

personally identifiable information, but did not complete action thereon, and recessed subject to call.

#### VA'S UNEMPLOYABILITY BENEFIT

*Committee on Veterans Affairs:* Committee concluded a hearing to examine the rising number of disabled veterans deemed unemployable relating to the VA's individual unemployment benefit, focusing on individual unemployability, its history, the criteria used to determine eligibility, and the number of veterans receiving individual unemployability benefits, after receiving testimony from Daniel L. Cooper, Under Secretary for Benefits, and Judith Caden, Director,

Vocational Rehabilitation and Employment Service Director, both of the Department of Veterans Affairs; Cynthia Bascetta, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; and Rick Surratt, Disabled American Veterans, Washington, D.C.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 17 public bills, H.R. 4155–4171; and 9 resolutions, H. Con. Res. 280–285; and H. Res. 519, 521–522 were introduced. **Pages H9361–62**

**Additional Cosponsors:** **Pages H9362–63**

**Reports Filed:** Reports were filed today as follows:

H.R. 4061, to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, (H. Rept. 109–256); and

H. Res. 520, waiving points of order against the conference report to accompany the bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, (H. Rept. 109–257). **Pages H9360–61**

**Disapproving the recommendations of the Defense Base Closure and Realignment Commission:** The House disagreed to H.J. Res. 65, to disapprove the recommendations of the Defense Base Closure and Realignment Commission, by a recorded vote of 85 ayes to 324 noes with 1 voting "present", Roll No. 548. **Pages H9289–H9309**

**Suspensions:** The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, October 26th:

**Hurricane Katrina Financial Services Relief Act of 2005:** H.R. 3945, amended, to facilitate recovery from the effects of Hurricane Katrina by providing

greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions and Federal regulatory agencies, by a ye-and-nay vote of 411 yeas with none voting "nay", Roll No. 549; **Pages H9309–10**

Agreed to amend the title so as to read: "A Bill to facilitate recovery from the effects of Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions, credit unions, and Federal regulatory agencies, and for other purposes"; and **Page H9310**

**Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly:** H. Res. 368, to congratulate the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly, by a ye-and-nay vote of 407 yeas with none voting "nay", Roll No. 550. **Page H9310**

**Department of State, Foreign Operations, and Related Programs Appropriations Act, 2006—Motion to go to Conference:** The House disagreed to the Senate amendment and agreed to a conference on H.R. 3057, an act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006. **Pages H9310–12, H9329–30**

The House agreed to the Lowey motion to instruct conferees by a ye-and-nay vote of 259 yeas to 147 nays, Roll No. 554. **Page H9330**

Later, the Chair appointed conferees: Representatives Messrs. Kolbe, Knollenberg, Kirk, Crenshaw,

Sherwood, Sweeney, Rehberg, Carter, Lewis of California, Mrs. Lowey, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Messrs. Rothman, Fattah, and Obey. **Page H9330**

**Lawsuit Abuse Reduction Act of 2005:** The House passed H.R. 420, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a recorded vote of 228 ayes to 184 noes, Roll No. 553. **Pages H9282–89, H9312–29**

Rejected the Barrow motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 217 noes, Roll No. 552. **Pages H9327–29**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Pages H9282–83**

Agreed to:

Smith of Texas Manager's amendment (no. 1 printed in H. Rept. 109–253) which includes provisions imposing sanctions for the destruction of relevant documents in a pending Federal court proceeding; provisions for setting standards for a court's determination that certain court records should be sealed; and provisions providing for a presumption of a Rule 11 violation when the same issue is repeatedly relitigated. It also includes a clarification that makes clear that, in the anti-forum shopping provisions, if there is no State court in the county in which the injury occurred, the case can be brought in the nearest county where a court of general jurisdiction is located. The manager's amendment also makes clear that it does not affect personal injury claims that Federal bankruptcy law requires be heard in a Federal bankruptcy court. **Pages H9319–20**

Rejected:

Schiff amendment in the nature of a substitute (no. 2 printed in H. Rept. 109–253) which sought to provide strong "three strikes and you're out" mandatory sanctions for attorneys who file frivolous lawsuits or engage in frivolous conduct during discovery. It enhances sanctions for document destruction, ensures that corporations can be sued in the U.S., cracks down on parties attempting to relitigate the same issue on consecutive occasions, bans the concealment of unlawful conduct, and protects civil rights claims, (by a recorded vote of 184 ayes to 226 noes, Roll No. 551). **Pages H9320–27**

H. Res. 508, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question. **Page H9312**

**Special Postage Stamp for Breast Cancer Research:** The House agreed by unanimous consent to S. 37, to extend the special postage stamp for breast cancer research for 2 years—clearing the measure for the President. **Pages H9330–31**

**Senate Message:** Messages received from the Senate today appear on pages H9293, H9329.

**Senate Referrals:** S. 939 was referred to the Committee on Transportation and Infrastructure and S. 1285 was held at the desk. **Page H9359**

**Quorum Calls—Votes:** Three yea-and-nay votes, and four recorded votes developed during the proceedings of today and appear on pages H9308–09, H9309, H9310, H9326–27, H9328, H9329, H9329–30. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:43 p.m.

## Committee Meetings

### CYBER SECURITY

*Committee on Armed Services:* Asymmetric and Unconventional Threats Panel held a hearing on Cyber Security, Information Assurance and Information Superiority. Testimony was heard from public witnesses.

### BUDGET RECONCILIATION

*Committee on Education and the Workforce:* Began markup of amendments to the Family Education Reimbursement Act of 2005 for transmission to the Committee on the Budget to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year.

Will continue tomorrow.

### BUDGET RECONCILIATION

*Committee on Energy and Commerce:* Approved, as amended, reconciliation recommendations for Title II, Medicaid, Katrina Health Care Relief, and Katrina and Rita Energy Relief, for transmission to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

### MISCELLANEOUS MEASURES; BUDGET RECONCILIATION

*Committee on Financial Services:* Ordered reported the following bills: H.R. 3909, amended, Hurricane Check Cashing Relief Act of 2005; H.R. 4133, National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005; and H.R. 4146, Hurricane Rita and Wilma Financial Services Relief Act of 2005.

The Committee also approved for transmission to the Committee on the Budget in compliance with