

“(9) such additional information as is required by the Secretary.

“(e) PEER REVIEW OF APPLICATIONS.—The Secretary, in consultation with the Secretary of Education, shall provide the applications submitted under this section to a peer review panel for evaluation. With respect to each application, the peer review panel shall recommend the application for funding or for disapproval.

“(f) USE OF FUNDS.—Funds provided by a grant under this section may be used for 1 or more of the following activities:

“(1) Prevention, screening, early intervention, assessment, treatment, management, and education of mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts by students enrolled at the institution of higher education.

“(2) Education of families to increase awareness of potential mental and behavioral health issues of students enrolled at the institution of higher education.

“(3) Hiring staff trained to identify and treat mental and behavioral health problems, including residents and interns such as those in psychological doctoral and post doctoral programs.

“(4) Evaluating and disseminating outcomes and best practices of mental and behavioral health services.

“(g) ADDITIONAL REQUIRED ELEMENTS.—Each institution of higher education that receives a grant under this section shall—

“(1) provide annual reports to the Secretary describing the use of funds, the program's objectives, and how the objectives were met, including a description of program outcomes;

“(2) perform such additional evaluations as the Secretary may require, which may include—

“(A) increases in range of services provided;

“(B) increases in the quality of services provided;

“(C) increases in access to services;

“(D) college continuation rates;

“(E) decreases in college dropout rates;

“(F) increases in college graduation rates; and

“(G) accepted and valid measurements and assessments of improved mental health functionality; and

“(3) coordinate such institution's program under this section with other related efforts on campus by entities concerned with the general mental and behavioral health needs of students.

“(h) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section. Grantees shall provide financial information to demonstrate compliance with this subsection.

“(i) REQUIREMENT FOR DIRECT SERVICES AND LIMITATIONS.—

“(1) DIRECT SERVICES.—Not less than 75 percent of grant funds received under this section shall be used to provide direct services.

“(2) ADMINISTRATIVE COSTS.—Not more than 5 percent of grant funds received under this section shall be used for administrative costs.

“(3) PROHIBITION ON USE FOR CONSTRUCTION OR RENOVATION.—Grant funds received under this section shall not be used for construction or renovation of facilities or buildings.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section, \$5,000,000 for fiscal year 2005, \$7,000,000 for fiscal year 2006, \$10,000,000 for fiscal year 2007, and such sums as may be necessary for each fiscal years 2008 and 2009.

“SEC. 596C. DEFINITIONS.

“In this part:

“(1) EARLY INTERVENTION.—The term ‘early intervention’ means a strategy or approach that is intended to prevent an outcome or to alter the course of an existing condition.

“(2) EDUCATIONAL INSTITUTION; INSTITUTION OF HIGHER EDUCATION; SCHOOL.—The term—

“(A) ‘educational institution’ means a school or institution of higher education;

“(B) ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965; and

“(C) ‘school’ means an elementary or secondary school (as such terms are defined in section 901 of the Elementary and Secondary Education Act of 1965).

“(3) PREVENTION.—The term ‘prevention’ means a strategy or approach that reduces the likelihood or risk of onset, or delays the onset, of adverse health problems.

“(4) YOUTH.—The term ‘youth’ means individuals who are between 6 and 24 years of age.”.

MEASURES READ THE FIRST TIME—S. 2629, S. 2630, S. 2631, S. 2632, and S. 2633

Mr. FRIST. Mr. President, I understand that five bills are at the desk. I ask unanimous consent that they be read for the first time en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will read the bills for the first time.

The legislative clerk read as follows:

A bill (S. 2629) to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to eliminate the coverage gap, to eliminate HMO subsidies, to repeal health savings accounts, and for other purposes.

A bill (S. 2630) to amend title V, United States Code, to establish a national health program administered by the Office of Personnel Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes.

A bill (S. 2631) to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances.

A bill (S. 2632) to establish a first responder and terrorism preparedness grant information hotline, and for other purposes.

A bill (S. 2633) to amend the Federal Power Act to provide refunds for unjust and unreasonable charges on electric energy in the State of California.

Mr. FRIST. Mr. President, I now ask for their second reading and, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding on these matters en bloc.

The PRESIDING OFFICER. The bills will be read the second time on the next legislative day.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 40

Mr. FRIST. I understand there is a joint resolution at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the second time.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 40) proposing an amendment to the Constitution of the United States relating to marriage.

Mr. FRIST. I object to further proceedings on the measure at this time in order to place the joint resolution on the calendar under the provisions of rule XIV.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be placed on the calendar.

ORDERS FOR FRIDAY, JULY 9, 2004

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Friday, July 9. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business with the first 4 hours equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will be in a period for morning business throughout the day. There will be no rollcall votes during tomorrow's session, but Senators are encouraged to come to the floor to speak on the constitutional amendment regarding marriage, which we hope to consider next week.

A few moments ago we failed to invoke cloture on a very important bill, the class action bill, that we have spent the majority of this week debating. As I said at the outset, I had hoped we would be able to address this important bill, consider all relevant amendments, with no time limit on those relevant amendments, so we could pass a bill that is very important to the American people, to the economy, and to the concepts of equity and fairness. We were unsuccessful, in spite of our very best attempt to consider all relevant amendments and take up a bill that 62 people in this body support.

The problem was that Members from both sides of the aisle insisted on offering or wanting to offer and debate very complicated but, most importantly, unrelated amendments at this time. We set up a procedural process by which we could consider individual relevant amendments, but a decision was made, and it played out in the cloture vote today, that we would not proceed on this important bill at this juncture because some people thought we would need to include a lot of nongermane amendments. There were a lot of non-relevant amendments that appeared.

I am very hopeful, because I am a strong supporter of this bill as written, that we can come to some agreement given the fact there are a majority of people in this Senate who believe in this bill strongly, that we can come to some agreement in terms of time to consider this bill with relevant amendments debated so that we can serve the

American people. That seems not to be the case now. Discussions hopefully will continue.

If we cannot do it in a reasonably short period of time and stay on relevant amendments, we just simply are not going to be able to do it in this session. We have somewhere around 30 legislative days remaining and we have a range of issues, some that were brought up on the floor today, issues such as homeland security and issues concerning the institution of marriage.

We have the Australia trade bill that hopefully we can consider very quickly in the near future. We have 13 appropriations bills, spending bills, that we must consider. There are 12 we need to consider in some way in the next several weeks. Then there are a number of judges who we must continue to move on. We have all of that in a period of about 30 days.

It means that as majority leader I need to insist on reasonable, disciplined, and regular order in the sense that when we go to a bill, we debate that bill, those issues, consider amendments that are relevant to that bill and not consider the broad range of issues that we naturally have as Senators. We have to have an orderly process. The orderly process led today, because of the insistence on these non-germane, nonrelevant amendments, to a point that we are not going to be able to consider class action reform now.

So I think what we will see predominantly tomorrow is debate on a very important issue to the American people and to the values of the United States of America, and that is the issue of marriage. We will likely see debate on that tomorrow, and that debate will continue on the constitutional amendment Monday and Tuesday. I would think somewhere during the middle of next week, probably Wednesday, we will have a vote, the nature of which I will be talking to the Democratic leader over the course of tomorrow morning.

So we had a good debate this week. I am very disappointed in the fact that the other side of the aisle—for the most part it was the other side of the aisle—insisted on having other amendments. I am disappointed we were unable to fully address class action reform. Hopefully, we can come back to it at some point in the future.

ADJOURNMENT UNTIL 9:30 TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:18 p.m., adjourned until Friday, July 9, 2004, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 8, 2004:

DEPARTMENT OF DEFENSE

VALERIE LYNN BALDWIN, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE SANDRA L. PACK, RESIGNED.

DEPARTMENT OF STATE

CHRISTOPHER J. LAPLEUR, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be commander

LAURIE J. MOSIER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES L. CAMPBELL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN M. BROWN III, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ROBERT F. WILLARD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ALBERT T. CHURCH III, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

NORMAN L. WILLIAMS, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

THOMAS R. BIRD, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

REX A. HINESLEY, 0000

JERI K. SOMERS, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

PETER W. BICKEL, 0000

WILLIAM D. TAYLOR, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

DONALD A. AHERN, 0000

DOUGLAS M. AIKEN, 0000

MARK G. ALLEN, 0000

GEORGE W. ASEBELL, 0000

JAMES E. ASTOR, 0000

DAVID L. AUGUSTINE, 0000

ROBERT J. BECKLUND, 0000

GEORGE H. BENEFIELD JR., 0000

STEVEN J. BERRYHILL, 0000

ROBERT M. BRANYON, 0000

ERIC W. CAMPBELL, 0000

DAVID E. CANTRELL, 0000

THOMAS H. CANTWELL, 0000

DEBRA J. CARROLL, 0000

THOMAS S. CAUTHERN, 0000

STEWART W. CEARLEY, 0000

STEPHEN L. CHASE, 0000

RUTH A. CHRISTOPHERSON, 0000

JAMES D. COBB, 0000

JAMES F. COLEMAN, 0000

CARLAND D. COLVIN, 0000

JAMES R. COMPTON, 0000

DAVID M. CRUZ JR., 0000

CHARLES S. DORSEY, 0000

ALAN C. DORWARD, 0000

RICHARD J. EVANS III, 0000

LYNN D. FEES, 0000

TERRENCE B. FORNOF, 0000

MICHAEL C. FOSTER, 0000

MARK E. GOERGEN, 0000

TIMOTHY R. GRAMS, 0000

ANN M. GREENLEE, 0000

GREG A. HAASE, 0000

JEFFREY W. HAUSER, 0000

STUART A. HEMMINGSON, 0000

MICHAEL E. HUSTED, 0000

GARY W. KEEFE, 0000

JOHN E. KENT, 0000

CHARLES G. KING, 0000

RANDALL S. KING, 0000

WAYNE E. LEE, 0000

BRADLEY S. LINK, 0000

RICKIE B. MATTSON, 0000

GARY H. MAUPIN, 0000

MICHAEL P. MCDONOUGH, 0000

STEVEN D. MCMAHON, 0000

DONALD R. MCPARTLAND JR., 0000

EDWARD E. METZGAR, 0000

RITA C. MEYER, 0000

GARY J. MOE, 0000

JOHN S. MORAWIEC, 0000

JON K. MOTT, 0000

KENNETH E. NERESON, 0000

RYAN A. ORIAN, 0000

GERALD E. OTTERBEIN, 0000

THOMAS J. OWENS II, 0000

ROBERT J. PARTHENAIS, 0000

WALLACE J. PASCHAL II, 0000

GREGORY P. PIETROCOLA, 0000

PAUL A. POCOPANNI JR., 0000

NORMAN A. POKLAR, 0000

JONATHAN T. PROEHL, 0000

RONALD V. SACHSE, 0000

TERRANCE W. SANDO, 0000

EWIN R. SANSOM, 0000

DENISE O. SCHOFIELD, 0000

GEORGE R. SKUODAS, 0000

JEFFREY S. SMILEY, 0000

EDWIN C. SMITH, 0000

KERRY M. TAYLOR, 0000

CARL J. THOMAE, 0000

TIMOTHY G. VAUGHAN, 0000

JOHN H. WAKEFIELD, 0000

WILLIAM B. WALKUP, 0000

KEITH A. WEAVER, 0000

GARY V. WELLS, 0000

JOHN F. WHITE, 0000

BRUCE T. WILLEN, 0000

JONATHAN D. WILLIAMS, 0000

MICHAEL A. WOBBERMA, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MYLES E. BROOKS JR., 0000

HILLARY KING JR., 0000

JAMES E. WATTS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BILLY M. APPLETON, 0000

BENEDICT J. BROWN, 0000

KENNETH D. COUNTS, 0000

ROBERT J. COYLE, 0000

JAMES T. DENLEY, 0000

MICHAEL L. GREENWALT, 0000

ALAN M. HANSEN, 0000

J. P. HEDGES JR., 0000

MARK R. HENDRICKS, 0000

MICHAEL G. MUELLER, 0000

CARLOS B. ORTIZ, 0000

TIMOTHY L. OVERTURF, 0000

BRENT W. SCOTT, 0000

STUART D. SMITH, 0000

DAVID A. TUBLEY, 0000

STEVEN P. UNGER, 0000

MIL A. YI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CARLA M. ALBRITTON, 0000

MICHAEL L. ANDERSON, 0000

THOMAS S. ARMSTRONG, 0000

RAYMOND W. BICHARD, 0000

VICTOR D. BLANCO, 0000

PAUL J. BOURGEOIS, 0000

FORREST R. BROWNE III, 0000

JOHN D. BRUGHELLI, 0000

JOSE CERVANTES, 0000

KURT M. CHIVERS, 0000

CHARLES E. CHURCHWARD, 0000

WILBURN A. CLARKE, 0000

MICHAEL E. CORSEY, 0000

WILLIAM J. DARNEY III, 0000