It is important to remove any perceived distinction between certification marks and collective marks as compared to trademarks, except as expressly provided otherwise by statute. No challenge provisions are provided in this chapter in the case of trademarks. Applications and procedure under this section will conform as nearly as practicable to those prescribed for the registration of trademarks.

Sec. 4 [15 U.S.C. 1054]. Collective marks and certification marks registrable

Subsections (a) and (b) are related to the registration of trademarks, so far as they are applicable, collective and certification marks, including indications of regional origin, are registrable under this section in the same manner and with the same effect as are trademarks, by persons, and nations. States, municipalities, and the like, exercising legitimate control over the uses of marks sought to be registered, even though not possessing an industrial or commercial establishment, and when registered they shall be entitled to the protection(s, rights and privileges) provided in this chapter in the case of trademarks, except in the case of certifying services. As like provisions in this chapter, no challenge provisions are governed by the Supreme Court of the United States, municipalities, and the like, exercising legitimate control over the uses of marks sought to be registered, even though not possessing an industrial or commercial establishment, and when registered they shall be entitled to the protection(s, rights and privileges) provided in this chapter in the case of trademarks, except in the case of certifying services.

Section 3 of the Lanham Act, 15 U.S.C. §1054, is amended as Section 4 to maintain the parallel language of the two sections and to evidence congressional intent that all four marks protected by the Lanham Act receive the same rights and protections except as specifically provided by statute.

HONORING WORLD WAR II VETERANS

Mr. BAYH. Mr. President, throughout my service to the State of Indiana, I have been honored to represent thousands of Hoosier veterans who have fought bravely for our country. It is with great honor that I recognize the sacrifices of these three courageous men, Private First Class Leo Wilson Landless, Private First Class Robert Cole Crone, and Private First Class John Lee Reynolds, who were called to service in World War II to safeguard American freedom. These valiant young men defended our Nation and our liberty in the face of evil, before they had a chance to receive a high school diploma. It was more than 60 years ago that these three men left Governor I.P. Gray High School and were inducted into the Army. I applaud the Jay County High School Corporation for honoring these three World War II veterans, on June 12, 2004.

Their effort and unwavering commitment along with 120,000 other Hoosier World War II veterans, played a vital role in the long and difficult process of helping others enjoy freedom and democracy. By the war’s end, almost 13,000 Hoosier soldiers lost their lives. I am reminded by a quote by Douglas MacArthur, “The soldier, above all other people, prays for peace, for he must suffer and bear the deepest wounds and scars of war.” I would like to extend my appreciation for their dedicated service and the many sacrifices they made on behalf of our Nation.

JUMPSTART OUR BUSINESS STRENGTH ACT

Mr. SMITH. Mr. President, I rise to speak about a provision of legislation that is pending before Congress. The Jumpstart Our Business Strength, Jobs, Act, also known as FSC/ETI. This bill was passed by both the House and the Senate earlier this year and now awaits the appointment of a Senate floor manager and a House conferee. As a Senate conferee, I am hopeful that we can move quickly toward a conference with the House and Congress.

MISSOURI RIVER DROUGHT CONSERVATION PLAN

Mr. JOHNSON. Mr. President, last Tuesday, September 14, the Senate Appropriations Committee reported out the Fiscal Year 2005 Interior Appropriations bill on a unanimous and bipartisan vote. The bill funds several of the Federal agencies that are responsible for managing millions of acres of land in South Dakota, including the U.S. Forest Service, the Fish and Wildlife Service, and the National Park Service. Included in that bill was a provision directing the Corps of Engineers to immediately implement drought conservation measures outlined in the 2004 Missouri River Master Water Control Manual. This is an important provision that will better balance the competing uses of Missouri River water and, more importantly, bring a sense of equity and fair play to a process long-slanted toward a single group of navigation interests.

Perhaps no Federal agency has a more direct impact on South Dakotans than the U.S. Army Corps of Engineers. The Corps of Engineers has a tough job in South Dakota, balancing a host of competing and, it appears from time to time, mutually exclusive interests. However, on the key issue of managing the Missouri, the Corps has consistently come up short as a steward of America’s longest river. With a current water storage rate of 35.9 million acre-feet, the main-stem Missouri River reservoirs are at the lowest level in history. The provision included in the Interior Appropriations bill faces up to this reality by taking a strong step toward conserving our water resources.

Unfortunately, yesterday, in an unprecedented maneuver to strike out and cancel the express will of the Appropriations Committees, a provision was inserted in the fiscal year 2005 Veterans, Housing, and Urban Development, and Independent Agencies Appropriations bill that cancels out the drought conservation plan. The proponents of this new provision had already come up short as a steward of America’s longest river.