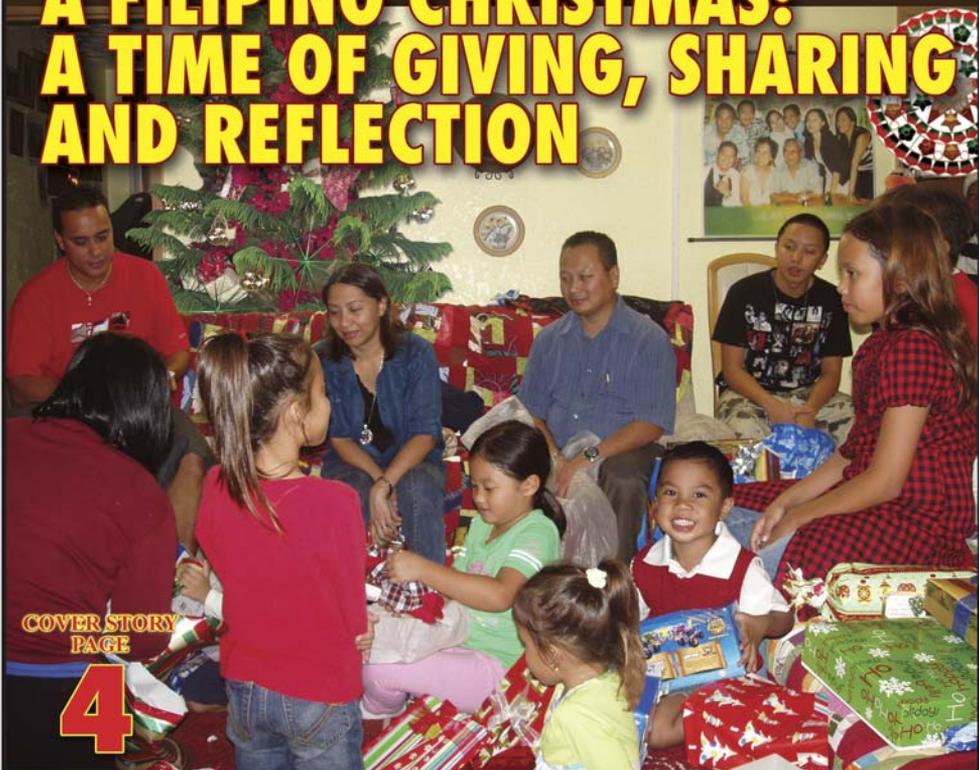


HAWAII FILIPINO CHRONICLE

HAWAII'S #1 FILIPINO NEWSPAPER

◆ WEEKLY ◆ DECEMBER 25, 2010 ◆

A FILIPINO CHRISTMAS: A TIME OF GIVING, SHARING AND REFLECTION



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EDITORIAL

Let's Not Water Down Christmas Greetings

In an effort to be politically-correct, the culture in America no longer uses the traditional "Merry Christmas" greeting. Instead, it has been replaced with "Happy Holidays." "Seasons Greetings" and other poor substitutes. The main reason? Wishing someone a Merry Christmas could offend them. Think about what a lame excuse this is. When was the last time you were offended by a holiday? In today's multi-cultural society, will you be offended if someone wishes you a Happy Hanukah or Happy Kwanzaa? Of course not.

In Hawaii, many of us are quite happy to learn and even partake in holiday traditions from other cultures. We have participated in a Chinese New Year's Dragon Dance or joined Japanese friends for some mochi pounding. We embrace such diversity simply because we enjoy these different traditions. To be fully appreciated and out of respect, these traditions should not be watered down.

In much the same way, we should not water down our Christmas greetings. In fact, most Filipinos, as deeply-religious as we are, should be irritated when greeted with the hollow-sounding words "Happy Holidays." Let's call Christmas for what it is and don't let ourselves be influenced by this politically-correct mentality that can rob the joys of the Christmas Season and regulate Christmas carols to churches only. We can only hope this trend can be stopped before it's too late.

Filipino Nurses Challenge English-Only Policy at Work

As Congress is soon expected to wrestle with immigration reform, another battle is heating up in the private sector over the validity of English-only policies in the workplace. A group of 52 Filipino nurses and medical staff recently sued their employer Delano Regional Medical Center in California for banning them from speaking Tagalog and other Filipino languages in the workplace. The hospital workers complained that they were the sole ethnic group targeted by a rule requiring them to speak only English, while Spanish and Hindi-speakers were allowed to converse in their native language uncontested. The Filipino plaintiffs filed a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) in federal court. Also earlier this year in a similar situation, four Filipino nurses filed a discrimination complaint with the EEOC against the Bon Secours Health System in Baltimore, Maryland. The four nurses were allegedly terminated solely for speaking Tagalog in the workplace. Amid the spike in anti-immigrant sentiment across the nation, a regional EEOC official confirmed that there has been a rise in discrimination complaints based on national origin.

In the first case, under California law, employers may require workers to speak English "if there is a business necessity." In the Maryland complaint, there was a hospital policy already in place that states English is the principal language and must be the exclusive language spoken and written by all employees while on duty in the emergency department.

Where a cloud of clarity exists and hospital workers constitutional rights have been violated in both cases is in enforcement. Both groups of hospital workers claim that they have been speaking to patients and non-Tagalog speaking co-workers solely in English, but would speak to their fellow Filipinos in Tagalog only during breaks and non-business or non-patient care situations. In the case of the California suit, some workers even allege that when they did speak only English, other hospital staff would tell them to speak English only, using the policy as a false tool to file complaints against them.

The federal court's ruling could have a monumental impact nationally. The challenge will not be over the private sector's right to establish English-only policy in the workplace; but over workers' protection under the Civil Rights Act to speak in their native tongue at the workplace while not engaged in business activity. The lawsuit should also clarify uniform enforcement of English-only policies in the workplace whereby certain native speakers cannot be targeted

FROM THE PUBLISHER

If you haven't already guessed by glancing at our cover page, this is the Hawaii Filipino Chronicle's special Christmas issue. We are thankful and so very blessed to have made it safely through the year and to be able to celebrate yet another joyous Christmas with family and friends.



People the world over look forward to the Christmas Season, but for Filipinos it is truly the "most happiest" time of the year. Helping spread a bit of Christmas cheer is our Philippines-based contributing writer Gregory Bren Garcia whose cover story on pages 4-6 will enlighten readers on the many traditional Filipino yuletide celebrations. From the ubiquitous *parol* to the belen, or nativity scene, these images conjure up fond memories of joyous times past with loved ones and remind Filipinos what Christmas is really about.

In local Filipino news, Gov. Neil Abercrombie has completed assembling members of his cabinet. We are pleased to report that three Filipinos are among the appointees—Dr. Neal Palafox as director of the State Department of Health, Fred Pablo as director of the Department of Taxation and Mila Kaahanui as director of the Office of Community Services. One more Filipino—Donalyn Dela Cruz—was hired as Abercrombie's press secretary. We commend Gov. Abercrombie for including these highly-qualified Filipinos in his administration. We also congratulate all of the governor's nominees on their appointments and wish them the very best for a successful term. Please read more on the governor's appointments on page 6.

Also in this issue are our regular columns, including "Immigration Guide" on page 7, "Legal Notes" on page 13 and a special recipe for a tasty, fat-free Christmas dish also on page 13. We hope you will take time to read these articles.

As Christmas nears and the year draws to a close, we'd like to extend our heart-felt gratitude to our readers for your continued support of the Chronicle. Most of all, we wish you and your family a very Merry Christmas.

Until next time... *aloha* and *mabuhay!*

Chona A. Montesines-Sonido

for noncompliance while others are condoned. As a matter of practicality, the court must also consider allowances in the law limiting English-only policies in the workplace. In situations when customers, or more importantly patients who can only speak to staff in a non-English language, workers should not be reprimanded for conversing in that native language to facilitate customers' needs or patients' care.

The 52 Filipino hospital workers filing suit should be commended for fighting for their rights and for the millions of other non-English speakers in the U.S. Historically, the U.S. has always respected language diversity. Many European immigrants spoke German, French and other Eastern European languages upon arriving to the new colonies. As a result, framers of the constitution left out attempts in drafting it that favored English or any other language over the other, just as they did with religion. Their reasoning must have been (and still holds true today) that codifying English-only laws is far less crucial to American identity than citizens' agreement with democratic principles. And among those fundamental democratic principles is Americans' right to speak in whatever language they prefer, and wherever, even in the workplace as long as customers, and in this particular case, patients and co-workers, who only speak English are spoken to in English.

For these Filipino workers, it's not a question of their inability to speak English, otherwise they wouldn't have been hired in the first place. Perhaps the underlying problem runs deeper, more along the line of insecurity. It's curious how attempts to restrict languages other than English comes at a time when racial minorities are finally reaching levels of power that challenge the Anglo-status quo. This campaign, like efforts at enforcing extreme reform to immigration, is really rooted in racial hostility and must not be tolerated. Explicit, outright racial discrimination is no longer accepted by law in the U.S. New subtler forms of exacting discrimination shouldn't either.

The Filipino community should stand in solidarity with the Filipino hospital workers in California and hope their suit will help to advance bilingual rights in the workplace

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COMMENTARY

The Search for a Long-Term Filipino Vision

by Jeremiah M. Opiniano



What does the Philippines has to do with a Caribbean country like Trinidad and Tobago?

This former Spanish and British colony of nearly 1.5 million residents (including an estimated 1,200 Filipinos, mostly overseas workers) conducted a bold attempt at national development that a Southeast Asian archipelago nation like the Philippines can learn from.

In 2002, Trinidad and Tobago's Ministry of Planning and Development formulated a strategic plan called Vision 2020. By the year 2020, government officials hope Trinidad and Tobago "will be a united, resilient, productive, innovative and prosperous nation with a disciplined, caring, fun-loving society, comprising health, happy and well-educated people and built on the enduring attributes of self-reliance, respect, equity and integrity."

The work to formulate Vision 2020 ended in 2005 and the country's parliament approved Vision 2020's draft national strategic plan in 2006. Vision 2020 is anchored on five pillars—enabling competitive business, developing innovative people, nurturing a caring soci-

ety, investing in sound infrastructure and the environment, and promoting effective government.

This republic has a two-party political system and a bicameral parliamentary system. There are some 300,000-plus overseas Trinidadians and about 40,000 foreigners working and residing in T&T. Two of the six population-related goals of Vision 2020 are developing a reliable population database and minimizing the negative impacts of migration on Trinidadian society. The government hopes that Vision 2020 will reduce the emigration of skilled Trinidadian labor, facilitate the integration of returning migrants and facilitate the full integration of documented and non-documented migrants in T&T.

Such bold integration of migration in T&T's Vision 2020 is so even if the country is not a major recipient of remittances (around US\$ 87 million reached T&T in 2007, with that amount coming from more than half of overseas Trinidadians who have college degrees). T&T is also a destination country of trafficked and smuggled persons, asylum-seekers and refugees.

Compare Trinidad and Tobago to the fourth largest remittance economy, the Philippines—a country with an elaborate migration management system that received over-

US\$17 billion in 2009, and where an estimated 8.5 million overseas Filipinos, scattered in 220 countries and territories, come from.

As the government of President Benigno Simeon Aquino III is about to finish producing the 2010-2016 Medium-Term Philippine Development Plan (MTPDP), something seems missing: Where does the Philippines want to go, regardless of who is this country's president?

Six years is not enough time for the Philippines to generate some 13-15 million quality jobs to reduce joblessness, if estimates by economists Fernando Aldaba and Reuel Hermoso are to be believed. Poverty levels remained the same (26 million living in poverty), says initial results of the 2009 Family Income and Expenditures Survey. It may take a herculean effort to bring back agriculture's old glory or even revitalize the stagnant industry or manufacturing sector.

The Commission on Filipinos Overseas (CFO) just revised its vision and mission in the hope that migration and development, by 2020, has been mainstreamed in the bureaucracy. In the short term, think-tanks like the Scalabrini Migration Center hope a national migration and development plan is formulated by June 2011.

But where the Filipino bot-



Overseas Filipino Workers arrive from abroad

tominds to sail remains a question. One remembers a vision by former President Fidel Ramos (1992-1998) during his term: "Philippines 2000" where, by the turn of the new millennium, the country would have become a Tiger economy. The vision was not achieved and the Philippines continues to be a basket case in Asia, but at least there was a vision to direct an entire nation's efforts.

The National Economic and Development Authority (NEDA) may want to think about drafting a long-term strategic plan similar to Trinidad and Tobago's Vision 2020—one that goes beyond a current president's regime. After launching the new MTPDP by early 2011, NEDA can convene the country's best minds to help draft such a development vision for the long haul—and have President Aquino endorse this process.

And overseas migration's place in such a long-term Philippine vision? It is time to optimize a "Philippine diasporic dividend"—the net benefits

from overseas migration—that supplements a long-term vision of Philippine development.

Since the overseas exodus has impacted many aspects of Filipino socio-economic and cultural life, it is time to develop a migration-and-development system that sees the country and her institutions address systematically the various impacts of migration on development. The Philippines has yet to have a system to address the economic and social impacts of migration—or even a set of goals to manage these impacts and optimize migration's gains.

Integrating such a migration-and-development system into a long-term Philippine vision will be good first step to see the progress of this migrant-sending country beyond merely sending people abroad and receiving dollars. But if the boat just sails and doesn't know where to go, there goes the thrill of looking ahead to a brighter Philippine future.

(The author is with the Institute for Migration and Development Issues)

HAWAII-FILIPINO NEWS

Knights of Rizal to Commemorate Rizal Day

By Jun Colmenares

The 114th anniversary of the martyrdom of Dr. Jose P. Rizal, the Philippines' foremost national hero, will be commemorated on December 29, 2010 starting at 6 pm at the Philippine Consulate General. The event is free and open to the public.

Rizal was marched from his cell at Fort Santiago and shot by a firing squad on December 30, 1896. He was sentenced to death after the Spaniards found him guilty of rebellion, sedition and of forming an illegal association.

The program will include a re-enactment of Dr. Rizal's final night before his execution, during which he finalized writing



his poem "Mi Ultimo Adios" and bequeathed the same to his visiting sisters. A reading of the poem in its English translation will follow the re-enactment.

A guest speaker has been invited to give an inspirational talk on the life of the Filipino martyr. Ceremonies of knighthood for incoming members of the Knights of Rizal will also be held. Entertainment numbers and heavy pupus will follow the commemorative event.

The event is being sponsored

by the Knights of Rizal-Hawaii Chapter, in collaboration with the Philippine Consulate General, the Philippine Celebrations Coordinating Committee of Hawaii (PCCCH), the Filipino Community Center, the Congress of Visayan Organizations, Ilocos Surians of Hawaii, Cavitenians of Hawaii, UFCH and other Filipino community organizations.

For more information, please contact Raymond Liongson at 381-4315 or Armand Carlos at 478-1821.

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The Christmas Season: A Time of Giving, Sharing and Reflection

By Gregory Bren Garcia

Every culture in the world has a principal holiday season. Jews have the Yom Kippur, Indians have the Diwali or the Festival of Lights, while the Islamic World always awaits the season of Ramadan, which ends in the joyful holiday known as the Eid ul-Fitr. For Filipinos, the happiest time of the year is the Christmas season. In many places around the world, Filipinos get together with their families and friends, reminiscing the good things that have transpired in the past year, while at the same time wishing one another more bountiful blessings in the future.

Christmas was introduced in the Philippines in the 16th century by the Spanish conquistadores. It was the Spaniards who initiated traditions like the nine-day novena morning mass known as *Misa de Gallo* (Rooster's Mass) or *Simbang Gabi* and the Christmas Eve meal known as *Noche Buena*.

Nevertheless, Christmas in the Philippines also evolved into a showcase of indigenous Filipino culture. One distinctive icon of Filipino Christmas is the

parol, a star-shaped lantern which represents the star of Bethlehem. Traditionally made from bamboo and Japanese paper and lit with candles, many *parol* today are now made of handcrafted metal and *capiz* (seashells) and are lit with electric light bulbs. Christmas trees, an addition of the American colonial era, are also often Filipinized through a dazzling array of native-inspired decors like *capiz* baubles and festoons weaved from abaca fiber.

Filipinos are also accustomed to having native rice cakes and puddings after *Simbang Gabi*. *Bibingka*, *puto*, *ube halaya*, *kutsinta*, *tinupig* and hot cocoa drink are staples of the *Simbang Gabi* fare, while hot pandesal and coffee are also a la mode since *Misa de Gallos* are often held early in the morning and Filipinos love *pandesal* dipped in coffee for breakfast.

While religious rites, décors and food have always been part of Filipino Christmas, Filipinos

also see the holidays as a time of reflection and giving. Being rooted in the Roman Catholic tradition, Filipino Catholics and other Christians give prime importance to Christmas because of their belief that the Messiah, Jesus Christ, was born on that day. Thus the values of familial love, friendship, generosity and forgiveness are emphasized. These



values are also often translated to traditions like family reunions and more commercialized customs such as Christmas parties and gift-giving activities at homes and offices.

The significance of the Christmas season

Socorro Maniquis Painter, who lives in California, says that as a Roman Catholic, the ultimate meaning of Christmas for her is its being a celebration of the birth of the Savior.

"We observe Christmas as the celebration of the birth of Jesus Christ, when God gave us his only Son to be our Redeemer. For me this is the most signifi-

cant reason for celebrating Christmas," she says.

For Dr. Tess Bernales, President of the University of Santo Tomas Alumni Association of Hawaii (USTAA), the celebration of this deep personal relationship with the divine is evident even in the frills that decorate the season.

"One does not need to look hard to find the meaning of Christmas in all the things and the holiday traditions that have come about through the ages — Christmas trees are green all year round depicting everlasting hope for mankind; the star above it is the heavenly sign that God

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Socorro Maniquis Painter (third from left) with family during the family Christmas celebration in California

COVER STORY

(from page 4, THE CHRISTMAS ...)

promised a Savior for the world and the fulfillment of that promise; candles represent Christ as the light of the world; the circular shape of the Christmas wreath symbolizes the eternal nature of love; the holly plant represents immortality and the crown of thorns worn by our Savior, while the red holly berries represent the blood shed by Him; candy canes represent the shepherd's crook that helps bring back the sheep that have wandered from the flock, symbolizing that we are our brothers' keepers; Christmas bells on the other hand symbolize guidance and coming home, because lost sheep are found by the sound of a bell; and lastly, angels are also symbols of Christmas because it was angels that heralded the joyous news of the Savior's birth," she explains.

Christmas away from home

In addition to its religious meanings, Christmas is also a time of nurturing and renewing bonds of friendship as well as strengthening family ties. Indeed, friends, family and home are the piece de résistance of Filipino Christmas. According to New York resident Teresita Villamorán, celebrating Christmas in its unadulterated form is how its spirit is best kept alive.

"Just being together with friends and family, sans the gifts and the trimmings, while eating bingbing with hot cups of coffee or chocolate, or going to mass together for the early *Misa de Gallo* – these are great cultural traditions that are sometimes missing in big metropolitan cities. They make the holiday spirit alive in the provinces or barrios in the Philippines," she says.

According to Villamorán, our loved ones are really the key ingredients or moving force that make Christmas so special and so warm in the Philippines.

"The cultural traditions and festive celebrations we enjoy with these people bring color and cheer to everything. *Makulay at buhay talaga ang spirit of Christmas sa Pilipinas* [the spirit of Christmas is really colorful



Private Filipino organizations in the Philippines and abroad often hold Christmas events for the needy, like this Christmas party organized for orphans. Photo by bingbing, via flickr.com

and alive in the Philippines]," she says.

Lesley Guiao, who lives in Dubai, United Arab Emirates, agrees that most people who grew up in the Philippines, including herself, remember Christmas as a time of family gatherings. Thus, it is quite different celebrating it abroad without them.

"When I was a child, Christmas for me was an occasion to be with my family. But now that I am celebrating Christmas without my family, I always just look forward to Christmas day as a day with Christ; with or without my family I can still be happy by accepting God's grace through my friends," she says.

Other Filipinos may be luckier than Guiao, because even though they live abroad, they still live relatively near their families and relatives. Carmencita Jocsón of California is one of them.

"Family members from far and near gather at our house to celebrate the coming of our Savior. There is family potluck, exchange of gifts, caroling, visits from Santa Claus, family picture-taking and Filipino foods, which most of the college kids always look forward to. Young family members also have the special privilege of hearing stories about how we celebrate Christmas in the Philippines," she says.

"Our family, all 13 brothers and sisters, always celebrate the holidays together. We are fortunate to be all living in California. Our children love it and they all look forward to seeing their relatives! They always remind

each other how lucky they are to have such a tight and loving family," she shares.

Bernaldes, for her part, recounts how it was like moving to Honolulu and celebrating Christmas there for the first time. They did not know a lot of people because her children and relatives lived on the Mainland.

"Our Christmas holiday celebrations were downsized and made simple. We would invite a few people who were like us, newly transplanted residents who did not have relatives in Hawaii or Filipino graduate students from University of Hawaii who would otherwise spend Christmas by themselves in their dorm. After dinner we saw a movie or watched a game on TV," she shares.

This year, however, Christmas will be a lot more special for her than it was in the past.

"Christmas this year will be extra special. Our two boys, their wives and two grandchildren will be able to come to Honolulu. We are all excited that we will all be together this Christmas for the first time. Memories of our Christmas past will be relived through the grandchildren when they rush to

touch their gifts under the Christmas tree," Bernaldes says.

Villamorán, on the other hand, misses her friends and family during Christmas.

"I don't really celebrate it, as I have no close family and friends here in the USA. Or if ever there are friends or family, they are located in different states and the distance simply makes it no different than being alone. So I find that the spirit of Christmas is not there; it's like one of those ordinary days, nothing really special. And I feel sad about the state of the situation. I get homesick and nostalgic," she admits.

For her part, Painter hopes to spend a Christmas in the Philippines in the future to introduce her family to the Filipino celebration of the holidays.

"I would love to spend Christmas in the Philippines with my children so they can experience Christmas, Filipino-style. I have not gone back to spend it in the Philippines because all my siblings and my father are here in the US. But my husband and I were there in November 2002 for a high school reunion. My husband saw all the beautiful lanterns all over Manila," she shares.

Keeping the Filipino Christmas tradition alive

American holiday culture may have many similarities with the Filipino one but the U.S. is still worlds away from the Philippines in some aspects. As an example, Painter talks about Thanksgiving and Christmas.

"For Filipinos, Christmas is the best time of the year. Unlike here in the U.S. where most families celebrate Thanksgiving

(continued on page 6)

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COVER STORY (cont.)

(from page 5, THE CHRISTMAS...)

ing, we don't have another occasion that rivals Christmas," she says.

Thus, Painter and other Filipinos like her have adapted to the U.S. by preserving their religious holiday customs and culinary heritage, and by adorning their homes and churches with native décors.

"Last year I organized the *Simbang Gabi* or *Misa De Gallo* here in Livermore, California, doing the nine-day Christmas novena from December 16 to 24 at 5:30 am. We were fortunate to have a Filipino priest assigned in Livermore. After the mass, we served traditional Filipino food like *bibingka* and *puto bumbong*," she says.

"My father — which consists of my family, my seven siblings and their families for a total of 35 people — all go to midnight mass on Christmas Eve and then eat the traditional *Noche Buena* dinner. We have ham, *sopas*, *empanada*, *queso de bola* and different Filipino rice cakes. These are all the same food we used to serve for *Noche Buena* when we were growing up in Nueva Ecija. I

also have *parol* on all my windows and also donated three of them to my parish church," which our pastor turns on every year," Painter adds.

Additionally, Jocson believes celebrating Christmas the Filipino way can help to educate second and third generation Filipino Americans about Filipino culture.

"We are quite fortunate because our pastor is a Filipino. We celebrate *Simbang Gabi* for a week and conclude with a children's mass at Christmas Eve. My children learn a lot about their culture during the celebration," she says.

A time of magnanimity

Christmas is also a good time to share our blessings with our neighbors. Jocson and her family and friends try to do their part in keeping the Christmas spirit alive through charity.

"It is a special time to reflect on our responsibility over the less fortunate and to share whatever we can to provide some happiness in their lives. For example, during the holidays, we help other organizations collect for campaigns like the Canned Food Drive or the One Warm



Coat project," she says.

Painter's Filipino organization also holds similar drives for their educational programs.

"As a fundraiser for our scholarship fund, the Livermore Filipino Organization officers and members go caroling around Livermore, California. We usually arrive to the members' houses and sing both Tagalog and English carols. After we sing, the host serves traditional Filipino food like *arroz caldo* and *satanghon* soup," she shares.

On the other hand, Bernales's organization, the UST Alumni Association of Hawaii, has, in the past, initiated multifaceted Christmas activities that benefit Filipinos both in Hawaii and in the Philippines.

"The UST Alumni Association of Hawaii has had several successful events in the past, like sponsoring the local renowned UST Singers to hold concerts in Honolulu. These are held to raise

neighbors.

"There are a multitude of needs to be addressed that it becomes overwhelming to know where to begin. But there are also so many ways to help as an individual or as a group. You just need to look into your heart," she says.

Overall, when asked about their Christmas wishes, the Filipinos we interviewed said they desired not only individual blessings for themselves or for particular groups, but they also wished for collective peace and prosperity for their motherland.

"I wish my countrymen continued hopefulness and success. Many neighboring countries in Asia have progressed and I wish the same for my homeland," says Jocson.

Similarly, Painter and Villamorán wishes success to all Filipinos, through the guidance of righteous leaders.

"I pray that God will guide President Aquino and help him make good decisions," says Painter. "I pray and hope that true, Christ-centered, clean and honest leadership will continue to be the basis for our people's choice of leaders," Villamorán adds.

For her part, Bernales, reminds us all to remain positive and to never lose hope.

"We know that God will prevail and we should hold this thought dear in our hearts. We have placed so much hope in our new government leaders, that change will come in due time to alleviate the ills of our country," she says.

HAWAII-FILIPINO NEWS

Abercrombie Names Three Filipinos to Cabinet

Gov. Abercrombie has assembled the members of his administration and among them are several Filipinos.

Heading the list is Dr. Neal Palafox who was named by the governor as director of the State Department of Health. Palafox is also a professor and chair of the Department of Family Medicine and Community Health at the University of Hawaii John A. Burns School of Medicine and a former Director of the Family Practice Residency program.

He received his medical degree from the UH John A. Burns School of Medicine, served in a family practice residency at the University of California Los Angeles and earned a Master of Public Health degree from Johns Hopkins University School of Hygiene and Public Health. He is also on the active medical staff at Wahiawa General Hospital.

Abercrombie's second Filipino appointee is Fred Pablo who was appointed as the direc-

tor of the Department of Taxation. He is currently the budget director for the County of Maui, where he worked with the legislative branch to pass budget ordinances with unprecedented investments in infrastructure, bus transportation and affordable housing while keeping property taxes as the lowest in the state.

Pablo previously served as the state district tax manager for Maui County. He is a licensed certified public accountant who graduated from St. Louis High School and earned his Bachelor's and Master's degree of Business Administration from the UH-Manoa.

The third Filipino appointee is Mila Kaahanui who was named the director of the Office of Community Services. Kaahanui is a well-known social worker and Filipino civil rights leader. She is a former program administrator for Immigrant and Refugee Services at the Office of Community Services.

Ms. Kaahanui was also the director of the Municipal Reference and Records Center for the

City and County of Honolulu. She is a graduate of UH-West Oahu, received her Master's of Social Work from UH-Manoa and is a past recipient of the Dr. Martin Luther King Jr. Civil Rights Award.

The governor's selections for department directors will have to be confirmed by the State Senate.

A fourth Filipino appointed to a high level position in the Abercrombie administration is Donalyn Dela Cruz who will serve as the governor's press secretary and primary media contact. She is the public affairs director for Bishop Museum and senior associate for the native advocacy firm, TILeaf Group.

Dela Cruz previously served as press secretary to U.S. Sen. Daniel K. Akaka and as communications director for the Democratic Party of Hawaii. She worked at KHON as a reporter, producer and associate producer. A graduate of Leilehua High School, Dela Cruz received her Bachelor's degree in journalism from the UH-Manoa.

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LEGAL MATTERS

Avoiding Police Roadblocks



By Atty. Emmanuel Samonte Tipon

turned onto Mehameha Loop, an isolated, dead end road surrounded by sugarcane fields. A police officer stationed as a "chase car" followed. The officer activated his lights and stopped Raymond who was later charged with operating a vehicle under the influence of an intoxicant (OVII or DUI), Hawaii Revised Statutes § 291E-61(a).

Raymond moved to suppress all of the evidence and statements obtained as a result of the stop of his vehicle because (1) the purported investigatory stop of his vehicle violated article 1, section 7 of the Hawaii Constitution since it was not supported by a reasonable and articulable suspicion that defendant was engaged in criminal conduct and (2) the "chase car" police procedure of stopping all vehicles that lawfully turn onto a public way in advance of a checkpoint exceeded that statutorily authorized. The district court denied the motion. Raymond entered a conditional no

contest plea. The court sentenced defendant. He appealed.

The Hawaii Supreme Court, in an opinion by Justice Simeon Acoba, a Filipino, held that the district court was wrong in denying defendant's motion to suppress, vacated the order and remanded the case with instructions to enter an order granting defendant's motion to suppress and allow defendant to withdraw his conditional no contest plea.

Reasonable suspicion to justify a stop must relate to criminal activity. The criminal activity for which defendant was stopped was operating a vehicle under the influence of an intoxicant. However, the officer observed no acts indicating a violation of the statute before the stop. He therefore lacked any objective basis (specific and articulable facts) that defendant was violating the statute so as to justify the stop. Accordingly the officer had no grounds for reasonably believing criminal activity was afoot. In stopping vehicles turn-

ing in advance of the checkpoint, the procedure exceeded the authority granted to the police to establish roadblocks under HRS 291E-19 and 20 (Supp 2005). Since the stop was unlawful all evidence derived from the stop must be suppressed.

The stop violated article 1, section 7 of the Hawaii Constitution which protects the right of the people to be secure in their persons against unreasonable seizures and invasions of privacy. A stop of a vehicle for investigatory purposes constitutes a seizure. A warrantless seizure is presumed invalid unless the prosecution proves the seizure falls within an exception. One exception is where the officer has a reasonable suspicion that the person stopped was engaged in criminal conduct. Defendant was stopped without a reasonable and articulable suspicion that he was operating a vehicle under the influence of alcohol. The only suspicion that the officer had was that defendant was

attempting to avoid a roadblock, not that he was driving under the influence of an intoxicant. Mere possibility of criminal activity does not satisfy the constitutional requirement that a stop be based on suspicion that criminal activity is afoot. The fact that the defendant exhibited signs of intoxication after the stop did not retroactively justify the stop.

(ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. He practices in Hawaii, specializing in immigration law and criminal defense. Tel. (808) 225-2645. E-Mail: filamtlaw@yahoo.com. Website: www.filmigrationlaw.com. He is from Laguna City and Magsingal, Ilocos Sur. He served as an Immigration Officer. He is co-author of "Immigration Law Service, 1st ed." an 8-volume practice guide for immigration officers and lawyers. Listen to the most funny, witty, and useful radio program in Hawaii on KNDI at 1270. AM dial every Tuesday at 7:30 a.m. and on KTRC at 1060. AM dial every Thursday at 8 p.m. This article is a general overview of the subject matter discussed and is not intended as legal advice. No warranty is made by the writer or publisher as to its completeness or correctness at the time of publication.)

HAWAII-FILIPINO NEWS

City Urges Council District I Voters to Cast Ballots

City election officials are reminding residents from Ewa to Makaha to cast their ballots in the special election for Council District I. The winner will replace former Councilmember Todd Apo who resigned his seat for a job in the private sector.

"We recognize that this time of the year can be very busy for many people," says Mayor Peter Carlisle. "At the

same time, we also encourage the people of District I to participate in the election process."

According to Council chair Nestor Garcia, District I is arguably the most dynamic of the nine council districts.

"It houses the only two operating landfills in the City and County, a major sewage treatment facility, the only major new hotel under construction on Oahu, the planned starting point

for the rail transit system, an acute problem with homelessness and has experienced arguably the greatest growth over the past decade," Garcia says.

The City Clerk's Office, which supervises all City elections, says 8,000 of the nearly 48,000 ballots mailed out have been returned. This represents about 17 percent of the total and trails the return rate of two previous special council elections.

After the first seven days in the Special Election for Council District III in 2009, the return rate was 33 percent. The Special Election for Council District V, also held in 2009, had a return rate of 29 percent after the first week.

Mail-in ballots must be received by December 29, 2010. Voters who require a replacement ballot or the use of an ac-

cessible voting machine may vote at Kapiolani Hale or Honolulu Hale until December 27, 2010 between the hours of 8 am to 4 pm. Voters can also cast their ballots on December 25, between 10 am and 2 pm.

For more information on the special election for Council District I, go online to: <http://www.honoluluelections.us/>

PHILIPPINE NEWS

OFW Inflows Hit Record \$1.67 Billion in October

by Lawrence Agcaolil
Thursday, Dec. 16, 2010

MANILA, Philippines — The amount of money sent home by Filipinos abroad hit a new monthly record of \$1.673 billion in October as overseas Filipino workers (OFWs) sent more money to their loved ones in the Philippines in time for the Christmas season, the Bangko Sentral ng Pilipinas (BSP) reported yesterday.

BSP Governor Amanda M. Tetangco Jr. announced yesterday that remittances in October rose by 9.3 percent, or \$142 mil-

lion, from the \$1.531 billion booked in the same month last year.

Tetangco said the highest monthly level of OFW remittances eclipsed the previous monthly record of \$1.623 billion registered last June.

"Remittances from overseas Filipinos coursed through banks grew 9.3 percent in October 2010 to reach \$1.7 billion, the highest monthly level posted during the year," he stressed.

In terms of percentage growth, the 9.3 percent increase in remittances last October was slower than the double digit

10.6 percent growth registered last September.

For the first 10 months of the year, the Tetangco said that remittances increased by 7.9 percent to \$15,456 billion from \$14,231 billion in the same period last year.

"The sustained remittance flows into the country were due to the sustained robust demand for skilled and professional Filipinos," he said.

Major sources of remittances that accounted for 84 percent of the total amount of money sent home through banks included the US, Canada, Saudi Arabia, Japan, United Kingdom, United Arab Emirates, Singapore, Italy, Germany, and Norway.

(www.philstar.com)

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PHILIPPINE NEWS

Economy Continues to Recover, but Growth Slowing, says NSCB

by Iris C. Gonzales
Tuesday, Dec. 21, 2010

MANILA, Philippines – The economy continued to show signs of recovery – as seen in the positive performance of the composite leading economic indicators or LEI – but growth is slowing down, the National Statistical Coordination Board (NSCB) said yesterday.

The LEI rose for the fifth consecutive quarter but the upswing in the fourth quarter continued the slowdown that was observed in the third quarter, the NSCB said in its report.

The fourth quarter 2010 LEI increased to 0.026 from a revised 0.022 percent in the third quarter of the year, which is the “slimmest rise in the composite LEI” since



the fourth quarter of last year.

The number of positive contributors went down to six in the fourth quarter compared to 10 in the third quarter of the year, 11 in the second quarter and nine in the first quarter.

These positive contributors are: tourist arrivals, number of new businesses, foreign exchange rate, stock price index,

hotel occupancy rate and electric energy consumption.

The negative contributors, on the other hand are the wholesale price index, terms of trade index, consumer price index, money supply and total merchandise imports.

The negative contributors accounted for 48.5 percent of total contribution.

“The combined share of positive contributors for this quarter consequently dropped to only 51.5 percent from the 79 percent and 100 percent in the third and second quarters, respectively,” the NSCB said.

According to the NSCB, the LEI system involves the study of the behavior of indicators that consistently move upward or downward before the actual expansion or contraction of overall economic activity. (www.philstar.com)

Proclamation 84 Declares Holidays for 2011

by Aurea Calica
Tuesday, Dec. 21, 2010

MANILA, Philippines – President Aquino issued Proclamation 84 yesterday declaring the holidays in 2011 and removing the Arroyo administration's practice of moving the holiday to the nearest Monday to having weekends.

Republic Act 9492 declared certain days (specific or movable) as special or regular holidays and provided that holidays, except those religious in nature, are moved to the nearest Monday unless otherwise modified by law, order or proclamation.

Chief Presidential Legal Counsel Eduardo de Mesa said it was within the President's prerogative to move “holidays that are movable” to the nearest Monday or not. Mesa said.

Under Aquino's proclamation, the following are the holidays for next year.

A. Regular Holidays

New Year's Day
– Jan. 1 (Saturday)
Aray ng Kagitingan
– April 9 (Saturday)
Maundy Thursday
– April 21 Good Friday
– April 22
Labor Day – May 1 (Sunday)
Independence Day
– June 12 (Sunday)
National Heroes Day – Aug. 29 (Last Monday of August)
Bonifacio Day
– Nov. 30 (Wednesday)
Christmas Day – Dec. 25 (Sunday)
Rizal Day – Dec. 30 (Friday)

B. Special (Non-Working) Days

Ninoy Aquino Day – Aug. 21 (Sunday)
All Saints' Day – Nov. 1 (Tuesday)
Last Day of the Year – Dec. 31 (Saturday)

C. Special Holiday (for all schools)

EDSA Revolution Anniversary – Feb. 25 (Friday)
CI. RA 9849 provides that the Eid'l Adha shall be celebrated as a national holiday.

The proclamations declaring national holidays for the observance of Eid'l Fitr and Eid'l Adha shall hereafter be issued after the approximate dates of the Islamic holidays have been determined in accordance with the Islamic calendar (Hijra) or the lunar calendar, or upon Islamic astronomical calculations, whichever is possible or convenient. To this end, the National Commission on Muslim Filipinos (NCMF) shall inform the Office of the President on which day of the holiday shall fall. (www.philstar.com)



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COMMUNITY PARADE

PASKO SA FILCOM

The Fil-Com Center looked like most towns in the Philippines last December 12 when its courtyard and ballroom were converted into a virtual Filipino Christmas theme park. It began at 11 am with roosters crowing and church bells pealing at 11 am to simulate the break of dawn *Misa De Gallo* or *Simbang Gabi*. As in the old country, a band would parade around town after mass to start the festivities. The Royal Hawaiian Band honored Fil-Com guests this year with Hawaiian and traditional Christmas songs, sprinkled with nostalgic Filipino tunes, while hungry revelers feasted on delicacies catered by Loulen's and Souvlay, *sorbets* and *kakanin* samples of *miki*, *tupig*, *bibingka*, *puto bungbong*, *suman*, *patapat* and *linubian* from the cooking and coconut grating demonstrations.

Pasko sa Filcom was also a fiesta for children who were treated to story telling, pasko bingo and traditional games like *Sungkanan*, *dama*, *kadangkadang* and *pabitiin*. They were also taught how to make a *parol*, the Filipino Christmas star.

Prizes were given to winners who designed the best Parol (sponsored by UFCH), Table Top Christmas Tree (sponsored by OFCC) and Christmas Tree Ornament (sponsored by Hawaiian Airlines). The contests were hosted by Angel Lewis.

Later during the day, entertainment reeled on with numbers from *Banda Kawayan Hawaii*, the only bamboo band outside of the Philippines, Deputy Consul Paul Cortes, Philippine Consulate Chorale, Nix Performing Arts Center, Dream Makers Quartet, Treetop Romantics, Kristian Lei and Kanikapila Singers. Bennette Misalucha hosted the entertainment portion of Pasko sa Fil-Com. Mahalo to the dozens of community groups and volunteers for making Pasko sa Fil-Com a huge success!



FEATURE

Filipino Principal Takes Over Helm at One of State's Biggest High Schools

by Fiedes Doctor

He made history by being the first alumnus and the first Filipino to become principal of Governor Wallace Farrington High School, one of the biggest schools in the State. Filipino students comprise 58 percent of the student population. The rest are Samoan, Polynesian, Hawaiian/part Hawaiian, other Asians, Hispanic, Caucasian and African American.

Does he find the job daunting? Not at all, says Alfredo Carganilla, a member of Farrington's

Class of 1986.

"It's a job," he says. "It's good for the kids to relate to someone similar to them. Being Filipino allows some of them to make an immediate connection with me but I want to make sure that all students feel safe enough to approach me when in need regardless of their ethnic make-up."

Carganilla's background as a former Farrington student and bona fide Kalihai resident make him approachable and less intimidating. He introduced himself as the new principal last October and declared an "open door policy." More than 50 students filed into his office to welcome and congratulate him.

After introducing themselves, they asked him to address the school's littering problem. They also wanted air conditioning in the classrooms and more green grass on the school's lawns.

Science teacher Gerald Javier says that Carganilla, being a former Farrington student, appears to have earned the credibility and respect of the students.

"He knows the families here and is familiar with the Kalihai area—who needs help and where he can get help,"

Javier says. "Regarding teachers, most will not have a hard time supporting him because he was a counselor here and an administrator. People can't say to him, 'oh you don't know,' because he knows exactly how to do things."

Big Shoes to Fill

Carganilla came with a strong endorsement from Catherine Payne, Farrington's principal of 16 years who recently retired. She left behind a legacy that underscored the Farrington Way—"Enter to learn, go forth to serve."

Payne collaborated with all stakeholders, including students, teachers, staff and the community, and shared leadership and decision-making whenever possible. She was a model of integrity and respect and valued communication and accountability. Her most memorable achievement was shifting the school's reputation from a place of gangsters and poor performers to a breeding ground for scholars and leaders.

"I'm really proud of how we have elevated the academic rigor in many of our classes so that the students are getting the top level of curriculum that is helping them to move on to the best colleges," Payne said in a recent interview with KITV. Farrington, at present, offers 10 academies that prepare each student for college or university, according to their talent and area of interest. Some of the more popular academies are health, education, engineering, and arts and media.

Carganilla admits feeling the pressure of coming in the heels of someone who has made such a tremendous impact.

"Ms. Payne had been here so long and she had done so much for the school and community that if I could be half as good as her, I will be okay," he says. "I'm really taking over for a legend. The amount of success and notoriety she has brought to the school will be hard



Alfredo Carganilla

to replicate.

"I have a huge challenge to continue to move Farrington forward. I'm definitely looking forward to the challenge and will do my best as we continue in our journey towards excellence."

Important Relationships

The first thing Carganilla did when he came on board was get acclimated back to the high school environment, after four years as principal of Hokulani Elementary. He comes to work at 6:30 am, walks the campus grounds and pokes in the classroom every now and then for a first-hand experience.

He admits that much has changed since he was the school's counselor and SSC (Student Services Coordinator) seven years ago.

"The kids are so much different now. They have a different lifestyle," he says, referring to the ubiquitous cell phone and i-pod that have impacted an entire generation of technologically-advanced kids.

According to his predecessor, the new principal's biggest challenge would be finding time to nurture, get to know and embrace the very large community that makes up the Farrington ohana, which totals more than 300 teachers and staff, over 2,500 students and dozens of programs. All of these are important relationships, Payne says.

She underscores the diversity of the students' needs—not only academic but also social, emotional and physical. At times, the students have to deal with personal issues before focusing on academic responsibilities.

"It is important for the principal to know everyone and everything...because accountability for everything that happens rests with the principal. There is so much for him to become familiar with before he even begins to make connections with community groups and families," Payne says.

She firmly believes that Carganilla's experience and character

can lead the school further forward. "His strongest qualifications are his commitment to and love for Farrington," she says.

Student Achievement

From the community looking in, and the State as whole, this commitment would have to be translated in part as a concrete number—the definitive Hawaii State Assessment (HSA) score.

A Recent No Child Left Behind school report showed Farrington students behind in math proficiency with a 34 percent score for 2009-2010, compared to the State's goal of 46 percent. Reading HSA scores passed the 58 percent State goal at 61 percent for the same year.

Administered to students in grades 3-8 and 10, the HSA is a standards-based assessment of the Hawaii Content and Performance Standards III. It generally measures the school's yearly progress in terms of students' understanding of core courses and overall achievement.

Carganilla is not letting the numbers deter him. They propel him forward to make necessary changes but he admits that it's not the end of the world. Besides, there are other statistics and data such as student work that prove that learning is taking place.

"The HSA scores are a concern but I understand that it's only one measure of student achievement," Carganilla says. "The low scores could be attributed to a lot of things so I try not to speculate but instead focus on what we can control, which is classroom instruction. That is the most important thing for our teachers."

For the 2011-2012 school year, Farrington will be focusing on math proficiency, as it aims its teachers with a wide range of strategies to help students improve their math skills. This program is in line with a five-year Strategic Operating Plan that started in 2007, which covers academy/classroom development, curriculum instruction assessment, freshmen support and the mark of a graduate—Governor pride.

Classroom Relevance and Parental Involvement

The program's success, among other things, largely depends on what happens in the classroom. And this is where some of the tougher challenges lie.

First, there has to be attendance. Without the warm bodies, learning does not take place.

"We need to work on getting our students to class first. Then we can work on getting the students to

(continued on page 15)

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LEGAL NOTES



By Reuben S. Seguritan

Report Reveals Abuse of H-2B Visa Program

them housing, job placement and transportation. However, soon after their victims arrived in the U.S. the defendants exploited them. Since the workers had paid recruitment fees up-front back home, many of them incurred debt and thus faced serious economic harm and possible incarceration if they returned to the Philippines.

The workers shared an overcrowded three-bedroom house and without adequate food and water, while they were made to work at swanky country clubs and hotels. Their passports were confiscated and they were threatened with arrest and deportation when they complained and were ordered not to leave the premises without permission and an escort.

This case illustrates the egregious violations that have been committed under the H-2B program. In a recent investigative study, the Government Accountability Office (GAO) exposed the abuse and fraud per-

petrated by unscrupulous employers and recruiters not unlike those committed by Manuel and Baldonado.

GAO reviewed ten civil and criminal cases involving visa fraud or exploitation under the H-2B visa program that have either been closed or settled. The practices discovered by GAO involved failure to pay the workers the prevailing hourly wage or overtime, charging them exorbitant fees, and submission of fraudulent documentation to the government.

In six of the ten cases reviewed, the employers did not pay their H-2B employees the established hourly wage and/or overtime pay. H-2B workers are covered by the Fair Labor Standards Act which mandates the payment of at least the minimum wage and overtime pay on non-exempt employees.

Six cases showed employers charging H-2B workers excessive fees. These fees comprised of visa processing fees above actual costs, rent in overcrowded and grossly overpriced apart-

ments, and transportation charges subject to "late fees". As a result, many workers were left in greater debt than when they just arrived.

The study also uncovers the fraud that recruiters and employers committed so they could exploit their H-2B workers or hire more employees than needed. In particular, they misclassified employee duties on labor certification applications in order to pay lower prevailing wages, used shell companies to file fraudulent applications for unneeded employees, and then leased these additional employees to business that were not on the visa petitions.

Some of the deplorable acts include those committed by a hotel in South Dakota that charged nine employees \$1,200 each in visa processing fees when that was the cost for all nine workers; charging a monthly rent of \$1,050 for an apartment that normally rented for only \$375; isolating the employees from the community, confiscating their passports, and

threatening them with physical abuse and deportation in a "box" if they disobeyed orders.

Another employer, a construction company in Louisiana, conspired with a foreign contract labor firm to lure 87 Indian nationals to the U.S. and charged them \$20,000 each for the H-2B visa, but never employing them. In another case, a New York-based carnival operator housed its H-2B workers in overcrowded and cockroach- and bedbug-infested trailers with unsanitary bathrooms.

An H-2B worker is defined as a foreign nonimmigrant worker employed to perform temporary nonagricultural labor or services. The employer is required to show that the need for the workers is temporary and that there are no available U.S. workers capable of performing such labor or service.

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

WHAT'S COOKING?

KILAWIN ALA JAPONAISE

A Tasty, Fat-free Dish to Help You Fit into Your Party Outfit for the Holidays

JACKIE O' FLASH
By Bea Ledesma

In between swilling cocktails at the odd holiday party and stuffing yourself with puff pastry and cocktail wieners during office festivities, remind yourself that while the holidays are a great time to celebrate it's also often the cause of most post-New Year diet resolutions.

Those three oversized servings of leechon at your Aunt's dinner will come to haunt you come January.

Chef Him Uy de Baron cautions folks to think — and eat — healthy. Whether it's ingesting fast food in between tightly-packed errands or munching on junk when you're just vegging out in front of the TV, he underscores the importance of eating right.

The key, according to de Baron, is to shop right. As consultant for East Cafe at Rustan's Makati, he understands that the

main elements of healthy and tasty dish is in its ingredients. "Use fresh, natural ingredients," de Baron explains, "and cook it with respect. That's all you need, really."

When he cooks for customers, he keeps that same openness at the restaurant. "We like to have a good variety of food for our dinners; we believe that it's a moral responsibility to have healthy options in the menu," he says. "Our diners are mostly women who shop at Rustan's; we'd like to help them get into their size four couture."

For the holidays, it's important to remember that while the super fatty, yummy foods are a staple of the holidays (and you mustn't deny yourself the joys of prichon or cuchinollo or anything else fantastically fattening), those aren't the only things



Kilawin Ala Japonaise

that should comprise your meals.

Take time to munch on a salad or two. De Baron recommends fresh seafood for main meals. He's put together a new spin on kilawin for readers who'd like a palate cleanser of sorts between the tireless party food menu. Cooked only with acid — in this case, plenty of citrus — he makes this tasty offering a meal that requires little to no cooking (who has the time to cook any way?) and is sure to impress any guest with your culinary prowess. (www.philstar.com)

Chef Him Uy de Baron puts a new spin on a local favorite. Infused with Japanese flavors, he fuses pan-Asian techniques with a Filipino dish. This recipe, which serves 4, is simple to recreate for lunch, dinner or a midday snack.

Dressing:

Ingredients:
3 tbs sesame oil
1/4 cup soy sauce
1 tbs honey
2 tbs calamansi juice
1/4 cup ginger water
(juiced ginger)
1 tbs Japanese chili oil
1/4 cup coconut milk

Procedure:

For the dressing, mix in a bowl to emulsify.

Plating the main dish:

Ingredients:
100 g fresh salmon diced
100 g fresh tuna diced
100 g ebi sashimi diced
100 g quartered cherry tomato
1 tbs chopped green onions
1/2 cup alfalfa sprouts
1/2 cup tam yao

Procedure:

Toss the tuna, salmon, ebi and dress with dressing. Garnish with vegetables.

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PHILIPPINE NEWS

Arum: Manny to Fight Mosley May 7

by Abac Cordero
Thursday, Dec. 23, 2010

MANILA, Philippines - Bob Arum and Shane Mosley said it's a go, the fight with Manny Pacquiao on May 7 at the MGM Grand in Las Vegas.

But Pacquiao's adviser, Mike Koncz, said they're still tying some loose ends, and that the Filipino superstar will make his final decision after the holidays.

"A hundred percent it's going to be Mosley. But we're not yet where we want to be," said Koncz.

Pacquiao must be trying to spice up the contents of the contract before he finally says yes.

"But we're not too far," said Koncz who also spoke to

fanhouse.com and said, "We have yet to hear from Mr. Arum. I haven't reached out to him and he hasn't reached out to me. It's the holidays, and we're in no rush. We'll speak to Arum shortly in the next few days and make our final decision probably by the new year," said Koncz.

"When Bob Arum was here (in the Philippines), certainly Mr. Mosley consumed most of the time during our conversations, and that would mean that he got the bulk of our attention. But that doesn't mean that we picked him. Most of our time was spent discussing Shane Mosley, however, it was also asked that Bob Arum return to Las Vegas with a counter proposal."

Mosley, who's pushing 40 but has vowed to give Pacquiao a good fight, and probably knock him out, told fight-hype.com that it's a done deal.

"It's a go. Bob (Arum) and (his representative) James (Prince) came to an agreement on the money minutes ago. Bob is drawing up the contracts and I will sign either on Wednesday or Thursday," said the pride of Pomona, California.

Arum said he wants everything done and over with as soon as possible because he has to work on the dates, the promotion and the press tour that should take both fighters to Los Angeles, New York, Washington and San Francisco.

Arum said there would be a stop in Washington because US

Senator Harry Reid is setting up a rare meeting between Pacquiao and the US President, Barack Obama.

"The President wants to see Manny," said Arum.

The meeting between the two of the world's most powerful figures was supposed to take place right after Pacquiao's fight with Antonio Margarito last November.

In fact, a private plane was already on standby to take Pacquiao from San Francisco, where he was then having a concert, to Washington. But it was called off because Obama "had to fly somewhere."

Arum said he expects a tough fight for Pacquiao, who will face Mosley at 147 or 148 lb.

"We came to a meeting of the minds," Arum told ESPN.com about his meeting

with Prince in Las Vegas.

"[Top Rank matchmaker] Bruce Trample says it's a very difficult fight. I believe it will be an exciting fight. Shane knows how to fight and how to deal with the speed. Manny is in for a hellacious fight. I really believe styles make fights," Arum said.

Mosley said he'll knock Pacquiao out.

"Come on, man. I'm a bigger guy than him and he gets hit. And you saw how I hurt Floyd. Manny is going to come forward and I will hit him on the chin at some point. His defense is not like Floyd's. Manny will come at me, and I will knock him out," he told ESPN.com.

But it's not a hundred percent that's going to happen. (www.philstar.com)

MAINLAND NEWS

Illegal US Immigrants' Dreams Fade with Senate Rejection of 'DREAM Act'

WASHINGTON - A week after the House of Representatives voted to give illegal immigrants brought to the United States as children a way to legalize their stay, the Senate slammed the

door on them on grounds the measure would amount to an amnesty for lawbreakers.

The so-called "DREAM Act" officially known as the Development, Relief and Education for Alien Minors Act passed the

Democratic-controlled House with a bipartisan majority of 216 to 198 earlier this month but failed to gain the 60 votes necessary to overcome opposition in the 100-member Senate.

President Barack Obama

said passage of the bill was necessary for America's economic competitiveness, military readiness and law enforcement efforts.

"It is disappointing that common sense did not prevail today," Obama said in a statement.

"But my administration will not give up on the DREAM Act, or on the important business of fixing our broken immigration system."

The National Federation of Filipino American Associations said the Senate action could result in the deportation of hundreds of Filipino students.

First introduced in 2001, the bipartisan measure offers a way to legal residency for illegal immigrants brought to the US before the age of 16, if they meet certain conditions.

They must have lived in the US for at least five years, graduated from high school and they

must enter college or the military.

Opponents of the bill said it would simply provide amnesty for people who broke the law when they sneaked into the country, primarily from Mexico without documents or those who overstayed their visas.

But supporters of the bill said children should not be held liable for their fathers' mistakes.

Democrats will cede control of the House to the Republicans in the new 112th Congress, which begins its session in January, and the struggle to pass an immigration reform bill will begin anew.

Leaders of both parties agree on the need for a comprehensive immigration reform but bicker on how to get this done.

By some estimates, as many as two million of about 11 million undocumented immigrants, mostly Hispanics, could benefit from the DREAM Act.

Among the undocumented are between 200,000 and 300,000 overstaying Filipinos. (www.philstar.com)

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