

“(B) For purposes of subsections (g) through (m), the term ‘volunteer practitioner’ means a practitioner who, with respect to an entity described in subsection (g)(4), meets the following conditions:

“(i) The practitioner is a licensed physician or a licensed clinical psychologist.

“(ii) At the request of such entity, the practitioner provides services to patients of the entity, at a site at which the entity operates or at a site designated by the entity. The weekly number of hours of services provided to the patients by the practitioner is not a factor with respect to meeting conditions under this subparagraph.

“(iii) The practitioner does not for the provision of such services receive any compensation from such patients, from the entity, or from third-party payors (including reimbursement under any insurance policy or health plan, or under any Federal or State health benefits program).”;

(3) in subsection (o)(2)—

(A) in subparagraph (D), by striking clause (i) and inserting the following:

“(i) The health care practitioner may provide the services involved as an employee of the free clinic, or may receive repayment from the free clinic only for reasonable expenses incurred by the health care practitioner in the provision of the services to the individual.”; and

(B) by adding at the end the following:

“(G) The health care practitioner is providing the services involved as a paid employee of the free clinic.”; and

(4) in each of subsections (g), (i), (j), (k), (l), and (m), by striking “employee, or contractor” each place such term appears and inserting “employee, volunteer practitioner, or contractor”;

#### SEC. 335. SENSE OF THE SENATE CONCERNING HEALTH DISPARITIES.

It is the sense of the Senate that additional measures are needed to reduce or eliminate disparities in health care related to race, ethnicity, socioeconomic status, and geography that affect access to quality health care.

By Mr. SPECTER (for himself, Mr. CORZINE, Mr. LAUTENBERG, Mr. SCHUMER, and Ms. SNOWE):

S.J. Res. 21. A joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy; to the Committee on Armed Services.

Mr. SPECTER. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 21

Whereas John Barry, American merchant marine captain and native of County Wexford, Ireland, volunteered his services to the Continental Navy during the American War for Independence and was assigned by the Continental Congress as captain of the Lexington, taking command of that vessel on March 14, 1776, and later participating in the victorious Trenton campaign;

Whereas the quality and effectiveness of Captain John Barry's service to the American war effort was recognized not only by George Washington but also by the enemies of the new Nation;

Whereas Captain John Barry rejected British General Lord Howe's flattering offer to desert Washington and the patriot cause, stating: “Not the value and command of the whole British fleet can lure me from the cause of my country.”;

Whereas Captain John Barry, while in command of the frigate Alliance, successfully transported French gold to America to help finance the American War for Independence and also won numerous victories at sea;

Whereas when the First Congress, acting under the new Constitution of the United States, authorized the raising and construction of the United States Navy, it was to Captain John Barry that President George Washington turned to build and lead the new Nation's infant Navy, the successor to the Continental Navy of the War for Independence;

Whereas Captain John Barry supervised the building of his flagship, the U.S.S. United States;

Whereas on February 22, 1797, President Washington personally conferred upon Captain John Barry, by and with the advice and consent of the Senate, the rank of Captain, with “Commission No. 1”, United States Navy, dated June 7, 1794;

Whereas John Barry served as the senior officer of the United States Navy, with the title of “Commodore” (in official correspondence), under Presidents Washington, John Adams, and Jefferson;

Whereas as commander of the first United States naval squadron under the Constitution of the United States, which included the U.S.S. Constitution (“Old Ironsides”), John Barry was a Commodore, with the right to fly a broad pendant, which made him a flag officer; and

Whereas in this sense it can be said that Commodore John Barry was the first flag officer of the United States Navy: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That Commodore John Barry is recognized, and is hereby honored, as the first flag officer of the United States Navy.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 211—DESIGNATING AUGUST 19, 2005, AS “NATIONAL DYSPRAXIA AWARENESS DAY” AND EXPRESSING THE SENSE OF THE SENATE THAT ALL AMERICANS SHOULD BE MORE INFORMED OF DYSPRAXIA

Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 211

Whereas an estimated 1 in 20 children suffers from the developmental disorder dyspraxia;

Whereas 70 percent of those affected by dyspraxia are male;

Whereas dyspraxics may be of average or above average intelligence but are often behaviorally immature;

Whereas symptoms of dyspraxia consist of clumsiness, poor body awareness, reading and writing difficulties, speech problems, and learning disabilities, though not all of these will apply to every dyspraxic;

Whereas there is no cure for dyspraxia, but the earlier a child is treated the greater the chance of developmental maturation;

Whereas dyspraxics may be shunned within their own peer group because they do not fit in;

Whereas most dyspraxic children are dismissed as “slow” or “clumsy” and are therefore not properly diagnosed;

Whereas more than 50 percent of educators have never heard of dyspraxia;

Whereas education and information about dyspraxia are important to detection and treatment; and

Whereas the Senate as an institution, and Members of the Senate as individuals, are in unique positions to help raise the public awareness about dyspraxia: Now, therefore, be it

*Resolved*, That—

(1) the Senate designates August 19, 2005, as “National Dyspraxia Awareness Day”; and

(2) it is the sense of the Senate that—

(A) all Americans should be more informed of dyspraxia, its easily recognizable symptoms, and its proper treatment;

(B) the Secretary of Education should establish and promote a campaign in elementary and secondary schools across the Nation to encourage the social acceptance of dyspraxic children; and

(C) the Federal Government has a responsibility to—

(i) endeavor to raise awareness about dyspraxia;

(ii) consider ways to increase the knowledge of possible therapy and access to health care services for people with dyspraxia; and

(iii) endeavor to inform educators on how to recognize dyspraxic symptoms and to appropriately handle this disorder.

Ms. LANDRIEU. Mr. President, I rise today to say just a few words on the resolution I have submitted concerning dyspraxia, a developmental disorder that affects 1 in 20 American children each year. My intent is to increase the public's awareness of this disability and to encourage each of my colleagues to do the same.

Let me share a few facts with you. Dyspraxia is caused by the malformation of the neurons of the brain, resulting in the inability of one's senses to respond efficiently to outside stimuli. It may manifest itself in various areas, such as movement, language, perception, and thought, causing difficulty in both work and play. One in twenty children suffers from this disorder. Seventy percent of those affected are male, and in children suffering from extreme emotional and behavioral difficulties, the incidence is likely to be more than 50 percent. Dyspraxic children fail to achieve the expected levels of development. Due to difficulties, these kids are often shunned from their peer groups because they do not fit in. There is no cure for dyspraxia, but the earlier a child is diagnosed the greater the chance of developmental maturation. However, many times these children are dismissed as “clumsy” and “slow” and are never given a chance to improve, finding it hard to succeed under such harsh speculations. The public's unawareness of dyspraxia is the chief reason that children and young adults go undiagnosed, unable to recognize a cause for their struggles. More than 50 percent of our educators are unaware that this disability even exists. With such alarming statistics, the number of children recognized cannot be expected to increase.

One of my former interns has a younger brother that suffers from this disorder. Borden Wilson is actually a success story. At age 4, Borden's parents noted that he was not able to perform tasks appropriate for his age. His

speaking ability was limited, even with encouragement. After going through a battery of tests performed by various specialists, the problem was identified as dyspraxia. While working with speech and occupational therapists, Borden's parents became familiar with techniques geared to improve his motor capabilities. Though advancements were seen, Borden still lagged behind his peers and low self-esteem soon set in. Borden is 17 years old now and through the hard work of teachers, therapists, and family, he has overcome many of his problems and is successful in both school and extracurricular activities. I am pleased to announce that Borden now maintains a 4.5 grade point average, has received his school's Scholar Athlete Award for the last 2 years, and placed in the 97th percentile on his California Achievement Test. Additionally, he has received All-District honors in both football and track.

Borden's superior achievements should serve as our inspiration to promote awareness of dyspraxia. With proper diagnosis and treatment, all of these children can experience the same level of success that Borden has been able to achieve. I hope that my colleagues will come together in support of this important legislation to raise consciousness of this disability.

**SENATE RESOLUTION 212—EX-PRESSING THE SENSE OF THE SENATE THAT THE FEDERAL TRADE COMMISSION SHOULD INVESTIGATE THE PUBLICATION OF THE VIDEO GAME "GRAND THEFT AUTO: SAN ANDREAS" TO DETERMINE IF THE PUBLISHER DECEIVED THE ENTERTAINMENT SOFTWARE RATINGS BOARD TO AVOID AN "ADULTS ONLY" RATING**

Mr. BROWNBACK submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 212

Whereas the Entertainment Software Ratings Board gave the video game "Grand Theft Auto: San Andreas" a rating of "Mature";

Whereas the video game "Grand Theft Auto: San Andreas" contains sexually explicit content that consumers are able to access but that appears to have been hidden from the Entertainment Software Ratings Board in order to avoid a rating of "Adults Only";

Whereas the Entertainment Software Ratings Board took swift action in investigating the matter and revoked the "Mature" rating, ensuring that any future sales of the video game "Grand Theft Auto: San Andreas" will be under an "Adults Only" rating; and

Whereas Rockstar Games, the publisher of the video game "Grand Theft Auto: San Andreas", may have deceived the Entertainment Software Ratings Board and consumers: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Federal Trade Commission should investigate the publication of the video

game "Grand Theft Auto: San Andreas" to determine if the publisher, Rockstar Games, deceived the Entertainment Software Ratings Board to avoid an "Adults Only" rating; and

(2) if the Federal Trade Commission determines that Rockstar Games committed such deception, the Commission should impose the maximum penalty possible.

**SENATE RESOLUTION 213—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF KEYTER V. MCCAIN, ET AL.**

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 213

Whereas, in the case of Keyter v. McCain, et al., Civ. No. 05-1923, pending in the United States District Court for the District of Arizona, the plaintiff has named as defendants Senators John McCain and Jon Kyl;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senators John McCain and Jon Kyl in the case of Keyter v. McCain, et al.

**SENATE RESOLUTION 214—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF JONES V. SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY, ET AL.**

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 214

Whereas, in the case of Jones v. Salt River Pima-Maricopa Indian Community, et al., Civ. No. 05-1944, pending in the United States District Court for the District of Arizona, the plaintiff has named as defendants Senators John McCain and Jon Kyl;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senators John McCain, Jon Kyl, and other unnamed Members of the Senate in the case of Jones v. Salt River Pima-Maricopa Indian Community, et al.

**SENATE CONCURRENT RESOLUTION 47—PAYING TRIBUTE TO THE AFRICA-AMERICA INSTITUTE FOR ITS MORE THAN 50 YEARS OF DEDICATED SERVICE, NURTURING AND UNLEASHING THE PRODUCTIVE CAPACITIES OF KNOWLEDGEABLE, CAPABLE, AND EFFECTIVE AFRICAN LEADERS THROUGH EDUCATION**

Ms. LANDRIEU submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 47

Whereas the Africa-America Institute (in this resolution referred to as the "AAI") was founded in 1953, to help build human and institutional capacity in Africa and to promote mutually beneficial relations between the United States and Africa through education;

Whereas 2 of the most prominent founders of AAI were leading African-American educators and intellectuals, Horace Mann Bond, the first Black president of Lincoln University, and Leo Hansberry, the Howard University scholar and historian renowned today as the "father of African studies";

Whereas with funding from the government, the private sector, and philanthropic sources, AAI has advanced its mission on the dual premises that higher education is the highest leveraging point for achieving sustainable gains all along the education pipeline, and that investments in education generate high rates of return by multiplying the impact of development achievements across sectors of global importance, such as health, education, trade, investment, peace, and security;

Whereas the 22,000 education program alumni of AAI come from 52 African countries, including extraordinary individuals such as Wangari Maathai, recipient of the 2004 Nobel Peace Prize;

Whereas alumni of AAI are leaders in African education, business, government, and nongovernmental organizations working to change economic and social structures in African communities, societies, and nations for the better;

Whereas a 2004 impact assessment commissioned by the United States Agency for International Development (in this resolution referred to as "USAID") found "USAID's multi-million dollar investment in long-term training" programs that were managed and run by AAI "for over 40 years produced significant and sustained changes that furthered African development in measurable ways";

Whereas, as a corollary to its work aimed at expanding educational opportunities for Africans, AAI has also served as a source of reliable and balanced information on Africa for American public and private sector leaders;

Whereas Members of Congress and their staff are among those who have helped achieve and continue to build on this legacy, fulfilling the education mission of AAI by working with partners in Africa, the United States, and other parts of the world on behalf of Africa;

Whereas competing in the information age requires high levels of technical knowledge and skills, but the level of need and demand for higher education and technical training in Africa exceeds the capacities of education sectors in most African countries;

Whereas, consistent with the aspirations and goals of the African Union's "New Partnership for Africa's Development", AAI has stepped up to meet these new challenges with the creation of the "African Technology for Education and Workforce Development" initiative (in this resolution referred to as "AFTECH"), a collaborative effort designed to harness the power of information technologies to deliver the highest quality global educational content to Africans where they live;

Whereas, in order to improve and expand upon the reach and impact of AFTECH, and to raise awareness in the United States of the converging global interests that warrant greater United States public and private engagement with, and investment in Africa, AAI used the occasion of its 50th anniversary in 2003, to launch the AAI "Education Partnership Campaign: 50,000 New Leaders in