

HAWAII FILIPINO CHRONICLE

HAWAII'S #1 FILIPINO NEWSPAPER

◆ WEEKLY ◆ OCTOBER 4, 2008 ◆

HEART-TO-HEART TALK WITH QUEZON CITY MAYOR SONNY BELMONTE

A Look At How He Turned Around A Financially Distressed Community

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HAWAII FILIPINO CHRONICLE
94-356 WAIPAHU DEPOT RD., 2ND FLR.
WAIPAHU, HI 96797

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EDITORIAL

Ray of Hope For Philippine Politics?

In a span of a few short years, Quezon City has gone from a bankrupt municipality to one of the most financially-stable cities in the Philippines. Many observers credit the remarkable, overnight turn-around to the courageous leadership of Mayor Sonny Belmonte.

A look at Belmonte's track record shows that success has followed him throughout his career. He has excelled in running government corporations, headed the nation's legislature and is now efficiently managing one of its most heavily-populated cities.

As mayor, Belmonte essentially ran Quezon City as a CEO would a large corporation—he eliminated red tape, cut non-essential personnel, terminated questionable government contracts, encouraged public input and feedback and upgraded the municipality's computer systems. One of his first initiatives as mayor was to revamp Quezon City's tax collection system by switching to a computerized process. This resulted in greater efficiency, ease and less graft. Now, any granting of business permits, assessment of real property taxes, and collection of various taxes and fees are all computerized.

He also pushed for a cleaner and greener environment; better government services in the areas of education, health and social services; and an improved network of streets, drainage systems and other infrastructure. Two years into the job, Belmonte received the Most Outstanding City Mayor For 2003. His accomplishments, integrity, work ethic, competency and solid family background also endeared him to many Quezon City residents, who overwhelmingly elected him to a second term in 2005.

Many are hoping that Belmonte would seek higher office and end the decades of government corruption that has plagued the country. They are quick to point out that unlike current and previous politicians, Belmonte has no graft and corruption scandal haunting him or any of his immediate family.

The decision will be most difficult for him. As a younger man, Belmonte was offered the plum position as Chief of the Bureau of Customs—one of the most graft-ridden agencies in government. But he politely turned down the offer from then-President Marcos on the advice of his family who told him: "That is a good job for a bad man but a bad job for a good man."

An even tougher job would be that of the Philippines' top executive. His supporters believe he is more than capable of leading the country forward. They are willing to follow, but whether or not he is willing to lead remains to be seen.

Celebrating Filipino History Month

Filipino-Americans are the fastest growing and third largest ethnic group in Hawaii. Since the arrival of the first Filipinos to the U.S. during the 1700s, Filipinos have contributed their share to America's rich history, culture and society.

Recently, Gov. Lingle signed House Bill 3343 HD1 into law, which designated the month of October as Filipino-American History Month. The purpose was to commemorate the many contributions of Filipino-Americans. Hawaii is the first state in the nation to enact such legislation.

Filipinos' contributions to Hawaii's history began with the "sakadas" who were originally recruited as plantation workers in the 1900s. They planted the roots for the Filipino migration and experience in Hawaii. Their sacrifices paved the way for future generations of Filipino-American leaders—leaders like Pablo Manlapit, Benjamin Cayetano and Benjamin Menor to name a few. Manlapit distinguished himself as a lawyer and spokesman for the Filipino labor movement. His work in the labor movement in the 1900s allowed future generations to enjoy improved labor conditions, higher wages and better benefits for all workers. Cayetano made history by being the first U.S. governor of Filipino ancestry, while Menor was the first Filipino-American in the U.S. to be elected as a State Senator and the first Filipino-American to be appointed to the Hawaii State Supreme Court.

FROM THE PUBLISHER

I'd like to welcome our readers to yet another issue of the Hawaii Filipino Chronicle—the state's leading and only weekly Filipino newspaper!

Now that the dust has cleared from the Primary Election, we can better ascertain the results. Filipinos are no doubt disappointed with the losses of Ron Menor and Alex Sonson in their Senate races. Luckily, Honolulu City Council incumbents Romy Cachola and Nestor Garcia were re-elected to another term. Congratulations to both Council veterans and best wishes also to the remaining candidates. May the best men and women win on November 4!

If you were among the many thousands of voters who did not vote in the Primary, we hope you will do so in the General Election. For those who have not yet registered, please do so by calling 768-3800. Your vote really does make a difference.

Speaking of politics, our lead story for this issue, written by Carlota Ader, is a candid interview with Sonny Belmonte, mayor of Quezon City. Mayor Belmonte was recently in town for a seminar at the East-West Center. Despite a hectic schedule, he made time to meet with the Filipino community and granted an interview for our paper. As mayor of Quezon City, Belmonte did what many thought was impossible—he ended graft and corruption and restored credibility and the public's trust in government. Please read more about Quezon City's remarkable turnaround as well as an interview with Mayor Belmonte on pages 4-5.

For our feature column, we have the first of a three-part series written by Dr. Lilia Quindoza Santiago on "Sexuality and Ethnicity." An award-winning writer and author of several books, Dr. Santiago is an assistant professor of Ilokan at the University of Hawaii-Manoa. Her series will provide answers to such questions as: Can sexuality be a marker of ethnic identity? Conversely, does one's ethnic origin define or confine one's sexuality? Please read more on page 6.

In other news, we would like to congratulate Dr. Danelo Canete, as he steps down after two years as CEO of the Hawaii Medical Center, to focus on his private practice. He will be succeeded by Dr. Collin Dang, who will be continuing much of Dr. Canete's initiatives aimed at moving HMC forward. Please read more on page 9 as well as a related story on page 10.

We hope that you will enjoy reading "Immigration Guide," "Legal Notes," "Family Corner," "View From the Edge" and other regular columns. In closing, thank you once again for your continued support. Until next time, *Aloha and Mabuhay!*

Chara A. Montesines-Sonido

In the world of academics, the University of Hawaii-Manoa has played a vital role in the perpetuation of our cultural heritage. It is the only university in the U.S. that offers a Bachelor of Arts degree in Philippine Language & Literature. We are proud of this distinction as well as of the many distinguished and award-winning Filipino-American professors who teach and head various departments at UH—educators like Dr. Belinda Aquino, Dr. Teresita Ramos, Dr. Ruth Mabanglo and Dr. Lilia Santiago, to name a few.

To all Filipinos of Hawaii, we salute and honor you for your contributions in the enrichment of our heritage and history. Let us continue to take pride in our past accomplishments and continue working together for a brighter future.



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The Hawaii Filipino Chronicle is published weekly by The Hawaii Filipino Chronicle Inc. It is mailed directly to subscribers and distributed at various outlets around Oahu and the neighbor islands. Editorial and advertising deadlines are three weeks prior to publication date. Subscriptions are available at \$75 per year for Oahu and the neighbor islands, continental U.S. \$80, foreign country \$90. Copyright 2008. The Hawaii Filipino Chronicle Inc. is located at 94-356 Waipahu Depot, Waipahu, HI 96797. Telephone (808) 678-8930 Facsimile (808) 678-1829. E-mail: hifilipinochronicle@gmail.com. Website: www.hifilipinochronicle.com. Options expressed by the columnists and contributors do not necessarily reflect those of the Hawaii Filipino Chronicle management. Reproduction of the contents in whole or in part is prohibited without written permission from the management. All rights reserved. Printed in the U.S.A.

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LEGISLATIVE CONNECTION



By Senator Will Espero

Crisis Leads to Ingenuity (Part 2)

interest. This year Hawaii became the first state in the nation to require that, as of 2010, all new single family homes must have solar water heaters. You might have seen news stories about "cow power" providing electricity in Vermont, Connecticut, Oregon, and parts of Canada. Another law we passed permits farmers to install energy facilities on agricultural land, provided that agriculture remain the primary use of the land. Farm methane is one of the options available under the bill, along with wind turbines or solar panels. You may already be familiar with the clothesline bill that allows clotheslines that are out of view, despite association rules to the contrary. The bill was vetoed by the Governor. The Senate overrode the veto, but the House could not get 2/3 of its members to vote to do so.

In addition to these bills, the Legislature approved Special Purpose Revenue Bonds (SPRBs) to assist energy companies to raise investment capital to finance projects. Here's a rundown:

H2 Technologies plans to construct on the island of Hawaii, a hydrogen generation research, development and manufacturing facility, and a gasoline- or diesel-to-hydrogen automobile conversion garage to transition car owners to using hydrogen rather than imported petroleum-based fuel.

Jacoby Development- Geoplama intends to plan, design, construct, and acquire land on the Big Island for a plasma arc municipal solid waste processing system. In its simplest sci-fi movie description, the plasma arc zaps landfill with hot-as-the-sun temperatures and produces methane which is used to generate electricity.

Oceanlinx, in its Maui Wave Energy project will tap hydrokinetic power to generate electricity. Oceanlinx will plan, design and construct the facility off Pe'ahi near "Jaws" at Maui's north coast and supply electricity to Maui Electric Company. The technology is being used in projects under development in Rhode Island, the United Kingdom, Australia, and South Africa. The waves flowing through the twin turbines forces air to reverberate through a column, powering a turbine to generate energy. The project is expected to generate enough electricity for as many as 1,600 Maui homes by 2009.

Hui Mana 'Oma'o ("Consolidated Green Power") received a SPRB for renewable energy projects on Oahu. Its principals and affiliates have long been laboring in both the cogeneration and renewables markets in Hawaii.

Sopogy is a high tech company producing concentrated solar

power systems. You may have read about the parabola in Australia, Spain, and California. Sopogy will plan, design, construct, equip, and operate a solar farm power plant on Oahu.

Cars

California, along with 17 other states -- half the population of the country -- put in their law books a requirement that by 2009, automobile manufacturers design cars that emit lower levels of greenhouse gases. A key way to reduce emissions is to increase fuel efficiency. I'm pondering introducing a bill to add Hawaii to that list of states so that our drivers can stop paying so much at the pump. Please let me know what you think about this.

The local newspapers already had an article about those highly efficient but "0 to 60 in 15 seconds" cars of the 1980s and 90s making a comeback, and the higher efficiency of diesel cars. Earlier this year Maui Energy Group, LLC discussed with me its plans to offer electric cars by next summer, fleet sales only. The major auto manufacturers are said to be planning increases in the number of hybrid and flex fuel cars they produce.

Daimler Mercedes-Benz has received more than 30,000 reservations for its Smart Car, a car

used widely throughout Europe, and which was recently put into the American market. The Smart Car's base price is \$12,000. It gets 33 mpg in the city and 41 mpg on the highway. Addressing concerns that passenger safety was being traded for fuel efficiency, the 1,800 pound car has a steel safety cage and four standard air bags to protect passengers, and received the highest rating of good in front-end and side-impact testing by the Insurance Institute for Highway Safety. The Institute's president said the Smart Car's engineers designed a high level of safety into a very small package.

The Smart Car's fuel efficiency still trails the Toyota Prius, which gets 48 mpg in the city and 46 mpg on the highway. Toyota is working on an array of alternative fuel cars in addition to its Prius. Progressive Insurance earlier this spring announced that it will co-sponsor a \$10 million competition for the most production ready, most fuel efficient cars. The winners will race in the summer of 2009.

Change is coming. The public and private sectors are working toward decreasing our dependence on imported oil. The benefits are clear: we can increase our national security, decrease our economic vulnerability, reduce our need to spend heavily on military intervention when our foreign oil suppliers may be threatened, and help our cash-strapped residents and businesses be better able to make ends meet.

On 2007, on Oahu alone, the cost for imported fossil fuels to produce electricity was upwards of three-quarters of a billion dollars, or more than \$2 million a day. That expense borne by Oahu businesses and residents is expected to be higher in 2008, since oil prices shot over \$100 a barrel and continued to set record highs throughout this year. As one testifier described it, Hawaii's dependence on oil is extreme, not only to generate electricity, but also for cars, jet fuel, and utility gas, as well as a basis for many consumable products and fertilizer for agricultural products. According to one source, at least eight farms and Oahu's last dairy closed down within the last year, citing higher transportation and feedstock costs as primary contributing factors.

Alternative Energy

The Legislature found that encouraging the development of renewable energy is in the public's



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COVER STORY

Heart-to-Heart With Quezon City Mayor Sonny Belmonte

By Carlota Ader

When Sonny Belmonte was elected mayor of Quezon City in 2001, the city was the most financially distressed local government unit in Metro Manila and perhaps the entire county. The city was crippled by a staggering amount of debt, including P1.25 billion to the Land Bank and another P1.4 billion to various contractors. The general fund was overdrawn by P10 million.

In a span of two short years, Belmonte turned bankrupt Quezon City into one of the Philippines' most stable cities. Just how did he do it?

Effective fiscal management

Observers point out many factors, most notably prudent fiscal management policies, aggressive tax management strategies and a commitment to be more efficient and disciplined in managing and using its resources.

Much of the success can be credited to Belmonte's fiscal

management acumen. Among his first moves as mayor was to revitalize tax collection. He pushed for computerized tax collection, which resulted in greater efficiency, accuracy and less graft. The city government also developed a database system that now contains around 400,000 real property units with the capability to record payments, and the capacity to serve 20,000 taxpayer transactions a day.

Belmonte was also bold enough to pursue other necessary cost-cutting measures that his fellow politicians typically avoided. Early on, he let lapse the contracts of about 3,000 casual hires whose services were no longer needed by the city government. Business taxes were also raised considerably to make Quezon City's rates closer to the tax rates in neighboring cities. According to Belmonte, these were sacrifices that had to be made in order to realize the vision of a "Quality Community."

Currently, his administration is further tapping the benefits of technology, principally, Geographic Information Sys-

tems, to create new revenue sources to ensure a continuously increasing revenue base for the City.

"Cities are now the new nations, able to source for themselves investments, business opportunities and resources," Belmonte says. "In the Philippines, more progressive cities like Quezon City are igniting the engines of growth. Competition becomes easier now that we have put our 'house' in order."

A Cleaner, Greener City

Quezon City has been named the 2nd Cleanest and Greenest City of the Philippines, according to the Department of Environment and Natural Resources (DENR).

When Belmonte first assumed office in 2001, he was astounded by the staggering cost of garbage collection, which even reached as high as P80 million a month. He directed the study and implementation of a package clean-up system, to replace the corruption-prone and contractor-influenced "per-trip" system. This resulted in a much cleaner city,



Quezon City Mayor Feliciano "Sonny" Belmonte

with 500 tons less garbage a day, at a collection cost that was P 20 million a month less.

Once the scene of tragedy, the Payatas dump has been converted into a controlled waste facility and has been recognized by the DENR as a model and pioneering disposal facility. It is now implementing a biogas reduction project using the Clean Development Mechanism under the Kyoto protocol.

Quezon City has also undergone a dramatic urban transformation. One of the first places this occurred was in Novaliches, which now has its park

complete with a fully lighted fountain and promenade areas. Widening and paving of streets, development of inter-linking roads, rationalization of traffic and disciplining of pedestrians greatly reduced traffic congestion.

Other redevelopment efforts have taken place in the Tomas Morato Avenue areas, Metro Cubao and the other northern portions of the City. Belmonte's administration has inspired such confidence in the private sector that investments in private developments have grown exponentially since SB

The Environmental Impact Statement Preparation Notice (EISP/N) / Environmental Assessment (EA) for the Thirty Meter Telescope (TMT) project is now available for review. Those on our mailing list have already received copies of the EISP/N/EA. The EISP/N is also available for download on our website www.TMT-HawaiiEIS.org or in hard copy at your local public library.

We hope you have the opportunity to review the EISP/N/EA and contact us with any comments related to the project you may have. There are a number of avenues to get your comments to us during the 30-day EISP/N/EA comment period, including:

- Comment using the comment tool on our website: www.TMT-HawaiiEIS.org
- Leave us a message on our hotline: 1-866-284-1716 (toll-free)
- Attend one of our public meetings:

Area	Date	Location	Time
Hawi	Oct. 6 (Mon)	Kohala High School Cafeteria	5-8pm
Waimea	Oct. 8 (Wed)	Kahilu Town Hall (Waimea Family YMCA)	5-8pm
Kona	Oct. 9 (Thr)	Kealahke Elementary School Cafeteria	6-9pm
Ka'u	Oct. 13 (Mon)	Ka'u High/Pahala Elementary School Cafeteria	5-8pm
Hilo	Oct. 14 (Tue)	Keaukaha Elementary School Cafeteria	6-9pm
Puna	Oct. 15 (Wed)	Pahoa High School Cafeteria	5-8pm
Honolulu	Oct. 16 (Thr)	Neal S. Blaisdell Center Pikake Room	5-9pm

• You may also mail written comments to:
TMT Project EIS Process / 650 North A'ohoku Place / Hilo, HI 96720

We look forward to seeing you at the public meetings and working with the communities of Hawaii on this project. To request language interpretation, an auxiliary aid, or service please leave a message on our hotline 1-866-284-1716 and we will work with you to provide assistance. Mahalo for your time and interest.



Q: What can you say about Senator Obama running for president for the US?

A: Sen. Obama is quite a sensation and seems to be a terrific person. There are two members of Congress in the Philippines who idolize him. He's come so far in such a short time. I read his biography and was surprised to learn that he attended Harvard University when he was in his late 20s.

All of this was due to sound fiscal management and accountability, which many people could not believe. That's one of the reasons why I received the Outstanding Mayor Award in 2003.

Q: What are some of your achievements as Mayor of Quezon City?

A: Because of our sound fiscal situation, Quezon City has embarked on massive infrastructure improvement. Along with major improvements to the main thoroughfares, we also upgraded our drainage system, public lighting and so forth. The result is now a much more beautiful city. Those who have returned after being away for awhile

Q: What are the most pressing problems in Quezon City today? Traffic?

A: Quezon City has been judged this year as the most competitive city over Metro Manila. In fact, Quezon City enjoyed budget surpluses during 6 out of the 7 years that I have been

COVER STORY

took office. These are evident in the rise of new shopping malls, wide-scale real estate developments, office buildings especially those for business process outsourcing. In fact, investors are finding Quezon City to be a most cost-effective location, with the most expansive lands still available for broad-scale development.

A Better Life For All

Since 2002, the Philippine Commission on Audit and the Department of Finance have regarded Quezon City as the local government unit (LGU) with the highest net income in the Philippines. For four straight years, the City produced a budget surplus averaging P282 million annually.

The people of Quezon City are now enjoying the fruits of more than P 8 billion worth of

infrastructure investments. These are investments to make people's lives better—through safer communities, through more productive environments because people and vehicles can move faster and more conveniently to destinations, and through more pleasurable and healthy surroundings.

"I did not aspire to be a mayor simply to look good while in office," Belmonte says. "It's been said that the first task of a leader is to keep hope alive. But I want to go beyond that. I am working to make hope happen. I want the ensuing reality to endure for many years to come by investing in the future."

Belmonte's Background

Born in Manila on October 2, 1936 to Judge Feliciano Belmonte, Sr. and his wife Luz,

Belmonte imbibed the important values of public service from his parents. He attended elementary school in Baguio City and high school in San Beda College. He went to law school at the Lyceum of the Philippines while working as a young reporter at the Manila Chronicle.

Belmonte started his career in government service in the 1960s when he served as Presidential Staff Assistant for then-President Diosdado Macapagal. He temporarily retired from government service during the martial law years. When Corason Aquino assumed the presidency in 1986, she appointed Belmonte to head various government-owned corporations that were on the brink of bankruptcy.

A public servant with unquestionable integrity and

moral values, Belmonte proved his outstanding character and maintained an unblemished reputation. He was thrice elected Congressman of the 4th District of Quezon City and served as both House Minority Leader and House Speaker of the 11th Congress.

For all of his accomplishments, Belmonte's family remains his crowning glory. His wife, the late Betty Go Belmonte, founder of the Philippine Star, was a woman of courage and true Christian faith who stood by him in everything he did. They shared a passion for political idealism, publishing and art. They have three sons and a daughter all of whom are successful in their own rights — Isaac, editor-in-chief of the Philippine Star;

Kevin, President of Philstar.com; Miguel, President and Chief Executive Officer of the Star Group of Companies; and Joy, an archeologist and civic leader.

In sum, Belmonte has managed to inspire his colleagues, constituents and even adversaries in making a difference in public service—even in a graffiti-ridden society like the Philippines. He did this by promoting productivity, efficiency and accountability. He has given a new meaning to the term "public servant" by virtue of his outstanding accomplishments over the years.

"It is not just a question of climate or culture," Belmonte was once quoted as saying. "It's also a question of morale and incentives in action."

A: Quezon City has so much to offer. Quezon City has the most IT Centers in the entire Philippines, including call centers, BPO's best hospitals, popular wellness destinations and the famous Lamesa Dam, which is a huge reservoir that holds the water supply for Metro Manila. Beside it is the 330 hectares Echo Park—a natural oasis in the heart of the city, which has a swimming pool, restaurants, refreshment bars, flower gardens, a butterfly garden, and a lot more.

There's also Eastwood City in the south—a huge new city with lots of high rise buildings and shopping malls. An important commercial area is Cubao, which houses the Araneta Center and a number of landmark shopping malls, including the ultra modern Gateway Mall which connects to the MRT station. Near the Araneta Center are numerous bus centers where one can take a bus ride to almost any point in Luzon as well as in the Visayas.

Traveling North, there is Novaliches or Fairview which is primarily residential. In the area is a new business center anchored by SM Mega Mall which has attracted a lot of redevelopment, particularly in the old Morata and Timog areas. We are fixing up the sidewalks to become high class, wide sidewalks so people can walk and shop freely and comfortably.

In addition, there is the new, huge 5-story Trinoma Mall which boasts lots of water features, restaurants and modern class vendors. We are also developing Quezon City Memorial Circle. Its management has been turned over to us beginning July 1, 2008. We have a very

ambitious plan for the Memorial Circle's 26 hectares. These are just some of the things that are very interesting to see in Quezon City, which is basically a city on the move.

Q: Do you have plans to run for higher office?

A: Some people are saying that a business executive and action-oriented person like myself could go quite far, especially when you examine my accomplishments. So they are encouraging me to run for president. I am giving it careful thought but I also have a fall back plan. As you know, I was a congressman for 9 years and was also the Speaker of the House immediately after the change of government from President Joseph Estrada to President Gloria Macapagal-Arroyo.

At the moment, I'm content to be where I am. My heart has always been in public service, but not necessarily in government. There are other ways of serving people, so I have these alternatives in mind. I will make my choice soon.

Q: What can you say about Filipinos here in Hawaii?

A: The history of Filipinos in Hawaii goes back even before the turn of the century. I think Filipinos have become an integral part of the local economy. Even our Mayor Mufi Hanneman recognizes the Filipino empowerment in politics and economics. Filipinos have become influential in many issues like some of the other ethnic groups in Hawaii including the Chinese, Japanese and Caucasians. Filipinos are one of the fastest growing ethnic groups here. They could exert more influence if only they were more united.

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Q: How have you managed to attract tourists, foreign investors and business people to Quezon City?

FEATURE

Sexuality and Ethnicity: Issues from a Philippine Perspective (Part 1)



By Lilia Quindoza Santiago

My first lessons on sexuality and ethnic identity were learned from three women: my maternal grandmother whom I called Inang, my Ninang Lourdes, an Igorot woman, and Dr. Dolores Feria, my teacher in comparative literature at the University of the Philippines.

My Inang, my maternal grandmother, practically raised

me. Because of her, I was home-made, meaning, born inside the house. My mother gave birth to me inside our house with her help as *Inang* was a practicing *partera* (midwife) and *hilot* (massage therapist).

She was a skilled *partera*, who, while not schooled or certified, was sought after not only by pregnant women but also by all other women who had difficulties with their bodies and had problems with their reproductive systems. She could heal young women who had dysmenorrhea, was an expert as a massage therapist and could fix dislocated joints and inflamed skin. She

was a *mang-aatag* (Cagayan term for shaman)—one who ministered to the sick by offerings and prayers. She practiced *buniao iti sirok ti latok* (baptism through the plate) where she placed an egg on a plate and when the egg stands, then she prays over for the new name of whoever she was baptizing. She changed the names of my two sisters through the *atang* so that they would not be as sickly and recover from recurring illnesses and fevers.

The women believed Inang had the power to heal their infertility or incapacity to bear children. Stories about her "magic" abounded in our neighborhood. Inang could also fix the position of the child in the womb if this was *balinsuek* (inverted) or *subi* (feet first). In many of her services, when the baby's feet came out first, she would put the baby's feet back into the womb, then slowly turn the baby around while labor was going on, so that the head would come out first.

I remember asking my Inang how she was able to do the things she was doing—that is, helping women get rid of their illnesses, helping them give birth or even helping them get pregnant. My Inang said it was a gift from *Apo Dios*, a *Mannakabalin* or God Almighty. Inang was a Protestant who belonged to the Seventh-day Adventist Church and went to Sabbath every Saturday.

My Ninang Lourdes is an Igorot woman and a very devout Catholic. She was my mother's best friend and I remember days when she and my mother would go to church together wearing those white CWL attires with blues sashes over their waists. Ninang Lourdes hated hospitals and doctors and she gave birth at home, always. And I remember that her days of giving birth became occasions for neighborhood gatherings because she would invite everyone into her backyard to await her baby's

first cry. Then she would sponsor a *canao*, which is an Igorot ritual for all sorts of celebrations—*one of these is for birthing.*

Dr. Dolores Feria, my teacher in comparative literature at UP taught me not only a fondness for literature, especially protest literature, but also the skill and art of resistance to patriarchal domination. Dr. Feria became a close friend especially during martial law when we were detained for about seven months in Fort Bonifacio as both of us became political detainees of Marcos' martial law regime. Her first book, the Long Stag Party (1992) became a very useful theoretical basis for my dissertation, later published as a book, *Sa Ngalan ng Ina: Sandaang Taon ng Tulang Feminista sa Pilipinas* (1997) with an English version, *In the Name of the Mother: One Hundred Years of Philippine Feminist Poetry in Tagalog, English and Ilokano* (UP Press, 2002).

Dolores Feria was born Dorothy Stephens, an American from Marcellus, Washington but changed her name to Dolores when she opted to marry Rodrigo Feria, an Ilokano and a good friend of Carlos Bulosan. She became Filipina not only by marriage but by aligning herself with the most progressive and enlightened desires of the Filipino people. She lived and died in the Philippines, and was known to have advocated thoughts and values "more Filipino" than the ordinary Filipino.

Now what did I learn from all three women?

Despite their differing faiths, both my Ninang Lourdes and my Inang apparently were able to reconcile or blend their own ways of looking at the world, especially of the rite of birthing with their colonialist introduced religions. For Ninang Lourdes, to be Catholic and still revel in the *canao* was perfectly all right. For Inang Onor, there was no problem in becoming a devout Protestant and practice faith

healing ministering to the spirits to bless people especially women in their birthing. I think that both women embraced their religions to re-enforce their belief systems and assert their ethnicity and sexuality as they desired to continue with their roles in reproduction. I admired their resilience in faith, but more than that, they taught me how women can face up to a powerful conqueror's belief system to assert the unique power of women in creating and sustaining the life of the individual and the community.

Women have a vast reservoir of knowledge and creativity in the reproductive process which must be put into good use. Their wisdom, skills, and resourcefulness seem to be underestimated by many societies and in most ethnic formations, these knowledge and skills, are being eroded by overmedicalized institutions and forms of healing and technology. These must be a way of harnessing the ever reliable and still relevant indigenous modes of healing from the heart and hearth of ethnic communities including those here in Hawaii and other parts of the U.S.

Dolores Feria, of course is another story but she is my own perfect example of how one can actually choose one's ethnicity and live comfortably with astounding intellectual pride. I am using the stories of these three women in order to show how matters of sexuality and ethnic identity are interrelated and should be approached as social issues together.

Is one's sexuality, at the same time, one's ethnicity? The answer is yes, when we look at how sexuality can be negotiated from specific social arrangements and seen not just as some form of biological "queerness," oddity or aberration but a necessary component of personal trait engendered by social and political exigencies. I will talk about this in my succeeding article.

Lilia Quindoza Santiago, presently Assistant Professor of Ilokano at UH-Manoa has authored two trailblazing books on Filipino women: "Sa Ngalan ng Ina: Sandaang Taon ng Tulang Feminista sa Pilipinas" (In the Name of the Mother, 100 Years of Philippine Feminist Poetry in Tagalog, English and Ilokano)" (UP Press, 2002) and "Sexuality and the Filipina" (UP Press, 2007). Recently, she spoke on "Sexuality and Ethnicity: Issues From a Philippine Perspective" at a lecture co-sponsored by the UH Women's Studies Department and the Center For Philippine Studies as part of its Fall 2008 Colloquium Series.



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IMMIGRATION GUIDE



By Atty. Emmanuel
Samonte Tipon

Wow! What a beauty contest it's going to be between Sarah Palin and Barack Obama if John McCain is disqualified because he is not a "natural born citizen."

A Niagara of lawsuits has been filed to disqualify McCain. Who are behind them? You know who. A San Francisco federal judge deplored their tactics saying that they are trying to defeat McCain "through litigation rather than via the democratic process." So far, none has succeeded. But his enemies will not stop, hoping a Democratic judge will disqualify McCain before the elections. In which event, the Republicans would have to name a substitute - Sarah Palin.

Natural-born Citizen Requirement

The U.S. Constitution restricts the presidency to two classes of citizens. Article II, Section 1 provides: "No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the Office of President."

McCain might be considered old, but certainly he was not a citizen of the United States at the time of the adoption of the Constitution on September 17, 1787. So, is he a "natural born citizen"?

McCain Born in Panama Canal Zone

John McCain was born at Coco Solo Naval Air Station in the Panama Canal Zone on August 29, 1936. His father, an officer in the U.S. Navy, was stationed there.

"Gotcha," exclaimed McCain's enemies, the Panama Canal Zone is not part of the United States. Therefore, McCain is not a "natural born citizen" of the United States.

Law Suits

On March 14, 2008, Fred Hollander filed suit in New Hampshire to disqualify McCain for not being a "natural born citizen" of the United

States. The suit was dismissed because Hollander did not have "standing" to sue. More lawsuits were filed but were dismissed.

The most recent action was filed in California on August 11, 2008 by Markham Robinson against John McCain, the Secretary of State of California Debra Bowen, the Republican National Committee, the Republican Party of California, and others alleging that John McCain is not a "natural born citizen" of the United States and is therefore ineligible to serve as president. He asked the court to issue a preliminary injunction to stop McCain from continuing with his candidacy.

On September 16, the court refused and dismissed the case, holding that Robinson did not have "standing" to bring the suit, because Robinson was not a candidate against McCain. The court indicated that it is "highly probable" that John McCain is a "natural born citizen." The court cited:

14th Amendment

The 14th Amendment to the U.S. Constitution ratified on July 9, 1868, provides: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside." This provision does not apply to Sen. McCain.

Statutory Provisions on Citizenship

Public Law No. 73-250, 48 Statutes 797, enacted on May 24, 1934, prescribes: "Any child hereafter born out of the limits and jurisdiction of the United States, whose father or mother or both at the time of the birth of such child is a citizen of the United States, is declared to be a citizen of the United States." This was the law at the time of Sen. McCain's birth.

8 U.S.C. 1403, enacted on June 27, 1952, provides: (a) Any person born in the Canal Zone on or after February 26, 1904, and whether before or after the effective date of this chapter, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States, is declared to be a citizen of the

Palin vs. Obama Beauty Contest If McCain Disqualified Because Not "Natural Born Citizen"



(L-R) Barack Obama, Sarah Palin, John McCain

United States," Sen. McCain is covered by this statute.

The Robinson Case's Conclusion

The challenge presented by Robinson is committed under the Constitution to the electors and the legislative branch.

The Twelfth Amendment provides the manner in which the electors appointed by the states shall elect the president. A statute, 3 U.S.C. 15, directs that Congress shall count the electoral votes and hear objections to the vote.

The Twentieth Amendment provides that if the president elect shall have failed to qualify, then the Vice President elect shall act as President until a President has been qualified.

Arguments concerning qualifications can be laid before the

voting public prior to the election. Once the election is over, they can be raised as objections when the electoral votes are counted. The members of Congress are well qualified to adjudicate objections to allegedly unqualified candidates. Judicial review, if any, should occur only after the electoral and congressional processes have run their course. Robinson v. Bowen, No. C 08-03836 WHA, U.S. District Court, Northern District, California, Sept. 16, 2008, Judge William Alsup.

COMMENT: Undoubtedly, Sen. McCain is a U.S. citizen pursuant to statute. But is he a "natural born citizen" pursuant to the Constitution? The Robinson case presented a golden opportunity for the court to define the phrase "natural

born citizen." It passed, simply indicating that it is "highly probable" that Sen. McCain is one. American citizens want certainty, not probability, on this crucial issue. Can't McCain's opponents get a lawyer well-versed in Federal Procedure so that they can meet the threshold issue of "standing"? Why not get Atty. Obama himself to file the suit?

(ATTY. TIPON has won all deportation cases he handled and obtained approval of all visa petitions he filed. He is from Laoag City. He has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. He served as an Immigration Officer. He is co-author of "Immigration Law Service," an 8-volume practice and procedure guide for immigration officers and lawyers. He specializes in immigration and criminal defense. Office at 903 Umi St. corner N. King, Suite 201, Honolulu, HI 96819. Tel: (808) 847 1601. Fax: (808) 847 1624. E-Mail: filamlaw@yahoo.com. Website: www.ImmigrationServicesUSA.com. Listen to the most interesting and humorous radio program on Hawaii radio KNDD 1270 every Friday 7:30-8:00 AM. This article is a general overview of the subject matter discussed and is not intended as legal advice for any specific person or situation. Neither the writer nor publisher warrant the completeness or accuracy of the information provided herein at the time of publication.)

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SOCIETY PAGE



Welcoming Committee for the Cavitenians and Associates of Hawaii Recognition Night. (L-R) Front: Manny Espiritu, Roland Halli, Fely Martinez, Susan Espiritu, Merly Martinez (Back): Gloria Nicolas, Linda Clamor, Nena Halli, Angel Legaspi, Romy and Liway Broas



Cavitenians and Associates of Hawaii Scholarship recipients with committee members during the Recognition Night held at the Pacific Beach Hotel. (L-R): Lydia Dayrit, Cora Legaspi, Jerbie Sarmiento, Sarah Espiritu, Kathleen Santos, Cairene Vida, Gerardo Sarmiento and Trini Arquero



The Charlie Y. Sonido Md. Inc. Staff at a recent party in Kaneohe



Dr. Fernando Ona with Father Jack Healy at a PMAH picnic in Magic Island, Ala Moana



Seated (L to R): Dr. Richard Kua and Larry Sera and Standing (L to R): Aurelia Sera, Dr. Avery Go, James Pagdilao and Dr. Ian Levy Chua enjoying the camaraderie during a luncheon picnic at Magic Island.



Dr. Jojie Waite with son and Dr. Elenita Alvarez and Dr. Gabino Baloy enjoying lunch at a picnic at Ala Moana Park



Kathy Aadaog and Dr. Tessie Bernales are all smiles for a great shot



Dr. William Wong and wife Rita at a dinner reception in Kaneohe



L-R: Dory Villafuerte, Imelda Joaquin, Doneliza, Dr. Fe Baria and Alexi Joaquin at a gathering at Ala Moana Park



Winners for Cavitenians Best Western Costume Contest pose with the judges (L-R): Alan and Apple Matsushima, Minnie Corpuz, Letty Tesoro-Saban, Danny Sarte, Vic Clamor, Tess Solis, Jo Farina and Marina Torio

HAWAII-FILIPINO NEWS

Canete Steps Down as CEO of Hawaii Medical Center

Leadership of the nation's largest physician-owned hospital is passing from one prominent local doctor to another. Leading Honolulu surgeon Dr. Collin Dang is taking the reins as chief executive officer of Hawaii Medical Center from Dr. Danelo Canete.

Dr. Canete led efforts to bring together over 130 Hawaii-based physicians to purchase the two hospitals now known as HMC East and HMC West in partnership with Cardiovascular Hospitals of America LLC, a leading U.S. hospital management company, in January 2007. As HMC's founding CEO, Dr. Canete oversaw leadership of both the Liliha and West Oahu hospitals.

"After heading Hawaii Medical Center for nearly two years, I am stepping down from my leadership duties to focus on my cardiac patients," said Dr. Canete.

Dr. Dang is assuming the CEO position and will be supported by a strong management team composed of the current team and new recruitment.

"Collin Dang is one of Hawaii's best cardiovascular surgeons and an early supporter of the physician-owned hospitals. I have no doubt he will provide the vision and leadership needed to take Hawaii Medical Center forward," added Dr. Canete.

Dr. Dang earned his undergraduate and medical degrees at Georgetown University. He conducted his internship at Georgetown University Hospital and D.C. General Hospital. Dr. Dang completed residencies in general surgery and thoracic and cardiovascular surgery at Sacramento Medical Center, University of California-Davis. He was most recently chief of cardiac surgery at HMC East. He is also a clinical assistant professor of surgery at the University of Hawaii-Manoa's John A. Burns School of Medicine and president of Cardiothoracic Associates of Hawaii.

"Dr. Canete provided strong and steady leadership during a very challenging time for our institution," said Dr. Dang. "Under his watch, both hospitals achieved several key goals, including reducing the length of stay for patients, in-



Dr. Danelo Canete

creasing the reimbursement rate from insurance companies and upgrading medical and IT equipment at both campuses.

"Of particular note are the stellar rankings Hawaii Medical Center received in HMSA's most recent Hospital Quality and Service Recognition Program, in which HMC East ranked second in large-volume hospitals and HMC West ranked first in small-volume hospitals. Dr. Canete will always hold a special place in Hawaii Medical Center's history as its first 'captain.'

Hawaii Medical Center LLC is a partnership of CHA Hawaii, an affiliate of Cardiovascular Hospitals of America (CHA), a leading US hospital management company, and the over 130 Hawaii-based physicians who form Hawaii Physician Group LLC.

Philippine School Names Lecture Series After UH Professor

by Jovanie De La Cruz

The De La Salle University-Manila Filipino Department named its 3rd Lecture Series in Filipino after Dr. Ruth Elynia S. Mabanglo, professor and coordinator of the University of Hawaii-Manoa's Filipino and Philippine Literature Program.

The Filipino lecture series presents new and timely research, publications and co-curricular activities of junior and tenured faculty members teaching Filipino at the De La Salle University system. It also honors outstanding scholars and supporters of Filipino and "Filipinology"—the study of Filipino society through the use of indigenous concepts and perspectives.

This year, the department bestowed the honor to Mabanglo—a Filipino poet in Tagalog, teacher, critic, translator and relentless Filipinoologist who supports excellence in the teaching of Filipino.

Her first book of poems, "Supling: Mga Tula" (Child: A Collection of Poems), won a Cultural Center of the Philip-

pines Award for Outstanding Poetry in 1973. This book is widely-recognized as the first book of poems in Tagalog written by a Filipina. Since then, she has garnered 17 Carlos Palanca Awards For Literature for poetry and playwriting, including a Hall of Fame Award in 1996. The Hall of Fame Award is given only to writers who have won five first prizes in this literary contest.

Mabanglo also won a Republic of the Philippines Centennial Literary Award for epic writing in 1998. Two of her books won the National Book Award—"Mga Lihim ni Pinay" (Letters of Pinay) in 1990 and "Mesa Para sa Isa" (Table for One) in 2003.

In 2006, the Manila City government recognized her outstanding contributions to Filipino literature by bestowing her the "Arang ng Maynila Patnubay ng Sining at Kalangang Tangang Parangal" (Manila Day Award for Outstanding Leaders of Art and Culture).

(Ed. note: Jovanie De La Cruz is the executive editor of *Katipunan Magazine*)

OCTOBER IS FILIPINO-AMERICAN HISTORY MONTH CALENDAR OF EVENTS

OCTOBER IS FILIPINO-AMERICAN HISTORY MONTH (2008)

TIMELINE— Coordinated by: The Filipino-American Historical Society of Hawaii (FAHSOH)
 Contacts: Clem Bautista – Tel. 956-7348; Lyna Burian – Tel. 956-0867

Oct. 4 – 25

Photo Exhibit: "Singalot: the Ties that Bind" Hawaii State Library Lobby
 This Photo Exhibit allows the public to appreciate the history and legacy of Filipino-Americans, so that today's generation is aware of their past contributions to their adopted country.

Oct. 4

Photo Exhibit Opening Reception
 Entertainment by the Silangan Singers
 Hawaii State Library Lobby
 11:00 am – 12:00 noon
 Light refreshments in the Courtyard.

Oct. 11

Panel Discussion: "Growing Up Filipino in Hawaii"
 Filipinos from various demographic backgrounds will discuss issues and challenges they faced during their formative years in Hawaii.
 Hawaii State Library Reading Room
 2:00 – 4:00 pm
 Light refreshments in the Courtyard.

Oct. 12

Talk Story with Pete Tagalog:
 "The 1970 Ota Camp Housing Struggle, A Success Story"
 Community leader Pete Tagalog recounts the Ota Camp struggle to retain their homes and own the land that they are on.
 Hawaii's Plantation Village Social Hall
 4:00 – 6:00 pm
 Light refreshments to follow.

Oct. 17

Memorabilia Display: Capt. Stanley Sabihon, U.S. Army Air Corps
 First Filipino pilot of a B-17 during WWII.
 Wahiawa Library (More information to follow)

Oct. 25

Poetry Reading: "Flippin' on Poetry"
 Hawaii's emerging Filipino-American poets will read from their works on Filipino history and pride.
 Hawaii State Library Reading Room
 2:00 – 4:00 pm
 Light refreshments in the Courtyard

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Hawaii Medical Center Announces Layoffs



Hawaii Medical Center (HMC) announced last week that it would begin a new round of staff reductions after appropriate notifications have been made. Hospital officials estimate the reduction at its two hospitals in Liliha and Ewa will total approximately 150. HMC Chief Executive Officer Danelo Canete, M.D., said the staff reduction would take effect within 60 days from the date of notification.

"While this is a very difficult decision, it is necessary," Dr. Canete said. "Thanks to the efficiency of our operating model and substantially improved patient care, we are able to treat patients more quickly and allow them to return their families sooner than before. This uses fewer beds while caring for the same number of patients, so we are overstuffed."

Dr. Canete stressed the pending reduction is not a result of any shortcomings of the part of HMC's employees. Rather, improved hospital operations and care at HMC have re-

sulted in fewer complications and shortened the average patient stay by almost half, so HMC needs fewer personnel to treat them.

"Based on national standards, our staff is too large for the number of patients in our hospitals," he said. "We will still have sufficient staffing to provide excellent patient care after the reduction."

According to national benchmarks, HMC is over-staffed by up to 30 percent and needs to make the required changes to remain competitive.

"We recognize this is a difficult time for affected employees. We will help them transition, but we must do what is necessary to ensure HMC can continue to serve our community," Dr. Canete said.

HMC filed for Chapter 11 bankruptcy protection on August 28, 2008, permitting its hospitals to continue operating while the company reorganized and arranged for new financing. An appropriately-sized staff will help reduce financial losses so HMC can invest in advanced technology and renovations.

"We expect to emerge from Chapter 11 within a year as a healthy institution that is financially stable and medically-excellent," Dr. Canete said.

Hawaii Medical Center LLC is a partnership of CHA Hawaii, an affiliate of Cardiovascular Hospitals of America (CHA), a leading U.S. hospital management company, and the over 130 Hawaii-based physicians who form Hawaii Physician Group LLC.

Filipino Community Leaders Receive Junior Chamber Intl Senatorship Award

by Leeza Ritua

On September 13, 2008, the Junior Chamber International (JCI) Senatorship Award was presented to two outstanding individuals—Roland Casamina and Larry Ordonez. They were recognized for their efforts at JCI's 2nd Trimester State Convention held at the Ala Moana Hotel.

A Senatorship is the highest honor that can be bestowed on a member or past member of the Junior Chamber organization and confers "lifetime membership" in Junior Chamber International (JCI).

The award recognizes individuals for their dedication and service on the local, national, or international level. The JCI Senatorship provides such members with an enduring link to the organization and its members worldwide. Both Casamina and Ordonez were nominated by the Honolulu

Filipino Junior Chamber of Commerce and approved by the President of the Hawaii Jaycees and the U.S. Junior Chamber of Commerce.

Roland Casamina

Casamina joined the Jaycees to improve his business standing in the community. He served as both officer and director for the Oahu Filipino Jaycees. Casamina was elected president of his chapter. As president, he directed the establishment of the Miss Sampaguita Scholarship Pageant and received the Outstanding Young Man of America award by the U.S. Junior Chamber of Commerce.

Larry Ordonez

Larry Ordonez, was president of the Oahu Filipino Jaycees in 1983. During his term, the Jaycees took part in Perlas USA, a local television show that showcased Filipinos' talents in the performing arts.

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PHILIPPINE NEWS

'Economic Prospects Now Better for RP'

by Marvin Sy

The Philippines has better prospects for survival with the US Senate's re-sounding approval of a sweetened \$700-billion Wall Street rescue plan, the Arroyo administration's economic managers said yesterday.

"There will be a happy Christmas and a merry new year," Socioeconomic Planning Secretary Ralph Recto said at a press conference in Malacañang.

But he said the lower growth figures for this year and in 2009 will remain despite the good news from the US.

Bangko Sentral ng Pilipinas (BSP) Deputy Governor Nestor Espenilla said the approval of the bailout would lessen the fallout of the global economic crunch on the Philippines and other developing countries.

"This (bailout approval) is going to be a positive factor in limiting fallout as a result of continuing financial turmoil in the US," Espenilla said in the same news briefing.

Espenilla said the local banks are "strong in their own right and we have no problem down the road."

"The bailout will improve chances of recession not taking place. It does not mean it's no longer there, but we are talking of probability," Finance Secretary Margarito Teves said.



NEDA's Ralph Recto

"Shutdown will allow business to take place but in recession, there is contraction and people will be adversely affected, emerging economies will be adversely affected," Teves said.

"In a slowdown, my neighbor is out of a job, but if it's recession, I get unemployed, so we have to avoid recession at all costs," he said.

"We need your help to communicate to the public what is happening. We are focusing on medium case scenario, which we are all prepared for," he said at the briefing.

Recto said the Philippines' macroeconomic fundamentals are better than those of the US itself "as far as the country's debt-to-Gross Domestic Product ratio is concerned."

The US has a negative savings rate while the Philippines has a positive savings rate, he said.

"Our foreign debt is going down. We can finance our own development. In the medium term, we are in a better position," Recto said.

"To cope with crisis, we will continue to improve debt-to-GDP ratio. We have brighter growth prospects ahead," he said.

He said the country remains on track to meet the United Nations' Millennium Development Goals of reducing poverty incidence by half by 2015.

He said the government has downgraded its GDP targets to 4.4 percent to 4.9 percent this year and to 4.1 to 5.1 percent next year, which he described as "more realistic, credible, transparent."

"It's good to be conservative. If we could go faster, the better," Recto said. "As part of the mandate of risk management and risk aversion, it's better to be credible," he said.

"There is a need to downscale targets this year. We feel there will be a slowdown in US, where they already lost about 800,000 jobs in the past several months," he pointed out.

Budget Secretary Rolando Andaya Jr., for his part, said there was no need to revise the proposed P1.4-trillion national budget as it was designed to help the country survive a global economic slowdown.

"The solution is spending,"

he said.

He said infrastructure spending will increase by 20 percent next year, and agriculture by a whopping 56 percent.

He said for infrastructure alone, the government has a public sector "infrastructure war chest" of P230 billion next year. Of this amount, P147.5 billion will be spent by the national government, P32.1 billion by government-owned and controlled corporations, and P50 billion by local governments.

The national government's 2009 infrastructure budget is 20.7 percent higher than this year's P122.2 billion.

"The budget is funneled to a verifiable spending menu called HEARTS, for Health, Education, Agriculture, Roads, Technology and Tourism, Shelter and Security," he said.

"The challenge is to have these agencies spend the money they have in the first few months. There had been flat growth in infrastructure spending... but in June, July, August we had an increase so we just had to keep it

up," Andaya said.

Recto said exports would be hit as the US accounts for 17 percent of the country's exports.

"What the government can do is help the private sector by building infrastructure, by helping them open up markets such as China," Recto said.

Recto pointed out that the US used to take up 35 percent of the country's total exports.

The Arroyo administration has emphasized the need to increase trade with China, which is one of the fastest growing economies in the world and is very close to the Philippines geographically.

Apart from exports, Recto noted that tourism is another sector that has huge potential for growth, particularly from markets such as China.

"To me the real key is government spending in infrastructure, in agriculture to temper inflation," Recto said.

"So the challenge is to reduce inflation and spend for sustainable growth in the future and that's where the importance of infrastructure and increasing agricultural productivity come in," Recto said. (www.philstar.com)

Lawmakers Oppose New Taxes on Mobile Phone Users

by Aurea Calica

The proposal to allocate half of the telecommunications companies' revenues from text messages to education and health programs has gained support from the House of Representatives and the Department of Finance, but lawmakers are opposed to any new taxes.

Sen. Richard Gordon clarified yesterday there would be no new taxes imposed on mobile telephone users.

Sen. Panfilo Lacson said he would not support any new tax on text messages, saying that the government should instead improve its tax collection system.

Gordon called on the more than 60 million mobile phone subscribers to back his text income measure as Speaker Prospero Nograles and Finance Secretary Margarito Teves said the proposal would help fund

education and health programs of the government.

Nograles said Gordon's move was a good sign to encourage people to practice "text for a cause."

"There will be no additional cost on texting. Based on our estimates, our telcos still rake in a lot a profit at a cost of 50 centavos per text. So instead of cutting down on the cost of texting, telcos should allocate at least 20 percent of their profit to a trust fund for education and health care. This way, our texters will be texting for a worthy cause," Nograles said.

Nograles also proposed the creation of a board composed of telecommunications heads and the secretaries of the health and education departments that would manage the "exclusive trust fund" to ensure that it would be spent only on the upgrading of schools, hospitals, and health

centers nationwide.

Nograles said collecting P20 centavos per text message would earn the health and education departments no less than P340 million per day based on estimates that 1.7 to 1.9 billion text messages were sent every day in the country.

Teves also welcomed the proposal to collect part of telecommunications companies' text messaging revenues and allot it for health and education, saying the government needs more funds for social services.

"If the new taxes can generate revenues, we would appreciate it," Teves said.

Gordon's proposed measure, Senate Bill No. 2402 or the Health and Education Acceleration Program (HEAP), states the funds needed for the country's education and health care requirements will be taken from the estimated two billion local text messages sent daily. (www.philstar.com)



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MAINLAND NEWS

US Senate OKs Bailout Bill



A busy day in Wall Street

Washington—After one spectacular failure, the \$700-billion financial industry bailout found a second life Wednesday, winning lopsided passage in the Senate and gaining ground in the House, where Republican opposition softened.

Senators loaded the economic rescue bill with tax breaks and sweeteners designed to make the legislation more palatable to voters before passing it by a wide margin, 74-25, a month before the presidential and congressional elections.

In the House, leaders were working feverishly to convert enough opponents of the bill to push it through by today, just days after lawmakers there stunningly rejected an earlier version and sent markets plunging around the globe.

The measure did not cause the same uproar in the Senate, where both parties' presidential candidates, Republican John McCain and Democrat Barack Obama, made rare appearances to cast votes in favor of the legislation, as did Obama's running mate, Sen. Joe Biden of Delaware.

President George W. Bush issued a statement praising the Senate's move. With the revisions, Bush said, "I believe members of both parties in the House can support this legislation. The American people expect and our economy demands that the House pass this good bill this week and send it to my desk."

The rescue package lets the government spend billions of dollars to buy bad mortgage-related securities and other devalued assets held by troubled financial institutions. If successful, advocates say, that would allow frozen credit to begin flowing again and prevent a deep recession.

Even as the Senate voted, House leaders were hunting for the 12 votes they would need to turn around Monday's 228-205 defeat.

They were especially targeting the 133 Republicans who voted "no."

Their opposition appeared to be easing after the Senate added \$110 billion in tax breaks for businesses and the middle class, plus a provision to raise, from \$100,000 to \$250,000, the cap on federal deposit insurance.

They were also cheering a decision Tuesday by the Securities and Exchange Commission to ease rules that force com-

panies to devalue assets on their balance sheets to reflect the price they can get on the market.

There were worries, though, that the tax breaks would cause some conservative leaning Democrats who voted for the rescue Monday to abandon it because it would swell the federal deficit.

"I'm concerned about that," said Rep. Steny Hoyer, a Democrat and the majority leader.

Raising the deposit insurance limit — along with the SEC's accounting change — helped House Republicans claim credit for some substantive changes.

And with constituent feedback changing dramatically since Monday's shocking House defeat and the corresponding market plunge, lawmakers' comfort level with the package increased markedly.

Arizona Rep. John Shadegg, who voted "no" on Monday, said he was leaning toward switching, and Ohio Rep. Steve LaTourrette said he was "getting there." Several others were weighing a flip, said Republican officials who spoke on condition of anonymity because the lawmakers had not yet announced how they would vote.

As revised by the Senate, the package extends several tax breaks popular with businesses. It would keep the alternative minimum tax from hitting 20 million middle-income Americans and provide \$8 billion in tax relief for those hit by natural disasters in the Midwest, Texas and Louisiana.

Leaders in both parties, as well as private economic chiefs everywhere, said Congress must quickly approve some version of the bailout measure to start loans flowing and stave off a potential national economic disaster.

"This is what we need to do right now to prevent the possibility of a crisis turning into a catastrophe," Obama said on the Senate floor.

In Missouri, before flying to Washington to vote, McCain said, "If we fail to act, the gears of our economy will grind to a halt."

Critics on the right and left assailed the rescue plan, which has been panned by their constituents as a giveaway for Wall Street, and has little obvious direct benefit for ordinary Americans. (AP)

LEGAL NOTES

Changing Non-Immigrant Status



By Reuben S. Seguritan

A non-immigrant may acquire another non-immigrant status without leaving the U.S. This is known as change of non-immigrant status. The most common example is the case of a tourist who wants to study (F-1) or work (H-1B) in the U.S.

During the pendency of the application for change of status, he/she may remain in the U.S. even if the application is not adjudicated before the last period of his/her authorized stay.

There are certain important points to note before filing the application. It must be submit-

ted before the current status expires as indicated on the I-94, unless there are extraordinary circumstances beyond his/her control that prevented the timely filing. And he/she must be eligible for the requested classification.

When adjudicating a change of status, the United States Citizenship and Immigration Services (USCIS) closely looks into the existence of a preconceived intent of the applicant. Is the applicant intending to merely prolong his/her stay? Did the applicant have another purpose when he/she initially applied for a visa, thus circumventing the visa processing rules of the U.S. embassy or consulate?

The applicant has the burden of proving to the USCIS that his/her intent to acquire the new status occurred only after the purpose for the original status/classification has already

been fulfilled. In the case of a B-2 tourist, it means that his/her original purpose was to just visit and tour the U.S. for a short period of time and not to stay indefinitely for another purpose such as to work or to study.

Some visitors come to the U.S. as tourists because in some U.S. embassies abroad, this is the most expeditious way to get in. However, when the intent is to come to the U.S. to visit various schools and colleges in order to study in the U.S., he/she should inform the consular officer that he/she is an "intending student" so that a notation can be made as a "B-2 prospective student". This will prevent a denial of the change of status from B-2 to F-1 when the applicant finally decides to enroll and study in the U.S.

If the tourist did not disclose his/her intent to visit schools, a change of status may

still be granted, provided that the applicant can show that there is no preconceived intent to change the status upon arrival in the U.S. This can be shown by a change of plans or circumstances after the original purpose of the visit has been fulfilled.

In such a case, it is useful for the applicant to execute an affidavit explaining such change of circumstances. The applicant also needs to provide proof of financial ability to support his/her extended stay under the new status, ties to the home country, and other relevant information such as activities undertaken since arriving in the U.S.

The alien's activities since his/her admission will also be looked into by the USCIS in deciding whether to grant a change of status.

In determining whether the alien had a preconceived in-

tened, the USCIS follows a so-called 30/60 day rule. This means that the alien is presumed to have a preconceived intent if less than 30 days elapsed between his/her arrival in the U.S. and the filing of the change of status. If the application is filed between 30 and 60 days, the presumption no longer exists but a finding of misrepresentation may still be issued. If 60 days elapsed, the alien is relatively safe.

Since all non-immigrants are presumed intending immigrants, except for H-1 and L-1, it is important that all the factors and circumstances leading to a change of status are discussed with counsel to minimize possible problems.

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

EMPLOYMENT

Workplace Rights Part 2



By Michelle Alarcon, Esq.

ted by employment or wage and hour law. Wages, merit increases, and other pay issues are freely bargained for between the parties so long the employer follows the minimum wage, overtime, child labor, and anti-discrimination laws.

Do I have a right to receive commissions, bonus, pension, vacation and holiday pay?

If you have "earned" these, then your employer is obligated to honor the incentives promised. However, unless you have a contract specifying otherwise, future incentives can be revised or taken away at the employer's option. Incentives are not mandated by law. The same is true for vacation, sick days, and holidays.

Do I have a right to medical insurance coverage for me and my family?

Hawaii remains to be the only state to mandate employer provided medical insurance to employees who work at least 20 hours for four consecutive weeks, but not for your dependents. Dependent coverage is an optional benefit by employers in all 50 states.

Do I have a right to lunch breaks or meal periods and coffee breaks or rest periods?

Thank your Hawaii employer if they give you these breaks with pay. Under federal law, your employer does not have to provide lunch or coffee breaks, and if they do, they do not have to pay you for it. Only 21 states provide meal period requirements, and 7 states also have rest period requirements. Like meal periods, the federal government does not require coffee breaks. However, short breaks between 5-10 minutes must be paid.

My boss asks me to do something that is outside of my job description. Can I refuse to do it without risking my job?

Employers have the right to expect fair work for fair pay and insubordination is always one ground for termination. You may refuse your manager's request if it is unreasonable and has no solid business needs, such as personal errands, or if there is real hardship on your part. However, if you refuse a job related task because you are not flexible to do things outside of your job description,

you are at risk of insubordination.

If you believe that your legal rights may have been violated by your employer, talk to them first. If this fails, you may seek external help from agencies such as the Hawaii Civil Rights Commission. You may file a complaint with or without a lawyer.

This article is for informational purposes only, not intended as legal advice and reflects only the opinions of the author on general employment issues. MICHELLE ALARCON is a graduate of Loyola Law School in Los Angeles and her firm, the Law Office of Michelle Alarcon, LLC, focuses on immigration law and employment law. She is also a professor at Hawaii Pacific University teaching employment and business law. Visit her website at www.alarconlawoffice.com.

Employees have the right to be free from discrimination, a safe workplace, to take leave to care for your own or a family member's serious health condition, right to unionize, and the right to privacy. Beyond these, some of the most common employment questions include:

Do I have a right to keep my job?

In an employment-at-will state such as Hawaii, most private employers can fire you anytime with or without cause or reason, unless you have an employment contract or a labor contract, or if the reason is motivated by any of the protected categories.

I have been with my company for 20 years. Do I have the right to a pay increase and job promotion that I deserve?

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