

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 Gunderson 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 Huckabee 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 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 Siskiy
Ford (MI) McGrath Skee
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

Atkins
Bacchus
Baker
Ballenger
Barnard
Bateman
Beilenson
Bennett
Bentley
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Bonior
Borski
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
Erdreich
Espy
Evans
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallegly
Gaydos
Gedjenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman

Gonzalez
Goodling
Gordon
Goss
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Harris
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Houghton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Jacobs
James
Jefferson
Jenkins
Johnson (SD)
Johnson (CT)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Klecza
Klug
Kopetski
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowery (NY)
Luken
Machtley
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Murphy

Murtha
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Packard
Pallone
Panetta
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Rinaldo
Ritter
Roe
Roemer
Rohrabacher
Rose
Rostenkowski
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Sarpaluis
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schroeder
Schulze
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Stallings
Stark
Stearns
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton

Torres
Torrice
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento

Allard
Anderson
Andrews (TX)
Archer
Army
Aspin
Barrett
Barton
Bereuter
Boucher
Bunning
Campbell (CA)
Chandler
Combust
Coughlin
Cox (CA)
Crane
DeLay
Doolittle
Dornan (CA)
Drier
Edwards (OK)
English
Ewing
Fascell
Fawell

Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weldon
Wheat

Fields
Franks (CT)
Gallo
Gradison
Grandy
Green
Hansen
Hastert
Hopkins
Horton
Hubbard
Hyde
Inhofe
Johnson (TX)
Johnston
Kolbe
Kyl
Lehman (FL)
Lewis (FL)
Manton
McEwen
Michel
Miller (OH)
Miller (WA)
Moorhead
Myers

Whitten
Wise
Wolf
Wolpe
Wyden
Yates
Yatron
Young (AK)
Young (FL)
Zeliff

Nagle
Nichols
Nussle
Oxley
Porter
Rahall
Rhodes
Riggs
Roberts
Rogers
Ros-Lehtinen
Schiff
Schumer
Sensenbrenner
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (OR)
Stenholm
Weber
Weiss
Williams
Wilson
Wylie
Zimmer

NOES—78

NOT VOTING—17

AuCoin
Bryant
Dannemeyer
Dymally
Hatcher
Ireland

Kolter
Levine (CA)
Lightfoot
McCrery
Moakley
Mrazek

Parker
Roukema
Sangmeister
Santorum
Staggers

So the bill was passed.

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

Ordered, That the Clerk request the concurrence of the Senate therein.

§53.15 PROVIDING FOR THE
CONSIDERATION OF H.R. 5132

Mr. DERRICK, by direction of the Committee on Rules, reported (Rept. No. 102-519) the resolution (H. Res. 454) providing for the consideration of the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes.

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

§53.16 HOUR OF MEETING

On motion of Mr. DERRICK, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, May 14, 1992.

§53.17 PROVIDING FOR THE
CONSIDERATION OF H.R. 4111

Ms. SLAUGHTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 452):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4111) to amend the Small Business Act to provide ad-

ditional loan assistance to small businesses, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Ms. SLAUGHTER, 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.

§53.18 GLASS CEILING COMMISSION

The SPEAKER pro tempore, Mr. HOCHBRUECKNER, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 12, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 203(b)(1)(D) of Public Law 102-166, I hereby appoint the following individual to serve as a member of the Glass Ceiling Commission: Ms. Lynne O'Shea, Vice President/Business Development, Gannett Company, Inc., 444 North Michigan Avenue, Chicago, Illinois 60611.

Sincerely,

BOB MICHEL,
Republican Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

§53.19 COMMISSION TO PROMOTE
INVESTMENT IN AMERICA'S
INFRASTRUCTURE

The SPEAKER pro tempore, Mr. HOCHBRUECKNER, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 12, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to sec. 1081(c)(1)(E) of Public Law 102-240, I hereby appoint the following individual to serve as a member of the Commission to Promote Investment in America's Infrastructure: Mr. Francis X. Lilly, Bear, Stearns & Co. Inc., 805 15th Street, N.W., Suite 1120, Washington, DC 20005.

Sincerely,

BOB MICHEL,
Republican Leader.