

104(b), regulatory agencies that have authority to interpret other statutes may interpret Section 101 with respect to those statutes to the extent of their existing interpretative authority. This provision provides important protection to both affected industry and consumers. It is impossible to envision all of the ways in which this Act will affect existing statutory requirements. This interpretative authority will allow regulatory agencies to provide legal certainty about interpretations to affected parties. Moreover, this authority will allow regulatory agencies to take steps to address abusive electronic practices that might arise that are inconsistent with the goals of their underlying statutes. For example, if a broker were to deceive a person into pledging equity in their home for a loan based on false representations about the loans terms and conditions, the broker's action could be challenged under any applicable statute that prohibited such deception and false representations, even if the consumer executed the loan documents electronically and consented to the use of the electronic contract and records in compliance with the terms of this Act. Without this authority, predators might argue that this Act somehow immunizes the abusive practice, notwithstanding the underlying statutory requirement, and consumers and competitors would have to wait for resolution of the issue through litigation.

I would also like to clarify the nature of the responsibility of government agencies in interpreting this bill. As the bill makes clear, each agency will be proceeding under its preexisting rulemaking authority, so that regulations or guidance interpreting section 101 will be entitled to the same deference that the agency's interpretations would usually receive. This is underlined by the bill's requirements that regulations be consistent with section 101, and not add to the requirements of that section, which restate the usual *Chevron* test that applies to and limits an agency's interpretation of a law it administers. Giving each agency authority to apply section 101 to the laws it administers will ensure that this bill will be read flexibly, in accordance with the needs of each separate statute to which it applies.

Any reading under which courts would apply an unusual test in reviewing an agency's regulations would generate a great deal of litigation, creating instability and needlessly burdening the courts with technical determinations. Likewise, because these regulations will be issued under preexisting legal authority, and challenges to those regulations will proceed through the methods prescribed under that preexisting authority,

whether pursuant to the Administrative Procedure Act or some other statute. Again, this will ensure that any challenges to such regulations are resolved promptly and minimize any resulting instability and burden. Of course, such regulations must satisfy the requirements of the Act.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

VICTIMS OF GUN VIOLENCE

Mr. KERRY. Mr. President, it has been more than a year now since the Columbine tragedy, and still regrettably our friends on the other side of the aisle refuse to act on common-sense, sensible gun legislation. I understand the divisions in the Senate and in the country on the issue of guns. I am certainly not unmindful of the truth to some people's assertions regarding the degree to which personal responsibility enters into the actions of anybody with respect to guns.

Obviously, we need to create greater accountability on a personal level with respect to those actions. But common sense tells every single American that there are also basic things we can do to make this country safer for our children, things we can do to keep guns out of the hands of our children, things we can do to make our schools safer, ways in which guns themselves can become safer. I am deeply troubled by the num-

bers of people, particularly the number of children who have been wounded or killed by gunfire since Columbine, and who are killed and wounded by gunfire each year in this country.

All we are asking is that the juvenile justice conference meet, that the Senate do its business, that they finish the business, issue their report, and that the Congress have the courage and the willingness to vote on the conference report.

Until we do act, many of us on this side of the aisle—I would say the Democratic caucus—is prepared to read the names of those who have lost their lives to gun violence over the past year. We will continue to do so every single day that the Senate is in session.

The following are the names of people who were killed by gunfire, 1 year ago today:

Latonia Davis, 21, Charlotte, NC; Jacob B. Dodge, 24, Madison, WI; Elvin R. Dugan, 33, Oklahoma City, OK; Marcus E. Gray, 39, Chicago, IL; Dante Green, 26, Washington, DC; Dwayne Pate, 32, Washington, DC; Charles Vullo, 42, Houston, TX; Brandon Williams, 3, Hollywood, FL; Lennox Williams, 49, Hollywood, FL; Mae William, 44, Hollywood, FL; Unidentified male, 63, Portland, OR.

I hope my colleagues will join in releasing the juvenile justice bill from its prison and empowering the Senate to do its job and to pass the juvenile justice bill, which will make this country safer for our children.

I yield the floor.

DEFENSE APPROPRIATIONS ADD-ONS, INCREASES, AND EARMARKS

Mr. MCCAIN. Mr. President, I ask unanimous consent that my list of add-ons, increases, and earmarks to the fiscal year 2001 Defense appropriations bill be printed in the RECORD.

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

DEFENSE APPROPRIATIONS FOR FY 2001 ADD-ONS, INCREASES AND EARMARKS
[In millions of dollars]

TITLE II—OPERATIONS AND MAINTENANCE	
Army:	
Military Gator	5
GCCS-USFK	11.3
HEMTT vehicle recapitalization	10
Maintenance Automatic Identification Technology	2
LOGTECH	0.5
Fort Wainwright utilidors	10
Fort Greely runway repairs	7
Hunter UAV	5
Rock Island UPC subsidy	11.5
Watervliet UPC subsidy	11.5
Air Battle Captain	1.25
Joint Assessment Neurological Exam equipment	1.5
JCALs	10
Biometrics support	8
Army conservation and ecosystem management	2
Information Assurance-USFK IT security	2
Rock Island Bridge repairs	2.5
Fort Des Moines, Historic OCS memorial	2
Memorial Tunnel, Consequence management	5
Mounted Urban Combat Training, Fort Knox, Kentucky	4
Industrial Mobilization Capacity	68