

tained directly or indirectly from the Commission a fee of 46 cents for each minute that database is subsequently accessed by computer by any person.

(2) A Federal agency is exempt from paying a fee under this subsection.

(3) No fee may be charged under paragraph (1) after September 30, 1995.

(e) ENFORCEMENT.—The Commission shall use systems controls or other appropriate methods to enforce subsection (d) of this section.

(f) PENALTIES.—

(1) A person failing to pay the fees established under subsection (b) of this section is liable to the United States Government for a civil penalty of not more than \$5,000 for each violation.

(2) A person that willfully fails to pay the fees established under subsection (b) of this section commits a class A misdemeanor.

(g) AUTOMATIC FILING IMPLEMENTATION.—

(1) Software that provides for the electronic filing of data in the Automated Tariff Filing and Information System shall be submitted to the Commission for certification. Not later than 14 days after a person submits software to the Commission for certification, the Commission shall—

(A) certify the software if it provides for the electronic filing of data; and

(B) publish notice of that certification.

(2)(A) The Secretary of the Treasury shall make available to the Commission, as a repayable advance in fiscal year 1992, not more than \$4,000,000, to remain available until expended. The Commission shall spend these funds to complete and upgrade the capacity of the Automated Tariff Filing and Information System to provide access to information under this section.

(B)(i) Any advance made to the Commission under subparagraph (A) shall be repaid (with interest thereon) to the general fund of the Treasury by not later than September 30, 1995.

(ii) Interest on any advance made to the Commission under subparagraph (A) shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.

(3) Out of amounts collected by the Commission under this section, amounts shall be retained and expended by the Commission for fiscal year 1992 and each subsequent fiscal year, without fiscal year limitation, to carry out this section and pay back the Secretary under paragraph (2) of this subsection.

(4) Except for the amounts retained by the Commission under paragraph (3) of this subsection, fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts.

(h) CONFORMING AMENDMENT.—Effective June 1, 1992, section 2 of the Act of August 16, 1989 (Public Law 101-92; 103 Stat. 601), is repealed.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. ARCHER moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment striking title I of the bill.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. ARCHER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 179 Nays 237

53.13 [Roll No. 120] YEAS—179

- Allard Gundersen Peterson (FL)
Anderson Hall (TX) Peterson (MN)
Andrews (TX) Hamilton Petri
Anthony Hammerschmidt Porter
Archer Hancock Price
Armey Hansen Pursell
Aspin Hastert Rahall
Bacchus Hayes (LA) Ramstad
Ballenger Henry Ravenel
Barnard Herger Rhodes
Barrett Hobson Riggs
Barton Hopkins Roberts
Bereuter Horton Rogers
Berman Houghton Rohrabacher
Biley Hubbard Ros-Lehtinen
Boucher Huckaby Rose
Brewster Hyde Sarpalius
Broomfield Inhofe Schaefer
Bunning James Schiff
Burton Johnson (TX) Schumer
Bustamante Johnston Sensenbrenner
Camp Kasich Sharp
Campbell (CA) Klug Shaw
Chandler Kolbe Shays
Chapman Kostmayer Shuster
Clinger Kyl Skaggs
Coble LaFalce Slattery
Coleman (MO) Lagomarsino Smith (FL)
Combest Laughlin Smith (IA)
Cox (CA) Leach Smith (NJ)
Crane Lehman (FL) Smith (OR)
de la Garza Lewis (FL) Smith (TX)
DeLay Long Solomon
Dicks Lowey (NY) Spence
Doolittle Machtley Stearns
Dorgan (ND) Marlenee Stenholm
Dornan (CA) Martin Stump
Dreier McCandless Sundquist
Durbin McCollum Swift
Eckart McCurdy Synar
Edwards (OK) McDade Tallon
Edwards (TX) McEwen Thomas (CA)
English McMullan (NC) Thomas (GA)
Ewing Meyers Thomas (WY)
Fascell Michel Upton
Fawell Miller (OH) Valentine
Fields Miller (WA) Vander Jagt
Fish Mink Vucanovich
Frank (MA) Moorhead Walker
Franks (CT) Morrison Walsh
Gallegly Myers Weber
Gallo Nagle Williams
Geren Nichols Wilson
Gillmor Nussle Wolf
Gingrich Obey Wylie
Glickman Ortiz Young (AK)
Goss Oxley Young (FL)
Gradison Panetta Zeliff
Grandy Paxon Zimmer
Green Penny

NAYS—237

- Abercrombie Bilbray Cardin
Ackerman Bilirakis Carper
Alexander Blackwell Carr
Allen Boehlert Clay
Andrews (ME) Boehner Clement
Andrews (NJ) Bonior Coleman (TX)
Annunzio Borski Collins (IL)
Applegate Boxer Collins (MI)
Atkins Brooks Condit
Baker Browder Conyers
Bateman Brown Cooper
Beilenson Bruce Costello
Bennett Byron Coughlin
Bentley Callahan Cox (IL)
Bevill Campbell (CO) Coyne

- Cramer Kaptur Quillen
Cunningham Kennedy Rangel
Darden Kennelly Ray
Davis Kildee Reed
DeFazio Kleczka Regula
DeLauro Kopetski Richardson
Dellums Lancaster Ridge
Derrick Lantos Rinaldo
Dickinson LaRocco Ritter
Dingell Lehman (CA) Roe
Dixon Lent Roemer
Donnelly Levin (MI) Rostenkowski
Dooley Lewis (CA) Roth
Downey Lewis (GA) Rowland
Duncan Lipinski Roybal
Dwyer Livingston Russo
Early Lloyd Sabo
Edwards (CA) Lowery (CA) Sanders
Emerson Luken Savage
Engel Manton Sawyer
Erdreich Markey Saxton
Espy Martinez Scheuer
Evans Matsui Schroeder
Fazio Mavroules Schulze
Feighan Mazzoli Serrano
Flake McCloskey Sikorski
Foglietta McDermott Sisisky
Ford (MI) McGrath Skeeen
Ford (TN) McHugh Skelton
Frost McMillen (MD) Slaughter
Gaydos McNulty Snowe
Gejdenson Mfume Solarz
Gekas Mineta Spratt
Gephardt Molinari Stallings
Gibbons Mollohan Stark
Gilchrist Montgomery Stokes
Gilman Moody Studds
Gonzalez Moran Swett
Goodling Morella Tanner
Gordon Murphy Tazin
Guarini Murtha Taylor (MS)
Hall (OH) Natcher Taylor (NC)
Harris Neal (MA) Thornton
Hayes (IL) Neal (NC) Torres
Hefley Nowak Torricelli
Hefner Oaker Towns
Hertel Oberstar Traficant
Hoagland Olin Traxler
Hochbrueckner Olver Unsoeld
Holloway Orton Vento
Horn Owens (NY) Visclosky
Hoyer Owens (UT) Volkmere
Hughes Packard Washington
Hunter Pallone Waters
Hutto Pastor Waxman
Jacobs Patterson Weiss
Jefferson Payne (NJ) Weldon
Jenkins Payne (VA) Wheat
Johnson (CT) Pease Whitten
Johnson (SD) Pelosi Wise
Jones (GA) Perkins Wolpe
Jones (NC) Pickett Wyden
Jontz Pickle Yates
Kanjorski Poshard Yatron

NOT VOTING—18

- AuCoin Kolter Mrazek
Bryant Levine (CA) Parker
Dannemeyer Lightfoot Roukema
Dymally McCrery Sangmeister
Hatcher Miller (CA) Santorum
Ireland Moakley Staggers

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. WALKER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 339 Nays 78

53.14 [Roll No. 121] AYES—339

- Abercrombie Allen Annunzio
Ackerman Andrews (ME) Anthony
Alexander Andrews (NJ) Applegate