.13(i)(2)(A)) is amended to read as follows:

“(A) IN GENERAL.—
“(i) ANNUAL LIMIT.—Subject to subparagraph (B) and clause (ii), during calendar year 1997, and during each subsequent calendar year, each eligible chartering authority shall not approve more than 10 petitions to establish a public charter school under this subtitle.

“(ii) TIMETABLE.—Any petition approved under clause (i) shall be approved during an application approval period that terminates on April 1 of each year. Such an approval period may commence before or after January 1, of the calendar year in which it terminates, except that any petition approved at any time during such an approval period shall count, for purposes of clause (i), against the total number of petitions approved during the calendar year in which the approval period terminates.”

SEC. 168. Section 2205(a) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-122; D.C. code 31-2853.15(a)) is amended by striking “7,” and inserting “15.”

SEC. 169. Section 221(g) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-133; D.C. Code 31-2853.24(g)) is amended by inserting “to the Board” after “appropriated”.

SEC. 170. Section 2401(b)(3)(B) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-137; D.C. Code 31-2853.41(b)(3)(B)) is amended—

- (1) in clause (i), by striking “or”;
(2) in clause (ii), by striking the period at the end and inserting “; or”; and
(3) by adding at the end the following:
“(iii) to whom the school provides room and board in a residential setting.”

SEC. 171. Section 2401(b)(3) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-137; D.C. Code 31-2853.41(b)(3)) is amended by adding at the end the following:

“(C) ADJUSTMENT FOR FACILITIES COSTS.—Notwithstanding paragraph (2), the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall adjust the amount of the annual payment under paragraph (1) to increase the amount of such payment for a public charter school to take into account leases or purchases of, or improvements to, real property, if the school, not later than April 1 of the fiscal year preceding the payment, requests such an adjustment.”

SEC. 172. (a) PAYMENTS TO NEW CHARTER SCHOOLS.—Section 2403(b) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-140; D.C. Code 31-2853.43(b)) is amended to read as follows:

“(b) PAYMENTS TO NEW SCHOOLS.—
“(1) ESTABLISHMENT OF FUND.—There is established in the general fund of the District of Columbia a fund to be known as the ‘New Charter School Fund’.

“(2) CONTENTS OF FUND.—The New Charter School Fund shall consist of—

“(A) unexpended and unobligated amounts appropriated from local funds for public charter schools for fiscal year 1997 and subsequent fiscal years that reverted to the general fund of the District of Columbia;

“(B) amounts credited to the fund in accordance with this subsection upon the receipt by a public charter school described in paragraph (5) of its first initial payment under subsection (a)(2)(A) or its first final payment under subsection (a)(2)(B); and
“(C) any interest earned on such amounts.

“(3) EXPENDITURES FROM FUND.—
“(A) IN GENERAL.—Not later than June 1, 1998, and not later than June 1 of each year thereafter, the Chief Financial Officer of the District of Columbia shall pay, from the New

Charter School fund, to each public charter school described in paragraph (5), an amount equal to 25 percent of the amount yielded by multiplying the uniform dollar amount used in the formula established under section 2401 (b) by the total anticipated enrollment as set forth in the petition to establish the public charter school.

“(B) PRO RATA REDUCTION.—If the amounts in the New Charter School Fund for any year are insufficient to pay the full amount that each public charter school described in paragraph (5) is eligible to receive under this subsection for such year, the Chief Financial Officer of the District of Columbia shall ratably reduce such amounts for such year on the basis of the formula described in section 2401 (b).

“(C) FORM OF PAYMENT.—Payments under this subsection shall be made by electronic funds transfer from the New Charter School Fund to a bank designated by a public charter school.

“(4) CREDITS TO FUND.—Upon the receipt by a public charter school described in paragraph (5) of—

“(A) its first initial payment under subsection (a)(2)(A), the Chief Financial Officer of the District of Columbia shall credit the New Charter School Fund with 75 percent of the amount paid to the school under paragraph (3); and
“(B) its first final payment under subsection (a)(2)(B), the Chief Financial Officer of the District of Columbia shall credit the New Charter School Fund with 25 percent of the amount paid to the school under paragraph (3).

“(5) SCHOOLS DESCRIBED.—A public charter school described in this paragraph is a public charter school that—

“(A) did not enroll any students during any portion of the fiscal year preceding the most recent fiscal year for which funds are appropriated to carry out this subsection; and
“(B) operated as a public charter school during the most recent fiscal year for which funds are appropriated to carry out this subsection.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Chief Financial Officer of the District of Columbia such sums as may be necessary to carry out this subsection for each fiscal year.”

(b) REDUCTION OF ANNUAL PAYMENT.—
(1) INITIAL PAYMENT.—Section 2403(a)(2)(A) of the District of Columbia School Reform Act (Public Law 104-134; 110 Stat. 1321-139; D.C. Code 31-2853.43(a)(2)(A)) is amended to read as follows:

“(A) INITIAL PAYMENT.—
“(i) IN GENERAL.—Except as provided in clause (ii), not later than October 15, 1996, and not later than October 15 of each year thereafter, the Mayor shall transfer, by electronic funds transfer, an amount equal to 75 percent of the amount of the annual payment for each public charter school determined by using the formula established pursuant to section 2401(b) to a bank designated by such school.

“(ii) REDUCTION IN CASE OF NEW SCHOOL.—In the case of a public charter school that has received a payment under subsection (b) in the fiscal year immediately preceding the fiscal year in which a transfer under clause (i) is made, the amount transferred to the school under clause (i) shall be reduced by an amount equal to 75 percent of the amount of the payment under subsection (b).”

(2) FINAL PAYMENT.—Section 2403(a)(2)(B) of the District of Columbia School Reform Act (Public Law 104-134; 110 Stat. 1321-139; D.C. Code 31-2853.43(a)(2)(B)) is amended—
(A) in clause (i)—
(i) by inserting “IN GENERAL.—before “Except””; and
(ii) by striking “clause (ii),” and inserting “clauses (ii) and (iii),”;

(B) in clause (ii), by inserting “ADJUSTMENT FOR ENROLLMENT.—” before “Not later than March 15, 1997,”; and
(C) by adding at the end the following:

“(iii) REDUCTION IN CASE OF NEW SCHOOL.—In the case of a public charter school that has received a payment under subsection (b) in the fiscal year immediately preceding the fiscal year in which a transfer under clause (i) is made, the amount transferred to the school under clause (i) shall be reduced by an amount equal to 25 percent of the amount of the payment under subsection (b).”

This title may be cited as the “District of Columbia Appropriations Act, 1998”.

On page 99, line 22, strike all through line 23.

On page 100, line 1, strike all through page 708, line 7.

After debate,
Pursuant to House Resolution 324, the previous question was considered as ordered.

The question being put, viva voce,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

So the House agreed to said motion.
A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

**THURSDAY, NOVEMBER 13
(LEGISLATIVE DAY OF NOVEMBER
12), 1997**

¶131.41 CONFERENCE REPORT ON H.R.
2159—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5 of rule 1, announced the unfinished business to be the question on agreeing to the conference report (Report No. 105-401) on the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

The question being put,
Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative
Yeas 333
Nays 77
Answered present 1

¶131.42 [Roll No. 631] YEAS—333

Abercrombie	Berman	Brown (CA)
Ackerman	Bilirakis	Brown (FL)
Allen	Bishop	Brown (OH)
Andrews	Blagojevich	Bryant
Armey	Bliley	Bunning
Bachus	Blumenauer	Burr
Baesler	Boehner	Burton
Baldacci	Bonilla	Callahan
Ballenger	Bonior	Calvert
Barrett (WI)	Bono	Camp
Bass	Borski	Campbell
Bateman	Boswell	Canady
Becerra	Boucher	Cardin
Bentsen	Boyd	Carson
Bereuter		Castle