protections, and waste water extensions in Wellsville, Utah.

I also note the importance of providing Natural Resource Conservation Service dollars for ditch, canal, and irrigation improvements in Wellsville, UT, as well as watershed protection funding under Public Law 566 for piping and lining the Washington Fields Canal in the vicinity of St. George and Washington County, UT. The WFC provides water to 4800 acres of farmland and is currently in very poor condition. Given the significant growth in this area and the listing of two endangered species in the river system, this funding is important to save water that is currently wasted and that could augment stream flows not only for the community, but as needed for environmental and conservation purposes.

Finally, I am supportive of several projects to bring drinking water to Kane County residents through the Kane County Water Conservancy District in southern Utah. These projects, including the Strawberry/Movie Ranch, Meadow View Heights, and Johnson Canyon projects, are necessary because of the ongoing drought in Utah, the degraded existing water systems, and increased demand caused by development. These projects are of great value, and I hope that the USDA would seriously consider applications for loans and grants under the authorized program for water and waste disposal. The Johnson Canyon project, in particular, is of great importance to Kane County residents. Due to the severe drought and other factors, the well that supplies water to Johnson Canyon residents has shown a dramatic decrease in the drinking water quality, and individuals are now faced with installing reverse osmosis systems for their drinking water. In fact, because of the high level of total dissolved solids in the water, the well has become an inferior source, and the State of Utah recommends that an inferior source should not be allowed if a better source of water is available. The district has found higher quality water, and this project will allow development of this important resource.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Colorado (Mr. CAMPBELL) and the Senator from New Hampshire (Mr. SUNUNU) are necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER), are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

The PRESIDING OFFICER (Mrs. DOLE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 444 Leg.]

YEAS—93

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McCain
Baucus	Dorgan	McConnell
Bayh	Durbin	Mikulski
Bennett	Enzi	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Cantwell	Harkin	Santorum
Carper	Hatch	Sarbanes
Chafee	Hollings	Schumer
Chambliss	Hutchison	Sessions
Clinton	Inhofe	Shelby
Cochran	Inouye	Smith
Coleman	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Talent
Craig	Landrieu	Thomas
Crapo	Lautenberg	Voinovich
Daschle	Leahy	Warner
Dayton	Levin	Wyden

NAYS—1

Ensign

NOT VOTING—6

Campbell	Kerry	Miller
Edwards	Lieberman	Sununu

The bill (H.R. 2673), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment and requests a conference with the House.

The Presiding Officer (Mrs. DOLE) appointed Mr. BENNETT, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. CRAIG, Mr. BROWNBACK, Mr. STEVENS, Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. BYRD conferees on the part of the Senate.

Ms. SNOWE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1806

Mr. MCCONNELL. Madam President, there is an issue that has been rule 14'd and is on the calendar, the Protection of Lawful Commerce in Arms Act, which has 54 cosponsors. It overwhelmingly passed the House back in April 285 to 140. This legislation is important to millions of Americans who want to be able to exercise their second amendment rights. There is simply no reason we should not be able to complete action on this bill expeditiously—there are not many measures around here that have that many cosponsors—that is, unless people want to delay its consideration with unrelated amendments.

In an effort to address this matter fairly and efficiently, I have indicated to my good friend and colleague, the assistant Democratic leader, that I will propound the following consent request as a way to possibly expedite consideration of this measure which is supported by a substantial majority of our colleagues on a bipartisan basis.

Therefore, Madam President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to consideration of S. 1806; that there be 6 hours of general debate on the bill equally divided; that the only amendments in order be two relevant amendments offered by each side, with each first-degree amendment subject to a second-degree amendment which shall be relevant to the first degree amendment; provided further that each first-degree amendment be limited to 1 hour of debate evenly divided, and each second-degree amendment be limited to 30 minutes of debate equally divided; provided further that upon expiration of all time, the Senate immediately proceed to a vote on all pending amendments; after disposition of the pending amendments, the bill be read a third time, and the Senate immediately proceed to a vote on final passage, without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, I share the distinguished Senator's desire to pass this most important legislation. In fact, I am a cosponsor of this bill, which has been introduced on a bipartisan basis by Senators CRAIG and BAUCUS. This legislation would protect firearm and ammunition manufacturers from lawsuits related to deliberate and illegal misuse of their products. It will protect the rights of Americans who choose to legally purchase and use their products. So the legislation makes sense.

As a gun owner since I was a young boy, I believe law-abiding citizens have a constitutional right to keep and bear arms. I also believe the rights of the responsible gun owner should not be compromised or jeopardized by individuals who use firearms to commit crimes. The vast majority of Nevada gun owners use their guns safely, and I will

work in a bipartisan fashion to safeguard their rights. I will work to pass this bill, and I think we have the votes to pass it.

However, in a short time I will object to this consent request by my friend because it does not advance our shared goal of enacting this bill into law. In fact, this request, in my opinion, would set us back in our efforts to pass the legislation. We need to take the time necessary to debate and vote on the amendments that Senators want to offer to this bill, and then we need to pass it.

I think this late in the session, with the constraints that are obviously present with everybody, it just would not help us. I will work with my friend and anyone else to get a unanimous consent agreement both sides can agree to.

For now, on behalf of Senator JACK REED of Rhode Island and others, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. MCCONNELL. My friend from Nevada is certainly correct. At this late stage in the session, the only way we could advance this proposal to completion would be with a consent agreement that allowed us to deal only with relevant amendments. One of the concerns is that we could end up having amendments on minimum wage or hate crimes or other issues that are completely unrelated to the underlying subject matter. So it was my belief that the consent agreement I just offered was reasonable in the sense that it did allow relevant amendments to the underlying bill, but it also gives us an opportunity to reach completion.

I want to modify my request a couple of more times and see if it might be more enticing to my good friend from Nevada. I modify my prior unanimous consent request as follows: That there be 8 hours instead of 6, 8 hours of general debate on the bill equally divided, and that the only amendments in order be three relevant amendments offered by each side instead of two, with each first-degree amendment subject to a second-degree amendment which shall be relevant to the first-degree amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, reserving the right to object, I really do believe we can work with Senators on our side and a few on the other side to come up with a reasonable approach to this legislation that I think has an outstanding chance of passing. We can't do it now. We are wrapping up this session of the legislature. Even though my friend has suggested relevant amendments, we need to take a little bit of time to work this through. The time that has been suggested by my friend is something that may or may not work.

I just say to everyone within the sound of my voice, we need some time to work this out. We will be happy to cooperate in any way we can, but there are too many objections on this side to move forward at this time.

On behalf of Senator REED of Rhode Island and others, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. MCCONNELL. Madam President, let me propound one last unanimous consent request, again bearing in mind that the only chance of moving this legislation forward this late in the session would be with a time agreement with relevant amendments. The underlying bill being supported by 54 cosponsors, we suspect well more than 60 are advocating this legislation. Let me try to entice my good friend one more time by further modifying my second request in the following way: I ask unanimous consent that there be 10 hours of general debate on the bill equally divided, and that the only amendments in order be 4 relevant amendments offered by each side, with each first-degree amendment subject to a second-degree amendment, which shall be relevant to the first-degree amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, reserving the right to object, on certain issues, I am fairly easy to entice, but the fact is, on this, I have a significant number of Senators on this side who are not able to be enticed at this stage. On their behalf, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, this is a very important piece of legislation that should be enacted in this Congress. It is apparent it will not be done in the first session of the 108th Congress. There are not many measures around here that have 54 cosponsors and probably with support well in excess of 60. I hope we can work together in the early part of the next session and advance this legislation to final passage, with relevant amendments, so it does not become a measure that attracts every single good cause some Senator may want to propose totally unrelated to the underlying question of whether gun manufacturers should be held responsible for acts perpetrated by individuals using their product—a fundamentally unfair trend developing in the country that should be stopped before it goes any further.

I yield the floor.

Mr. REID. Madam President, if I may respond, I think the approach that we get into the legislation early next year is the way it will be passed. There will be a decision made early on by the leadership on both sides, I am sure, as to if it is necessary to attempt to invoke cloture on this matter. We will have lots of time early next year to do this.

I look forward to working with my friend from Kentucky to move forward on this most important legislation.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

INTERNET TAX NONDISCRIMINATION ACT

Mr. MCCAIN. Madam President, pursuant to the order of October 30, 2003, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 150, the Internet Tax Moratorium bill.

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

The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 150) to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, which had been reported from the Committee on Commerce, Science and Transportation and referred to the Committee on Finance and discharged, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 150

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.

[This Act may be cited as the ''Internet Tax Non-discrimination Act of 2003''.

[SEC. 2. AMENDMENT OF INTERNET TAX FREEDOM ACT.

[Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 nt.) is amended—

[(1) by striking ''taxes during the period beginning on October 1, 1998, and ending on November 1, 2003—'' and inserting ''taxes:'';

[(2) by striking paragraph (1) and inserting the following:

[''(1) Taxes on Internet access.''; and

[(3) by striking ''multiple'' in paragraph (2) and inserting ''Multiple''.

[SEC. 2. REPEAL OF EXCEPTION.

[Section 1104 of the Internet Tax Freedom Act (47 U.S.C. 151 nt.) is amended by striking paragraph (10).

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Internet Tax Nondiscrimination Act''.

SEC. 2. PERMANENT EXTENSION OF INTERNET TAX FREEDOM ACT MORATORIUM.

(a) IN GENERAL.—Subsection (a) of section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended to read as follows:

''(a) MORATORIUM.—No State or political subdivision thereof may impose any of the following taxes:

''(1) Taxes on Internet access.

''(2) Multiple or discriminatory taxes on electronic commerce.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

(2) Section 1104(10) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''unless'' and all that follows through ''1998''.