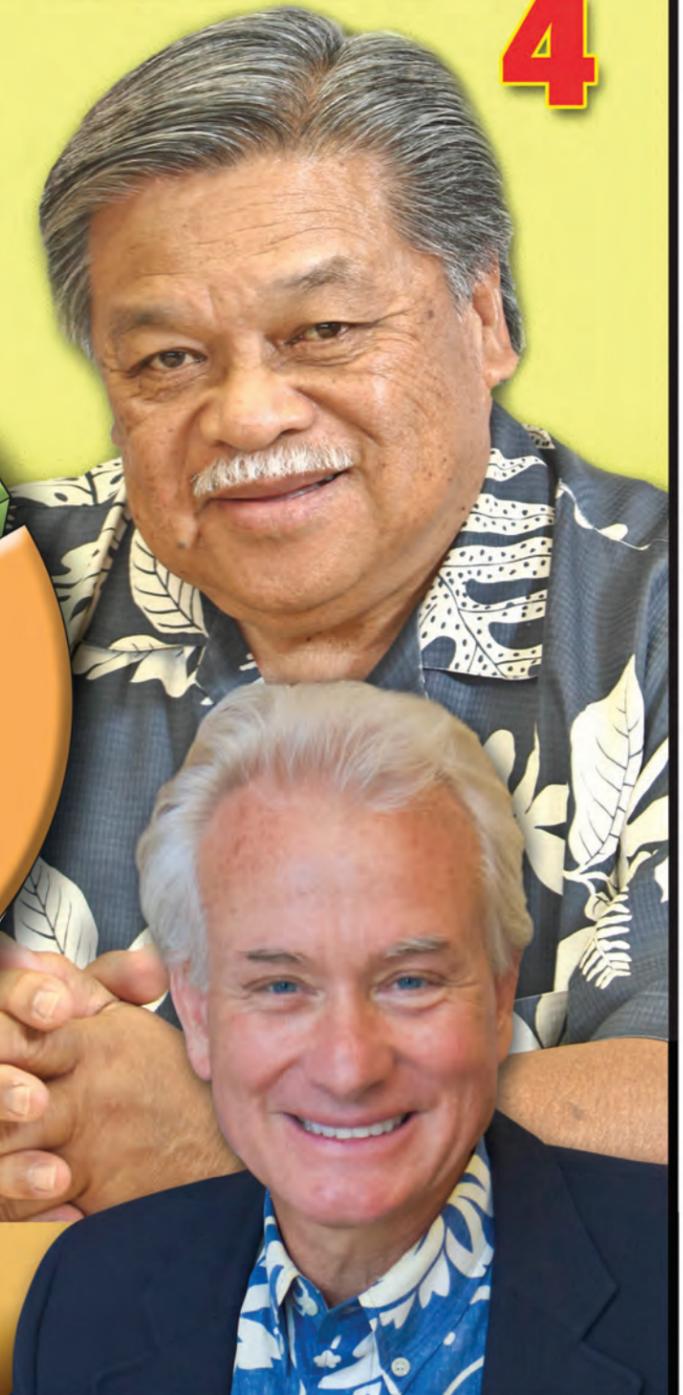
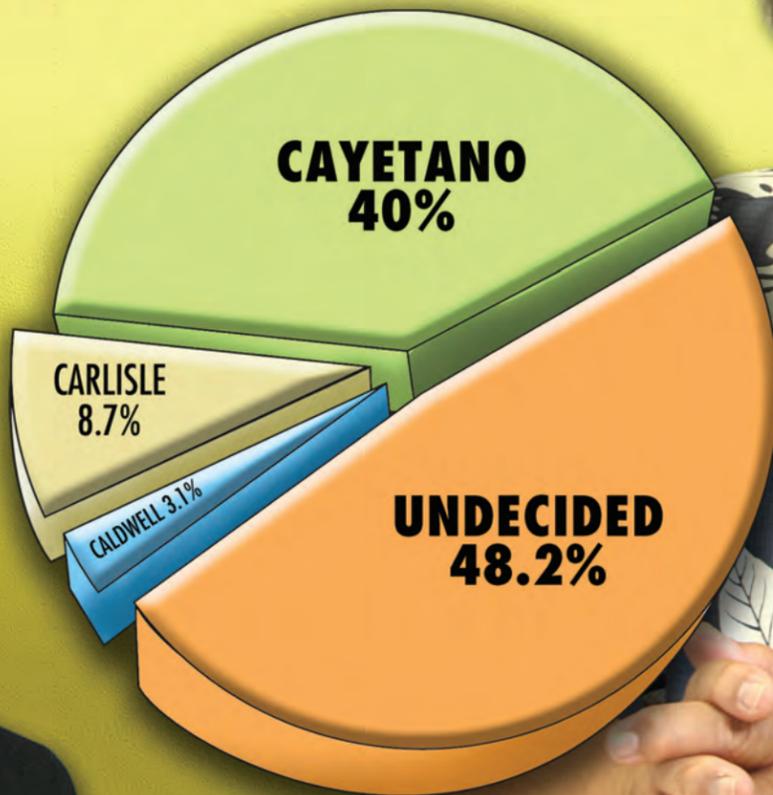
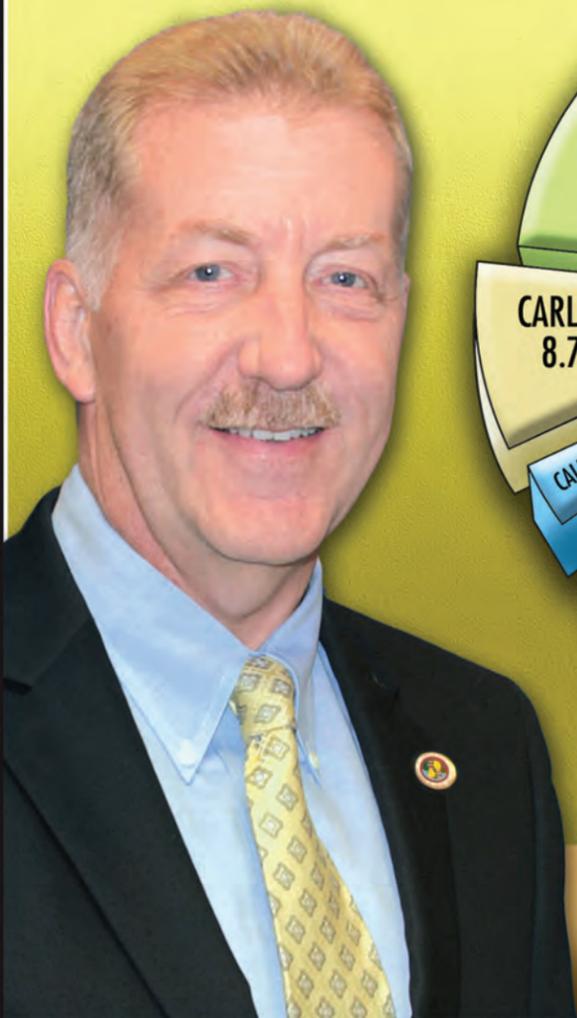


## BEN CAYETANO LEADS HFC POLL FOR MAYOR'S RACE

COVER STORY PAGE

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Honolulu mayoral candidates (clockwise from top): Ben Cayetano, Kirk Caldwell and Peter Carlisle



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## EDITORIALS

## Cayetano Leads Filipino Vote

**B**en Cayetano holds a commanding lead in the Honolulu mayoral race, according to the results of a recent poll taken by the Hawaii Filipino Chronicle of registered Filipino voters. According to HFC's poll, the former governor has 40 percent of the vote, compared to opponents Peter Carlisle with 9 percent and Kirk Caldwell at 3 percent. The poll has a margin of error of 4 percent.

It's a bit tighter in the race for Hawaii's 2nd Congressional District, where Ed Case leads with 19 percent of the Filipino vote, followed by Mazie Hirono at 16 percent and Linda Lingle with 12 percent. What's striking is the large number of undecided votes in both races—48 percent in the mayor's race and 52 percent in the 2nd Congressional District race. The divisive rail issue could be a plausible explanation as to the large number of Filipino voters who are on the fence in the mayoral race. In fact, when asked about their support for rail, 19.4 percent of respondents were undecided. And understandably so. Many Filipinos employed by the construction industry and whose livelihoods depend on large public works projects like rail are understandably hesitant to support a popular Filipino candidate like Cayetano who has pledged to deep-six the project if elected.

By virtue of the large number of Filipinos in Hawaii, many political campaigns will continue to press the Filipino community for votes, especially in the final weeks leading to the Primary Election. It's not far-fetched to believe that if Cayetano lags in the number of votes from other ethnic groups, the large number of Filipino votes would still be enough to carry him to victory.

It remains to be seen if Hawaii's sizeable Filipino population, as evidenced in the 2010 Census, will mean more votes in this election. We can only hope that Filipinos will flex their political muscle at the polls and make their voices heard. Filipinos have long complained of a lack of respect and relevance when it comes to social, political, economic and other issues. If we as a community want to address such complaints, a good place to start would be at the polls come August 11. Now is the time. Let's get out and vote!

## Preparing for the Back-to-School Jam

**I**t's that time of the year again for students to trade in their surfboards for textbooks and video game controllers for daily planners. For hard-working parents, back-to-school means more than shelling out money for school supplies, backpacks and uniforms. It also signifies the start of mind-numbing traffic jams that were all but non-existent during the summer. But like the old saying goes "It was good while it lasted."

The State Department of Education estimates that some 180,000 public school students will be returning to school on July 30. The traffic crunch is expected to worsen a few weeks later when another 60,000 students resume classes at the University of Hawaii-Manoa, Chaminade, HPU and at private schools. For the typical commuter, the gridlock will add up to 30 minutes or more to his or her commute time. To deal with the traffic crunch, State and City transportation officials are advising motorists to consider alternative modes of transportation such as carpooling, biking or riding the Bus. UH students are also urged to leave their vehicles at home and take advantage of discounted student bus passes.

Interestingly enough, statistics from the State Department of Transportation show that the total number of cars on our roads over the course of a school day does not increase all that much. What's happening is that more people are trying to get to the same place at the same time. As a result, the H-1 freeway, which links residential communities to schools in urban Honolulu, is much busier

## FROM THE PUBLISHER

**I**f you are an election junkie, then this latest issue of the Hawaii Filipino Chronicle is a "must-read" issue. It contains the long-awaited results of our poll as well as a Primary Election 2012 Supplement which is bursting to the seams with everything you need to know about the candidates, polling precincts, the voting process and nearly everything about the election.

We salute those candidates of Filipino ancestry who aspire to elective office. The road to victory is difficult and arduous, and few ever make it. However, it is heart-warming to see many Filipinos, particularly those from the younger generation, who are willing to step up to the plate and assume the mantle of leadership.

To gauge the pulse of the Filipino community for the upcoming Primary, we conducted a recent telephone survey of 200 registered Filipino voters from districts with higher concentrations of Filipinos and asked which candidates they would vote for in the race for Honolulu mayor and for the 2nd Congressional District, to name a few. Compiling the results required the political expertise of our veteran associate editor Edwin Quinabo. All in all, we feel that our poll has a fairly good grasp of the Filipino voter and his or her preferences. Several things are certain from our poll—Ben Cayetano holds a commanding lead in the mayor's race, Ed Case holds a slim lead for the 2nd Congressional District and many Filipino voters remain undecided on whom to vote for. The cover story on the results of our poll begins on page 4.

In the "Election Pulse" section of our Election 2012 Supplement, we invited three supporters of the mayoral candidates to briefly explain why they will vote for their candidate. Incidentally, Kirk Caldwell, Peter Carlisle and Ben Cayetano are experienced, likeable and hard-working candidates who are deserving of the top seat at City Hall. Unfortunately, only one of them can emerge victorious.

We encourage you to take time and carefully read the various articles as well as the political advertisements in our special supplement. Be a smart voter and familiarize yourself with the candidates. For important information on where to vote and how to vote absentee by mail, please read pages S8-S15 of the supplement.

Lastly, we once again encourage all of our readers to get out and vote on August 11. If you want lasting change that positively shapes the lives of your children and future generations, then vote for leaders who share your same values and ideals. If you don't, then someone else will. Bear in mind the words of the late English philosopher Edmond Burke who said "All that is needed for evil to prevail is for good men (and women) to do nothing."

By casting your ballot, you can elect the right people to lead our great state and city forward. The power is in your hands.

Until next time... aloha and mabuhay!

*Chona A. Montesines-Sonido*

than normal during morning and afternoon rush hours.

The smart commuter would do well to plan ahead for the back-to-school traffic jam. Consider leaving home a little earlier and allow for more time to keep rush hour less stressful. Don't forget that every little bit helps—as does a good dose of patience. Good luck to all students as well as to parents as the new school year begins!

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OP-ED

# BRT or Rail?

By Panos D. Prevedouros, Ph.D.

**B**RT, of course. Here is why in the words of Eduardo Paes, mayor of Rio de Janeiro: “High capacity transportation (rail) means spending lots and lots of money. BRT—spending much less money, doing it much faster. You can really change the way people move.”

I urge you to look up online the 10-minute long March 2012 video of Mayor Paes’ “The 4 Commandments of Cities” where he explains how Rio de Janeiro won the 2016 Olympiad, instead of Chicago or Madrid. One of his 4 commandments is city transportation for the people. His choice

for serving Rio for the Olympics and the future is BRT.

Locally, in the 2012 mayoral election on August 11, Ben Cayetano supports BRT whereas Kirk Caldwell and Peter Carlisle support rail. People should not pay attention to Caldwell’s rhetoric that he will do the rail right by listening and making changes. Any change to the plan makes it invalid and requires a new study and approvals. So when it comes to rail, it’s Mufi Hannemann’s 20 mile, 21 station elevated steel-on-steel system, or nothing.

On the other hand, many sections of the BRT will not require environmental clearances. We already run buses on the zipper lane and can run more of them. The state will soon start

work on the afternoon zipper lane, so there will be AM and PM zipper lanes. Each of these lanes has a carrying capacity of over 2,000 vehicles per hour but rarely carry more than 1,400 vehicles per hour. Adding 50 express buses per hour on the AM and PM zipper lanes will have no negative effect on their flow and speed.

In addition, the city and state may embark on the Nimitz Viaduct project which unfortunately, was discontinued at the end of Gov. Cayetano’s administration. It’s a 2-mile reversible roadway in the median of Nimitz Highway between the Keehi interchange and Iwilei. By 2018, there can be express buses from Mililani, Waipahu and Kapolei that would need less than 15 minutes to get from the H1/H2 merge to Downtown. This is twice as fast as rail and comes at one fifth of rail’s cost.

Buses are very flexible. They can be short or long single units, articulated or even double articulated. They can be double decked, have toilets and wi-fi in them. They can have doors on either the right or the left side or both. They can have ramps for wheelchairs and racks for surfboards and bicy-

cles. All of these for a fraction of the cost of a single rail car.

The bus business is a competitive industry with at least a half dozen manufacturers and many more from overseas. If a batch of buses are lemons, they can be replaced with another brand. However, rail systems are largely sole source, as Honolulu did with selecting Italian Ansaldo trains. Only vast rail systems like the one in New York City have different vendors for different lines. In general, there is less competition for trains, prices are very high and all suppliers are foreign. The U.S. does not have a single rail car manufacturer but it has several bus manufacturers. The City’s entire bus fleet runs on Cummins diesel engines. Cummins is a Columbus, Indiana headquartered Fortune 500 company.

Speaking of diesel, the fear is that diesel costs will go up and that it is polluting, therefore electric rail is a win-win choice. It may be a win-win in Las Vegas where the Hoover Dam produces the city’s electric power but not so in Honolulu. In fact, the exact opposite is true—TheBus burns clean diesel and the power goes directly to the wheels.

On the other hand, HECO power comes from oil (about 75 percent) and coal (about 15 percent) and is one of the dirtiest in the U.S. Oil is burned to heat steam, spin turbines, generate power, passes it through transformers and capacitors and transmits it over tens of miles of cables. The pollution and loss of efficiency of this process is substantial. So claims that rail will be powered by renewable energy and that rail is clean are 5 percent correct and 95 percent a lie.

Speaking of lies, Pacific Resource Partnership’s ads about Cayetano’s campaign financing are 1 percent correct (yes there was a campaign financing inquiry) and 99 percent a lie (there was an official decision of no wrong doing). One should now wonder why rail supporters resort to a barrage of lies to support their cause.

Choose yourself what’s for dinner—Italian rail for 53 bucks a plate or American BRT for 11 bucks a plate. Clearly, BRT is far better for Oahu’s transportation health at one-fifth the cost.

**DR. PANOS PREVEDOUROS** is professor of civil engineering and transportation systems at UH Manoa since 1990. He ran for mayor of Honolulu in 2008 and 2010. For questions or comments, you can email Dr. Prevedouros at panosdp@gmail.com.

EDITORIALS

## Legislative Priorities

**D**elivering his annual report card to the nation for over an hour yesterday, President Aquino mentioned only four measures that he wanted Congress to pass.

One is the “sin tax” bill on cigarettes and alcoholic beverages. Congress has been kicking around this proposal for many years. With Malacañang stressing that the additional revenues are needed to finance social services including health care and public education, perhaps the measure will finally get congressional approval.

Another presidential priority is the measure providing for the revenue sharing scheme in mining operations. The government wants a greater share in earnings from mining operations, and the revenue scheme is needed before new mining permits will be issued. Businessmen who welcomed the recently released executive order outlining the national policy on mining have expressed concern that a long wait for the revenue measure will dampen investor interest in the sector.

A third priority is the Responsible Parenthood Bill, also known as the Reproductive Health Bill. When President Aquino was a member of Congress, he was a strong proponent of the RH measure. Universal access to reproductive health services by 2015 is one of the United Nations Millennium Development Goals, which the Philippines has committed to achieve. In his third State of the Nation Address, the President noted that the nation continues to suffer from a high maternal mortality rate and resources cannot keep up with the demands of a growing population.

The RH bill will benefit mainly women from low-income households. Women with financial means and education have always enjoyed access to reproductive health care and can make informed choices on family planning. President Aquino’s pitch for responsible parenthood yesterday was one of the most applauded in his SONA.

His fourth priority measure is another amendment to the Anti-Money Laundering Act of 2001, which aims to expand

(continued on page 9)

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COVER STORY

# Cayetano Surges Ahead in Mayoral Race, Case Leads U.S. Senate Race

By HFC Staff

**F**ifty percent plus one, Ben Cayetano wins the Honolulu mayoral race. That would be the outcome this primary election 2012 if the Filipino community had its way, based on a recent Hawaii Filipino Chronicle (HFC) poll.

Former Gov. Cayetano holds a striking lead over his competitors among registered Filipino voters. Forty percent of the respondents polled said they would vote for Cayetano, followed by Mayor Peter Carlisle at 8.7 percent, former city Managing Director Kirk Caldwell at 3.1 percent, and a whopping 48.2 percent undecided. Even if Cayetano were to get only one-third of the 48.2 percent undecided group, that would be more than enough for him to secure the mayoral race in the *primary election*.

But before handing Cayetano the key to the mayor's office, on the other side of the same statistical data, Carlisle and Caldwell camps could reasonably argue that even a 56 percent support (Cayetano supporters, plus one-third of the undecided) for Cayetano among Filipino voters may not be enough to win when factoring in the state's other major groups. And a face

off in the general election might further diminish Cayetano's advantage and open up the chance of the Filipino vote being neutralized should other groups overwhelming sway against the former governor.

The plus for Cayetano is twofold. First, Filipinos are officially the largest ethnic group in Hawaii according to the 2010 U.S. Census. It's estimated that in 2009 Filipinos took over that top spot which could translate to even greater numbers of registered Filipinos this 2012 election, more voters than ever before. Second, Cayetano has a track record of appealing to a large cross section of the population that transcends political party affiliation or race. Any, if at all, drop of support for him among other groups more than likely would not outmatch the surplus of support he has in the Filipino community. It's a numbers game and analysts realize the importance of the Filipino

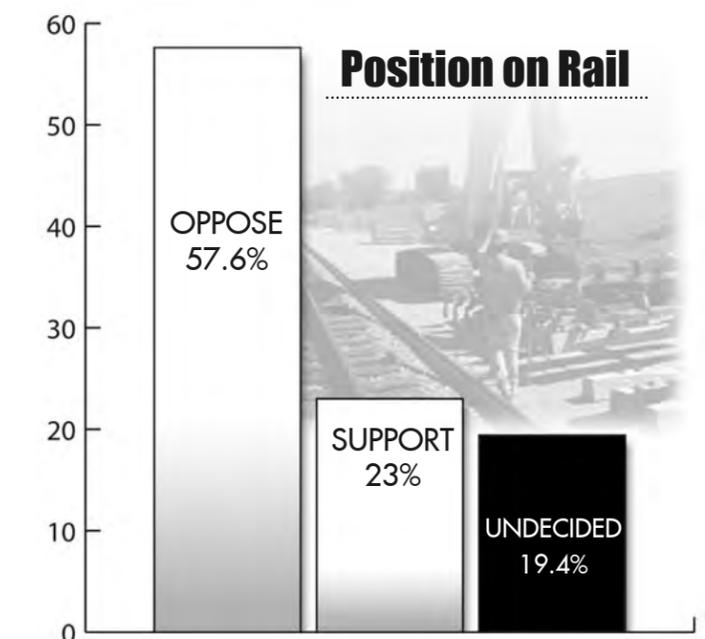
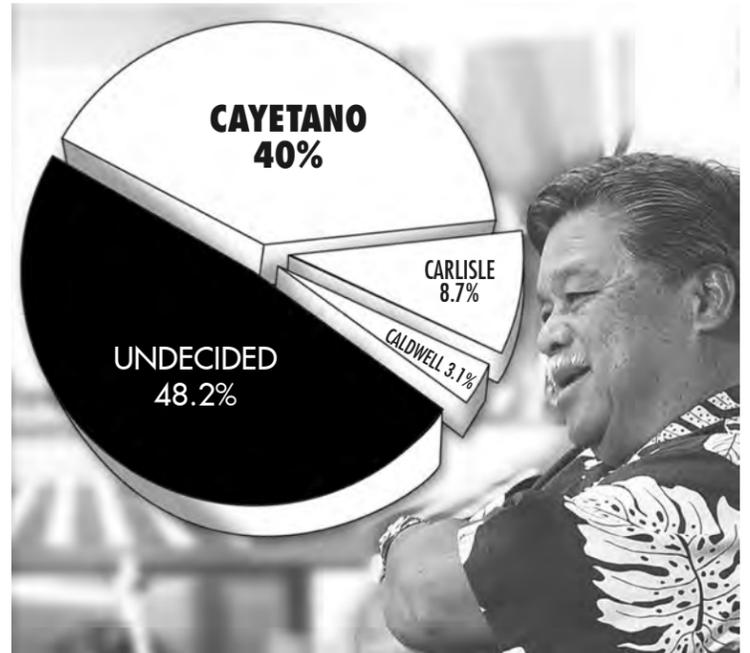
vote in this particular race. So it comes as no surprise that Filipinos are prominently featured in political ads run by pro-rail supporters who want Cayetano to lose. In one example, out of the 12,000 plus teachers employed in Hawaii, the Pro-Rail super PAC Pacific Resource Partnership strategically picked a Filipino teacher to star in their recurring TV commercial challenging the political record of Cayetano.

Due to the 2010 U.S. Supreme Court ruling that enables super PACs with unlimited amounts of money to campaign for or against a political candidate, it appears that Pacific Resource Partnership has been Cayetano's chief adversary in this race with its numerous controversial commercials, doing more damage than Carlisle or Caldwell.

To the extent of how poorly both Carlisle and Caldwell did on the HFC poll, neither Carlisle's incumbent's advantage, or Caldwell's endorsements from the highest level of business and political establishment, has had any impact on Filipino respondents. As many political watchers suspected from the very beginning when Cayetano entered the race for mayor, the issue of rail will be a heavy factor in the minds of voters, and perhaps the biggest chance of victory for either Carlisle or Caldwell over the iconic Cayetano.

### To Rail or Not To Rail?

Public opinion on rail transit has waned recently since the 2008 election when voters approved the project by 53 percent in a city charter amendment. Carlisle believes even if Cayetano were to win this mayoral race, the rail transit project



could not be stopped legally as expressed in the 2008 amendment. Cayetano said he could use his executive power to put a hold on the project and if necessary bring the issue to vote on ballot once again. Cayetano asserts that if he is elected as an anti-rail candidate, it would show that the people no longer support rail.

The HFC poll is in line with other surveys showing rail's support slipping among Honolulu residents. Among Filipino registered voters in the HFC poll, 57.6 percent oppose rail while 23 percent approve it, 19.4 percent are undecided.

Among respondents who support Cayetano in the HFC poll, 87.3 percent of them also oppose rail, adding validity to Cayetano's belief that if he is elected, voters are also saying no to the continuation of the project as well. Then there are those

who say they will be voting for Cayetano even though they support rail (12.7 percent). Only a few respondents said they would not vote for Cayetano because of his position on rail.

For both Carlisle and Caldwell supporters in the HFC poll, the issue of rail did not make a statistical impact on their Filipino supporters who were almost equally for or against the project.

The opposition to rail in the Filipino community by over 2 to 1 may come as a surprise to some considering a large percentage of Filipinos live on West Oahu where residents there reportedly stand to benefit most from the project; and that many Filipinos are employed in the construction industry. With high home ownership rates among Filipinos, perhaps a concern over increased property taxes

(continued on page 5)

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COVER STORY

(from page 4, Ed Case...)

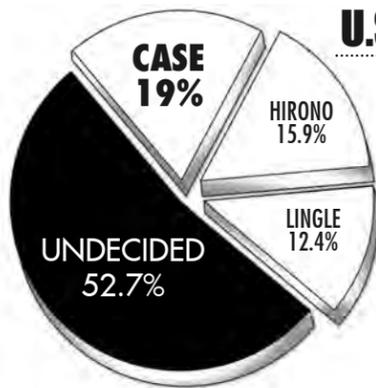
may be responsible for their anti-rail position. For those in the construction industry, there may be doubts over whether the awarded contracts would actually benefit their small-to-medium size construction businesses. From a transportation viewpoint, bus ridership among Filipinos may be preferred. The recent cutback in bus routes initiated by Carlisle as a cost-savings measure for the city has been met with strong disapproval among Filipinos and seniors. The second major bus cutback is scheduled toward the end of this summer.

For Filipinos who do support rail, they point out valid reasons for it. To them rail could be the long-awaited booster shot to strengthen the state's ailing economy. It could complement the existing bus system and get people to their destinations faster.

The fact is no one really knows how much of an impact rail will have on improving traffic or how the city budget will be affected years from now. What's certain about the issue of rail is that a Cayetano election defeat would be the last obstacle to getting it started. A Cayetano win could prolong the issue for who knows how long.

What could be forecasted from a Carlisle victory is more tight belt budgeting, which has been controversial at times with cutbacks in bus routes and neglect of city roads. In fairness to Carlisle, it may be too soon to judge his performance as an incumbent mayor from a special election race just two years ago. Either his vision for the city is still in the seedling stage waiting to blossom or there just hasn't been much for the media to report. Is he deserving of more time? -- yes, perhaps, at least as much as any other special election winner, voters might think. If given a second chance, Carlisle vowed to make the rail project more open and transparent, including the way federal grant money is used, potential escalating costs, and potential blight on the city landscape.

What could be anticipated from a Caldwell victory is similar city managing as it was under the tenure of Mufi Hannemann. Caldwell, the former city managing director under Hannemann and brief Interim Mayor, is being backed by the same power structure. He received endorsements



U.S. Senate, 2nd District



(L-R) Ed Case, Mazie Hirono and Linda Lingle

by the Hawaii Government Employees Association, the United Public Workers, the State Hawaii Organization of Police Officers and the Hawaii Fire Fighters Association, along with numerous labor unions from a cross section of construction and building industries.

Despite his poor showing in the HFC poll, Caldwell actually should be the favored candidate to win on paper given the powerful old boy network behind his campaign.

U.S. SENATE, 2ND DISTRICT

This year's race for U.S. Senate in Hawaii's second district brings back memories of the trio's -- Mazie Hirono, Ed Case and Linda Lingle -- face off for governor in 2002. Lingle is expected to win the primary election nomination and face the winner of either Hirono or Case in the general election.

Hawaii's Filipino voters in this HFC poll found this race to be the toughest to decide. Case finished on top with 19 percent of respondents, followed by Hirono with 15.9 percent and Lingle close behind at 12.4 percent. The undecided group is 52.7 percent which means this race is up for grabs with no clear favorite.

Hirono vs Case

Although Hirono and Case belong to the same political party, there are degrees of diverging positions between the two that can make a difference in national policy-making.

In the case of Social Security and Medicare, both politicians are staunch supporters loyally keeping in step with their Democratic party's position on these issues, but the difference here is that Case supports raising the retirement age under Social Security for younger workers to help the program's financial viability, while Hirono supports keeping the age eligibility the same. Currently seniors can get early retirement benefits at 62 and full benefits at 65 or 67, depending on when they were

born.

Both candidates oppose privatizing Social Security as sought by Republicans during the George W. Bush era. Both agree on many federal issues from civil rights to healthcare. Both are proven leaders in their illustrious political careers.

A veteran lawmaker at both Congress and Hawaii State Legislature, Case is a known blue dog Democrat. He said he is running for congress to help balance the federal budget. "My campaign is about fixing Washington. My campaign is also about growing our economy," Case said.

Hirono is also a veteran lawmaker who has been in Congress since 2007. Prior to that she served as Lt. Governor and was a state legislator.

What's hopeful for Case is his history of independence. As in the HFC poll shows, a large segment of Filipino voters consider themselves independents. Should he move on to the general election, Case would pose a greater threat to Lingle who is relying on independents to cross over to her camp.

Linda Lingle

The high drama in this race comes a few months later in the general election but the media savvy former governor has had her political ads running for months now in print, radio, internet, and TV. Her campaign treasury advantage even allowed her to do something completely new in political ad campaigning -- launching her own digital cable channel.

Hawaii has not had a Republican senator in 35 years and Lingle knows she must draw in additional votes besides hard-line GOP voters. Her emphasis on bipartisanship and control on government spending work well with moderate Democrats and independents. She has asked voters to separate the presidential election from the race for senate, wisely acknowledging President Barack Obama's popularity. She

Health Insurance 3.8 percent, High Cost of Education/Student Loans 2.2 percent, High Cost of Housing 2.2 percent, Congested Traffic 1 percent, and Overgrowth in Land Development 0.5 percent.

#1 Economy/Jobs

Not surprisingly as in the last HFC poll in 2010, the Filipino community still believes that the economy/jobs is the most critical issue.

While there are signs of incremental improvements, Hawaii is far from where it needs to be. According to the U.S. Commerce Department, Hawaii had one of the nation's poorest performing economies last year, posting a growth of just 1.2 percent. This places Hawaii 44th out of 50 states and well below the national average of 2.6 percent. The Aloha state's growth rate is in the bottom tier along with other states known for their slow economies, including Nevada and Arizona.

The state Department of Business, Economic Development and Tourism forecasts modest improvement for 2012 at 2 percent, 2.4 percent in 2013, should the visitor industry continue to hold its upward trend. Visitor arrivals are expected to hit a record 7.7 million this year with a boost in spending by 9 percent to 13.8 million.

Economic statistics confirm but do not tell the entire story behind the Filipino's community's lack of confidence in the state's

(continued on page 6)

RANKING THE ISSUES

Perhaps even more important than the political personalities, HFC always includes a snapshot on what the Filipino community finds most important for politicians to focus on immediately after the election.

HFC respondents found the following issues most important: Economy/Jobs 73.5 percent, High Cost of Living 11.9 percent, Income Inequality/Low Wages 4.9 percent, High Cost of

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## COVER STORY

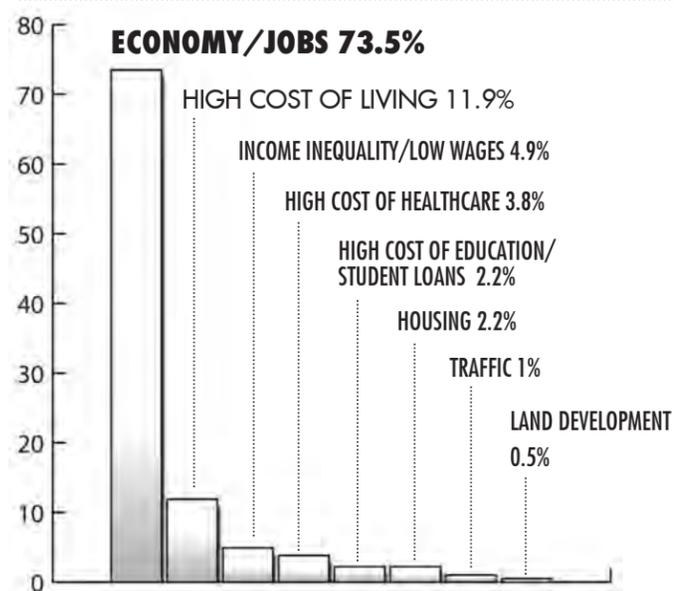
(from page 5, HFC POLL...)

economy. The fact that there are record-breaking numbers of visitor arrivals still does not gloss over Hawaii's over reliance on one industry. Improvements in tourism and its impact on retail is not enough to carry the state's economy as a whole. The positive numbers in the visitor's industry also does not necessarily add up to a better financial outlook for hotel workers with some hotels cutting back on full time employment, hiring contract workers, and outsourcing jobs.

Hawaii's unemployment rate for the first quarter of 2012 is 6.4 percent. It is up slightly from last year that had unemployment average from 6.7 to 6.9 percent. The Department of Labor and Industrial Relations reports there were 42,250 people looking for work in March this year.

The official unemployment tally is a very conservative estimate because it only includes

## Issues of Importance



people seeking work. This may partially explain why there is a discrepancy between Hawaii performing much better in its unemployment rate compared to the national average of 8.2 percent, but is doing so poorly in economic growth compared to the rest of the nation. The discrepancy (Hawaii's low unemployment and low economic growth rate, which should be inversely

related) suggests that there is a larger segment of Hawaii's working population with non-traditional workers status (part-time, contract, or independent); and that these workers are not registered with the Department of Labor as unemployed.

## #2 High Cost of Living

It's a known fact that Hawaii's cost of living is among the highest in the nation and well above the national average. Hawaii flip flops as number one and is consistently ranked in the top four for overall highest cost of living along with California, Washington, D.C., and New Jersey. Hawaii placed on top for the state with the highest cost of food. It is also well above the national average for highest rates for electricity. The U.S. Energy Information Administration says the average price in Hawaii for electricity last year was 25.1 cents per kilowatt-hour, compared to the national average of 9.83 cents.

There is no quick fix to alleviate some of Hawaii residents pricey expenses simply due to the fact that we are situated on an island in which most goods must be shipped into the state. Added to that, limited land and high de-

mand drives up to a premium residential and commercial real estate.

Where government and the business sector can make inroads is in fostering alternative energy. About 75 percent of electricity generated in Hawaii comes from petroleum products. Providing other forms of energy - wind, solar, geothermal - can help the state be less dependent on the price of oil. The first step would be to attract outside companies to set up the infrastructure and inject competition into the state's monopolized electricity provider. That sounds simple in theory but it's a highly politicized process. Advancing high tech agriculture that allows for increased home-grown consumable goods particularly on the neighbor islands may also help, making residents less dependent on mainland and international imports.

## #3 Income Inequality/Low Wages

The issue of income inequality has been gaining more attention since the great modern recession, unethical practices in Wall Street and ensuing exorbitant executive bonuses have dominated the headlines of newspapers in recent years.

While Hawaii's Department of Business, Economic Development & Tourism forecast that total wage and salary jobs will rise by 1.7 percent this year, it does not take into account income inequality. This rise may just well be segmented to benefit already higher income workers.

Data shows that as in the U.S. mainland, Hawaii's income inequality gap is growing further apart. From 1945 to 1985, the top 10 percent of Hawaii households received about 30-32 percent of total income. By 2005, their share had increased to about 43 percent. The top 1 percent of households in 1975 received about 7 percent of total income. By 2005, their share had increased to about 20 percent. Experts believe more recent data to be assessed will disclose even further disparity.

A recent Harvard University study found that the decline of organized labor in the U.S. coincides with the large increase in wage inequality. From 1973 to 2007, union membership in the private sector declined from 34 to 8 percent. During the same period, wage inequality in the

private sector increased by over 40 percent. The analysis suggests that unions helped to share the allocation of wages not just for their members, but across the labor market.

The effects of globalization (shipping jobs and services abroad) and new digital technologies have also contributed to income inequality.

## #4 High Cost of Healthcare

Even with the U.S. Supreme Court's recent ruling to uphold President Barack Obama's health care reform constitutionality, many in the Filipino community have concerns over the high cost of healthcare.

The fact is healthcare is one of the major monthly costs of most families, along with mortgage/rent. It also continues to be the prime source of the majority of personal bankruptcies. The rate of health care cost rising compared to inflation has even the wealthiest companies concerned over how they can sustain health benefits. State, Federal and City government also find it increasingly impossible to provide health care for their employees and retired workers, despite of the huge group buy into health care plans. Hawaii's 2012 state legislative budget actually allocated more to health care related costs than even education.

Hawaii has one of the lowest costs for health care coverage in the nation with an average of \$4,401 annually (\$367 per/month) for single coverage and \$12,109 annually (\$1,009 per-month) for family coverage, according to the National Conference of State Legislatures as of June 2012. The average cost of healthcare in the U.S. is \$5,423 annually (\$452 per/month) for single coverage and \$13,940 annually (\$1,162) for family coverage.

The rise in premium cost in the last decade went up by 131 percent, compared to the rise in inflation by 28 percent in the same period. If costs continue on their current trajectory, premiums are expected to accelerate by another 166 percent in the next decade. That would mean an average family plan could potentially cost almost \$20,000 a year or about \$1,600.00 per month, equivalent to some people's entire annual income or mortgage/rent.

(continued on page 8)

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IMMIGRATION GUIDE

# U.S. Citizen Deported, Illegal Aliens Coddled (Cuddled?) by Obama Gov't



By Atty. Emmanuel Samonte Tipon

**W**here in the world are citizens deported while illegal aliens are coddled (cuddled?)? Only in America and only under an Obama government. How could this happen? What are the rights and remedies of the victim?

The Obama administration granted "amnesty" or "prosecutorial discretion" or "deferred action" or whatever they want to call it in favor of about a million aliens who entered the U.S. illegally.

On the other hand, the Obama administration deported a U.S. citizen. Mark Daniel Lyttle was born in North Carolina, hence a U.S. citizen. He was of Puerto Rican descent, suffering from a diminished mental capacity. In 2008 North Carolina Immigration and Customs (ICE) agents took him into custody from a detention facility and interrogated him without a witness present. Agent Faucette's notes showed that Lyttle's real name was Jose Thomas, that the name Mark Daniel Lyttle was an alias, and that he was a citizen of Mexico

who entered the U.S. at the age of 3 without permission. The agents searched FBI records and other data bases which showed that Lyttle was a U.S. citizen. A warrant of arrest was served on Lyttle. A Notice of Intent to Issue a Final Administrative Removal Order was issued charging Lyttle with being deportable as an alien convicted of an aggravated felony. Lyttle claimed that Agent Faucette coerced and manipulated him into signing the Notice whereby Lyttle waived his right to a removal hearing before an Immigration judge and acknowledged that he was a Mexican citizen and agreed to be deported to Mexico. He claims he did not understand the document or the implications of signing it. The acknowledgment identified Lyttle as Jose Thomas but Lyttle signed his name as Mark Lyttle.

Agent Collado interrogated Lyttle who claimed he was a USC, born in North Carolina and denied being a Mexican citizen. A Notice to Appear (NTA) before an Immigration Judge was issued alleging Lyttle was a citizen of Mexico. The IJ ordered Lyttle removed. He did not have an opportunity to present evidence or challenge the evidence of Mexican citizenship. He was transported to the Mexican border and sent off on foot into Mexico still wearing prison-is-

sued clothes and given \$3. Lyttle did not speak Spanish. He tried to return to the U.S., was apprehended at the border, and interrogated in Spanish which he did not understand. He was returned to Mexico. Over the next 115 days Lyttle wandered through Central America. He arrived at the U.S. Embassy in Guatemala and he was issued a U.S. passport. At the Atlanta, GA airport ICE agents detained and interrogated him and found he had a lengthy criminal history. He claimed U.S. citizenship. ICE agents issued an expedited removal order against Lyttle stating he falsely presented himself as a U.S. citizen. His family hired a lawyer who demanded Lyttle's release. DHS released him. He claims that he suffered and continues to suffer grievous physical and psychological injury from his deportation.

**Damages under federal law**

Lyttle filed suit in U.S. District Court against the ICE agents in their individual capacities, the DHS Secretary and other top officials, and the U.S. for monetary damages under the Federal Tort Claims Act. The defendants moved to dismiss.

The court held that a U.S. citizen who has been detained without probable cause, who the federal agents knew claimed to be a U.S. citizen, whose

claim of citizenship was not investigated, whose claim was supported by easily accessible corroborating evidence, and who was manipulated by the federal agents through coercion and distortion of the record, should have a claim against the responsible agents to recover damages for his injuries caused by his detention and subsequent banishment from the United States, if he is able to prove that the government employee violated his constitutional rights in the process and if that employee is not entitled to qualified immunity. The court held the following claims should not be dismissed: (1) Fifth Amendment due process claims against specified ICE defendants; (2) Fourth Amendment unreasonable seizure claims against specified ICE defendants; and (3) Federal Tort Claims Act

claims against the United States for false imprisonment, negligence, and intentional infliction of emotional distress.

Lyttle v. United States, U.S. District Court, M.D. Georgia, No. 4:11-CV-152 -CDL, March 31, 2012.

(ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. Office: 800 Bethel St., Suite 402, Honolulu, HI 96813. Tel. (808) 225-2645. E-Mail: [filamlaw@yahoo.com](mailto:filamlaw@yahoo.com). Websites: [www.MilitaryandCriminalLaw.com](http://www.MilitaryandCriminalLaw.com), and [www.ImmigrationServiceUSA.com](http://www.ImmigrationServiceUSA.com). Listen to the most witty, interesting, and informative radio program in Hawaii on KNDI at 1270, AM dial every Thursday at 7:30 a.m., rebroadcast at [www.iluko.com](http://www.iluko.com).)

HAWAII-FILIPINO NEWS

## Rail to Receive \$47 Million in GET Revenues for 2nd Quarter 2012

Officials with the Honolulu Authority for Rapid Transportation (HART) say that Honolulu's rail project will receive nearly \$47 million from the General Excise and Use Tax (GET) revenue for the second quarter of 2012.

To date, total GET revenues collected for the rail project stands at \$905.72 million.

"Passing the \$900 million mark in GET-generated revenue shows that the financial picture for our rail project remains strong," says HART CEO and Executive Director Dan Grabauskas. "Our local funding



source positions us well with the Federal Transit Administration as we await word on the approval of \$1.55 billion in federal money through the Full Funding Grant Agreement."

The half-percent GET surcharge dedicated only to the

Honolulu rail system began in January 2007 and is set to expire at the end of 2022. The surcharge is estimated to fund nearly 70 percent of the project's cost, with the remaining balance to be paid for by federal funds.

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## SOCIAL SECURITY UPDATE

## Answers to Common Social Security Questions

**Q:** How can I get a copy of my Social Security Statement?

**A:** If you are 18 or older, you may get your Social Security statement online after creating an account at [www.socialsecurity.gov/mystatement](http://www.socialsecurity.gov/mystatement). The statement provides estimates for retirement, disability and survivors benefits, as well as a way to determine whether your earnings are accurately posted. Social Security sends paper statements in the mail only to people age 60 and older and beginning in July 2012, to workers the year they turn 25. Also, you can get an instant, personalized estimate of your future retirement benefit using our online retirement estimator at [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator).

**Q:** My child will be attending his last year of high school and turns 19 in a few months. Do I need to fill out a form for his benefits to continue?

**A:** Yes. You should receive a form, SSA-1372-BK, in the mail about three months before your son's birthday. Your son needs to complete the form and take it to his school's office for certification. Then, you need to return page two and the certified page three back to Social Security for processing. If you can't find the form we mailed to you, you can find it online at: [www.socialsecurity.gov/schoolofficials/ssa1372.pdf](http://www.socialsecurity.gov/schoolofficials/ssa1372.pdf).

**Q:** My retired neighbor told me that the income he receives from a part-time job gives him an increase in his Social Security benefits. Is that right?

**A:** Retirees who return to work after receiving benefits may be able to receive a higher benefit based on those earnings. This is because Social Security automatically re-computes the retirement benefit after crediting the additional earnings to the individual's earnings record. Learn more by reading "How Work Affects Your Benefits" at [www.socialsecurity.gov/pubs/10069.html](http://www.socialsecurity.gov/pubs/10069.html).

**Q:** I plan to retire soon. When are Social Security benefits paid?

**A:** Benefits are paid each month. Generally, new retirees receive their benefits on either the second, third, or fourth Wednesday of each month, depending on the day of the month the retiree was born. If you receive benefits as a spouse, your benefit payment date will be determined by your spouse's birth date.

**Q:** What is the difference between Social Security disability and Supplemental Security Income (SSI) disability?

**A:** Social Security administers two major programs that provide benefits based on disability—Social Security Disability Insurance (SSDI) and Supplemental Security

The following chart shows how your monthly payment date is determined:

DAY OF THE MONTH YOU WERE BORN	SOCIAL SECURITY BENEFITS PAID ON
1st-10th	Second Wednesday
11th-20th	Third Wednesday
21st-31st	Fourth Wednesday

For a calendar showing payment dates for 2012, see the "Schedule of Social Security Benefit Payments" at [www.socialsecurity.gov/pubs/calendar.htm](http://www.socialsecurity.gov/pubs/calendar.htm).

Income (SSI). SSDI benefits are based on prior work under Social Security and are financed with Social Security taxes paid by workers, employers and self-employed persons. To be eligible for an SSDI benefit, a worker must earn sufficient credits based on taxable work to be "insured" for Social Security purposes. SSI payments are made on the basis of financial need and financed through general tax revenues. Adults or children who are disabled or blind and have limited income and resources, may be eligible for SSI disability. The monthly payment varies up to the maximum federal benefit rate, which may be supplemented by the state or decreased by income. Learn more by reading "Supplemental Security Income" at [www.socialsecurity.gov/pubs/11000.html](http://www.socialsecurity.gov/pubs/11000.html) and "Disability Benefits" at [www.socialsecurity.gov/pubs/10029.html](http://www.socialsecurity.gov/pubs/10029.html).

**Q:** Can I get both Supplemental Security Income (SSI) and Social Security benefits based on my disability?

**A:** Many people eligible for Social Security disability benefits also may be eligible for SSI. The

disability decision for one program is the same for the other but you must meet additional resource and income limits to qualify for SSI benefits. Learn all about SSI and whether or not you may qualify by reading "You May Be Able To Get Supplemental Security Income" at [www.socialsecurity.gov/pubs/11069.html](http://www.socialsecurity.gov/pubs/11069.html).

**Q:** Is there a time limit on collecting Social Security disability benefits?

**A:** Your disability benefits will continue as long as your medical condition does not improve and you remain unable to work. Your case is reviewed at regular intervals to make sure you are still disabled. If you are still receiving disability benefits when you reach full retirement age, we will automatically convert them to retirement benefits. Learn more by reading "Disability Benefits" at [www.socialsecurity.gov/pubs/10029.html](http://www.socialsecurity.gov/pubs/10029.html).

**Q:** I get Social Security because of a disability. How often will my case be reviewed to determine if I'm still eligible?

**A:** How often we review your medical condition depends on the severity and the likelihood of im-

provement. Your award notice tells you when you can expect your first review using the following terminology:

- \* Medical improvement expected—If your condition is expected to improve within a specific time, your first review will be six to 18 months after you started receiving disability benefits.
- \* Medical improvement possible—If improvement is possible, your case will be reviewed about every three years.
- \* Medical improvement not expected—If your medical condition is unlikely to improve, your case will be reviewed once every 5-7 years.

**Q:** Will my eligibility for the Extra Help with Medicare prescription drug plan costs be reviewed? If so, how often?

**A:** If you get the Extra Help, Social Security may contact you to review your status. This reassessment will ensure you remain eligible for Extra Help and you are receiving all the benefits you deserve. Annually, usually at the end of August, we may send you a form to complete: "Social Security Administration Review of Your Eligibility for Extra Help." You will have 30 days to complete and return the form. Any adjustments will be effective in January of the following year. For example, if we send you a review form in August 2012 and you return the form within 30 days, any adjustments to your Extra Help will be effective in January 2013.

## COVER STORY (from page 6, HFC POLLS...)

Many middle aged workers now see retirement in their future as an impossibility due to health care costs, unless at some point the inevitable happens, that a truly complete overhaul of healthcare reform into a single payer system be adopted.

## Tied for #5 High Cost of Education/ Student Loans

The cost of education keeps rising. Ten years ago, it was

common to see college education cost over a hundred thousand for medical and law students because of the lengthy schooling requirements. Today, undergraduate, trade and technical education run into the tens of thousands. It's conceivable for students today to come out of college with debts equal to home mortgages.

The average in-state tuition and fees at four-year public col-

leges last fall rose 8.3 percent. Add room and board to tuition and fees, the average cost rises to \$17,000 a year.

Like healthcare, education is a sensitive issue that puts into question valid arguments over how much can government intervene, if it should at all, to ensure certain basic rights of equal access be available to a majority of citizens while taking into consideration the rights of pri-

vate industries to conduct business without heavy-handed influence.

The key in pursuit of this balance may lie in determining what's best for the overall community, a middle ground. Expanding the availability of grants, keeping student loan interest rates low, and tuition tax breaks, are all fair proposals that will keep the business of education healthy while maintaining affordable access to education.

## Tied for #5 High Cost of Housing

Mirroring the high cost of living ranking, Hawaii is number one in the most expensive housing markets in the U.S., followed by Washington, DC, California, New Jersey, Maryland and New York. This issue ranked fairly low in the HFC survey partly due to high ownership of homes among Filipinos. As a cultural practice, Filipinos will choose to

live in larger households until enough money is saved to buy real estate of their own.

The last two issues of importance were Traffic and Overdevelopment, each garnering 1 percent or less among respondents.

## Cause of Problems

A new question to appear on the HFC poll this year is "What do you think is the cause of many of these issues?" This is an important question for elected officials to ponder. A majority of respondents believe poor leadership (72.9 percent) is the chief obstacle to fixing some of our most pressing issues, followed by Political/Economic System 18.2 percent, Corporate Influence 7.2 percent and Government Intervention 1.7 percent.

The age-old philosophical debate as to what is the origin of societal problems has always been between the "individual" or

(continued on page 9)

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HEALTHLINE NEWS

# Save Your Gut from Bad Fat

**M**anila, Philippines - Recent data from the American College of Gastroenterology (ACG) highlighted the potentially deadly link between higher Body Mass Index (BMI) and colorectal cancer. The latest finding was released during Colorectal Cancer Awareness Month.

The ACG study stressed that dietary and other modifiable risk factors may account for as many as 90 percent of colorectal cancers, with recent studies suggesting that about one-quarter of colorectal cancer cases can be avoided by following a healthy lifestyle.

In the Philippines, cancers of the colon and rectum combined are the fourth most preva-

lent type of cancer among Filipinos. The 2010 Philippine Cancer Facts and Estimates also noted that colorectal cancer incidence begins to rise steeply at age 50 for both males and females. The reported risk factors among Filipinos are personal or family history, polyps and inflammatory bowel disease. Evidence suggests that a diet high in fat and deficient in whole grains, fruits, and vegetables also increases the risk among Filipinos.

Philippine Society of Oncologists (PSO) president Dr. Romulo de Villa said that obesity, which causes metabolic syndrome, can affect colorectal cancer development and mortality.

Metabolic syndrome is a condition that has been largely attributed to heart disease and diabetes. Recent studies also pinpointed its potential role in cancer development. Metabolic syndrome risk factors include a large waistline, high triglyceride (or bad fats) level, low HDL or good cholesterol level, high blood pressure, and high fasting blood sugar.

Dr. De Villa further explained that saturated fats are associated with increased risk for cancer while good fats, such as monounsaturated and omega-3 fatty acids, are associated with reduced risk for heart disease and possibly cancer.

Besides maintaining a healthy weight, Dr. de Villa also

encourages Filipinos at average risk for colorectal cancer to begin screening at age 50. For high-risk individuals, regular screenings can start at age 45. Colonoscopy is one of the preferred screenings for colorectal cancer.

The frequency of screening will depend on each individual's

risk factors and based on the doctor's recommendations.

"Filipinos need to understand the link between a higher Body Mass Index (BMI) and colorectal cancer, take this risk factor seriously, and talk to their doctor about colorectal cancer tests," concluded Dr. De Villa. ([www.philstar.com](http://www.philstar.com))

**EDITORIAL** (from page 3, LEGISLATIVE...)

the coverage of the law. Congress passed a separate amendment in its previous session and promised to work on the other measure, which will include bribery and malversation of public funds among the predicate crimes covered by the law. The amendment is necessary for the success of any serious anti-corruption campaign.

Four is not an unwieldy number, and the measures mentioned by the President have been deliberated on for a long time by the legislature. Four is not too much for the Chief Executive to ask of Congress. Lawmakers should buckle down to work. ([www.philstar.com](http://www.philstar.com))

**COVER STORY** (from page 8, HFC POLLS...)

the "system." Based on the HFC survey, respondents seem to believe the current system is strong and sound enough for elected officials to make the proper adjustments. This is in contrast to many European Union countries where citizens place the blame on their economic/political system, opting to elect politicians who emphasize complete systemic changes. For example France recently voted in Francois Hollande, the first socialist to be elected president since Francois Mitterrand in the 1980s/90s.

But the fact that 18.2 percent of respondents say the current political/economic system is to blame may be sizeable enough for elected officials to at least consider greater, more sweeping changes, as options when crafting legislation on key issues.

Contrary to the Republican Party's rallying cry that government has become to large and intrusive, HFC respondents actually place greater blame on the influence of corporations in society.

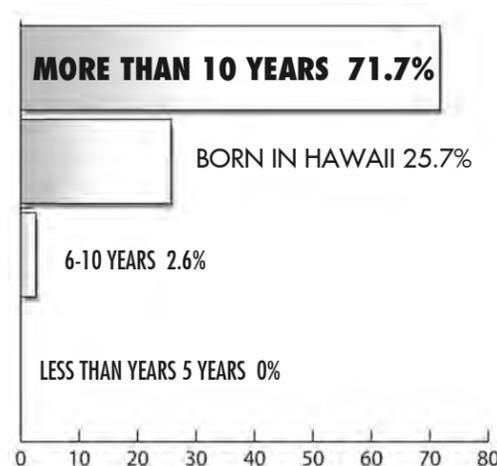
**WHO ARE HAWAII'S FILIPINO VOTERS?**  
**Party Affiliation**

The HFC poll confirmed what has always been known of Filipino voters: there is a sizeable group loyal to the Democratic Party and another group (independents) who vote based on individual candidates, re-

**Cause of Problems with Issues**



**Length of Years Living in Hawaii**



gardless of party affiliation. The breakdown of the HFC poll: 48.6 percent identified themselves as Democrats, 44.8 percent as independents, and 6.6 percent as Republicans.

**Years Living In Hawaii**

The typical Filipino voter has lived in Hawaii either all of his/her life or has lived in the state for more than 10 years. As a voting block among Filipinos, the immigrant population surprisingly still outnumbers those who are born here. The HFC poll breakdown: residents more than 10 years is 71.7 percent, residents born in the state 25.7 percent, residents of 6-10 years 2.6 percent, and residents less than 5 years 0.0 percent.

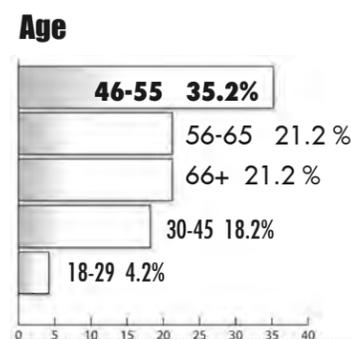
**Age:** The majority of registered Filipino voters are between the age of 46 through 65. This bracket constitutes 35.2 percent of the Filipino

constituency. In year's past, Filipino voters overwhelmingly came from this bracket by over 60 percent. So there are some changes in voters' age distribution. The second largest voting group is tied: 56-65 at 21.1 percent, and 66 and older at 21.2 percent. The younger groups: 30-45 at 18.2 percent and 18-29 at 8 percent show

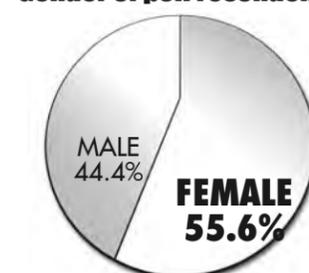
vast improvements in potential voting turnouts.

**Gender:** Women made up 55.6 percent of poll respondents, compared with men at 44.4 percent. Traditionally Filipino women voters outnumber men, but this year's gap is closer.

The HFC poll was conducted from July 1 through July



**Gender of poll respondents**



10 and targets only registered Filipino voters. For greater accuracy, pollsters conducted a larger sampling of neighborhoods with a higher concentration of Filipino residents. Two hundred respondents participated in this HFC poll. It has a margin of error of 4 percent.



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**PHILIPPINE NEWS**

**Noy Won't Budge on Sea Row;  
 P28 B Allotted for AFP Upgrade**

by Delon Porcalla  
 Tuesday, July 24, 2012

**M**ANILA, Philippines - The Philippines will never give up its claim over the West Philippine Sea, which China is claiming, and Filipinos should show unity in defending the country's position, President Aquino reiterated yesterday in his third State of the Nation Address (SONA).

"There are those who say that we should let Bajo de Masinloc (Panatag Shoal) go, we should avoid the trouble. But if someone entered your yard and told you he owned it, would you agree? Would it be right to give away that which is rightfully ours?" he asked.

In his 90-minute SONA, Aquino reminded China that his government "demonstrated utmost forbearance" in replacing a Navy cutter with a Coast Guard ship, if only to deescalate tensions in Panatag Shoal.

"We chose not to respond to their media's harangues. I do not think it excessive to ask that our rights be respected, just as we respect their rights as a fellow nation in a world we need to share," he stressed.

Chinese Ambassador Ma Keqing attended the SONA together with other foreign diplomats and listened to the speech that was mostly delivered in Filipino.

"We exist in this world with others. And so it is only appropriate that even as we attend to our own problems, we remain vigilant about some events that affect us," Aquino said, apparently alluding to China.

He appealed to Filipinos to "speak in one voice" on the issue.

"Help me relay to the other side the logic of our stand. This is not a simple situation, and there can be no simple solutions," Aquino stressed.

"Rest assured: we are consulting experts, every leader of our nation, our allies - even those on the other side - to find a resolution that is acceptable to all," he declared.

**AFP modernization**

In two years of his administration, Aquino disclosed that the government has poured a total of P28 billion into the Armed Forces of the Philippines (AFP) Modernization Program, where no one among all his predecessors did.

"This will soon match the P33 billion set aside for the program in the past 15



Panatag Shoal (Bajo de Masinloc)

years. If our proposed AFP modernization bill is passed in Congress, we will be able to allocate P75 billion for defense within the next five years," he predicted.

The \$30 million aid entrusted by the US for the Defense Capability Upgrade Program of the AFP is now ready, as it will tend to improve the "way we patrol our shores under the Coast Watch Center of the Philippines."

Aside from the current BRP Gregorio del Pilar, another cutter is on its way to Philippines to protect the country's maritime resources - the BRP Ramon Alcaraz, the Navy's second Hamilton class cutter.

"We are not sending paper boats out to sea. Now, our 36,000 kilometers of coastline will be patrolled by more modern ships," Aquino boasted.

The AFP is now canvassing for cannons, personnel carriers, and frigates.

He said the AFP also expects the delivery of two more C-130 cargo planes, 21 refurbished UH-1H helicopters, four combat utility helicopters, 10 attack helicopters, two naval helicopters, two light aircraft, one Navy frigate, air force protection equipment, radios and other communication equipment.

More rifles, mortars, mobile diagnostic laboratories, station bullet assemblies are also expected.

"It is not only through better equipment that we demonstrate our commitment to help our police and our soldiers. We have eased their financial burdens through the 22,000 houses that have been built under the AFP-PNP housing program," Aquino said.

**Aquino seeks passage of RP bill**

Aquino also made a pitch before

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PHILIPPINE NEWS

# P-Noy: You Made Change Possible

by Aurea Calica  
Tuesday, July 24, 2012

**M**ANILA, Philippines - President Aquino delivered his third annual report to the nation yesterday, telling his “bosses” the people that significant changes have been achieved “because in unity nothing is impossible.”

In his State of the Nation Address (SONA), delivered in Filipino and which lasted for about one-and-a-half hours, the President also assured the people that the fight against corruption would ensure fair justice and prove that “there are no poor where there are no corrupt in government.”

He said the people should not just “forgive and forget” as he recited a list of gains achieved by his administration because of proper allocation of resources.

Aquino, who won on a platform of people power and volunteerism in 2010, also took the opportunity to rouse the people from apathy and make them participate more actively in improving their lives.

“I stand before you today as the face of a government that knows you as its boss and draws its strength from you. I am only here to narrate the changes that you yourselves have made possible,” he said.

“I repeat: what was once thought impossible is now possible. I stand before you today and tell you: This is not my SONA. You made this happen. This is the SONA of the Filipino nation,” he said.

The President had been saying he is bent on making growth inclusive – meaning to make every Filipino feel the effects of economic developments brought about by better governance.

His campaign two years ago was anchored on this platform and he told the people this had bore fruits as underpinned by positive ratings and perception from foreign agencies and governments.

“This is why, to all the nurses, midwives, or doctors who chose to serve in the barrios; to each new graduate who has chosen to work for the government; to each Filipino athlete who proudly carries the flag in any corner of the globe, to each government official who renders true and honest service: You made this change possible. So whenever I come face to face with a mother who tells me, ‘Thank you, my child has been vaccinated,’ I respond: You made this happen,” Aquino said.

“Whenever I come face to face with a child who tells me, ‘Thank you for the paper, for the pencils, for the chance to study,’ I respond: You made this happen. Whenever I come face to face with an OFW who tells me, ‘Thank you, because I can once again dream of growing old in the Philippines,’ I respond: You made this happen,” he said.

“Whenever I come face to face with a Filipino who says, ‘Thank you, I thought that we would never have electricity in our sitio. I never imagined living to see the light,’ I respond: You made this happen. Whenever I



President Noyoy Aquino

come face to face with any farmer, teacher, pilot, engineer, driver, call center agent, or any normal Filipino; to every Juan and Juana dela Cruz who says, ‘Thank you for this change,’ I respond: You made this happen,” Aquino said.

The President gave these statements toward the end of his speech apparently to highlight the need for people’s continued support for the administration to sustain the momentum.

“I remember well those early days when we first started working. I was keenly aware of the heavy burden we would face. And I was among those who wondered: Is it possible to fix a system this broken?” he asked.

“This is what I have learned in the 25 months I have served as your president: Nothing is impossible. Nothing is impossible, because if the Filipino people see that they are the only bosses of their government, they will carry you, they will guide you, they themselves will lead you towards meaningful change,” he said.

“It isn’t impossible for the

Philippines to become the first country in Southeast Asia to provide free vaccines for the rotavirus. It isn’t impossible for the Philippines to stand strong and say, ‘The Philippines is for Filipinos—and we are ready to defend it.’ It is not impossible for the Filipino who for so long had kept his head bowed upon meeting a foreigner—it is not impossible for the Filipino, today, to stand with his head held high and bask in the admiration of the world. In these times—is it not great to be a Filipino?” the President said.

### Forgive and forget not

While the President enumerated the changes that occurred in his two years in office – from the prospect of rice self-sufficiency to zero backlog in classrooms and books to better health care – he acknowledged there was much to be done and warned those who are still involved in wrongdoings, even local officials, that their happy days are over.

He stressed the filing of plunder charges against former President Gloria Macapagal Arroyo for her alleged misuse of the Philippine Charity Sweepstakes Office funds as well as the removal of former chief justice Renato Corona from office were signs that no one would be above the law.

“With every step on the straight and righteous path, we plant the seeds of change. But

there are still some who are committed to uprooting our work. Even as I speak, there are those who have gathered in a room, whispering to each other, dissecting each word I utter, looking for any pretext to attack me with tomorrow. These are also the ones who say, ‘Let go of the past. Unite. Forgive and forget so we can move forward as a people,’ he said.

“I find this unacceptable. Shall we simply forgive and forget the 10 years that were taken from us? Do we simply forgive and forget the farmers who piled up massive debts because of a government that insisted on importing rice, while we could have reinvested in them and their farmlands instead? Shall we forgive and forget the family of the police officer who died while trying to defend himself against guns with nothing but a night-stick?”

“Shall we forgive and forget the orphans of the 57 victims of the massacre in Maguindanao? Will their loved ones be brought back to life by forgiving and forgetting? Do we forgive and forget everything that was ever done to us, to sink us into a rotten state? Do we forgive and forget to return to the former status quo? My response: Forgiveness is possible; forgetting is not. If offenders go unpunished, society’s future suffering is guaranteed,” the President said.

“True unity and reconciliation could only emanate from genuine justice” and that “justice

(continued on page 12)

(from page 10, Noy...)

Congress for the passage of his Responsible Parenthood bill, which lawmakers in both houses – the Senate and the House of Representatives – hinted may have rough sailing, partly due to time constraints.

“We are ending the backlogs in the education sector, but the potential for shortages remains as our student population continues to increase. Perhaps Responsible Parenthood can help address this,” Aquino said, earning a loud applause from the crowd.

The President also reminded student activists, particularly those studying in state universities and colleges

(SUCs), that their never-ending complaints and protests on alleged lack of funding from the national government were now baseless.

“For our SUCs, we have proposed a 43.61 percent increase in their budget next year. A reminder, though, that everything we do is in accordance to a plan: There are corresponding conditions to this budget increase,” he said.

Aquino noted that the budget he inherited from his predecessor Arroyo was merely P177 billion, as compared to the incumbent government’s proposed P292.7 billion budget for SUCs in 2013.

“Year after year, our budget

for education has increased. In 2010, our SUCs were allocated a budget of P21 billion. Since then, we have annually raised this allocation; for next year, we have proposed to set aside 34.99 billion pesos of our budget for SUCs.”

Aquino lamented that “despite this, some militant groups are still cutting classes to protest what they claim is a cut in SUC budgets.”

“It’s this simple: 292.7 is higher than 177, and 34.99 is higher than 21.03. Should anyone again claim that we cut the education budget, we’ll urge your schools to hold remedial math classes. Please attend,” he said. (www.philstar.com)





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## MAINLAND NEWS

## Loida Lewis is China's Newest Public Enemy # 1

by Rodel Rodis

China's newest Public Enemy # 1 is no longer exiled human rights activist Chen Guancheng but Loida Nicolas-Lewis, the New York-based national chair of the US Pinoys for Good Governance (USP4GG).

After Lewis held a press conference in Manila on July 14 to announce the worldwide campaign to "Boycott Made in China Products", China's government-controlled media fired back with a newscast calling on the Chinese people to boycott a chain of convenience stores in China believed to be owned by Lewis.

According to the English language translation of the nationwide newscast (<http://www.youtube.com/watch?v=p-OuQ5BnzTo>), "Chinese are not happy with one particu-

lar Filipino. The mastermind behind calling on Filipinos throughout the world to carry out large-scale anti-China demonstrations was revealed to be Filipino-American Loida Nicolas-Lewis, Chairman and CEO of TLC Beatrice (China), Limited, a Cayman company that operates retail convenience stores in four Chinese cities: Xiamen, Chengdu, Suzhou and Guangzhou. Chinese netizens were shocked by this news and urged a boycott on her businesses in China."

Unfortunately for Lewis' former Chinese business partners who bought out Lewis' ownership interest in the "Beatrice" stores several years ago, the China authorities are boycotting a wholly-owned Chinese business.

In her July 14 press conference in Manila, Lewis ex-

plained that her group's call for the global boycott of all kinds of China-made products was a way of matching China's diplomatic and military arrogance in claiming ownership of the Scarborough Shoal and the Kalayaan Group of Islands in the West Philippine Sea. While the Scarborough Shoal is located more than 550 nautical miles from the nearest China port of Hainan, about 124 nautical miles from the Philippines, within the country's 200 mile Exclusive Economic Zone under the United Nations Convention

"The 'Boycott Made in China Goods' campaign will not be limited to Filipinos as it will be carried out globally to encourage all the people of the world to join," Lewis said. "We will join with those boycotting China-made fake pharmaceuti-

cal products and baby formula food laced with melamine," she added.

Ted Laguatan, USP4GG spokesman, said in the same press conference that he expects the campaign to go viral. "We hope to achieve the level of response and outrage that was generated when the Americans found out that the US Olympic team's uniforms for the London 2012 Olympics were made in China," Laguatan said.

At the press conference, Lewis also announced that her US Pinoys group will initiate the Global Day of Prayer for Peace in the Scarborough Shoal on August 21, the 29th anniversary of the martyrdom of Ninoy Aquino.

On August 21, 2011, USP4GG sponsored a Day of Prayer for Peace in the Spratlys

which was held in 175 cities throughout North America. "This year the global target is 300 cities," said Charito Benipayo, coordinator of the 2011 Northern California prayer campaign that was held in 20 cities in Northern California.

Information about the August 21 Global Day of Prayer can be obtained from [uspgg.org](http://uspgg.org).

"China has overwhelming military superiority with 63 submarines, 25 destroyers and one aircraft carrier while the Philippines has none of those. Faith and prayer are the weapons we Filipinos have against China," Lewis declared.

China's hyperbolic media attack on Loida Nicolas-Lewis reveal a deep concern about the effect of a consumer boycott on China's economy. It may be the Filipinos most effective weapon.

## PHILIPPINE NEWS (from page 11, P. NOY...)

is the plunder case leveled against our former president; justice that she receives her day in court and can defend herself against the accusations leveled against her."

"Justice is what we witnessed on the 29th of May (Corona conviction). On that

day, we proved that justice could prevail, even when confronted with an opponent in a position of power. On that day, a woman named Delsa Flores, in Panabo, Davao del Norte, said 'It is actually possible: a single law governing both a simple court reporter like me, and the Chief

Justice.' It is possible for the scales to be set right, and for even the rich and powerful to be held accountable," he said.

Aquino said this was the reason why the people would demand much of the next chief justice.

"We have proven the im-

possible possible; now, our task is reform towards true justice that continues even after our administration. There are still many flaws in the system, and repairing these will not be easy. I am aware of the weight of your mandate. But this is what our people tasked us to do; this is the duty we have sworn to do; and this what we must do," he said.

"Our objectives are simple: If you are innocent, you will appear in court with confidence, because you will be found not guilty. But if you are guilty, you will be made to pay for your sins, no matter who you are," the President said.

## Political will

Aquino also lashed out at illegal loggers whose activities had brought in so much environmental problems as well as loss of lives and properties due to flooding caused by forest denudation.

"From the time we signed Executive Order No. 23, (Butuan City) Mayor Jun Amante has confiscated lumber amounting to more than P6 million. He has our gratitude. This is just in Butuan; what more if all our LGUs (local government units) demonstrated the same kind of political will?" Aquino asked.

He said the timber confiscated by the Department of En-

vironment and Natural Resources were handed over to the Technical Education and Skills Development Authority, which then gave the timber to communities where residents were being trained in carpentry.

"From this, DepEd (Department of Education) gets chairs for our public schools. Consider this: What was once the product of destruction has been crafted into an instrument for the realization of a better future. This was impossible then—impossible so long as the government turned a blind eye to illegal activities," he said.

"To those of you without a conscience; those of you who repeatedly gamble the lives of your fellow Filipinos—your days are numbered. We've already sanctioned 34 DENR officials, one PNP (Philippine National Police) provincial director, and seven chiefs of police," he said.

"We are asking a regional director of the PNP to explain why he seemed deaf to our directives and blind to the colossal logs that were being transported before his very eyes. If you do not shape up, you will be next. Even if you tremble beneath the skirts of your patrons, we will find you. I suggest that you start doing your jobs, before it's too late," Aquino said. ([www.philstar.com](http://www.philstar.com))

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LEGAL NOTES



By Reuben S. Seguritan

# Adjustment Applicant with Advance Parole Not Inadmissible

**O**n April 17, 2012, the Board of Immigration Appeals ruled in a precedent decision that adjustment applicants who have accrued more than 180 days of unlawful presence and have a pending adjustment of status application and who leave the United States under advance parole will not be barred from returning to the U.S. because of such unlawful presence.

The decision has special significance for applicants who apply for adjustment of status under Section 245(i) or who are adjusting on the basis of marriage to a U.S. citizen.

The case was about a hus-

band and wife who entered the U.S. temporarily but overstayed their visas by several years. The husband became the beneficiary of an approved employment-based immigrant petition filed before April 30, 2001, making him and his wife eligible for adjustment of status under Section 245(i).

In 2004, they filed their I-485 applications which remained pending for several years because of visa unavailability. They needed to go back to their home country to visit their aging parents but, since they did not want their adjustment applications to be deemed abandoned, they sought an advance parole from the USCIS. Their application for advance parole was granted and they were able to visit their parents several times.

They were of course

shocked to find out that the USCIS denied their adjustment applications because of their trips to their home country, even though they had an advance parole. The reasoning of the USCIS was apparently that, since they had both been unlawfully present in the U.S. for one year or more, and they departed the United States within the last ten years, they were inadmissible because of the 10-year bar.

Removal proceedings were eventually brought against the spouses. They sought relief from the judge in the form of adjustment of status, but to no avail. The spouses were issued a deportation order.

On appeal, the BIA agreed with the spouses and said that a departure under a grant of advance parole was not the sort of departure that renders aliens inadmissible for prior unlawful

presence of one year or more.

Generally, a valid visa is necessary before an alien may enter a U.S. port of entry. However, for humanitarian reasons or significant public benefit the immigration authorities may “parole” into the U.S. an alien without a valid visa.

In the case of advance parole, the parole is requested beforehand by the adjustment applicant, with the alien establishing his eligibility and worthiness for the benefit. It is then granted by the USCIS in advance, precisely with the expectation that the alien will be entering the U.S. for inspection without a valid visa in the future.

The advance parole is a discretionary humanitarian measure which tells the alien that he can leave the United States without fear that his adjustment application will be deemed abandoned

and that he will be paroled back into the United States.

This ruling may have far-reaching effects, particularly for those who were denied adjustment because a trip abroad under an advance parole triggered the unlawful presence bar. If they are still in the United States, it might be possible to have their applications reopened.

The BIA ruling, however, is limited only to the inadmissibility ground of unlawful presence, and only in cases where the adjustment applicant obtained advance parole. It is important to consult with an experienced immigration attorney before leaving the United States.

**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](http://www.seguritan.com)

MAINLAND NEWS

## RP Accused of Ignoring Murders of Environmentalists

**H**uman Rights Watch is accusing the Philippine government of failing to address threats and killings of environmental advocates, which has led to a climate of lawlessness.

The accusations come just as the Aquino administration is pushing for new mining investments. President Benigno Aquino III recently signed an executive order that institutionalizes reforms in the mining sector by “providing policies and guidelines to ensure environmental protection and responsible mining.”

However, Human Rights Watch officials say that the executive order is silent on the issue of human rights abuses arising from mining investments and on the deployment of paramilitary troops at the mines.

“President Aquino has enacted decrees to encourage mining investment in the Philippines but has done little to stop attacks on environmental advocates,” says Elaine Pearson, of Human Rights Watch. “He should recognize that respecting human rights is crucial for economic development.”

Pearson encouraged the government to redouble its investigations into attacks on advocates, particularly when evidence points to the involvement of military or paramilitary forces. Human

Rights Watch has documented three cases since October 2011 in which critics of mining and energy projects have been killed, allegedly by paramilitary forces under military control. The victims were outspoken critics of mining and energy operations which they said threatened the environment and would displace tribal communities.

Gunned down were Margarito J. Cabal, 47, an organizer of a group that opposing a hydroelectric dam in Bukidnon province; Jimmy Liguyon, a village chief in Dao, San Fernando town, Bukidnon province who refused to sign an agreement needed to secure a mining investment; and Italian priest Father Fausto Tentorio, 59, a long-time advocate of tribal rights and opposed mining in the area.

“While mining and other environmentally sensitive projects promise economic benefits for Filipinos, they should not come at the expense of basic rights, particularly the lives of environmental advocates,” Pearson says. “The Aquino government should ensure that those responsible for these attacks are brought to justice.”

Many mining investments in the Philippines are in areas with large indigenous populations or are controlled by tribal groups.

Philippine law requires the “free and prior informed consent” of local tribal communities for such investments to proceed. This often has divided tribal communities, some of who back investors with the support of the military to acquire the necessary permits, while tribal factions opposed to the investments sometimes get support from the communist New People’s Army or other armed groups.

Media and local human rights and environmental groups have reported other attacks against anti-mining and environmental advocates. One such advocate is Sister Stella Matutina, a Benedictine nun who led a grassroots campaign to oppose destructive mining in Davao Oriental. She continues to fear for her life as the military persists in vilifying her as a communist. Advocates say that she is being targeted because of her opposition to mining in the province.

In some cases, suspects have been identified and face an arrest warrant but go unpunished. For instance, former Palawan governor Joel Reyes remains at large despite an arrest warrant for his role in the killing of journalist and environmentalist Gerry Ortega in January 2011.

On July 9, the United Nations special envoys on human rights defenders and on extrajudicial ex-

ecutions issued a statement criticizing the Aquino administration for the attacks on human rights and environmental defenders. Human Rights Watch renewed its plead to the president to ban all paramilitary forces due to their history of serious human rights violations. Pearson says Aquino should revoke a 2011 directive that permits these forces to pro-

vide security for mining companies.

“Aquino should disband paramilitary groups that are being used to divide tribal communities and instill fear among the residents,” Pearson says. “The government needs to hold accountable the military officers who are behind these abusive forces.” (Reference: [www.hrw.org](http://www.hrw.org))



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## GLOBAL NEWS

# China's Newest City is on Tiny Island, Has Big Aim

**B**EIJING (AP) — China's newest city is a remote island in the South China Sea barely large enough to host a single airstrip. It has a post office, bank, supermarket and a hospital, but little else. Fresh water comes by freighter on a 13-hour journey from China's southernmost province.

Welcome to Sansha, China's expanding toehold in the world's most disputed waters, portions of which are also claimed by Vietnam, the Philippines and other neighbors. On yesterday, as blustery island winds buffeted palm trees, a new mayor declared Sansha to be China's newest municipality.

Beijing has created the city administration to oversee not only the rugged outpost with a population of just 1,000 but also hundreds of thousands of square kilometers (miles) of water where it wants to strengthen its control over disputed — and potentially oil-rich — islands.

The Philippines said it does not recognize the city or its jurisdiction, and Vietnam said China's actions violated international law. The United States also voiced its concern over "unilateral moves" in the South China Sea where it says collective diplomacy is needed to resolve competing claims.

The city administration is on tiny Yongxing island, 350 kilometers (220 miles) southeast from China's tropical Hainan Island. The Cabinet approved Sansha last month to "consolidate administration" over the Paracel and Spratly island chains and the Macclesfield Bank, a large, completely submerged atoll that boasts rich fishing grounds that is also claimed by Taiwan and the Philippines.

Vietnam and China both claim the Paracels, of which Yongxing, little more than half the size of Manhattan's Central Park, is part. The two countries

along with the Philippines, Malaysia, Brunei and Taiwan also claim all or parts of the Spratlys.

China claims virtually the entire South China Sea and its island groups, and its disputes occasionally erupt into open confrontation. The islands, many of them occupied by garrisons from the various claimants, sit amid some of the world's busiest commercial sea lanes, along with rich fishing grounds and potential oil and gas deposits. China has approved the formal establishment of a military garrison for Sansha, though specific details have yet to be released.

Official broadcaster China Central Television aired yesterday morning's formal establishment ceremony live from Sansha, with speeches from the new mayor and other officials.

The Chinese flag was raised and national anthem played before plaques for the Sansha Municipal Government and the Sansha Municipal Committee of the Communist Party of China were unveiled on a white-columned government building.

Mayor Xiao Jie trumpeted Sansha's important role in protecting China's sovereignty. He said the designation of Sansha as a new city was "a wise decision made by the party and the government of China to protect the sovereign rights of China, and to strengthen the protection and the development of natural resources."

The official Xinhua News Agency reported earlier that Sansha's jurisdiction covers just 13 square kilometers (5 square miles) of land, including other islands and atolls in the South China Sea around Yongxing, but 2 million square kilometers (770,000 square miles) of surrounding waters.

Sansha means "three sandbanks" in Mandarin and appears to refer to the Chinese names for the disputed island chains and atoll, known in Chinese as the West, South and Middle Banks, or

Xisha, Nansha and Zhongsha.

A description from a former People's Liberation Army officer who was among the officials overseeing the island before Sansha was established paints a picture of a harsh and isolated post where officials rotate staffing for a month at a time. Though, he said fishermen live there all year round.

"The living conditions are pretty simple," Tan Xiankun, director of the office in Hainan overseeing Xisha and other South China Sea territories, told The Associated Press in 2010. "It's very humid and hot, more than 30 degrees, and there's salt everywhere. There's no fresh water, except for what's shipped in and what's collected from rain water."

Philippines Department of Foreign Affairs spokesman Raul Hernandez said Manila has expressed its concern and registered a strong protest with Beijing over the decision to set up a military garrison on Sansha.

"The Philippines does not recognize the Sansha city and the extent of its jurisdiction and considers recent measures taken by China as unacceptable," Hernandez told a news conference.

Vietnam's Foreign Ministry spokesman Luong Thanh Nghi said that Vietnam had protested to the Chinese foreign ministry.

"China's establishment of the so-called 'Sansha City' ... violated international law, seriously violating Vietnam sovereignty over the Paracel and Spratly archipelagoes," the statement said.

Asked about the establishment of the city, US State Department spokeswoman Victoria Nuland told a news briefing yesterday: "We remain concerned should there be any unilateral moves of this kind that would seem to prejudge an issue that we have said repeatedly can only be solved by negotiations, by dialogue and by a

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collaborative diplomatic process among all the claimants."

The United States says it does not take a position on the competing sovereignty claims over land features in the South China Sea but has a national interest in freedom of navigation in its busy sea lanes and in maintenance of peace and stability.

A report released yesterday by the International Crisis Group think tank said that although China's large claim to the South China Sea and its assertive approach has rattled other claimants, Beijing is "not stoking tensions on its own."

"South East Asian claimants, with Vietnam and the Philippines in the forefront, are now more forcefully defending their claims — and enlisting outside allies — with considerable energy," it said, a reference to Washington's move to influence the Asian balance of power by supporting China's neighbors.

The report also warned that the risk of escalation was high and urged claimants to find ways to jointly manage energy resources and fishing areas while also agreeing on a mechanism for handling incidents.

"In the absence of such a mechanism, tensions in the South China Sea could all too easily be driven to irreversible levels," it said. ([www.philstar.com](http://www.philstar.com))

# WHAT YOU SHOULD KNOW ABOUT RAIL FINANCING

It is sad. Some of our people are being fed wrong information about how we will finance rail and it is causing them concern. Here is the truth and nothing but the truth.

## FACT #1:

Rail is paid for by General Excise Tax or GET. It is the best way because it means everyone will share in the tax burden, including tourists, military personnel and non-residents. Our property tax or income tax is NOT linked to financing the rail. **It is NOT true that your income tax or property tax will increase to pay for rail.**

## FACT # 2:

The Federal government is giving us \$ 1.55 billion. BUT we cannot keep the money if rail is not built. On the GET, the law is very clear: it can only be used for rail. **It is NOT true that money for rail can be diverted to pay for Honolulu's sewers, potholes or education.**

## Know the Facts.

Rail will benefit the Filipino community.  
Rail means a brighter future for our children and grandchildren.

**Join us.**

**Filipinos for Rail**

Email: [FilipinosforRail2012@gmail.com](mailto:FilipinosforRail2012@gmail.com)

Phone: 1-888-638-2898

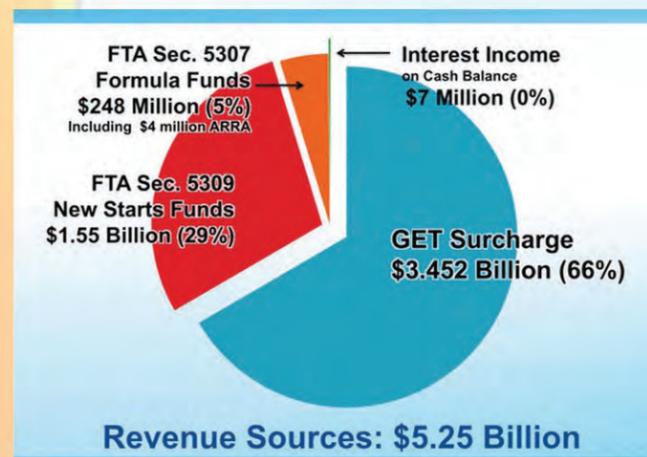
**Filipinos for Rail** is a coalition of Filipino community leaders who are committed to making rail a reality. It is a non-partisan group, which accepts support from all pro-rail stakeholders regardless of political affiliation. It was formed to highlight messages of project benefits and to counter misinformation. Seven of the 12 communities directly served by the rail line have large Filipino populations.

## FACT #3:

The GET surcharge will terminate on December 2022. At the end of that period, the rail will be fully paid for and will have NO debt. **It is NOT true that you will be mortgaging your children's future to pay for rail.**

## FACT #4:

We are in great financial position. Our GET collections are higher than expected. So far we have collected more than \$810 million or 25% of the total revenues. On the construction side, our contracts are \$300 million lower than projected. **It is NOT true that the Project has been irresponsible with its budget or that rail will bankrupt the City.**





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