The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Indiana (Chairman BURTON); the gentleman from California (Mr. WAXMAN), the ranking member; the gentleman from California (Mr. HORN), the subcommittee chair; and the gentleman from Texas (Mr. TURNER) for their cooperation on the amendment that I am about to offer. I want to commend my colleagues for their bipartisan fashion on working on this legislation.

I believe a study should be incorporated to properly assess due process concerns raised by recovery audits performed on a contingency basis for their constituency or error identification.

Let me say that the underlying bill I applaud, and I do believe that it will be an important new vehicle to help save the Government money. In particular, for example, in purchases such as a new weapons system, it is extremely important for us to be able to recover overpayments. However, I think this amendment will provide us with additional assistance.

The Government Waste Corrections Act focuses on recovery auditing of an agency spending for direct contracting, the purchase of goods and services for direct benefit and the use of the Government.

The legislation, appropriately, does not require recovery auditing for programs that involve payments to third parties. Indeed, this legislation could include audits of payments to a contractor to build a new veteran's hospital or other systems. Regretfully, however, the bill does not contain sufficient explanation of the procedural aspects, such as due process concerns for those affected of recovery auditing that will occur on a contingency basis.

For example, notices of payments on demand are very important to targets of audits. This ensures that everyone understands what is owed. Recovery auditing may provide the wrong kind of incentives to those justifiably trying to identify Government waste.

Therefore, I am offering an amendment to require the Office of Management and Budget to study the effects of recovery audits authorized by this legislation, including any significant problems about proper notice to persons who are subjects of such audits.

I think if we do this research, Mr. Chairman, we will be able to determine whether or not we are giving the appropriate notice so that those who are the subject of an audit can appropriately respond but, as well, appropriately refund the monies that may have been overspent by the Government.

I ask my colleagues to join me in supporting this amendment to a very good piece of legislation that will address both the issue of overpayments but, as well, the questions of due process and being fair to our large, medium, and small businesses that do business with the United States Government.

Mr. BURTON of Indiana. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, there is a reporting requirement in the bill in section 3565(c) of the legislation under the Responsibilities of the Office of Management and Budget. However, if the gentlewoman from Texas (Ms. JACKSON-LEE) feels like this is necessary to have an additional study, even though I think that is covered in the bill, we have no objection to it, and we will accept the amendment.

Mr. TURNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by my colleague from Texas (Ms. JACKSON-LEE).

This amendment would require OMB to conduct a study on the adequacies of the notices on overpayments provided to the companies that are subject to recovery audits.

Companies that are audited deserve to know detailed information about the nature of the overpayments that the recovery auditors identify.

1330

I appreciate the remarks made by the gentleman from Indiana. I think it is appropriate that we include this in this bill. I want to commend the gentlewoman from Texas for bringing this amendment forward. I would urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. FOWLER) having assumed the chair, Mr. BARRETT of Nebraska, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1827) to improve the economy and efficiency of Government operations by requiring the use of recovery audits by Federal agencies, pursuant to House Resolution 426, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 2 p.m.

Accordingly (at 1 o'clock and 32 minutes p.m.), the House stood in recess until approximately 2 p.m.

1402

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 2 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair will now put the question on the passage of H.R. 1827 and each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 1827, de novo;

H.R. 2952, de novo; and

H.R. 3018, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

GOVERNMENT WASTE CORRECTIONS ACT OF 1999

The SPEAKER pro tempore. The pending business is the question de novo of the passage of the bill, H.R. 1827, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.