Mr. DeSALVIER, Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, S. 3905, the Preventing Organizational Conflicts of Interest in Federal Acquisition Act, which was introduced by Sens. JOYER and RUGGERS, chairman of the Senate Homeland Security and Governmental Affairs Committee, has strong bipartisan support and passed the Senate this summer with unanimous consent.

In April, we introduced a companion bill, H.R. 7602, following one of the Oversight Committee’s investigations, which highlighted the need to strengthen government contracting laws on conflicts of interest.

The committee’s investigation found that a consulting contractor advised the Food and Drug Administration at the same time they were advising private-sector clients that were regulated by the FDA. Many times, it was the exact same consultants advising the Federal and private-sector clients on the same issue.

In this case, the consultant failed to follow the rules on disclosing these amazing conflicts, collecting millions of dollars from both the regulator and the private-sector clients.

Although this is one extreme example, other organizational conflicts of interest, large and small, occur across government. The Government Accountability Office regularly fields bid protests involving organizational conflicts of interest.

In 2014, a major defense contractor paid a settlement for allegedly failing to disclose conflicts while advising the Nuclear Regulatory Commission.

Organizational conflicts of interest can occur when a contractor’s competing interests raise questions about their ability to provide impartial advice to the government. It is crucial that government contractors are provided with impartial advice, particularly when the government is paying for their expertise and objectivity on sensitive matters.

The rules on organizational conflicts of interest have not changed significantly since the 1990s. This bill would make long-overdue revisions to strengthen these rules.

The current rules set basic standards to prevent organizational conflicts of interest but leave the details up to individual agencies. The current patchwork system creates the risk of egregious breaches of the public trust.

In 2009, Congress asked for the organizational conflict of interest rules to be reaccessed. Draft rules were issued, but the reform effort was eventually abandoned, and the rules were never finalized.

This bill requires the revisions that were then started to be completed. This bill would also mandate that rules on government contractor conflicts are thoroughly revised and ensure that there is a uniform set of standards. These reforms will help government contractors as well by ensuring clarity on preventing organizational conflicts of interest in federal acquisition.

The SPEAKER pro tempore. Mr. Speaker, I yield a balance of my time.

Mr. Speaker, S. 4003 is bipartisan legislation that would improve training for law enforcement officers, including training using alternatives to force and de-escalation tactics. This training will reduce use-of-force incidents and improve officer and community safety.

It passed the Senate unanimously. The most conservative Republican Senators all voted for it. I read a long list of organizations supporting it. The American Conservative Union is not a group noted for profligate Federal spending.

Mr. Speaker, I urge my colleagues to have some perspective on this bill.

Mr. Speaker, I urge all Members to support it, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1518, the previous question is ordered on the bill.

The question is on the third reading of the bill.

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

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

The gentleman from California (Mr. DESAULNIER) was recognized and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

Mr. Speaker, I yield myself such time as I may consume.
and consistency across the executive branch. This is especially beneficial to contractors working for multiple agencies. It is outrageous that a contractor would be allowed to advise government regulators at the same time they are advising the industry that is being regulated.

If we do not take steps to prevent conflicts of interest, and thereby safeguard the integrity of government decision-making and operations, then we risk potentially serious breaches in the public trust.

Mr. Speaker, I strongly support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to S. 3905, the Preventing Organizational Conflicts of Interest in Federal Acquisition Act, for the simple reason that it is unnecessary.

The Federal Acquisition Regulation already contains provisions targeting conflicts of interest. The FAR includes specific examples of what is a conflict of interest. The FAR includes guidance for agencies to add contract clauses addressing what might arise.

Therefore, it seems we are telling the Federal Acquisition Regulation Council, the body responsible for Federal acquisition policy, to do something it is already doing.

As a result, this legislation will cause the FAR Council to do work it does not need to be doing, but they will surely feel compelled to produce something in the way of new regulations. That means it will become even more difficult for companies to do business with the Federal Government, and it is complicated enough as it is.

There are concerns that companies, especially small businesses, are deciding not to do business with the Federal Government because it is too complicated.

From a process perspective, Oversight Committee Democrats marked up this bill without any hearings with relevant agency officials to determine if this legislation was truly necessary. My Democrat committee colleagues may point to their report regarding one specific company of concern and argue that was proof enough that we need to legislate. This particular company study is not a solid foundation for governmentwide legislation impacting all Federal contractors.

If there are issues with agencies enforcing existing conflicts of interest requirements, then Congress needs to conduct oversight over that Federal Government failure, not rush to pass more duplicative laws. In fact, that would be the responsibility of the Oversight Committee, which I could argue has not been doing proper oversight over the past couple of years.

There may be other anecdotes about conflicts of interest, but let’s be clear: No matter what we do, there will always be accusations of conflicts of interest.

Republicans oppose conflicts of interest, but we also support responsible legislating. We also support holding those who are not following the current law or regulation accountable, rather than the law itself.

With this bill, the most likely outcome is unnecessary work and a more complicated Federal procurement process. It will burden businesses and shrink the pool of eligible contractors, not reduce conflicts of interest.

Mr. Speaker, I urge opposition to this unnecessary, duplicative legislation, and I reserve the balance of my time.

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

Mr. Speaker, I will speak briefly on the work we have done on oversight on the opioid crisis, in this case specifically on the role of McKinsey & Company, and unfortunately, the tragedy that has been the opioid epidemic that led us to introducing this bill for greater oversight.

I will start by saying this is something that, for me, Chairwoman Maloney and some of my colleagues on both sides expressed a great deal of passion for.

We had hearings on the opioid epidemic and the role of some of these agencies, including requiring the chair. If we can’t come to testify in a timely manner, the committee. The committee spent a good deal of time, and I know that there was concern across the aisle, given the devastation that this epidemic has caused.

This particular initiative is directed at some of the things that were the most egregious part of what happened to the American public who suffered under the abuses of the opioid epidemic.

In this case, McKinsey was a contractor for the FDA, Johnson & Johnson, and other people who were making money off of this well-told tragedy of how they were inducing people to be addicted to the drug that was supposed to be relieving their pain.

The contractors play a critical role in supporting the Federal workforce and giving advice to government functions. These are contractors for which this initiative, this bill, would try to make sure the rules were clearer. It would also call out.

Taxpayers need to know that work is done ethically and transparently. Unfortunately, loopholes allow contractors, which this initiative, this bill, attempts to close or will close, to advise private-sector clients and the Federal Government at the same time. I think anyone would agree that that is a conflict of interest.

The most notorious example was what I just referred to, this conflict of interest playing out with McKinsey & Company’s work on Perdue Pharma’s roadmap, in this case, turbocharge opioid sales. They were giving them advice on how to turbocharge an addictive drug that was causing devastation across this country.

One of the things that led me into this discussion was, when I was in the legislature in California, two parents separately brought tragic cases of how their kids had lost their lives because of this.

The conflict of interest fueled the opioid crisis that has claimed hundreds of thousands of American lives.

I am grateful and proud of the work that I was able to do with a former chair, Elijah Cummings, who had great passion for this and opening the committee’s investigation of Perdue Pharma specifically. I am grateful to current Chair Maloney for continuing this work.

A vote to pass this bipartisan bill today will send it to the President’s desk and will bring much-needed transparency to Federal contracting and help to address some of the things that led to the opioid crisis epidemic in this country.

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

Mr. KELLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will speak briefly on the work we have done on Oversight Committee Democrats marked up this bill without any hearings with relevant agency officials to determine if this legislation was truly necessary. My Democrat committee colleagues may point to their report regarding one specific company of concern and argue that was proof enough that we need to legislate. This particular company study is not a solid foundation for governmentwide legislation impacting all Federal contractors.

If there are issues with agencies enforcing existing conflicts of interest requirements, then Congress needs to conduct oversight over that Federal Government failure, not rush to pass more duplicative laws. In fact, that would be the responsibility of the Oversight Committee, which I could argue has not been doing proper oversight over the past couple of years.

There may be other anecdotes about conflicts of interest, but let’s be clear: No matter what we do, there will always be accusations of conflicts of interest.

Republicans oppose conflicts of interest, but we also support responsible legislating. We also support holding those who are not following the current law or regulation accountable, rather than the law itself.

With this bill, the most likely outcome is unnecessary work and a more complicated Federal procurement process. It will burden businesses and shrink the pool of eligible contractors, not reduce conflicts of interest.

Mr. Speaker, I urge opposition to this unnecessary, duplicative legislation, and I reserve the balance of my time.

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

Mr. Speaker, I will speak briefly on the work we have done on oversight on the opioid crisis, in this case specifically on the role of McKinsey & Company, and unfortunately, the tragedy that has been the opioid epidemic that led us to introducing this bill for greater oversight.

I will start by saying this is something that, for me, Chairwoman Maloney and some of my colleagues on both sides expressed a great deal of passion for.

We had hearings on the opioid epidemic and the role of some of these agencies, including requiring the chair. If we can’t come to testify in a timely manner, the committee. The committee spent a good deal of time, and I know that there was concern across the aisle, given the devastation that this epidemic has caused.

This particular initiative is directed at some of the things that were the most egregious part of what happened to the American public who suffered under the abuses of the opioid epidemic.

In this case, McKinsey was a contractor for the FDA, Johnson & Johnson, and other people who were making money off of this well-told tragedy of how they were inducing people to be addicted to the drug that was supposed to be relieving their pain.

The contractors play a critical role in supporting the Federal workforce and giving advice to government functions. These are contractors for which this initiative, this bill, would try to make sure the rules were clearer. It would also call out.

Taxpayers need to know that work is done ethically and transparently. Unfortunately, loopholes allow contractors, which this initiative, this bill, attempts to close or will close, to advise private-sector clients and the Federal Government at the same time. I think anyone would agree that that is a conflict of interest.

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One of the things that led me into this discussion was, when I was in the legislature in California, two parents separately brought tragic cases of how their kids had lost their lives because of this.

The conflict of interest fueled the opioid crisis that has claimed hundreds of thousands of American lives. I am grateful and proud of the work that I was able to do with a former chair, Elijah Cummings, who had great passion for this and opening the committee’s investigation of Perdue Pharma specifically. I am grateful to current Chair Maloney for continuing this work.

A vote to pass this bipartisan bill today will send it to the President’s desk and will bring much-needed transparency to Federal contracting and help to address some of the things that led to the opioid crisis epidemic in this country.

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

Mr. KELLER. Mr. Speaker, I yield myself the balance of my time.
Oversight and Reform Committee for introducing it here in the House. It is absolutely outrageous. I think it should be a crime, actually, that a contractor would be allowed to advise government regulators and not tell them that, at the same time, they are advising the industry that is benefiting from weaker regulation.

If we do not take steps to prevent conflicts of interest and thereby safeguard the integrity of government decision-making and operations, then we risk potentially serious breaches in the public trust.

I think it is even more serious. You risk having unsafe drugs going into the marketplace, which has happened before.

Most government contractors take this responsibility to disclose conflicts of interest seriously, but many do not. It is even the business model of some consulting firms to go after both the regulator and the manufacturer at the same time, and they have repeatedly done it.

These contractors would benefit from uniformity in rules. Right now, they are patchwork. We need uniform rules.

We need clear rules and the clear rules should be that a consulting firm can only work for a regulator but cannot work for the manufacturer, or they can work for the manufacturer but not the regulator. Too often, they are working for the same positions with the same person, believe it or not.

I think that this bill will save lives. It will make our industries fair and safer. It should be bipartisan, as it is in the Senate.

Mr. Speaker, I urge my colleagues to strongly support the bill, and I reserve the balance of my time.

Mr. KELLER. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I would just like to say that it should be—and already is—illegal for people being enjoined and indicted to say, would say, dangerous if we don’t make it clear—and I don’t say that you cannot work for the regulator and the manufacturer at the same time.

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

Mr. KELLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. Speaker, I urge my colleagues to strongly support the bill, and I reserve the balance of my time.

Mr. KELLER. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I would just like to say that it should be—a crime. It already is, and I don’t know anywhere in the bill that it adds to that. So it should be a crime.

People should not be doing things inappropriately. But as I mentioned, we already have the FAR that takes care of making sure people are doing the right things.

Mr. Speaker, I urge my colleagues to vote against this unnecessary bill, and I yield back the balance of my time.

Mr. Speaker, I would say it is a very necessary bill because it is happening. If it is against the law, then the Department of Justice should come in and prosecute people. But they have not, and they are busy prosecuting a lot of other things.

So it is life and death when it comes to healthcare. We know that the FDA originally wrote rules about the opioids saying they were not addictive. They wrote it right into the regulations: not addictive. They are one of the most addictive drugs of all time. They have caused hundreds of thousands of deaths, and we are spending billions of dollars in treatment trying to save the lives of people who have become addicted when the inscription used to be that it was safe. It was safe.

If it is against the law, then the Department of Justice should come in and prosecute people. But they have not, and they are busy prosecuting a lot of other things.

Mr. Speaker, I would urge my colleagues to strongly support the bill, and I reserve the balance of my time.

In a lot of our investigations the Department of Justice has come in and taken action. Maybe they should in this case, too. But if it is illegal, then it is not being enforced, and I, as I would say, dangerous if we don’t make it clear—and I don’t say that you cannot work for the regulator and the manufacturer at the same time.

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

The SPEAKER pro tempore. Pursuant to House Resolution 1518, the previous question is ordered on the bill. The question is on the third reading of the bill.

The bill was ordered to be 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. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

Proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motion to concur with an amendment on H.R. 1437; Passage of S. 3905; and Motion to suspend the rules and pass S. 5230.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROVIDING RESEARCH AND ESTIMATES OF CHANGES IN PRECIPITATION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the amendment in the Senate on the bill (H.R. 1437) to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes, with an amendment offered by the gentlewoman from Connecticut (Ms. DeLauro), on which the yeas and nays were ordered.

The Clerk redesignates the motion.

The Clerk redesignates the motion. The question is on the motion to concur.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 5, as follows:

[Roll No. 523]

YEAS—224

Barraga´n
Axne
Auchincloss
Allred

Barnes (CA)
Bass
Berindeguy
Berrios (FL)
Blackburn (LA)

Bost
Braley
Brandt (IA)
Brendan F.
Brown (MD)
Brooks (OH)
Brownley
Buchanan
Buddeke
Burchett
Burke
Butler (IN)
Burch (VA)
Bustos

Cassidy (LA)
Cartwright
Case
Casten
Caster (FL)
Caster (TX)
Carter (IL)
Cartwright

Casey
Craigo
Crow
Culbert
Culberson
Connelly
Cooper
Costa
Courtenay
Craig
Craw
Castaneda
Davis (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
Delgado
Dell (TX)
Demings
Dent
Diez (KY)
Dingell
Doggart
Douglas (Michael) F.
Recobar
Robach
Reapallat
Evans
Fitzpatrick
Fletcher
Foster
Franklin, Lois
Gallego
Gardner
Garicó (IL)
Garciá (IL)

Garcia (TX)
Garamendi
Garcia, Eddie
Garcia, Henry F.
Garcia, Jimmy
Garcia, Lourdes
Garcia, Marc
Garcia, Michelle
Garcia, Sean
Garcia, Townsend
Gardner (CO)
Gardner (KS)
Gardner (KY)
Garcia (TX)
Gonzalez (CA)
Gonzalez, Henry C.
Gonzalez, Ray
Gonzalez, Ruben
Gonzalez, Vicente
Gooden, Al
Grijalva
Harder (CA)
Ray
Johnson (NY)
Johnson, Joe
Jones (GA)
Jones, Lucy
Jones
Joyce
Kaplan
Kaptur
Katz
Keko (IL)
Khan
Kilkee
Kilmer
Kim (NY)
Kind
Kinzinger
Kirkpatrick
Krischantz
Kuster
LaMalfa
Lang
Langevin
Larsen (WA)
Larsen (IA)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NY)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Loebs
Loftgren
Loewenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Maloney, Steven
Manu
Mansfield
Matsui
McBath
McClintock
McGovern
McNerney
Meadows
Menendez
Meng
Moulton
Moore
Morelle
Murphy (FL)
Murphy (NJ)
Nadler
Napolitano
Neal
Neal
Newman
Norcross
O’Halleran
Ocasio-Cortez
Omar
Palacios
Panetta
Pappas
Pauchel
Payne
Peltola
Perriello
Perdue
Phillips
Pingree
Pocan
Porter
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Ryan (NY)
Ryan (OH)
Sánchez
Sarbanes
Saul
Schakowsky
Scheffel
Schneider
Schoettle
Schatz
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Steven H.
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tiahrt
Terry
Torres (CA)
Torres (NY)
Tran
Trone
Underwood
Upton
Veasey
Velasquez
Watson
Schultz
Waterman
Watson Coleman
Welch