

HAWAII-PHILIPPINE NEWS EDITION

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HAWAII FILIPINO CHRONICLE

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

OCTOBER IS FILIPINO-AMERICAN HISTORY MONTH

By HFC Staff

To commemorate the month of October as Filipino-American History Month, the Filipino-American Historical Society of Hawaii (FAHSHO) and the Hawaii State Library are sponsoring a photo exhibit entitled, "Singgalot: The Ties that Bind," which will be on display from October 4-25, 2008 at the State Library in Downtown Honolulu.

An opening ceremony will be held on October 4, 2008 at 11:00 a.m., in the lobby of the Hawaii State Library with the Silangan Singers entertaining the crowd with Filipino songs. The public is cordially invited to join in celebrating the contributions made by Filipino Americans to their communities.

Like others who crossed wide oceans to reach America's shores, Filipinos also overcame their own adversities to build vi-

brant communities with deep roots now centuries old in American soil that they toiled to make fertile. "Singgalot: The Ties that Bind" honors those early Filipino pioneers and the generations who came after them.

But the exhibit is more than just a walk down memory lane. It illustrates the vibrancy of the Filipino people and their grit to survive...to transcend the dark days

(continued on page 4)



▲ "Harvest in the Philippines" cartoon, Life, 1899



▲ Filipino stewards in the White House during Johnson Administration, 1964



▲ Filipino Youth Coalition, 1999



Philippine exhibit, St. Louis World's Fair, 1904

Ewa Beach Teen Captures Golden Experience in Beijing Olympics

By Caroline JUAN

The 2008 Beijing Summer Olympics' closing ceremonies took place nearly two weeks ago, but the Olympiad experience is still surreal for 17-year-old Christel Simms of Ewa Beach.

She is already looking ahead to the 2012 games, which will be held in London.

Christel, who just started her senior year at Punahou School, represented the Philippines in Beijing. She swam in the 100-meter freestyle and 50 meter freestyle events.

"I got my personal best for the 100 meter freestyle event at 56.67 seconds and broke my previous national record of 57.17," she says. "I finished 47th place out of 90 in the 50 meter freestyle heats, with the time of 26.67 seconds."

And by virtue of competing, Christel goes down in the history books as the seventh female representative in the entire history of the Philippines in Olympic competition, since the country first participated in the 1924 Paris games.



Punahou senior Christel Simms at the 2008 Summer Olympics in Beijing.

She joined four male swimmers on the Philippine team who are also from the U.S.

Fil-Am Daniel Coakley was also on that team. He is also from Hawaii and swam the 50-meter freestyle sprint with a time of 22.69. He too broke a personal record.

Although both athletes did not bring home a medal, their accomplishments are

(continued on page 4)

Suspected Illegal Recruiter Nabbed

By Nestor ETOLE

A woman who allegedly duped overseas job applicants of millions of pesos was nabbed by the police in an entrapment operation in Ermita, Manila Wednesday afternoon.

Superintendent Leo Francisco, intelligence chief of the Manila Police District (MPD), identified the suspect as Aurora Magbitang of Pilar Village, Las Piñas City.

Francisco said Frederick Panaligan, 28, filed a complaint against Magbitang for failing to send him abroad even when he gave her a total of P185,000 as placement fee.

He said Magbitang offered to send him to Cyprus as a bartender with a monthly salary of P50,000 if he could pay the



P200,000 placement fee.

Panaligan said he found out from the Philippine Overseas Employment Agency that Magbitang is not licensed nor authorized to recruit workers for jobs abroad.

Francisco said several victims, some from as far as the Cordilleras, went to the MPD headquarters upon hearing of Magbitang's arrest.

Based on the victims' account, the suspect had already collected millions using the same modus operandi she employed on Panaligan," Francisco said.

Charges of large-scale estafa and illegal recruitment are being prepared against Magbitang. Francisco called on other victims to file their complaints against the suspect. (www.philstar.com)

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EDITORIAL

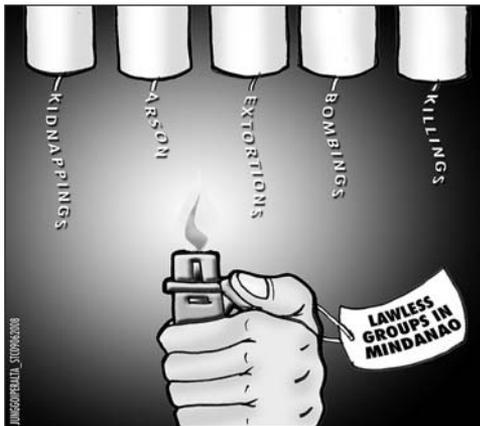
Lawless

Whether a rebel group or an extortion gang was responsible for the deadly bombing of a bus in Digos City, the attack showed the level of lawlessness in certain parts of Mindanao. Six people died and 28 others were wounded when an explosion ripped through a Metro Shuttle bus that was parked at its terminal last Monday afternoon. The government, always quick to absolve the Moro Islamic Liberation Front of wrongdoing, said the attack looked like the handiwork of the so-called Al Khobar extortion gang, even tagging a female member of the group as the likely principal culprit.

The Al-Khobar is not the only extortion group in this country. The most notorious is the New People's Army, which raids farms, torches buses and destroys the telecommunications towers of companies that refuse to yield to the group's extortion. The MILF, for its part, is suspected of raising funds through the kidnap-for-ransom activities of the Pentagon gang.

The extortion activities have scared away investors and dampened development efforts in the areas where these are most needed. How hard is it to stop these criminal activities? Effective law enforcement should reduce the flourishing underground trade in firearms and ammunition. Though civilians are generally banned from owning any weapon more powerful than a handgun, civilian vigilantes in Mindanao have been photographed marching with rifles. Some MILF members including adolescents also look better armed than the average member of the Armed Forces of the Philippines. Where do those weapons come from?

There should also be a better way of keeping track of purchases of materials used for explosives. The other day police reported seizing some 10,000 blasting caps and 750 meters of detonation cord that have been unclaimed since Friday in a warehouse in Zamboanga City. The shipment



from Manila was declared as spark plugs, police said. There must be a way of tracing where these materials came from, and how they ended up in that warehouse. Until the flow of weapons is plugged and those who perpetrate crimes, rebel or not, are arrested, there will never be peace in Mindanao. (www.philstar.com) ■

Investing in Good Governance

President Arroyo, according to Palace officials, is "overworked and underpaid." That line proved irresistible to the opposition, whose members advised the President to find a better paying job elsewhere.

The verbal exchange arose from a proposal to double the salaries of the President, the Vice President, members of Congress and civil servants in next year's national budget. But Budget chief Rolando Andaya Jr. has clarified that under the law, the proposed increase cannot include the President, the Vice President and members of Congress.

The controversy should spur a review of the pay scales in all branches of government, and encourage debates on how much the nation is willing to invest in good governance. Honest and efficient bureaucracies do not come cheap. It is no coincidence that the most professional government workers in Asia are also among the highest paid — the civil servants of Singapore, Hong Kong and Japan. Companies pay good money for top managers. Running state affairs, especially in a global economy, requires a nation's best and brightest. Governments can compete for top talents only by offering competitive rates, unless there is a national ethic that prizes personal sacrifice in the name of public service.

Apart from attracting top talent, high salaries can stop the Philippine brain drain that has led to crises in public education and health care. Public school teachers prefer to work as maids overseas because of poor pay in their own country. Doctors are leaving government hospitals to work as nurses abroad because they want higher salaries. Even pilots of the Philippine Air Force rarely think twice about grabbing an opportunity to work for commercial airlines, where they can earn up to 10 times more than what the military can offer.

There is another reason for giving public servants competitive salaries: ideally, decent pay discourages corruption. Although this may not be true for the immoderately greedy who build family fortunes on multimillion-peso commissions and overpricing of government projects, well-paid civil servants ideally should find it easier to say no to graft. And ideally they should find it easier to blow the whistle on the corrupt.

For many Philippine politicians and top public officials, however, even a substantial pay raise cannot compete with the vast wealth that can be had through corruption. Legislation can focus on the lower echelons of the bureaucracy, where decent pay can still make a difference. (www.philstar.com) ■

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OPINION

Erap: FVR Borrowed 'Modernization' Fund

ROSES & THORNS / By Alejandro R. ROCES

MODERN? From Polk Street, comes now former President Joseph "Erap" Estrada debunking a claim of former President Fidel V. Ramos in Postscript that he left with Mr. Estrada (his successor) P5,484 billion for the "modernization" of the armed forces.

Mr. Estrada said Mr. Ramos did not use the trust fund from the sale of Fort Bonifacio for the armed forces — as dictated by law — but borrowed it for window-dressing his yearend financial report to minimize an expected budget deficit.

The government is now scrounging around for funds for AFP "modernization," a euphemism for acquiring a few planes, ships, vehicles and other materiel rebuilt like new and polished to showroom quality.

The pathetic state of the armed forces has been brought to the fore by the campaign against better equipped and highly motivated Moro Islamic Liberation Front in Mindanao.

As if to stress the obvious, one of two overworked C-130 Hercules transport planes of the air force plunged into the Davao Gulf last Aug. 26, killing its two pilots

and a crew of seven. There are three other C-130's, but they are under repair.

MISSING FUNDS: Many people remember that the Ramos administration netted close to P8 billion from the sale of Fort Bonifacio in 1995 to Fort Bonifacio Development Corp., "the buyers' group organized by Metro Pacific.

Under RA 7898, the proceeds must go to a Trust Fund for the AFP. But until now, nobody seems to know what happened to the P8 billion, or who should go to jail for misappropriating it.

At P34,000 per square meter, the 240-hectare prime property should gross P81.6 billion. But only about P30,359,605,589 has been admitted by Mr. Ramos as having been collected and P5,484 billion supposedly left by him to his successor.

If Malacañang or the Commission on Audit is not interested in getting to the bottom of the mess, maybe a Senate committee should flush out the facts and figures.

REACTION: Mr. Estrada would not take lying down any attempt to make him the fall guy.

Reacting to our last Postscript (Aug. 28) wherein Ramos was

quoted as saying he left P5,484 billion with Mr. Estrada, the latter e-mailed us this recollection of former Budget Secretary Ben Diokno:

1. The P5,484 billion for the AFPMF from the sale of Fort Bonifacio was placed by the Bureau of Treasury in a Special Account in the General Fund. The law says that the share for AFPMF should be placed in a Trust Account.
2. The difference between the two modes is important. The first mode — Special Account — allows the Executive Department to use the money to finance any item in the budget. The Ramos administration used the proceeds to finance the national budget. Operationally, the Ramos administration "borrowed" money from the Special Account to finance government operations or finance the deficit rather than float treasury bills. Effectively, the fund in the Special Account was depleted. On paper, however, the P5.5-billion appears to be intact. But should the AFP need the money to implement its modernization program, the Treasury has to refinance what was "borrowed" — either by getting money from revenues collected or by floating T-bills. The second mode re-

stricts the use of the fund for the modernization of the AFP. Interest on the money deposited in the Trust Account will form part of the Account.

3. On April 30, 1998, the AFP advised the Office of the President of its readiness to manage the AFPMF trust fund. It is in the interest of the military establishment to have the trust fund under its control. First, it assures them that the money for AFP modernization is intact and available. Second, interests of the trust fund form part of the fund; the fund will continue to grow even if the modernization program is delayed. DBM and other fiscal authorities have other motives. By not releasing P5.5-billion to AFP, the Ramos administration was able to window-dress the deficit — reducing the budget deficit by P5.5 billion.
4. The Estrada administration had to postpone the release of the modernization fund to AFP for two reasons. First, when Estrada assumed office, the Philippine economy was in the midst of the Asian financial crisis. There was a need to jumpstart the slowing economy by creating more jobs and increasing economic activities in urban centers and rural areas. Studies show that the contribution of de-

fense spending to economic growth and development is, at best, neutral and, at worst, negative. Second, the AFP leadership at that time had yet to decide on the size, specific content, and financial requirements of the modernization program. As I recall, and this personal recollection could be supported by minutes of proceedings of committee hearings in the House and the Senate, the major divisions of the military establishment (GHQ, Army, Navy, Air Force) at the time had yet to decide how the Modernization Fund would be allocated and prioritized.

5. But on May 29, 2000, DBM issued the Special Allotment Release Order (SARO) to the AFP in the amount of P5,484 billion. And with subsequent releases, we backed up the SARO with several NCAs based on specific proposals and progress in the utilization of the Fund.

Bottom line: Mr. Ramos "borrowed" money from the proceeds of the sale of the Bonifacio property earmarked for AFP modernization to finance his other projects. Mr. Estrada restored the money that Mr. Ramos "borrowed" from the modernization fund, and released the P5,484 billion fund in full on May 20, 2000. (www.philstar.com)



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HEADLINE NEWS (CONT.)

(cont. from page 1; October...)

of working in the sugarcane fields as they sought better working conditions...and to overcome "No Filipinos Allowed" signs at a Stockton, California hotel in the 1930s or the display of Filipinos at the 1904 World's Fair Expo in St. Louis, Missouri where they were viewed and treated as animals.

The exhibit's 30 panel series of 4' x 8' images was designed by Marissa Gacla under the direction of UH and State Curator Tom Klobe and fabricated by Fleet Street Integrated Branding of Honolulu.

The well-traveled exhibit was originally shown at the Smithsonian Institution in Washington,

D.C., and at the Bishop Museum in 2006. Dr. Dean Alegado, former Chair of Ethnic Studies at the University of Hawaii-Manoa, directed the project, which commemorated the 100th anniversary of the Filipino immigration to the U.S. Most recently, "Singalong: The Ties that Bind" was on display at Remy's Art Gallery in Los Angeles' historic Filipintown.

FAHSOH will also host two related events at the State Library in October. The first is a panel discussion of Filipino Ethnic Pride on

October 11 from 2-4 pm. The second is a poetry reading on October 25 from 2-4 pm. Both events will be held in the Reading Room next to the Hawaiiana Room. Refreshments will follow in the courtyard.

MAHALO STATE LEGISLATURE

The 2008 Hawaii State Legislature passed a bill, HB 3343 HD1, designating the month of October as "Filipino-American History Month." The bill, HB 3343 HD1, was introduced by Rep. Joey

Manahan. Co-introducers were: Representatives Della Au Belatti, Lyla Berg, Rida Cabanilla, Jerry Chang, Sharon Har, Robert Herkes, Jon Riki Karamatsu, Marilyn Lee, Michael Magaoy, John Mizuno, Alex Sonson and Glenn Wakai.

The bill was unanimously approved by both the State House and Senate and signed into law by Gov. Linda Lingle on April 15, 2008.

Please contact Clem Bautista at 956-7348 or Lyna Burian at 521-7721 for further details. ■

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(cont. from page 1; Ewa Beach...)

certainly something to be proud of.

"I'm very proud of representing the Philippines because I'm representing millions of Filipinos, my family, my roots and the State of Hawaii. It was nice to contribute something to the country (Philippines) where my family came from," Christel says.

"No matter what country you are representing, every athlete should be proud of himself/herself because just to qualify in the Olympics alone is a big accomplishment. We trained hard every-day to achieve our dreams and be part of this big sporting event."

Naturally, Christel's parents are elated about their daughter's performance.

"My husband and I were very excited, overwhelmed and nervous. Seeing our daughter in the starting blocks competing in the biggest sporting event of her life made us so proud of her. All her hard work has paid off. It was an incredible experience," said Chris-



Christel in Beijing's famous Bird's Nest

tel's mother Jocelyn who was accompanied by her husband, Charles, her sister, Fedie, niece, Fides, and a friend named Abe.

For Christel, her experience in Beijing was not only about the competition.

"The opening ceremony was the greatest experience of my life. As soon as I walked out on the track, I had butterflies in my stomach. I was so amazed and couldn't believe that I was actually a part of the Olympics," she says. "I got to visit the cool sights

such as the Great Wall, Forbidden City and also went shopping. I had the time of my life. I got to meet new people from all over the world and it was cool seeing all the athletes in one place."

While Christel has her eyes set for 2012, she is focusing on the present.

"I'm just going to concentrate on school and finding the right college. I plan to focus on my high school season for Punahou and eventually the 2012 London Olympics. ■

■ HAWAII-FILIPINO NEWS

Kalihi School to Celebrate 80th Founding Anniversary



Students at St. Anthony School line up for an afternoon drill

ST. ANTHONY SCHOOL in Kalihi is celebrating its 80th Founding Anniversary with a special celebration at the Pacific Beach Hotel on September 19, 2008 beginning at 6 pm.

The evening's festivities include a Holy Mass presided by the Most Reverend Clarence (Larry) Silva, Bishop of Honolulu, and a coronation of the school's Charity Queen.

St. Anthony School—which

has a rich history—first opened its doors on September 2, 1928 and was the second parochial school in Hawaii under the auspices of the local clergy. The Sister of the Maryknoll Congregation staffed the opening class of 130 students. They were succeeded in 1971 by the Sisters of the Religious of the Virgin Mary from the Philippines.

In June 2006, the Congregation of the Sisters of St. Paul of Chartres, Philippine Province ar-

rived in Hawaii to assume administrative duties.

Today, St. Anthony School continues to serve the community through quality Christian education and takes pride in its Catholic learning environment where the Gospel's values are taught, modeled and lived.

The public is invited to the anniversary celebration. Please call Vivien Ruth Pilar at 845-2769 for further details. ■

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HAWAII-FILIPINO NEWS

Bicol Club of Hawaii to Honor Lady of Penafrañcia

THE BICOL CLUB of Hawaii is planning several events in September to mark the annual Penafrañcia Fiesta.

- The events include:
 - Enthronement of the Lady of Penafrañcia at her new home at St. Philomena Parish Church in Salt Lake on Sunday, September 14, 2008 at 3 pm. The church is located at 3300 Ala Laulani Street.
 - The traditional vigil procession in St. Philomena's parish courtyard on Friday, September 19, 2008 at 8 pm.
 - The Penafrañcia Fiesta on Sunday, September 21, 2008 at 9:30 am at the Rainbow Marina, located next to the USS Arizona Memorial Park.

Expect to hear shouts of "Viva La Virgen" and "Viva El Di-



vino Rostro" from attendees during the fluvial procession. Following the Holy Mass will be entertainment, games and contests. The sumptuous "Taste of Bicol" will feature Bicolano dishes originating from the six provinces in the Bicol region of the Philip-

ines and other festivities. The fiesta is held annually in honor of the Patroness of the Bicol Region—Nuestra Señora De Penafrañcia.

Please contact J.P. Orías at 387-8297 for more information on this event. ■

Drivers License Office in Kalihi to Close Temporarily

THE COMMERCIAL DRIVERS LICENSE (CDL) Office, temporarily located at City Square, 1199 Dillingham Boulevard, will close for staff training on September 16 and 17, 2008.

The mandatory staff training is being sponsored by the Federal Motor Carrier Safety Administration to ensure standards of the Federal Motor Carrier Safety Improvement Act are being addressed by our state.

Commercial motor vehicle and motorcycle operator skills testing will continue at the same testing site during the same hours. During the closure, the fol-

- lowing changes will occur:
- All skills tests shall be paid at the CDL counter temporarily located at City Square prior to date of testing.
 - While skills testing will continue at the same testing site, only drivers with pre-paid appointments and proof of payment will be allowed to test; no substitutions will be allowed.

The City is recommending that all commercial drivers whose licenses will expire on September 16 or 17 to plan ahead and renew their driver's licenses prior to the office closure. ■

UH Faculty to Speak on Sexuality and Ethnicity

LILIA QUINDOZA SANTIAGO, UH assistant professor of Ilokano Language & Literature, will speak on "Sexuality and Ethnicity: Issues From a Philippine Perspective" on Friday, September 19, 2008 at Saunders Hall Room 244, from 12:30 pm – 2:00 pm.

The event is co-sponsored by the UH Women's Studies Department and the Center For Philippine Studies as part of its Fall 2008 Colloquium Series.

Dr. Santiago's lecture will answer such questions as: Can sexuality be a marker of ethnic identity? Conversely, does one's ethnic origin define or confine one's sexuality?

"Ethnic peoples and commu-

nities in the world today, including modern and diverse societies like the U.S., face a number of socio-sexual issues," she says. "The refusal of major social institutions like government and the church to deal squarely with these issues stems from largely unresolved questions on the relationships between sexuality and ethnicity."

Dr. Santiago will use mostly materials from Philippine experiences and perspectives and will discuss many evolving patterns of social and sexual life among selected and thriving ethnic and ethno-linguistic communities in the Philippines and in Hawaii.

She has authored over 20 books, the latest of which is "Sexuality and the Filipina." Before



joining the UH-Manoa faculty, Dr. Santiago was a full professor of Filipino and Philippine Literature at University of the Philippines and a distinguished writer in three languages: English, Filipino/Tagalog and Ilokano.

She has also won literary awards for her essays, poems and fiction. She was a Fulbright Visiting Scholar in Old Dominion University in Norfolk, Virginia in 2005. ■

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BBB Invites Public to 'Tear It Up'

IN AN ON-GOING EFFORT to help protect businesses and consumers against identity theft, Hawaii's Better Business Bureau (BBB) is inviting the public to bring up to three boxes or bags of confidential documents, including pay stubs, bank statements and credit card offers, which officials will shred for free.

Two security document destruction companies—Access Information Management and Shred-It—has partnered with the BBB for this event, which is planned for Saturday, September 20, 2008 from 10 am to 1 pm on the campuses of McKinley, Mililani and Castle high schools.

Last year, over 8 million Americans were victims of ID theft. According to the BBB, 56 percent of ID theft occurs when the thief has direct contact with the victim's personal information, through a stolen or lost wallet, rifling through a per-



sonal mailbox or trashcan, or even lifting documents from inside a home or business.

"This is largely a crime of access," says Dwight Kealoha, chief executive officer of Hawaii's BBB. "Our goal here is to make sensitive information less accessible and empower people to be their own first line of defense against identity theft."

The BBB encourages the public to attend the event and learn how to properly shred and dispose

of sensitive documents. BBB staff will be on-hand to provide information and answer questions on how businesses and consumers can better protect themselves against identity theft.

"Shredding sensitive paper documents is an important step, but it doesn't end there," Kealoha says. "That's why BBB will also be distributing important advice and simple steps everyone can take to prevent ID theft in their daily lives, both online and off." ■

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PHILIPPINE NEWS

BSP Sees Forex Reserves Hitting \$40 B Next Year

by Des FERRIOLS

THE BANGKO SENTRAL ng Pilipinas (BSP) said the country's forex reserves would likely top \$40 billion in 2009 due mainly to the expected strong inflow of remittances from overseas Filipino workers (OFWs).

According to BSP Deputy Governor Diwa Guingundo, the 2009 reserves would be at most \$3 billion better than this year's projected level of \$36.5 billion to \$37 billion, with the surge coming mainly from remittances from overseas Filipinos.

The gross international reserve (GIR) is the sum of all foreign exchange flowing into the country from exports of merchandise, earnings from businesses abroad, foreign borrowings, investments and remittances.

Out of the total reserve, Guingundo said the balance of payments (BOP) is likely to approximate this year's level but he would not give more specific estimates.

The balance of payments (BOP) is the sum of the country's transactions with the rest of the world paid out of the foreign exchange reserves. Last year, the country was in a surplus position recorded at \$8.6 billion but this year, officials expect only about \$2.5 billion.

In 2009, even with the GIR expected to reach a record level of \$40 billion, the BOP is projected to match this year's level, with oil prices still volatile and global inflation rate going up.

This year so far, easing foreign exchange outflows and the surge in foreign exchange inflows propelled the country's net reserves back to a surplus level of \$142 million in July, reversing the \$248-million deficit in June to bring the seven-month position to \$2.076 billion.

The effects of remittances on the BOP were particularly strong this year, showing that country's position bounced back in July as remittances soared to \$1.5 billion.

BSP governor Amando M. Tetangco Jr. said the BOP also received a boost from foreign exchange receipts from the privatization of power assets sold by the Power Sector Assets and Liabilities Management Corp (PSALM).

Tetangco said the July inflows were enough to reverse the BOP deficit in June which was the first monthly BOP deficit the BSP recorded since November last year.

The BSP said heavy foreign exchange outflow also eased in July when the country's GIR neared the \$37-billion mark and reached \$36.9 billion.

The BSP said the major inflows which contributed to the increase in reserves included deposits by the Power Sector Assets and Liabilities Management Corp. (PSALM) of proceeds from the privatization program of the National Power Corp. (Napocor).

The BSP projected that the country's GIR would reach \$37 billion this year, expressing optimism that all things considered, the country's balance of payments would still be at a surplus level.

Although reaching record highs this year, however, the BOP position has been under significant stress from the surges in oil prices that eroded the reserves.

BSP said the country's balance of payments surplus could dip even lower than the projected \$2.5 billion level this year and monetary officials are reexamining their numbers to determine just how low.

This year, however, sources from the Monetary Board said the BOP position could be even lower than latest projections, mainly due to huge outflows of foreign portfolio investments.

Of particular concern was the capital account where foreign portfolio investments were booked as they enter and leave the country. Although the outflow had eased somewhat, foreign direct investments are still significantly slower than expected. (www.philstar.com) ■

UP Docs to Serve RP for 3 Years

by Sheila CRISOSTOMO

FRESHMAN STUDENTS entering the University of the Philippines' College of Medicine next year will be required to serve as

doctors in the Philippines for three years, with violators to be fined more than P1 million.

Dr. Alberto Roxas, UP College of Medicine dean, said 2005 figures estimated the fine at P1.8 million, but the amount could increase by 2014 when the freshmen in 2009 would be graduating.

"Their tuition is only about 17 percent of the total cost of medical education," he said. "The government subsidizes the remaining 83 percent."

If you are subsidized by the government, you really have to serve."

Roxas said the 2014 UP medical graduates will be required to do a three-year return service in public health (clinic, management of programs, policy); academe, research or private clinical practice.

"For as long as these are done in his/her capacity as a

physician and in any part of the Philippines," he said.

Roxas said the return service must be completed within five years after graduation from the UP College of Medicine.

"I'm not saying 'Don't go abroad,'" he said.



"If you're good, go abroad. If you think that's what's best for you, go. But if you go to UP, you have to serve your country first... What's good if you are the best mind if you don't serve your country?"

Roxas estimates that starting 2014 and up to 2017, 480 medical doctors from UP would be available in the country at any given time.

"This is because some 120 students will serve under the mandatory return service agreement every school year," he said.

Roxas said it would not be easy for the 2014 graduates to breach the return service agreement.

"When they go abroad, their medical education credentials have to be authenticated by the dean of the College of Medicine," he said.

"If they have not complied, I will not give them authentication." (www.philstar.com) ■

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PMA Amends Code to Prohibit Doctors from Endorsing Products

by Sheila CRISOSTOMO

ALARMED OVER THE NUMBER of doctors endorsing food supplements and personal care products, the Philippine Medical Association (PMA) has amended its Code of Ethics to prohibit this practice.

PMA president Dr. Rey Melchor Santos said the new policy will take effect in October when the association has formulated the implementing rules and regulations.

"We don't think it's proper for doctors to endorse food supplements, soaps or any other personal and healthcare products so we decided to amend our Code of Ethics to discourage this practice," he told The STAR.

The PMA was particularly concerned about doctors promoting food supplements that have no "therapeutic effects."

Santos noted that while these physicians do not directly ask the public to buy the products, their mere appearance in commercials is tantamount to endorsing them.

"We are doctors and whatever we say can have an impact on the public. Even if you don't ask them to buy this product, when you say 'nasa dugo lang yan (it's only in the blood),' you're already encouraging them to buy a product that supposedly improves blood circulation," he added.

Santos warned that those who violate this policy face possible suspension and



PMA president Dr. Rey Melchor Santos

revocation of their license by the Professional Regulation Commission (PRC).

He said under the Medical Act of 1959, the PRC-Board of Medicine is bound to uphold and implement the PMA's code of ethics, which also covers doctors who are not PMA members.

"There's no fine or jail term for this but I think merely losing your license is a very severe penalty already. Now, we are in the process of informing doctors about this new (rule) in preparation for its implementation," he added. (www.philstar.com) ■

IMMIGRATION GUIDE



by Atty. Emmanuel Samonte TIPON

Human Bondage: Conviction of Fil-Am Husband & Wife Doctors for Forced Labor and Harboring Alien Affirmed

The U.S. Court of Appeals on August 15, 2008, affirmed the jury conviction of a Filipino American husband and wife, both doctors, Jefferson and Elnora, of Wisconsin for obtaining and conspiring to obtain forced labor (Counts 1 and 2) in violation of 18 U.S. Code §§ 371, 1589, and 1594, and harboring and conspiring to harbor an alien for private financial gain (Counts 3 and 4) in violation of 8 U.S. Code § 1324(a)(1).

However, the Court ordered the case remanded for re-sentencing because of the district court's error in refusing to apply several enhancements in its calculation of the sentencing guideline range. The three enhancements are (1) "any other felony," since forced labor and harboring are two separate offenses, (2) "vulnerable victim," since the young female victim was a member of a group typically targeted by those desiring forced labor, and (3) "use of minor children," since the couple used their children to help conceal the victim and keep her in bondage for 19 years. The district

court sentenced them to 48 months' imprisonment on each of the four counts, to run concurrently. If these three enhancements are applied, their sentence would be increased.

FACTS

At age 16, Irma began working for the parents of Elnora. When she was 19 she traveled to the United States telling consular officers that she was accompanying Elnora's father but really intending to stay and work. Her visa permitted her a two-year stay as long as she departed and re-entered the U.S. at least once every six months.

When Irma arrived, Jefferson and Elnora confiscated her passport and told her that she would have to reimburse them for her plane ticket. She was told that she was in the U.S. illegally from the day she arrived. Irma worked for the couple as a live-in housekeeper, seven days a week from 6 a.m. to around 10 p.m. Her duties included caring for the couple's household and children, which was expanded to include the family cars, investment properties, and medical offices. After ten years, the family moved to a luxurious house, 8,600 square feet in area, with a tennis court. She was their only household help.

Irma was restricted in what she could do. She never walked out the front door. She was told not to play outside with the children or leave her room in the basement during social functions, even to go to the bathroom. When she was driven someplace, she had to ride in the back seat with her head down so that nobody could see her. There was a phone code that enabled her to answer when the children called, but not when others called. Irma was not permitted to seek medical care outside the house, even for dentistry.

She was allowed to speak with her family four or five times during the 19 years she was with the couple during which she was surrounded by them. Irma sent to her family only about \$19,000 during the 19-year period. Her "earnings" were book entries in the couple's account. Irma was allowed to shop for personal items, but she had to leave the car in the store so that Elnora could pay while she would wait in the car. Irma would later "reimburse" the couple through withheld "wages."

The couple and their children told her repeatedly that if anyone discovered her she could be arrested, imprisoned, and deported, and she would not be able to send any more money to

her family.

Acting on an anonymous tip, federal agents executed a search warrant and found a trembling Irma huddled in the closet of her bedroom.

ARGUMENTS MAKE NO SENSE

The Court of Appeals rejected all of the defendants' arguments on appeal. The Court chided the couple for intentionally manipulating the situation so that Irma would feel compelled to remain with them. They kept her passport; never admitted that they too were violating the law by employing an alien who was not authorized to work; and failed to regularize Irma's presence in the U.S. through the filing of an I-140 petition with a Department of Labor certification, even though they had the forms.

The couple blamed the immigration system, not themselves, for the inequity that Irma was in the country illegally, and even went so far as saying that she enjoyed a "fine lifestyle while she lived with them."

The court said that "this argument makes no sense."

PRACTICE TIP:

There is a saying in the law: "Leave well enough alone." This

means that you should not do anything if doing something will make the situation worse.

Many lawyers have a tendency to appeal an unfavorable decision, without thinking, but simply hoping for a reversal. In this case, not only was there no reversal, but their sentence will be increased. Que horror. Before appealing, an effective lawyer should have thoroughly read the federal Sentencing Guidelines and carefully determined whether they might be applied with unfavorable results.

Furthermore, a person who is convicted should change his lawyer for the appeal. The new lawyer might be able to provide a better perspective and insight.

(Atty. Tipon is from Laoag City, Philippines. He holds a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from U.P. He is admitted to practice law before the U.S. Supreme Court, other U.S. Courts, and Philippine courts. He handles cases throughout the U.S. and the Philippines. He specializes in immigration law and criminal defense. Offices: 905 Uni. St., Suite 201, Honolulu, HI 96819. Tel. (808) 847-1601. E-mail: filamlaw@yahoo.com. Website: www.ImmigrationServicesUSA.com. Listen to his very interesting, useful, and humorous program "Immigration X Files" on KN2H Hawaii radio 1270 AM on the dial every Friday 7:30-8:00 a.m. This article is for general information only. It is not legal advice. It may not be cited as an authority.)

PHILIPPINE NEWS GMA Dissolves Gov't Peace Panel

by Edith REGALADO

PRESIDENT ARROYO HAS DISBANDED the government panel negotiating with the Moro Islamic Liberation Front (MILF) following the controversy over the Memorandum of Agreement on Ancestral Domain (MOA-AD) that was supposed to be signed by the separatist rebels.

Executive Secretary Eduardo Ermita said that henceforth, any negotiation with rebel groups would only proceed if the rebels disarmed and moved out of their camps.

He said the decision to dissolve the peace panel, led by retired Lt. Gen. Rodolfo Garcia, was reached during the meeting of the Cabinet security cluster in Palayan City, Nueva Ecija last Tuesday.

"Consequently, the President has ordered that the government panel for talks with the MILF be dissolved to align all the peace initiatives in accordance with this directive," Ermita told reporters.

Ermita said a new negotiating panel will be appointed but he did not say when.

"We have not totally scrapped negotiations with the MILF. We just dissolved the panel and will wait for positive developments in the future," Ermita said.

He said Presidential Adviser on the Peace Process Hermogenes Espenon Jr. will continue to maintain communication with the International Monitoring Team, the Malaysian government group that facilitates the peace talks, and the Organization of Islamic Conference (OIC).

Ermita had also met with ambassadors of the OIC, led by Sayed Al-Masry, in Malacañang and explained the government position.

In a separate statement, Arroyo said her government would no longer sign the controversial draft agreement that would have given the MILF authority over their own Muslim homeland.

"In the light of the recent violent incidents committed by lawless violent groups, the government will no longer sign the agreement," she said.

"There will be no peace gained through violence, no peace agreement can and will be reached

through intimidation or the barrel of a gun," she said.

The MOA-AD was supposed to give the MILF more territory to be called the Bangsamoro Juridical Entity, but the signing of the agreement scheduled last Aug. 5 in Kuala Lumpur, Malaysia, was stopped after the Supreme Court issued a temporary restraining order in favor of several local officials who petitioned the Court to stop the signing.

Protesting local officials complained that government negotiators did not consult the residents who would be affected by the creation of the Bangsamoro homeland.

Angered by the court freeze, two MILF commanders Ameril Umbrá Kato and Abdurrahman Macapara launched deadly raids in Lanao del Norte, Sarangani and North Cotabato.

The raids left more than 50 civilians and soldiers dead, while subsequent military offensives have so far killed more than 100 MILF rebels and led to the capture of more than a dozen rebel camps. (www.philstar.com)

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PHILIPPINE NEWS

'2010 Presidential Hopefuls Need P3 Billion to Run'

by Aureo CAUCA

SEN. MIRIAM DEFENSOR-SANTIAGO reminded presidential aspirants yesterday that they would have to spend at least P3 billion for their campaign in the 2010 elections.

She said that according to political experts, the cost of a presidential campaign has increased from P2 billion in previous elections to P3 billion.

Santiago, who ran and lost to Fidel Ramos in the 1992 presidential elections, said she had long dropped any ambition to become president. And with the funds needed, "I have absolutely the chances of a snowball in hell, I'll melt immediately," Santiago said.

But Santiago said she found nothing wrong with Senate President Manuel Villar's decision to declare his candidacy for the 2010 presidential polls.

"He is not campaigning. He is merely declaring. The point in the election code, you have certain activities that are prohibited, including putting up billboards in order of obtaining exposure for the candidacy or otherwise eliciting a positive response from the public," Santiago said.

"That is standard procedure. They do that (declaration) upon inquiry by the media. The earlier we learn about it the better so that we can watch out if they are engaging in premature campaigning," she noted.

But she said it must be clarified with the Supreme Court whether some possible candidates were already into premature campaigning, such as when they appeared in media advertisements.

Senators Loren Legarda and Richard Gordon, both possible presidential candidates, said it is not yet the proper time to talk about

politics and announce their presidential ambitions.

"Our people's call for peace and food security is the most primordial concern at this point. It is too early to mess up and confuse the public with political aspirations, especially of someone who occupies the Senate leadership. It may be all right for them to work on their candidacy individually but to stir up public attention about 2010 is a bit too early. The Senate should not be sidetracked from its function to initiate legislative reforms," Legarda said.

Gordon said Villar must be careful because he might be accused of early campaigning and be asked to step down from his position as Senate president because he might use it to advance his political plans.

Gordon also called on the public to scrutinize the possible candidates and that money should not be

the most important consideration come elections.

He said he would declare his candidacy in time with a significant event in his life.

Others who are also expected to run for president in 2010 are Senators Panfilo Lacson, Francis Escudero, and Manuel Roxas II.

Malacañang shrugged off the declaration of Villar's candidacy, although Presidential Adviser for Political Affairs Gabriel Claudio said the Palace wishes Villar good luck on his political ambitions.

"Since Senator Villar can't seem to confirm his bid for the presidency without confirming his dislike for the administration," Claudio said, "then we consider ourselves disinclined to give his plans any judgment nor further publicity."

Villar, president of the Nacionalista Party, said on Thursday that he would seek the presidency but the party is still working to

complete the party ticket.

He said he was also open to having Mary Grace Poe-Laman-zares, daughter of the late actor and 2004 presidential candidate Fernando Poe Jr., as part of his team.

The Senate president told STARweek magazine last year that he wants to reestablish the dominance of NP as the "Grand Old Party" by making it stronger in terms of alliances before 2010.

Metropolitan Manila Development Authority chairman Bayani Fernando said Villar was too late in making his announcement.

"I think he's (Villar) late. I was first in (declaring a bid for the presidency). It seems it's only now that he made a decision," he said.

He reiterated his bid to become president under the ruling Lakas-Christian Muslim Democrats ticket as he denied accusations that he was campaigning early. (www.philstar.com) ■

SOCIAL SECURITY UPDATE

Questions and Answers

by Jane Yamamoto
-BURIGSAY

GENERAL QUESTION:

When am I legally required to give my Social Security number?

Answer:

Most places that ask for your Social Security number may not really require it, but some may refuse you a service if you don't give it. If asked for your number, you should ask why it's needed and how it will be used. You also can ask what law requires you to give it and what the consequences are if you refuse. State agencies, for example, may be required by law to collect your number. For more detailed information, we recommend the publication Your Social Security Number And Card at www.socialsecurity.gov/pubs/10002.html. You also can visit Social Security's website at www.socialsecurity.gov or call us toll-free at 1-800-772-1213 (TTY 1-800-325-0778). Also, be sure to keep your Social Security card in a safe

place at home with your important papers—not in your purse or wallet.

QUESTION:

I know that some years ago the age of retirement began to increase. How do I find out exactly when I will be of "full retirement" age?

Answer:

Full retirement age gradually increases based on the year of your birth. Those born in 1937 and before reached full retirement age at 65 years old. Those born in 1938 or later will see a gradual increase in the full retirement age with those born between 1943-1954 reaching full retirement age at age 66 and those born in 1960 or later becoming eligible for full retirement benefits at 67 years old. No matter what your full retirement age is, you may start receiving reduced benefits as early as age 62 or a larger benefit by delaying retirement as late as age 70.

For more information, visit our website at www.socialsecurity.gov or call us toll-free at 1-800-772-1213 (TTY 1-800-325-0778).

DISABILITY QUESTION:

My husband gets Social Security Disability benefits for his diabetes. Last month, his leg was amputated due to his diabetes. Can we apply for an increase in his benefits since his condition has gotten worse?

Answer:

The benefit amount a person gets is not based on the severity of a person's disabling condition. It is based on whether or not a

person is disabled. Once that determination is made, other factors go into figuring the benefit amount, such as the person's age and the amount of Social Security taxes paid. For more information visit the website, www.socialsecurity.gov, or call 1-800-772-1213 (TTY 1-800-325-0778).

QUESTION:

I lost my Medicare card. Do I need to come into the Social Security office for a new one?

Answer:

No, it's easy to get your

Medicare card replaced by visiting Social Security's website. Go to www.socialsecurity.gov and select the "Medicare" bar in the upper right side of the page. Then select the first item on the page: "Replace your lost, stolen or damaged Medicare card." Your replacement Medicare card will arrive in the mail within 30 days. If you need proof of Medicare coverage sooner, a letter can also be sent to you within 10 days that will confirm your coverage. If you prefer, you also may call us toll-free at 1-800-772-1213 (TTY 1-800-325-0778). ■

SBA Holds Free Seminars in September

HONOLULU, HI – There is no time like the present for small business owners to strengthen their business, particularly when they can get valuable free advice and

information. Through September, experienced SBA business specialists are offering confidential consultations to small business owners on Oahu to discuss how the programs and services of the federal agency may help grow their business. Local banks and credit unions will

open their doors for small business owners and start ups to take advantage of these counseling opportunities. Reservations are recommended for the 30 minute appointments and are available from 9 a.m. to 2:00 p.m. on dates listed below.

September 10	First Hawaiian Bank Windward City Shopping Center - Kaneohe	541-2990 Ext. 215
September 18	Central Pacific Bank Ward Branch - 505 Ward Avenue	541-2990 ext. 215
September 24	Hawaii National Bank Airport Branch - 540 Lagoon Dr	541-2990 Ext. 215
September 30	Honolulu Federal Credit Union 1357 Kapiolani Blvd. Ste. G 101	541-2990 Ext. 210 or 212

SBA staff can explain SBA's guaranteed loans, government contracting certifications and business development opportunities, and other sources for training, in-depth counseling, technical assis-

tance and the web based tools and interactive courses available at SBA's website. The private sessions will be tailored to the needs of the individual business owner.

For more information or to set

your appointment, call the Hawaii District Office at 541-2990. Registration is also available at www.sba.gov/hi. Appointments will be confirmed by SBA. ■



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PHILIPPINE NEWS

Ombudsman Asked to Suspend, Charge Garcia, Other GSIS Execs With Graft

by Edu **PUNAY**

THE OFFICE OF THE OMBUDSMAN was asked yesterday to suspend for six months the president and general manager, vice president and treasurer, and the entire board of the Government Service Insurance System (GSIS).

In two separate complaints, a retired government employee and three public school teachers also called on the anti-graft agency to charge before the Sandiganbayan

with graft, misconduct and malversation of public funds Winston Garcia, GSIS president and general manager; Consuelo Manansala, vice president and treasurer; Board of Trustees chairman Bernardino Abes; and members Victoria Ablan, Jesse Andres, Mario Ramirez, Esperanza Ocampo, Reynaldo Palmieri, Alejandro Roces, Jesus Santos, and Nita Javier for allegedly depositing about P10.39 million of state pension funds in the bank account of Manansala.

In their complaints, Robert

Carballo, a government retiree; and Feliciano Taguiba, Miguel Miram, and Luz Pacete, all public school teachers, said a report of the Commission on Audit showed that the GSIS initially deposited over P2.7 billion to the account of Manansala on May 5, 2003 after the certificate of incorporation of GSIS Properties Inc. (GPI) was issued by the Securities and Exchange Commission.

It was found that various deposits were subsequently made to the account of Manansala instead of the funds being deposited in the account of GPI, which was already

recognized as a corporation, the complaint added.

The complainants also questioned the creation of GPI through resolution No. 120 passed by the GSIS board on June 5, 2001 without prior clearance or review of the Office of the Government Corporate Counsel and the Department of Finance as required under Administrative Order No. 59.

"The cash transfers made to the savings account of Consuelo Manansala out of the proceeds of matured treasury bills (amounting to P7,999,990,973.58) resulted in 'opportunity loss' in aggregate

amount of P46,988,422.80 because had the money been placed in treasury bills it would have earned P57,376,774.88 (or P10,388,322.08 higher)," read the complaint.

The complainants asked the Office of the Ombudsman to investigate possible violations of Republic Act 3019, the Anti-Graft and Corrupt Practices Act; RA 6713, Code of Conduct and Ethical Standards for Public Officials and Employees; and Article 217 of the Revised Penal Code, Malversation of Public Funds or Property. (www.philstar.com) ■

Peso Seen to Stabilize

by Des **FERRIOLS**

THE MARKET EXPECTS the peso to consolidate after dropping to its weakest level in a year, with further losses to be limited by remittances from overseas Filipino workers (OFWs).

said yesterday the peso is expected to stabilize following its recent weakness, especially with the Bangko Sentral ng Pilipinas (BSP) likely to continue tightening its monetary policy settings.

"Remittances are expected to sustain their strong trend and support the BSP's efforts in limiting peso weakness," Merrill Lynch said in its Global Currency Strategy report.

"Nevertheless, sentiment is

likely to remain generally bearish as the trade and investment outlook stays weak," Merrill Lynch said.

Merrill Lynch said sentiment toward Asian currencies had deteriorated abruptly since late July with the recent strengthening of the dollar coinciding with renewed Asian growth concerns.

"At the same time, the markets are disappointed with the relatively muted tightening in response to inflation pressures," Merrill Lynch said.

"Intervention would also have the effect of keeping imported inflation in check," Merrill Lynch said. "USD-Asia should head lower as

we expect the USD bounce to retrace somewhat."

Merrill Lynch said the August inflation rate was critical and the market also wanted to see the latest data on the country's balance of payments position which would come out on Sept. 16.

Monetary officials have already said they were unconvinced that the economic slowdown in the second quarter created enough room to end the tightening cycle, with the inflation rate still significantly above the official target for 2008 and 2009.

BSP Governor Amado Tetangco said monetary policy still needed to be "appropriately tight" to stabilize inflation to within the target range over the policy horizon, and to help manage inflation expectations.

The BSP has already raised its policy rates by 100 basis points so far this year and the market had been trying to anticipate if the degree of the first semester slowdown was enough to end the cycle.

Despite this, the inflation rate is still climbing due to volatile oil and food prices, hitting 12.2 percent in July and possibly going up to as high as 12.6 percent in August. The target inflation for the year is three to five percent but the year-to-date average was already at 8.3 percent.

Asian markets are faced with the challenge of the strong US dollar and growth concerns but Merrill Lynch said earlier that the BSP should have an easier time stemming the weakness of the peso.

Merrill Lynch had originally ex-

pected the Philippine peso to stand at P44.50 by the end of 2008, strengthening to P44 early next year before dropping to P45.50 by the end of 2009.

Merrill Lynch said it expected Asian foreign exchange markets to stabilize with the US dollar generally moving lower against most Asian currencies including the peso.

According to Merrill Lynch, the BSP should have "some success" in stemming the weakening of the peso, however.

Economists have long expected that besides the rapid increase in inflation, the falling peso and its declining dollar reserves would pressure the central bank to continue tightening its monetary policies more aggressively for the rest of the year. (www.philstar.com) ■

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PHILIPPINE NEWS

Yano Tells Troops: Brace for MILF All-Out War

by Edith REGALADO

THE ARMED FORCES OF THE PHILIPPINES (AFP) is now bracing for an all-out war against the Moro Islamic Liberation Front (MILF) after the government decided to cancel the proposed Memorandum of Agreement on Ancestral Domain (MOA-AD).

This even as a senior military officer claimed that the rebel group has been recruiting new fighters in Sulu, promising integration to the AFP.

The Office of the Presidential

Assistant on the Peace Process (OPAPP) has reportedly formally informed the Malaysian government, which is acting as a peace process facilitator between the two parties, that the Philippine government is no longer signing the MOA-AD.

As the negotiation process dictates, the Malaysians shall officially relay the information anytime to the MILF peace panel.

Sources in the military community in the south said AFP chief Gen. Alexander Yano has issued

guidance for the AFP to anticipate a declaration of an "all-out war" by the MILF as a worst case scenario in reaction to the government's dropping of the MOA-AD.

"Alert all forces for this possible contingency," Yano was quoted by military officers in Mindanao.

The AFP chief stressed that while punitive action shall continue against the 102nd, 103rd and 105th base commands of the MILF, the ceasefire and active defense posture with the other MILF groups still stands.

The AFP has also augmented existing troops in Central and Northern Mindanao following the renewed skirmishes with the forces of MILF commanders Umbra Kato and Abdurahman Macapalar in North Cotabato and Lanao del Norte.

At least six Army battalions have been moved from the Visayas and Luzon to Mindanao since last month.

RECRUITMENT

Major Gen. Juancho Sabban, Joint Task Force Comet chief based in Jolo, said the MILF is collecting a P2,000 membership fee from its recruits and warned civilians that there is no integration of MILF into the AFP.

Sabban condemned the deceit and ploy of the MILF in victimizing innocent civilians who wish to join the AFP organization, citing that the rebel's strategy is to expand and strengthen their organi-

zation in the province.

"Now it is clear what this expansion is for. It is a clear anticipation of some MILF resistance against the Philippine government," Sabban said.

He said the number of the MILF in Sulu is still insignificant but their presence is already proof of the veracity of recruitment that did not exist before the peace talks began in 2001.

There was no immediate figure on the strength of the MILF, a breakaway faction of the mainstream Moro National Liberation Front (MNLF) that signed a peace accord with the government in 1996.

There were reports that the MILF have been soliciting rogue MNLF members to merge with its ranks.

Sabban ordered all the ground commanders to conduct defensive measures to disrupt the MILF's recruitment activities through massive information in the villages of Sulu.

"The MILF must be stopped from using illusive and false promises to lure membership, while demanding money," he said. "We are informing the public that there is no signing yet of the final peace agreement between the Government of the Republic of the Philippines and the MILF."

However, Lt. Col. Ernesto Torres, AFP public affairs office chief, said they have already prepared for any scenario even during the start of the fighting in

several areas of Mindanao. "We are prepared for any eventuality," Torres said.

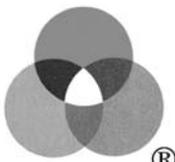
He added that combat operations during the past month have greatly degraded the capability of some MILF groups, particularly those who attacked villages in North Cotabato and Lanao del Sur.

Despite this, the military spokesman is optimistic that the move does not mean abandonment of the peace talks, but rather a way of formulating other mechanisms more responsive to the situation in Mindanao.

He said they are hoping the new developments in the peace process would not lead to escalation of hostilities in Mindanao because there are still other peace mechanisms in place, such as the Joint Coordinating Committee on the Cessation of Hostilities and the International Monitoring Team, whose term was extended for another three months.

But he said they are not discounting that MILF base commands on the run are still capable of launching small scale attacks such as ambushes and harassment on military detachments because of reports that the groups have splintered to avoid detection.

"In accordance with the guidance of our chief of staff, if they would be operating or launching operations in big numbers then it is our commanders' call to use the full might of the armed forces to thwart such plans to commit atrocities," he said. (www.philstar.com) ■



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CA Reverses Itself on Libel Case vs Defunct Newspaper

by Mika FRIALDE

THE COURT OF APPEALS reversed an earlier decision that found former editors and reporters of the defunct Manila Chronicle Publishing Corp. guilty of libel and ordered them to pay businessman Alfonso Yuchengco the amount of P101 million.

In its 10-page decision penned by Associate Justice Amelita Tolentino, the CA's Special Former Fifteenth Division reversed its March 18, 2008 ruling saying that it would have a "devastating and catastrophic effect" on the freedom of speech and of the press.

Last March 18, the CA affirmed the Nov. 8, 2002 order of the Makati City Regional Trial Court that found Raul Valino, Neal Cruz, Ernesto Tolentino, Noel Cabrera, Thelma San Juan, Gerry Zaragoza, Donna Gatdula, Rodney Diola and Robert Coyiuto guilty of libel and ordered them to pay Yuchengco P101 million in damages.

The CA, acting on the motion for reconsideration filed by the defendants, acknowledged that it had failed to consider the proposition of the defendants that the subject of the complaint falls within the concept of privileged communication implicit in the constitutional guarantee of freedom of the press.

Yuchengco at present holds a Cabinet rank after being appointed as Presidential Adviser on Foreign Affairs on Jan. 30, 2004.

"Although malice is the essence of the crime of libel, we find that it is absent in the case at bar. The records are bereft of proof of actual malice on the part of the defendants-appellants for the imputations made in the subject articles," the CA said.

The CA said that when public figures complain of libel, the provision must be construed in the light of the constitutional guarantee of free expression and upholding the standard of actual malice with the necessary implication that a statement regarding a public figure, if true, is not libelous. (www.philstar.com) ■

■ MAINLAND NEWS

Filipina Teen Activist Runs For California District Assembly

FILIPINO-AMERICAN TEENAGER Lucilla Esguerra is running the California State Assembly's District 48, under the banner of the Peace and Freedom Party.

An anti-war activist and gay rights advocate, Esguerra is the middle child of immigrant Filipino and Polish parents. She kicked off her campaign with an enthusiastic gathering at the Manila Terrace Social Hall in Los Angeles' Historic Filipinotown on September 1.

Esguerra says her campaign will focus on jobs, education, housing and healthcare. Specifically, she is for full employment—jobs for all, including job training for youth and the unemployed; free healthcare for everyone; free education from pre-school through college; and the immediate end to all foreclosures and evictions.

She also believes in full equality, immediate legalization for all and wants to make California a sanctuary for undocumented immigrants. Her campaign flyer states: "If California is a separate country, its economy will be the 7th largest in the world and we all know how the state got to that point—through the labor and sacrifices of immigrants documented or otherwise. It is about time that we recognize their contribution."

In March of this year, Esguerra led an anti-war protest in Los Angeles, which drew some 10,000 participants. She also has organized resistance to the anti-immigrant Minuteman Project and protests demanding full rights for all immigrants over the past three years.

"Whatever happens, my candidacy should serve as an inspiration to the youth and our kabbayans—the second largest immigrant group in California and yet the most



underrepresented—to dare to struggle for what is good for our community," Esguerra told the more than 300 in attendance, who were mostly Filipinos and Hispanics. "They say I am still very young, but I tell them we need more of the younger generation to be a part of the government."

Esguerra is running in the mostly Democrat 48th State Assembly District, one of 80 districts in the California State Assembly. The district is located entirely within Los Angeles County and includes Arlington Park, Athens, Chesterfield Square, King Estates, Koreatown, Lafayette Park, Magnolia Square, North University Park, University Park, Vermont Knolls, West Adams, West Park Terrace and Wilshire Center.

Her most visible opponent is incumbent Democrat and socialist academic Mike Davis, 62. A Southern California native, Davis is a history professor at the University of California-Irvine and an editor of the New Left Review.

Davis' focus has been on education, health care, transportation, and economic development. He, however, clashes with Esguerra in other issues such as legalizing gay marriage in California, which he voted against. (Philippine News) ■

YOUTH EXCHANGE SCHOLARS



Carlos Sorreta, Deputy Chief of Mission for the Philippine Embassy in Washington, D.C., welcomes 39 Youth Exchange Scholars (YES) from the Philippines. Of the 39 scholars, 38 are from Mindanao and 37 are Muslims. The students will study in the U.S. for one year. They will be living with foster families during the duration of their scholarships.

The YES program was established by the U.S. Department of State following the events of September 11, 2001 to increase understanding between the U.S. and countries with significant Muslim populations. YES students are selected for their commitment to community service, public diplomacy and academic achievement.

While in the U.S., YES students participate in various community service projects and take part in enrichment activities that allow them to explore local, state, and national politics, cultural events and family life.

(photo provided by Embassy of the Philippines, Washington D.C.)



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MAINLAND NEWS

NaFFAA Officials Gear Up For National Empowerment Conference

THE NATIONAL FEDERATION of Filipino American Associations (NaFFAA), in partnership with the Pacific Northwest Filipino Chamber of Commerce, will hold its 8th National Empowerment Conference on September 26-28, 2008 at the Westin Hotel in Downtown Seattle.

Over 500 Filipino-American community leaders and advocates throughout the U.S. and other countries will discuss how to "Forge a New Filipino-American Agenda for the 21st Century" and promote the welfare and well-being of Filipinos and Filipino-Americans through unity and empowerment.

Presidential candidates Barack Obama and John McCain have been invited, along with Sen.

Maria Cantwell, Washington Governor Christine Gregoire, King County Executive Ron Sims and Seattle Mayor Greg Nickels.

Conference speakers include Scott Oki, founder and chairman of Oki Golf and Oki Developments; Paul Jensen of Microsoft; and Tiffany McVeety of the U.S. Small Business Administration. Philippine President Gloria Macapagal Arroyo is also expected to speak.

"As a national Filipino American organization, it is important for our community to hear what our public officials have to say about the issues affecting us," says Alma Q. Kern, NaFFAA National Chair.

Kern says that NaFFAA cannot publicly endorse candidates due to its tax-exempt status but still

hopes to encourage Filipino-Americans to vote and become more active in the elections process.

"This is what community empowerment is all about," Kern says.

The three-day conference will focus on political empowerment, human and health services, economic development, youth education, cultural programs, the media and arts. It will be an opportunity to meet community leaders and advocates from different states and countries who have championed the causes of Filipinos and Filipino Americans.

ABOUT NAFFAA

NaFFAA's mission is to monitor legislation and public policy issues affecting Filipino Americans and work in coalition with other national groups around common issues and concerns. Headquartered in Washington, D.C., it is recognized by policymakers,

private industry and national advocacy groups as the voice of Filipinos and Filipino Americans throughout the nation.

Non-partisan and non-profit, it has more than five hundred Filipino-American institutions and umbrella organizations as affiliates. Its 12 regions cover the continental U.S., Alaska, Hawaii, Guam and the Marianas.

Conference registration fee is \$195 per NaFFAA delegate, covering all workshops, materials, meals and a gala dinner. Registration fee for Chamber attendees is \$125, lunch included. Reservations for both exhibitors are also available at \$200 for non-profit organizations

and \$400 for commercial exhibitors. For business track attendees, the fee is \$125 lunch included.

To attend the conference, be an exhibitor or for more information, contact Mariela Fletcher via email at: mariefletcher@msn.com or by telephone at: (206) 892-0075. ■

AAJA Looking For New Executive Director

THE ASIAN AMERICAN JOURNALISTS ASSOCIATION (AAJA) is seeking an executive director who would be responsible for the national non-profit organization's \$1.2 million budget and \$2 million endowment campaign. Primary duties are fundraising, financial and organizational management, and contentional planning.

Since 1981, AAJA has worked to promote newspaper diversity. With a membership of 2,000 professionals and students, AAJA's mission is to encourage Asian Americans and Pacific Islanders (AAPIs) to enter the ranks of journalism, to work for fair and accurate coverage of AAPIs, and to increase the number of AAPI journalists and news managers in the industry.

AAJA executive director Rene Astudillo has formally submitted his resignation, effective November 28, 2008.

"Rene's leadership, integrity

and affinity for AAJA's mission of diversity and fairness and accuracy in coverage of Asian Americans and Asian-American issues has been key to our success," says AAJA National President Jeanne Mariani-Belding, who is the editorial page editor for the Honolulu Advertiser. "His successor will have big shoes to fill."

Catalina Camia, political editor of USA Today, said that Astudillo's tenure as executive director was marked by "growth in membership and in professional staff, an expansion of services, stronger ties to the industry and our journalism organization partners, a more aggressive approach to holding news organizations accountable in their hiring and coverage, and an increase in our financial resources."

The deadline for applications is October 1, 2008 with a potential start date of December 1, 2008 or sooner. ■

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LEGAL NOTES

Certain Out of Status Aliens May Apply for Adjustment



by Reuben S. SEGURITAN

Aliens who are unlawfully present in the U.S. generally cannot apply for adjustment of status. They have to leave and apply for an immigrant visa at a U.S. consulate abroad. This could trigger the three-year- or ten-year bars of inadmissibility.

One exception is provided by Section 245 (i) of the Immigration and Nationality Act. To be covered

under this exception, an alien must be the beneficiary of an immigrant visa petition or labor certification filed on or before April 30, 2001.

In addition, he/she must have been physically present in the U.S. on December 21, 2000, if the petition or application was filed after January 14, 1998.

There is another exception that applies to certain employment-based applicants. This is authorized by Section 245 (k) of the Immigration and Nationality Act.

A new memo from Donald Neufeld, Acting United States Citizenship and Immigration Services (USCIS) Associate Director, clarified the applicability of Section 245 (k).

To be eligible, the adjustment applicant's violation of status must have been due to his/her failure to maintain, continuously, a lawful status or engaging in unauthorized employment or otherwise violating the laws and conditions of his/her admission.

Applicants who are ineligible to adjust under any other basis, such as entering without inspection or as crewmen, are not covered.

Only certain employment-based categories benefit from this law. These are the EB-1 aliens (those of extraordinary ability, outstanding professors and researchers, and multinational managers and executives); EB-2 (advanced degree professionals

and aliens of exceptional ability); EB-3 (skilled workers, professionals and other workers) and EB-4 religious workers. Their derivative spouse and children also benefit.

The violation must not last for an aggregate period of more than 180 days since their lawful admission.

If the alien committed more than one violation, these violations are treated in the aggregate.

An example is a tourist who worked without authorization, violated his/her lawful status and failed to maintain continuously a lawful status. Each day in which one or more of these violations occurred must be counted as one day.

All periods of unauthorized employment since the date of the applicant's last lawful admission,

including any periods after the filing of adjustment application are counted. The filing of an adjustment of status application will not stop the counting period. It will stop only when the employment authorization document (EAD) is approved.

But in the case of failure to maintain lawful status and/or violation of a nonimmigrant visa, the counting stops when the USCIS receives a properly filed adjustment of status application. ■

EDITOR'S NOTE: REUBEN S. SEGURITAN has been practicing law for over 30 years. For further information, you may call him at 212 695 5281 or log on to his website at www.seguritan.com

GLOBAL NEWS

Jollibee Buys China Restaurant Chain

JOLLIBEE FOODS—the Philippines largest fast-food chain—has acquired 100 percent ownership of Hongzhuangyuan, a chain of restaurants located mostly in Beijing, China for P.hf 2.5 billion.

Hongzhuangyuan operates a total of 37 restaurants in Beijing, of which are company-owned, and six franchised stores situated in other cities. Jollibee officials pointed out that Hongzhuangyuan, which serves mainly congee dishes, "is quite profitable and has no debt."

The Jollibee Group operates

1,689 restaurants worldwide. Of the amount, 1,480 are located in the Philippines while the remaining 209 are based overseas.

JFC chairman and chief executive officer Tony Tan Caktiong said the acquisition is in line with the group's strategy to continue building its businesses abroad and expanding its presence in China. JFC also owns the Yonghe King restaurant chain, a fast-food-style business based in Shanghai.

"We are encouraged by our continued progress in foreign busi-



nesses including Yonghe King in China. Hongzhuangyuan will be a strong addition to our presence in China in terms of market segment and geographical coverage," Tan Caktiong said.

Jollibee has locations in California, Nevada and New York. There are no Jollibees in Hawaii despite the state's large Filipino population. (GoodNewsPilipinas) ■

RP Nurses Remain Globally Competitive

FILIPINO NURSES STILL HAVE the competitive advantage in Southeast Asia, according to the Professional Regulation Commission (PRC).

PRC Commissioner Ruth Padilla said that since the 2006 signing of the Mutual Recognition Arrangement (MRA) on Nursing Services, other Southeast Asian countries have been unable to keep pace with the Philippines' standards in nursing education and professional standards.

"Nursing degrees for those in the Association of Southeast Asian Nations take two to three years," Padilla said. "They don't have a full baccalaureate nursing degree like we do."

Under the MRA on Nursing Services, Filipino nurses now have easier access to employment opportunities in the ASEAN healthcare sectors.

Padilla said other nations in the region have been sending



their experts to the country to examine and study the Philippine's comprehensive degree on nursing. North American countries such as Canada have likewise been attracted to the quality of nursing services in the Philippines.

"Members of the Canadian parliament are coming to the country to negotiate with the government," Padilla said. Saskatchewan, Canada officials even invited local leaders of the nursing industry to an all-expense trip to Canada in November 2007.

"This is a welcome development, considering that we have a current surplus of 400,000 registered nurses," Padilla said, adding

that universities and colleges in the country produce about 100,000 nursing graduates annually.

She pointed out that Philippine government and private hospitals only have positions for about 60,000 nurses.

PRC Commissioner Nilo Rosas cited the need to continually improve the country's educational and training system to produce globally competitive professionals.

"One important implication of this development is the need to make sure that our workforce is ahead with the latest trends," Rosas said. (Asian Journal Online) ■

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ILOKO

by Amado I. YORO

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Napadawayan ti St. Paul's Church, Honolulu, Hawaii a nakasangi kaha Hawaii State Senator Clarence Nishihara ken State Representative Jon Riki Karamatsu iti maikadua a misa iti aldaw ti Domingo ti yaay dagitoy a dua a kameng iti Lehislatura ti Hawaii a nangipresentar ti Certificate of Recognition to appreciate the good work of the St. Paul's Church volunteers in sharing their time to help make Hawaii beautiful.

"Thank you for all the work you do for our community," kinuna ni Rep. Karamatsu .

"Your work for the community most specifically the Adopt-a-Hwy along Farrington Hwy will not go unnoticed. We thank you

and we acknowledged your good service." Kinuna ni Senator Nishihara

Gapu iti nasuroken a sanga-pulo ket dua a tawen a tartari-patuen ti San Pablo ti Farrington Highway sipud pay idi 1996, pina-dayawan dagitoy dua nga aglin-linteg dagiti kameng ti

St. Paul's Church gapu iti kin-aaktiboda iti Adopt-a-Hwy program. Aganay nga uppay a milia manipud iti Waialua Interchange wenna ruangan a serkan iti Leeward Community College aging-gana iti Kahi Mohala Facilities, saan a maliwayan dagiti volun-teers a kameng ti St. Paul's Church a dalasan tunggal tallo a bulan. Malaksid iti Adopt-a-Hwy, nakipartipisarip wenna aktibo lalata a makipartipisar ti St. Paul's, kadagiti sumaganad:

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- Hospital and Home Visitation
- Hawaii Episcopal Pacific Asia Ministry
- Flood & Disaster Victim Relief Canned Goods and Clothing
- Adopt-a-Park & Beautification
- Hawaii Food Bank
- Episcopal Relief Development Fund
- Bible Study
- Altar & Church Clean-Up

Nairugi ti Adopt-a-Hwy Clean-up project idi 1996 ket ipat-pataray Youth of St. Paul's [YOSP], maysa kadagiti grupo iti uneg iti simban. Immuna nga impangulan da Amado Yoro ken Constantino Dela Cruz, Bishop's Warden ken Junior Warden, kadagiti a tiempo ngem inallawat ni Cheryl Lei [Yoro] Agullana,

YOSP president ken Chad Ed-ward Agullana ken Raffy Vil-lanueva, co-chairs

iti agdama, ni Raquel Ramirez, YOSP president ti mangipangulo a kaduaen ni Raffy Villanueva,

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• Amado I. Yoro, former Bishop's Warden for 16 years and now, *Chairman of the Vicar's Advisory Board*

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• Miss Raquel Ramirez, *president -Youth of St. Paul's [YOSP]*

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GLOBAL NEWS

2 Filipino Women Jailed in China Deported to RP

by Edu FUNAY

TWO OF THE 69 FILIPINOS jailed in China for supposedly acting as "mules" of transnational syndicates bringing in illegal drugs to the country were deported to the Philippines last week, the Dangerous Drugs Board (DDB) reported yesterday.

DDB chairman Vicente Sotto III said the Chinese government freed the two women for humanitarian reasons, as both are pregnant.

Sotto refused to identify the deported women for "ethical reason."

"They are now back home. We won't prosecute them here simply because their crime was committed in another country. But we are hoping that they would help us solve this problem of Filipinos being used as drug mules in other countries," he told reporters.

He said one of the two deported drug mules has been cooperative with the DDB for its investigation of cases of jailed

Filipinos in China.

Sotto said he met yesterday with Senior Superintendent Jose Carillo, the country's immigration and police attaché to Malaysia, and confirmed operations of a Nigerian syndicate that victimizes Filipinos.

"They have been monitoring a Nigerian group operating in Malaysia. They also found out that two Filipinos are members of the group," he lamented.

He also revealed that Filipinos arrested in China for drug trafficking were "just a few of the syndicate's mules since many others were able to slip through."

The DDB head had asked Carillo to raise the issue to Malaysian authorities since the drug mules would have not been able to pass through the airport if only they had strict enforcement against illegal drugs.

"Dangerous drugs is really a big problem in Malaysia since police is in charge and they could not handle on the problem since they focus all crimes – unlike here



DDB chairman Vicente Sotto III

where we have an office specifically tasked to combat illegal drugs," he said.

Sotto admitted he was saddened after reading the affidavit of one woman jailed in China.

"She was told to swallow 57 capsules of heroin so she could slip them through the airport undetected. But she could not swallow all those pills so they put some inside her private parts."

"At the airport, she restrained herself from urinating until she fainted. When they brought her to the hospital, the heroin capsules were found inside her," Sotto said.

(www.philstar.com) ■

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COMMUNITY CALENDAR

SEPTEMBER 14, SUNDAY
Peñafrancia Fiesta • Enthronement at St. Philomena Church • 3:00 pm.

SEPTEMBER 19, FRIDAY
Peñafrancia Fiesta • Vigil Procession at St. Philomena Parish Courtyard • 8:00 pm.

SEPTEMBER 21, SUNDAY
Peñafrancia Fiesta • (Fluvial Procession, Mass, Taste of Bicol) Rainbow Marina, Right of Arizona Memorial Park • 9:30 am.

SEPTEMBER 27, SATURDAY
Maria Clara Ball at Hibiscus Ballroom of Ala Moana Hotel • 6:00 pm. • Contact Edna Allick-pala at 282-3669 or Jo Farina at 282-3847

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