

Unlike other World War II veterans, these veterans have been denied pension benefits for over 60 years. It is also important to note that these benefits are not retroactive.

The amounts proposed are sufficient to give aged Filipino veterans a payment that would allow them to meet their basic needs for adequate nutrition and medicine.

The flat rate benefit also takes into account the likelihood that many of these aged veterans, if living in the United States, would qualify for additional benefits based on disability due to their status as being housebound or in need of aid and attendance. No additional benefits for housebound status or aid and attendance are provided.

The pension proposed for Filipino veterans is less than one-third of the basic amount provided to veterans living in the United States, in recognition of the lower cost of living in the Philippines. Measured against the aid and attendance standard, the proposed benefit is about one-sixth of the amount provided to veterans in the United States.

The cost of items, such as food and medicine in Manila are about half of the cost in the United States, while the cost of housing is considerably less expensive.

For example, a bottle of 100 aspirin tablets costs about \$4 in Manila, about twice as much in the United States.

Because the income and asset verification procedures used in the United States are not available in the Philippines, and it is not feasible to develop an administratively efficient system in the Philippines to monitor the income and assets of pension recipients, the bill provides a flat benefit amount substantially lower than that paid in the United States.

I believe firmly that the proposed amount is a reasonable benefit taking into account all of these factors.

The people of the Philippines did not shy from the call to fight during World War II. They were true brothers in arms who fought valiantly under U.S. command in the global struggle against totalitarianism. This bill at long last recognizes the valor of all Filipino veterans in sacrifice to this noble cause and loyalty to their American commanders.

The proposal put forward by the ranking member fails to honor these veterans by denying pension benefits to those who live in the Philippines. I understand that there may be different perspectives on what pension amounts would be appropriate given the difference in the cost-of-living between this country and the Philippines. I am not, however, willing to yield on the principle that Filipino veterans living in the Philippines deserve to receive veterans benefits in the same manner as those living in the U.S. or anywhere else. I reject the notion that two veterans, who fought side-by-side and endured the same hardships of war, should be treated unequally based solely on their place of residence.

The soldier's creed is to leave no fellow warrior behind. I believe in that, and believe that it is important to acknowledge the valiant service of those Filipino veterans of World War II who served under U.S. command.

I would like to end my comments tonight by again sharing the thoughts of the 33rd President of the United States—Harry S. Truman. In 1946, President Truman made a statement concerning provisions in a bill affecting Philippine Army veterans—At issue was a legislative rider attached to the transfer of \$200 million for the pay of the Army of the Philippines.

President Truman said, "The effect of this rider is to bar Philippine Army veterans from all the benefits under the G.I. Bill of Rights with the exception of disability and death benefits which are made payable on the basis of one peso for every dollar of eligible benefits. I realize, however, that certain practical difficulties exist in applying the G.I. Bill of Rights to the Philippines."

President Truman went on to state, "the passage and approval of this legislation does not release the United States from its moral obligation to provide for the heroic Philippine veterans who sacrificed so much for the common cause during the war . . . I consider it a moral obligation of the United States to look after the welfare of the Philippine Army veterans."

I agree with the words of President Truman from 60 years ago.

As I have said time and time again, this legislation would correct an injustice that has existed for over 60 years. I, like President Truman, believe that it is the obligation of the United States to care for those who have fought under the U.S. flag.

It is past time to right that wrong. As my fellow World War II veteran, the Senior Senator from Alaska said yesterday, this is about "honor." I believe it is the moral obligation of this Nation to provide for those who served under the U.S. flag and alongside U.S. troops during World War II.

I thank my colleagues for standing with me, my World War II colleagues Senators INOUE and STEVENS, and a majority of the Veterans' Affairs Committee, and not accepting the amendment of the Senator from North Carolina.

SHAWN BENTLEY ORPHAN WORKS ACT OF 2008

Mr. HATCH. Mr. President, I rise today to express my support for The Shawn Bentley Orphan Works Act of 2008, S. 2913, introduced at the close of last week by Senate Judiciary Committee Chairman PATRICK LEAHY and myself. This piece of legislation is a product of years of hard work and collaboration.

I want to start off by thanking Chairman LEAHY for his willingness to name this bill in honor of my long-time staffer and former colleague, Shawn Bent-

ley, whose untimely death, at 41, greatly saddened many in this body.

Shawn worked for the Judiciary Committee for a decade, from 1993-2003. Starting as my counsel, he rose through the ranks, ending his Senate tenure as the majority's Chief Intellectual Property Counsel and Deputy Chief Counsel to the committee. He worked on many important pieces of landmark intellectual property legislation, and he initiated what we have now introduced as an orphan works bill.

Thousands of artistic creations around the country are effectively locked away in a proverbial attic and unavailable for the general public to enjoy because the owner of the copyright for the work is unknown. These are generally referred to as "orphan works." It is not always easy to identify an owner of a copyrighted work, and in many cases, information about the copyright holder is not publicly known. To make matters worse, many are discouraged from using these so-called "orphan works" for fear of being sued should the owner eventually step forward.

In an effort make orphan works more accessible, Chairman LEAHY and I have been working together for years to craft meaningful legislation to address concerns that have been identified through public discussions on this issue. The Senate Judiciary Committee Subcommittee on Intellectual Property held a hearing entitled "Orphan Works: Proposals for a Legislative Solution," at which representatives from the photography, museum, documentary film, and technology communities testified. And a subcommittee of the House Judiciary Committee held two hearings in the 109th Congress and one in the 110th.

Under S. 2913, potential users may use an orphan work if they conduct and document a diligent search but were unable to locate the copyright owner of the work for permission. While the bill outlines the criteria for a search, and the copyright office will disclose best practices for finding a copyright owner, the court makes the final determination as to whether a search is diligent and in good faith.

The proposed legislation also has a "safe harbor" for uses of orphan works that are educational, charitable, or religious in nature, and which are used without commercial advantage. We anticipate that many institutions such as museums, libraries, archives, nonprofit educational organizations, as well as public broadcasting entities will greatly benefit from this legislation since they would be qualified users.

S. 2913 represents a commitment from Congress to move forward in creating a way to identify copyright owners of orphan works and unlock access to thousands of artistic works so the general public may once again enjoy them. I am hopeful that further refinements will be made to this bill during the legislative process. I am confident

that Chairman LEAHY and I will continue to, with outside input, perfect this bill, and am confident in our House counterparts to do the same.

I am committed to moving this legislation forward and hope that we can join efforts to refine and enact this bill.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

COMMEMORATION OF THE ARMENIAN GENOCIDE

● Mr. OBAMA. Mr. President, last week, we paused in remembrance of the Armenian genocide, which was carried out by the Ottoman Empire from 1915 to 1923. Nearly 2 million Armenians were deported, and approximately 1.5 million of those deported were killed.

It is imperative that we recognize the horrific acts carried out against the Armenian people as genocide and I will continue to stand with the Armenian American community in calling for the Government of Turkey to acknowledge it as such. The occurrence of the Armenian genocide is a widely documented fact supported by an overwhelming collection of historical evidence.

I was deeply disturbed 2 years ago when the U.S. Ambassador to Armenia was fired after he used the term "genocide" to describe the mass slaughter of Armenians. I called for Secretary Rice to closely examine what I believe is an untenable position taken by the U.S. Government.

I will continue to push for the acknowledgement of the Armenian genocide, and I offer the Armenian people my condolences.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

HONORING OUR ARMED FORCES

● Mr. LAUTENBERG. Mr. President, in honor of American troops who have lost their lives overseas in Iraq and Afghanistan I wish to make sure their service and sacrifice is forever memorialized in the CONGRESSIONAL RECORD.

Since I last included the names of our fallen troops on February 15, the Pentagon has announced the deaths of 101 troops in Iraq and in Operation Enduring Freedom, which includes Afghanistan. They will not be forgotten and today I submit their names into the RECORD:

SSG Shaun J. Whitehead, of Commerce, GA; SSG Ronald C. Blystone, of Springfield, MO; PFC John T. Bishop, of Gaylord, MI; 1stLT Timothy W. Cunningham, of College Station, TX; LCpl Jordan C. Haerter, of Sag Harbor, NY; CPL Jonathan T. Yale, of Burkeville, VA; SGT Guadalupe Cervantes Ramirez, of Fort Irwin, CA; 1stLT Matthew R. Vandergrift, of Littleton, CO; PVT Ronald R. Harrison, of Morris Plains, NJ; SPC Steven J. Christofferson, of Cudahy, WI; SGT

Adam J. Kohlhaas, of Perryville, MO; PO1 Cherie L. Morton, of Bakersfield, CA; AA Adrian M. Campos, of El Paso, TX; CPL Benjamin K. Brosh, of Colorado Springs, CO; SPC Lance O. Eakes, of Apex, NC; SSGT Jason L. Brown, of Magnolia, TX; 1stSGT Luke J. Mercardante, of Athens, GA; CPL Kyle W. Wilks, of Rogers, AR; SPC Arturo Huerta-Cruz, of Clearwater, FL; SGT Joseph A. Richard III, of Lafayette, LA; CPL Richard J. Nelson, of Racine, WI; LCpl Dean D. Opicka, of Waukesha, WI; SGT William E. Allmon, of Ardmore, OK; SPC Jacob J. Fairbanks, of Saint Paul, MN; SGT Jesse A. Ault, of Dublin, VA; SGT Shaun P. Tousha, of Hull, TX; TSgt Anthony L. Capra, of Hanford, CA; SPC Jeremiah C. Hughes, of Jacksonville, FL; SSG Jeffery L. Hartley, of Hempstead, TX; MAJ Mark E. Rosenberg, of Miami Lakes, FL; SGT Timothy M. Smith, of South Lake Tahoe, CA; SPC Jason C. Kazarick, of Oakmont, PA; SGT Michael T. Lilly, of Boise, ID; SSG Jeremiah E. McNeal, of Norfolk, VA; SGT Richard A. Vaughn, of San Diego, CA; COL Stephen K. Scott, of New Market, AL; MAJ Stuart A. Wolfer, of Coral Springs, FL; SSG Emanuel Pickett, of Teachey, NC; CAPT Ulises Burgos-Cruz, of Puerto Rico; SPC Matthew T. Morris, of Cedar Park, TX; PFC Shane D. Penley, of Sauk Village, IL; SGT Nicholas A. Robertson, of Old Town, ME; SPC Charles A. Jankowski, of Panama City, FL; SSGT Travis L. Griffin, of Dover, DE; SGT Dayne D. Dhanoolal, of Brooklyn, NY; SGT Jevon K. Jordan, of Norfolk, VA; MAJ William G. Hall, of Seattle, WA; SPC Durrell L. Bennett, of Spanaway, WA; PFC Patrick J. Miller, of New Port Richey, FL; SGT Terrell W. Gilmore, of Baton Rouge, LA; CPL Steven I. Candelio, of Houston, TX; CPL Joshua A. Molina, of Houston, TX; SPC Gregory B. Rundell, of Ramsey, MN; SSG Joseph D. Gamboa, of Yigo, Guam; PVT George Delgado, of Palmdale, CA; SSG Christopher M. Hake, of Enid, OK; PFC Andrew J. Habsieger, of Festus, MO; CPL Jose A. Rubio Hernandez, of Mission, TX; LCpl Dustin L. Canham, of Lake Stevens, WA; SSG William R. Neil Jr., of Holmdel, NJ; SGT Thomas C. Ray, II, of Weaverville, NC; SGT David S. Stelmat, of Littleton, NH; SGT David B. Williams, of Tarboro, NC; PFC Antione V. Robinson, of Detroit, MI; PFC Tyler J. Smith, of Bethel, ME; TSgt William H. Jefferson, Jr., of Norfolk, VA; SGT Gregory D. Unruh, of Dickinson, TX; SSG Michael D. Elledge, of Brownsburg, IN; SGT Christopher C. Simpson, of Hampton, VA; SPC Lerando J. Brown, of Gulfport, MS; CPL William D. O'Brien, of Rice, TX; SFC Collin J. Bowen, of Millersville, MD; SFC Shawn M. Suzch, of Hilltown, PA; SSG Ernesto G. Cimarrusti, of Douglas, AZ; SSG David D. Julian, of Evanston, WY; CPL Robert T. McDavid, of Starkville, MS; CPL Scott A. McIntosh, of Houston, TX; SSG Juantrea T. Bradley, of Greenville, NC; SPC Dustin C. Jackson, of Arlington, TX; PFC Tenzin L. Samten,

of Prescott, AZ; SSG Laurent J. West, of Raleigh, NC; SGT Phillip R. Anderson, of Everett, WA; SPC Donald A. Burkett, of Comanche, TX; CAPT Torre R. Mallard, of OK; CPL Jose A. Paniagua-Morales, of Bell Gardens, CA; SGT Gabriel Guzman, of Hornbrook, CA; SPC Steven R. Koch, of Milltown, NJ; SGT Robert T. Rapp, of Sonora, CA; SSGT Christopher S. Frost, of Waukesha, WI; SPC Orlando A. Perez, of Houston, TX; SPC Micheal E. Phillips, of Ardmore, OK; CPL Kevin S. Mowl, of Pittsford, NY; LCpl Drew W. Weaver, of St. Charles, MO; SPC Keisha M. Morgan, of Washington, DC; CAPT Nathan R. Raudenbush, of PA; SGT Conrad Alvarez, of Big Spring, TX; CPL Albert Bitton, of Chicago, IL; SPC Micheal B. Matlock, Jr., of Glen Burnie, MD; SSG Bryant W. Mackey, of Eureka, KS; CPL Chad D. Groepper, of Kingsley, IA; CPL Luke S. Runyan, of Spring Grove, PA.

We cannot forget these men and women and their sacrifice. These brave souls left behind parents and children, siblings and friends. We want them to know the country pledges to preserve the memory of our lost soldiers who gave their lives for our country.●

ADDITIONAL STATEMENTS

CONGRATULATING KEVIN WEBB

● Mr. BUNNING. Mr. President, I wish to congratulate Mr. Kevin Webb of Glasgow, KY. Mr. Webb was recently chosen to be one of eight speakers at the first ever Ticket to Work Partners Summit held in Louisville, KY.

In March 2008 the Social Security Administration launched the Ticket to Work Partners Summit to bring together over 400 of Social Security's partners who actively engage Social Security disability beneficiaries in work through the Ticket to Work Program. Mr. WEBB was chosen to be one of eight speakers nationally to discuss how they have benefited from this program.

With the help of the Social Security Administration, Mr. Webb was able to start his own business in April 2006. Today he is a proud co-owner with his father, Ron Taylor, of Webb/Taylor Horseback Riding and Boarding.

Prior to becoming a successful business owner, Mr. Webb was faced with a number of difficult challenges in finding employment. Despite all of the setbacks and obstacles he had to overcome, Mr. Webb never gave up on his dreams and continued to search for a job that made him happy.

Mr. Webb applied for a grant given to five individuals each year by the Kentucky Council on Developmental Disabilities and the State vocation rehabilitation for startup funds for new businesses. With the grant and a fully funded Plan for Achieving Self Support from the Social Security Administration, Mr. Webb and his father were able to launch the Webb/Taylor Horseback Riding and Boarding.