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EDITORIALS

Housing First to Solve Homeless Issue

The traditional approach to helping the homeless requires participation in substance abuse or alcohol treatment programs before they are allowed into an emergency shelter or transitional housing. This mandatory requirement is often a barrier that increases the challenges faced in reaching this vulnerable population, since a large portion of chronically homeless people suffer from severe mental illness and substance abuse and fail to meet the requirements.

Enter "Housing First"—a nationally-recognized best practice that centers on providing people experiencing homelessness with housing as quickly as possible without preconditions. Once off the streets, services are provided and recovery begins. Statistics show that over time, voluntary enrollment in treatment programs is often achieved. This radically different approach has effectively reduced homelessness in cities like Portland, Oregon, where the numbers of chronically-homeless people sleeping in public declined by 70 percent.

Honolulu Mayor Kirk Caldwell announced in May 2013 that "Housing First" would be the way that his administration would tackle homelessness. Caldwell pushed for and obtained from the City Council some \$47 million for Fiscal Year 2015 for Housing First. Unfortunately, it would take some time to implement the program, considering that the City lacks a housing department which was disbanded in 1996. The mayor recently announced plans for a temporary Strategic Development Office that would be tasked with property management and development.

The City also proposed opening a facility for about 100 homeless individuals on State-owned land in Sand Island at a cost of \$600,000. City officials stressed that the Sand Island facility would only be a temporary site while the homeless are being integrated into long-term housing. The plans, however, have hit a snag as the State is requiring the City to remediate the 5 acre property which was formerly used as a dump site. The mayor needs to decide sooner rather than later whether to proceed with the site or utilize the money for other Housing First programs that pay for rental vouchers and services.

Nevertheless, the mayor is to be commended for his commitment to collaboration and taking the lead on Oahu's homeless problem in a way that none of his predecessors did. Housing First is a good start but only the first step. Much more is needed, particularly greater coordination with the State and private sector on providing support services. If so, we can hopefully start making a dent in Hawaii's homeless population.

Rating Political Trends of 2014 Election

No more political ads, sign wavers and fretting over whom to vote for now that the 2014 election is all over. But there were a few surprising outcomes worth noting.

Big names don't always win big races. Who would have thought that David Ige and Mark Takai, both relatively unknown outside of their respective districts before the election, could end up victorious against better-known, political heavyweights Gov. Neil Abercrombie and Senate President Donna Mercado Kim, the early favorite in the Primary Election? Takai eventually defeated yet another more known candidate in former U.S. Rep. Charles Djou. This trend started two years with the defeat of former Honolulu Mayor Mufi Hannemann by then newbie City Councilwoman Tulsi Gabbard for the Congressional District 2 race. The trend turns upside down the former belief that dark horse candidates

FROM THE PUBLISHER

Congratulations to Brandon Elefante, who was sworn in this week as the City Council's newest councilmember. Elefante, a member of the Filipino Jaycees and former council aide, replaces his boss Breene Harimoto, who will be moving to the State Senate. Including Brandon, there are now four members of the Council of Filipino ancestry, which is perhaps the most in recent memory. Good luck to Brandon for a successful term!



Our cover story for this issue focuses on Oahu's homeless problem. With Hawaii's low wages and high cost of living and housing, simply way too many families are one, if not two paychecks away from living on the streets. Tourism industry officials have pleaded with government officials to address rampant homelessness in Waikiki, the state's visitor mecca. Relief has come in the form of several bills passed by the City Council and signed into law by Honolulu Mayor Kirk Caldwell that address the problem in Waikiki and other parts of the island. However, critics say that the new laws unfairly criminalize the homeless and fail to adequately resolve the problem. Please turn to page 4 for more on the newest measures and what else is being done to resolve our homeless problem.

Also in this issue, we have the latest update from HART CEO Dan Grabauskas on Honolulu's \$5 billion-plus fixed rail project. Work continues on Oahu's largest public works project ever, despite recent worrisome news of change orders costing tens of millions of dollars more and lower than expected GET surcharge collections. Grabauskas, however, assures us that the project remains on budget and on schedule to open in 2019 as promised. To read more, please turn to page 6.

Although Thanksgiving is still a few weeks away, we have included a "feel good" story about Waipahu resident Nellie Somera who was diagnosed with breast cancer in 1999. Somera managed to beat the disease through her faith and family's support. She is indeed grateful for a second chance at life. We hope you will enjoy reading her story on page 8 entitled "Breast Cancer Survivor Thankful For Second Chance at Life."

In closing, we'd like to thank our readers and advertisers for their faithful support. It's truly a blessing to serve Hawaii's vibrant and dynamic Filipino community. Please feel free to share with us any story ideas, suggestions or concerns you may have. Send your email to: filipinochronicle@gmail.com.

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

Chona A. Montesines-Sonido

have little-to-no-chance of winning big races. It also sends a message to Hawaii's power brokers that an outsider could step in to disrupt the flow of business as usual at any time, if voters empower them to. Rating for this trend: Positive.

Democrat vs. Democrat in governor's race. For the first time at least in modern Hawaii politics, an incumbent governor was challenged by a serious contender within his own political party. The unspoken rule used to be: support your party by supporting your party's incumbent governor. That translated to a political culture where incumbent governors were given a free pass, having only to worry about rival political parties. This order was perhaps kept for maintaining party control, and more likely, facilitated in closed-door meetings among top party leaders. For Democrats, that directive would likely have come from the helm—the late U.S. Sen. Daniel Inouye. Ige's run and success is arguably a direct result of the power vacuum left by Inouye. Ultimately, this trend will help to keep governors on their toes and to work more collaboratively, knowing

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CANDID PERSPECTIVES

HED: The Midterm Vote and Asian Americans



By Emil Guillermo

Filipinos in Hawaii are different when it comes to politics. We have power. We lead. But we are in the islands.

Nationally, it's different. For example: California elected its first state legislator just two years ago. (Rob Bonta was re-elected in Alameda County last week).

Deciphering what Asian Americans nationally in the midterms has been mostly wrong.

The media has focused on how voters repudiated President Obama and his policies.

But this isn't our broader Asian American narrative.

Neither is it Elaine Chao standing next to her husband, the presumptive new Senate Majority Leader Mitch McConnell.

No, the Asian American narrative is one we know, but the one the white political mainstream is just coming to grips with.

Asian Americans bucked the trend.

The yellow vote was a lot

more blue than red.

For example, here's one jarring finding in a three-state election eve poll targeting Asian Americans in multiple languages and ethnicities.

Referendum on Obama? Asian Americans gave the president a 58 percent approval rating.

You didn't see this number in the mainstream media.

The prevailing narrative is more comforting--that the midterms were a reprieve for the white voter.

It ain't dead yet.

But it's close.

Then again, in midterm elections, the people who vote are typically more engaged in politics.

They are the older white voters who may have had a soft spot for FDR and the New Deal. Today, these older voters are more likely to revere Reagan and Bush and vote conservatively.

So if you want to explain why the electoral wash turned red, that's the reason.

Older voters showed up.

Most of the others, the young, the less well off, people of color? They tend to take midterms off. Or are just turned off.

It was interesting to see on the morning after how white



U.S. Sen. Mitch McConnell, a Republican from Kentucky, with his Asian-American wife Elaine Chao. Sen. McConnell credits her for helping him win re-election by a 56 percent to 41 percent margin

pollsters still had to acknowledge the election was not a tsunami, but a warning sign of the bigger tsunami to come-- the inevitable electoral demographic shift.

"The biggest warning sign [on election day] was exactly what we've seen coming, which is the inexorable march of demographic change," said Republican pollster Whit Ayres at a National Journal function. "The electorate was two percent less white this year than it was in 2010, it will be two percent less white four years from now than it was [in this election]. We got a third of the Hispanic vote. We've got to do better with Hispanics, with Asians."

Ah, he said the magic word. "Asians." Almost like an afterthought. It won't be for long, not with Asian Americans the fastest growing electorate, which increased 128 percent from 1996 to 2008.

The invisible Asian American voter is about to be discov-

ered. Because now, politicians finally have to reach out to Asian Americans if they ever want to elect another president.

And what pollsters like Ayres will find is the Democratic stereotype is true. Even in a midterm election awash in red, Asian Americans voted blue in a big way.

According to the election eve poll conducted by Asian American Decisions and the AAPI Civic Engagement Fund, Asian Americans favored Democratic candidates over Republicans, 66 percent to 34 percent, or nearly two-to-one.

The AALDEF exit poll, conducted in 11 states, found that 59% of Asian Americans were registered Democrats, 15% were not enrolled in any political party, and 26% were registered Republicans.

The key finding for me was in Virginia, where the Senate incumbent, Democrat Mark Warner, barely edged out Republican challenger Ed Gillespie by .5 percent of the vote.

According to the election eve poll, Warner garnered 68 percent of the Asian American vote to 29 percent for Gillespie.

These results mirrored the findings of the AALDEF exit poll, which found that the Asian American vote was 66 percent for Warner and 33% for Gillespie.

In the Virginia race, the Asian American influence is undeniable. Warner could not have won without the Asian American vote.

But you won't find this kind of data unless groups like AALDEF and the newly-formed Asian American Decisions continue to conduct multilingual

polls focusing on Asian American voters.

Right now, mainstream pollsters get information from large random samples. They might get some Asian voters, but only those who speak English. And if pollsters don't sample in populations where we live, the chances of getting enough Asians to matter is even smaller.

AALDEF went to 63 poll sites in 11 states and the District of Columbia and polled in 12 languages: Chinese, Korean, Vietnamese, Tagalog, Khmer, Arabic, Bengali, Hindi, Punjabi, Urdu, Gujarati, and English.

How do you say Gallup in Urdu?

Pollsters need to purposefully oversample for Asians and do it in our languages. If they don't, they're going to miss out on the story that Asian American voters are saying loud and clear at the polls.

So all's well with Asian Americans for the Democratic Party? Not so fast. The election eve poll and the AALDEF poll both revealed that while Asian Americans like to vote Democratic, we don't always like to identify as Democrats. There's still that large group of Asian Americans who aren't enrolled in any party.

And one other thing the AALDEF exit polling and monitoring found: It's not easy being an Asian American voter.

In monitoring 146 poll sites in 11 states, AALDEF received over 340 complaints from Asian American voters, such as improper requests for voter ID, hostile poll workers, and lack of interpreters.

And that's just in the targeted districts with larger Asian American populations. One can only imagine the suppression of the Asian American vote in other places.

EMIL GUILLERMO, an award-winning journalist and winner of an American Book Award, was an editorial board member of the Honolulu Advertiser.

EDITORIALS (from page 2, RATING,....)

that anyone from both parties could launch a serious campaign anytime. Rating for this trend: Positive.

Still a one-party state. Even for some Democrats, the fact that there isn't a greater balance of power in government by having two viable political parties is disturbing. What happens then is a chameleon effect where politicians who do not necessarily hold traditional Democrat Party values infiltrate the Democratic Party, run as a Democrat, then affect changes within that party. This leads to the current wide spectrum of Democrats: fiscal conservatives and social conservatives who resemble Republicans, and fiscal and social moderates, liberals and

progressives. Voters who are more label-conscious are left confused and misled.

The consecutive defeats of former Lt. Gov. Duke Aiona and multiple losses of Djou have left the GOP in even worse condition. Aiona and Djou are two of the most prominent active Republicans left. There is considerable support for the Republican Party in affluent parts of East Oahu and Christian conservative parts of West Oahu but only a handful of viable Republican candidates left. At some point, the same GOP candidates cannot continue to lose and expect to be taken seriously as viable candidates in future elections. Rating for this trend: Negative.

Other possible trends: 1)

Independent candidates could be influential in swaying future close races as Hanne-mann arguably did to an extent. 2) Voters are more inclined to vote in leaders who are more collaborative and appear gentler in character. The tough persona no longer seems to be politically attractive. Ige, Schatz, Takai, Gab-bard and even Hirono, politicians at the highest level representing Hawaii, all appear softer in nature. The current political trends are simply that, trends—some are good, some are bad. Elections can be static, and as in this election, dynamic with surprises. No one really knows what the future elections will bring. That is why it's so important to vote.

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COVER STORY

THE PLIGHT OF HAWAII'S HOMELESS POPULATION

By Chona Montesines-Sonido

For the estimated 4,700 people who make their home on Oahu's sidewalks, beaches and public areas, the sunset has apparently set in paradise.

Several recent measures undertaken by the government have made life for the homeless seemingly more difficult. In 2012, the City began confiscating clothing, furniture and other personal items under the Stored Property Ordinance that is aimed at clearing sidewalks and other public areas. The homeless are given 30 days to retrieve their items in exchange for a \$200 fine. Most choose to forego their belongings rather than pay the fine.

The City has also closed public parks at night, banned tents in public spaces and conducted periodic police sweeps that target mainly the homeless. Homeless advocates, not surprisingly, have accused the City of waging a war against Oahu's homeless population.

In a June 22, 2014 op-ed, Honolulu mayor Kirk Caldwell states that homelessness has become a crisis on Oahu and that addressing the problem will require a collabora-

tive effort.

"We can better manage our homeless challenge in a humane and effective way, but it requires everyone's efforts and it requires taking action now," the mayor wrote. "We cannot let homelessness ruin our economy and take over our city. Together, let's fight the battle to end life on the street for thousands of homeless individuals and families, and make life better for all of us."

Recent Measures

Several bills recently passed by the City Council and signed into law by the mayor has enabled City officials to continue ramping up their efforts to move the homeless out of Waikiki. Bill 42 prohibits persons from sitting or lying on public sidewalks in the Waikiki Special District, with certain exceptions for persons with medical emergencies or disabilities, engaging in expressive activities and viewing parades or

similar events.

Bill 43 prohibits urinating and defecating in public within the Waikiki special district, while Bill 46 extends the prohibition to public places islandwide. Bills 43 and 46 do not apply to persons who fail to use restrooms due to medical conditions verified by a licensed physician. Violations of Bills 42, 43 and 46 are misdemeanors that are punishable by up to 30 days in jail and a maximum \$1,000 fine.

A fourth measure, Bill 48, prohibits sitting and lying on public sidewalks in certain areas outside of Waikiki that are zoned for commercial and business activities. The bill makes it a petty misdemeanor to sit or lie down on public sidewalks from 5 am to 11 pm daily.

At its November 12, 2014 meeting, the City Council decided it need more time to study the bill and deferred it until Friday, November 14th. The Council is expected to approve the bill and send it to the mayor for his signature.

Supporters of the homeless measures say Bills 42 and 43 were sorely needed for Waikiki which has seen a large influx during the past few years of homeless people occupying its sidewalks, making it difficult for pedestrians to pass or access business establishments, and creating a public health hazard on heavily-utilized sidewalks.

Much of Hawaii's \$14 billion tourism industry is based in Waikiki, where visitors from around the world shop, eat and experience various tourist activities and attractions. However, incidents of panhandling and unpleasant experiences involving the homeless have gained un-



wanted attention in major newspapers like the New York Times and popular online planning sites.

"With nearly 100,000 visitors on Oahu every day, most of whom stay in Waikiki, it is important that the area is not only welcoming, but clean," said Sherry Menor-McNamara, president & CEO of the Chamber of Commerce Hawaii in written testimony to the City Council.

Menor-McNamara says Bills 42 and 43 are "important first steps" in government's efforts to help the homeless get the assistance they need.

Others like Beatriz Canelmo of Amnesty International-Honolulu Chapter testified in opposition to the bills, calling them "punitive and unnecessary."

"Being homeless should never be considered a crime," she said in her written testimony. "Homeless people should not be treated as criminals, nor should they be deprived of their civil rights. That has devastating and lasting, negative impact on them. It only widens the socioeconomic disparities that they are faced with, as well as our social divides."

Others cited the "Law of the Splintered Paddle"—an edict issued by King Kame-

hameha I who decreed that all residents—from the elderly to the very young—could lie down in safety without fear. Some have interpreted it to mean that anyone who is weak is entitled to protection, assistance and respect.

Police began enforcing the measures in the weeks following the bills' enactment into law. Verbal warnings were given first, followed by citations during a second warning and then arrests of those who disobeyed the law.

Housing First

In his 2013 State-of-the-City address, Mayor Caldwell outlined his plan to tackle Oahu's homeless problem via Housing First, a nationally-recognized best practice that takes the most vulnerable chronically-homeless individuals and families off the streets and places them into permanent housing with access to services that help to support their independence.

The City Council approved \$47 million in funding for FY 2015 to combat homelessness. However, it will take 12-18 months at the earliest for the program to be fully operational.

In the meantime, the Caldwell administration in

(continued on page 5)

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COVER STORY

(from page 4, HOMELESS...)

August announced tentative plans for a temporary “Housing First” homeless shelter on state-owned land in Sand Island, which could be operational in a few months. The Sand Island site was chosen after an exhaustive search that included 25 potential sites islandwide. Most of the sites were deemed unusable due to proximity to residential areas and schools.

The Housing First Transition Shelter would offer support services, case management and transportation services, a hygiene center, secure storage, segregated sleeping and community areas and be pet-friendly. There would also be 24/7 security and on-site staff working in coordination with security teams from neighboring properties. Safety would



be the top priority.

However, recent delays and higher than anticipated costs have thrown a wrench into the City’s plans to open the shelter. At issue is soil remediation and a requirement by the State to cover the ground with crushed coral instead of asphalt as the City had originally planned. The area was once used as a dump site.

Is It Working?

Since the sit-lie bills have

been enforced, a smattering of tents and small homeless communities continue to be seen around town, particularly at Aala Park fronting the skate rink and Kakaako near the University of Hawaii-Manoa medical school facilities.

Homeless advocates like Kathryn Xian from the non-profit group Pacific Alliance to Stop Slavery say that the various sit-lie homeless bills have so far proven ineffective and simply push the homeless

into Kalihi, Waipahu, Kailua and other residential neighborhoods.

Another group, the Hawaii Appleseed Center for Law and Economic Justice, also says that coercive measures have been ineffective. In testimony to the City Council’s Planning & Zoning Committee on October 16, 2014 the non-profit law firm stated: “We can already see that coercive measures to address homelessness do not

make the problem go away. There is no evidence that the Waikiki sit-lie ban, nor the stored property and sidewalk nuisance ordinances, have actually convinced a meaningful number of people to access emergency shelter. The broader sit-lie ban is unlikely to be any different.”

However, supporters of the measures like Chinatown business owner Marie Owens say they are sorely needed.

“I’m ashamed to say that I’ve heard of homeless individuals who have simply died on Chinatown’s sidewalks,” she wrote in testimony supporting Bill 48. “A life spent huddled on the sidewalk is no way to live. Allowing someone with serious problems to simply waste away on the streets of our great city is immoral.”

HAWAII-FILIPINO NEWS

City Accepting Applications for Grants-in-Aid Program

Qualified non-profit organizations are urged to apply for grants through the City’s Grants in Aid (GIA) Program. The deadline to submit proposals is December 12, 2014.

The GIA fund was established to serve economically and/or socially disadvantaged populations, or provide services for public benefit in the areas of arts, culture, economic development, or the environment.

“Under a voter-passed initiative, the City spends a half of one percent of the General Fund on grants for worthy non-

profits, so I urge all non-profit organizations serving our community to apply,” says Honolulu Mayor Kirk Caldwell. “The GIA Commission will carefully vet and evaluate all of the grant proposals to ensure they are a sound use of taxpayer funds and score them based on a number of predetermined factors. This process removes any political favoritism in the awarding of the funds. Last year, the grants totaled over \$5 million dollars and they are already helping service providers across the island.”

Information about requests for

grant proposals is available online at: <http://goo.gl/pPQuJb>. Call the City’s Division of Purchasing Help Desk at 768-5535 for further assistance.

All agencies must submit their

sealed proposals by December 12, 2014 by 2 pm. The Division of Purchasing is located at Honolulu Hale, 530 South King Street, Room 115, Honolulu, HI 96813.

PICTORIAL NEWS



Award-winning TV producer and veteran reporter Emme Tomimbang with a group of children from Leyte in the Southern Philippines. She recently traveled to the Visayas region during the one year anniversary of Typhoon Haiyan. Emme discusses her trip in an upcoming hour-long special “Haiyan—After the Storm” which airs November 27, 2014 on KGMB at 9 pm.

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RAIL PROJECT UPDATE

Update on Construction for Rail Project

By HFC Staff

Construction of Honolulu's \$5.5 billion rail project continues to move forward, according to Dan Grabauskas, CEO and executive director of the Honolulu Authority for Rapid Transit (HART), the agency charged with overseeing the construction and operation of the project.

The 20-mile long rail system will have a total of 21 stations and extend from Kapolei to Ala Moana. Grabauskas says that the project remains on schedule to open in 2019 and on budget, despite several change orders and bids that came in higher than expected.

Grabauskas provides more details on the status of the rail project, including efforts to implement a Smart Card system. His responses were edited for space and clarity.

Q: What's the status of construction work for the rail project?

A: Rail construction is moving forward, with progress being made throughout the 20-mile alignment. So far, more than 130 columns have been built and nearly 40 guideway spans are finished. We will soon have the first full mile of the guideway completed. Con-

struction crews are making their way into the Waipahu area and we will soon start construction of the guideway over the H-1 Freeway near Leeward Community College in Pearl City.

We just achieved another milestone at our 43-acre Rail Operations Center in Waipahu with concrete walls for our several of our buildings being installed in place. More than 250,000 cubic yards of dirt has been moved and graded and about four miles of underground utility lines have been laid.

The design of our fleet of 80 train vehicles is also on track. Work is now underway on the train cars' aluminum frames and vehicle's exterior.

Q: What has HART done to ensure that the first segment of the rail project will open in 2017 as promised?

A: We are still on track to open the full 20-mile rail alignment from East Kapolei to Ala Moana Center by 2019. The plan to open the first half of the rail route by 2017 to the public was a self-imposed timeline. We now plan to open that portion of the route from East Kapolei to Aloha Stadium for interim service in 2018.

Q: Explain the recent change order that added \$14 million, which was recently approved



by the HART Board. There was another change order in the amount of \$57 million due to contract bids for the transit stations coming in higher than expected. What was the reason behind that?

A: Legal delays, rail contracts that were awarded too early during the beginning stages of the project and design modifications are a number of reasons for change orders totaling approximately \$85 million. The changes, which in some cases will save money in the long run, will be covered by our contingency fund.

Q: What is the current amount in the contingency fund? How confident are you that it will last for the duration of the project?

A: Our rail contingency fund is currently at a healthy \$500 million. Our federal partners at the Federal Transit Administration have determined that our contingency level is still within the recommended

range for a project this far along.

Q: Recent reports indicate that GET collections have been lower than expected. What was the reason for that?

A: So far, we have collected \$1.35 billion in local revenue for the rail project. Overall GET revenue collected so far is about two percent behind projections, or about \$40 million. Future revenue is expected to meet projections over the coming years as the local economy continues to improve.

Q: Is HART prepared to ask the State Legislature to raise the GET surcharge or extend the collection beyond 2022?

A: We are squarely focused on building this rail system with the existing funding. We continue to reach various construction milestones with our column and guideway work. And we are scheduled to begin guideway work in the

urban Honolulu area next year as we continue moving the project toward completion.

Q: Discussions are in progress regarding the use of a Smart Card system for rail and bus. Please explain the benefits of a Smart Card system.

A: Integrating rail and TheBus will create one efficient public transportation system, so having a single, smart card or transit pass would make it simple and convenient to transfer between both. Instead of a paper ticket, you could reuse the same smart card by electronically reloading it at a fare vending machine at one of the rail stations or possibly online.

Q: Previous attempts by the City to implement a Smart Card system were unsuccessful. Why will the City succeed this time around?

A: To ensure the successful integration of bus and rail, a task force was set up last year by HART, the City Department of Transportation Services and Oahu Transit Services, which oversees TheBus and The Handi-Van. The study group is researching many topics involving ridership, including fare collection and what is successful with other rail transit systems around the world.

HAWAII-FILIPINO NEWS

FDA Approves New Hepatitis C Drug

The U.S. Food and Drug Administration (FDA) recently approved a new drug to treat chronic Hepatitis C that has a cure rate as high as 95 percent. The announcement is good news for Hawaii, which has the highest rate of liver cancer in the U.S.

Viral hepatitis B and C are the leading cause of liver cancer. An estimated 23,000 people in Hawaii are affected by the Hepatitis C virus, especially baby boomers. The Centers for Disease Control and Prevention (CDC) estimates that more than 121,000 deaths nationwide could be averted by screening and successfully treating Hepatitis C among

baby boomers.

Hepatitis C is a viral disease that causes inflammation of the liver that can lead to diminished liver function or liver failure. Most people infected with Hepatitis C have no symptoms of the disease until liver damage becomes apparent, which may take decades. Some Hepatitis C patients infection develop scarring and poor liver function or cirrhosis over many years, which can lead to complications such as bleeding, jaundice, fluid accumulation in the abdomen, infections and liver cancer.

According to the CDC, about 3.2 million Americans are infected with Hepatitis C,

and without proper treatment, 15 to 30 percent of them will go on to develop cirrhosis.

"Hepatitis C may be the first completely curable virus, but the challenge is now making sure healthcare providers have the capabilities to treat those with Hepatitis," says Thaddeus Pham, viral hepatitis prevention coordinator with the State Department of Health (DOH).

Symposium: Increasing Healthcare Provider Capacity

DOH is partnering with the Hepatitis Support Network of Hawaii, Hep Free Hawaii and other local agencies to

(continued on page 7)

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IMMIGRATION GUIDE



By Atty. Emmanuel Samonte Tipon

Immigration Amnesty – What Now Obama Since Republicans Won?

Today, November 10, I received the following e-mail from Barack Obama, which I believe is genuine since I have received emails purportedly coming from him, because according to the email I am an “Obama for America supporter”. [Full disclosure: I am for America but I am not for Obama].

Here’s a portion relevant to immigration. “Emmanuel— Two years. That’s all the time I have left as your president. I know what I’m going to be fighting for until I leave this office . . . If it’s . . . fixing our immigration system that fires you up, I need you to stand up for it . . . With or without help from Congress, I’m not done making real change for the American people. <http://my.barack-obama.com/Lets-Go>. Thank you, Barack Obama.”

My answer: “Dear Barack Obama: Do not change our immigration laws without the help of Congress. The power to make laws is vested in Congress. Your duty as President is to enforce the laws, not make laws. Thank you, Emmanuel Samonte Tipon”

HAWAII-FILIPINO NEWS (from page 6, FDA....)

host “Viral Hepatitis Hawaii— Update 2014,” a symposium intended to provide physicians and other healthcare professionals with the latest research on the changing state of Hepatitis treatment and care.

The symposium will include updates from local and national experts about Hepatitis B and C diagnosis and treatment, Hepatitis during pregnancy and new drug therapies and research from the annual meeting of the American Association for the Study of Liver Diseases.

“It is important that both the general public and the medical community in Hawaii become aware of how to treat

“Attorney, where is the amnesty for illegal aliens that you said Obama will issue Wednesday after the elections?” asked a Honolulu coffee shop habitue when he saw me after the elections. “He must have been shell shocked by the Republican blitzkrieg,” I quipped.

Obviously the habitue read my column “Wednesday morning amnesty for illegal aliens?” which I wrote for this publication in September. I said then that President Obama had put off executive action on immigration until after the elections because if he did it before the elections the majority of the American people who are against amnesty will be so angry that they will go to the polls to vote against the Democratic senatorial candidates and Republicans will thus win at least 6 senatorial seats thereby enabling them to control the Senate.

The majority of the American people were not fooled by Obama’s ploy and voted against him because amnesty breeds lawlessness and is unfair to those who obey the law. The Republicans won at least 7 senatorial seats and will control the Senate. Republicans also retained control of the House of Representatives. And Republicans will control 31 governorships (including Illinois which Obama claims as



his second home state). The Republicans won, according to David Brooks, because they have “deep roots in four of the dominant institutions of American society: the business community, the military, the church and civic organizations.”

Was Obama chastened by his repudiation at the polls? No. He reportedly said that the Democrats should have gotten more people to vote.

According to USA Today’s November 10 edition, the battle lines have been drawn on immigration: “Like boxers at the start of a bout, President Obama and newly empowered Republicans are circling each other over the issue of immigration. . . While Obama again pledged to issue executive orders on immigration policy,

Republicans who will soon take control of the Senate said Sunday that “amnesty” orders will poison relations for the rest of the president’s term. . . Obama said that the immigration policy needs to be changed but added that congressional Republicans can always override his executive orders by passing a comprehensive immigration bill. [The problem is that if the bill does not grant amnesty Obama will veto it]. Republican congressional leaders said that they are concerned that Obama’s executive orders could legalize the status of millions of migrants in the country illegally.”

Why is Obama hell-bent on giving amnesty to illegal aliens when there are other more pressing issues facing the country – jobs, the economy, tax reform, ISIS, Ebola epidemic, etc. Does he want to pad the Democratic Party’s rolls with illegal aliens? An estimated 6.4 percent of noncitizens cast illegal ballots in 2008 and these “mostly Democratic voters could have easily swung close races.” The

Week magazine, 11/14/14.

Obama amnesty like Obamacare will backfire against the Democratic Party and undermine the candidacy of Hillary Clinton, a fellow Yalie, who could be an effective president. Republicans will call it “Obama’s third term”. A Republican president will set aside any Obama amnesty.

ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. He is originally from Laoag City and Magsingal, Ilocos Sur. Atty. Tipon specializes in immigration law and criminal defense. He served as an immigration officer and co-authored “Immigration Law Service, 1st ed.,” an 8-volume practice guide for immigration officers and lawyers. His radio program airs Thursdays at 7:30 am on KNDI 1270 AM. He can be reached via mail at: 800 Bethel St., Suite 402, Honolulu, HI 96813, by telephone at (808) 225-2645 or by e-mail: filamlaw@yahoo.com. For more on Atty. Tipon, go online to: www.MilitaryandCriminalLaw.com. This article is a general overview of the subject matter discussed and is not intended as legal advice.

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FEATURE

Breast Cancer Survivor Thankful for Second Chance at Life

By Carlota Hufana Ader

Nellie Somera of Waipahu noticed a lump on her breast while getting dressed one Friday afternoon in October 1999. Alarmed, she told her sister about the lump who urged her to see the doctor.

She saw her doctor the following Monday and was referred to general surgeon Dr. Mark Grief from Pali Momi Medical Center. Three days later, she received the jolt of her life—she was diagnosed with breast cancer.

“I felt so shocked at the time,” Somera says. “I was afraid that I would die.”

Daughter Mona Lisa S. Mendigorin was 26 at the time her mom was diagnosed with breast cancer. She recalls it being a sad day for the entire Somera family.

“I cried and hugged my mom,” she says.

Somera’s breast cancer, she was told, was the fast growing type, so surgery was recommended. The doctor removed cancerous cells and eventually her left breast during surgery on November 13, 1999.

She could not undergo radiological treatments due to her rheumatic arthritis, which would have made recovery more difficult. She underwent a chemotherapy treatment every three weeks for three months.

The first treatment was administered a few days before Christmas. While shopping at the mall with her daughter, Somera remembers becoming so sick that she was taken to the hospital.

Fortunately, Somera had the best medical care possible and more importantly, the support of her entire family.

“We all made a point to be there for her in every possible way,” Mendigorin says. “I would take my mom to all her doctor appointments, chemotherapy and hospital visits. She had a very supportive family.”

Somera, who worked at the Waikiki Resort Hotel at the time, stayed at home for six months while recovering. Her husband Andres also did all he could to help her during this difficult period.

“My husband also supported me. When I was sick at the time, he cooked our food and did the housework,” she recalls.

When not helping his ailing wife, Andres continued to work at the Hilton Hawaiian Village where he was a groundskeeper. He has since retired. The two have been married for 47 years.

After several follow-up doctor visits, Somera was



The Somera family (from left): Anthony, Jane, Lewis, Nellie, Andy and Mona Lisa

eventually given the “all-clear.”

Looking back at the incident, Somera says her faith in God also helped see her through the ordeal.

“I relied on my faith in God and prayers,” she says.

Her bout with cancer was 14 years ago. With another Thanksgiving just around the corner, Somera, now 67, is grateful for having been given a new lease on life. She has four children who are adults

and eight grandchildren.

“I’m most thankful that I survived and that I have lived to see all my children grow up and my grandchildren.”

For Mendigorin, her mom’s struggle to overcome cancer taught her the importance of holding on to your family a little tighter each day.

“It made us think that life is too short and that we shouldn’t take for granted our family and the blessings we have been given.”

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Standing (L-R) Cresencia Angeles, Reginald & Wilma Dayaoan. Seated (L-R) Josie Bolo, Analen Calip and Loreto Vilorio



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The Herana Family: Andy, Nestor & son Tobi enjoy a moment together



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Drs. Edward Alquero and Nicanor Joaquin



Trang Lafitaga (extreme right) and family

Knights of Rizal Awards Event



Dr. Ramon Sy (with lei) with Drs. Ely Singson-Tan, Charlie Sonido & Chona Montesines-Sonido at the Knights of Rizal Awards. Dr. Ramon Sy was the recipient of the Knights of Rizal award this year



Drs. Vernon Ansdell & Jojie Waite at the Knights of Rizal dinner Awards ▶



Dr. Jose De Leon and Ceres Yanong ▶



Jun & Beth Abinsay at the Knight of Rizal Awards

PMAH QUARTERLY MEETING



Dr. Charlie Sonido shown with his medical preceptees during a quarterly meeting of the Philippine Medical Association of Hawaii (PMAH) at the Ala Moana Hotel



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HAWAII-FILIPINO NEWS



Tim Llena and Kit Zulueta pose by the posters that they collaborated on Photo by Nilda Boland

“I Value...” Photo Exhibit on Display at FilCom

By Carolyn Weygan-Hildebrand

The “I Value...” Photo Exhibit is currently on display at the Filipino Community Center’s (FilCom) third floor hallway through November 29, 2014.

“I Value...” is an inaugural photo exhibit of the University of the Philippines Alumni Association of Hawaii (UPAAH) and celebrates Filipino-American History Month. The exhibit includes 15 photos and two posters.

The exhibit was opened via a ribbon cutting ceremony on October 26, 2014 led by new FilCom Executive Director Donnie Juan. He was assisted by the new UPAAH President Melody Calisay.

Palanca Awardee Lilia Quindoza-Santiag read two poems in the spirit of the event. Veronica Vallejos and Raymund Liongson also read poems. Entertainment was provided by Pintig Himig, a duo comprised of Joy Marfil and Fred Abejon

who played banduria and guitar, respectively.

The project was “envisioned as a fun opportunity to encourage members to showcase images that they have captured with their cameras. In sharing their images with the public, UPAAH hopes that members of the community can also confidently open up about what they personally value in life.

In September, peer jurors Tim Llena, Dennis Bondocoy and Kit Zulueta selected the 15 photos for the inaugural exhibit.

“With the advent of smart phones and social media, photography has reached a more personal level,” says Llena, a professional photographer. “Photographs for this exhibit were captured deliberately by the artists to express their values. Jurors went through a selection process to bring you prints that you can take time to contemplate on and experience their physical presence.”

Dr. Aquino to Lecture at UH on Filipino Women

The University of Hawaii-Manoa Women’s Studies Department will host a lecture by Dr. Belinda A. Aquino entitled “Puzzling Paradoxes in Philippine Feminism.” The lecture is set for November 21, 2014 at Saunders Hall, Room 637 from 12:30 pm to 2 pm.

Dr. Aquino is Professor Emeritus and founding director of the UH Center For Philippine Studies. Her lecture will discuss contradictions in the status of Filipino women as a whole, using illustrative examples from Philippine history and political culture. Dr. Aquino will examine the status of women in the Philippines, which has produced two women presidents and women have left their mark in various fields. However, the vast majority of women in the Philippines continue to



Dr. Belinda A. Aquino

live in poverty, while others choose to work overseas in search of better economic opportunities.

The event is free and open to the public. For more information about the lecture, contact Dr. Aquino at lyndy@hawaii.edu.

MOVIE REVIEW

THE POWER OF DISCLOSURE

Or How One Can Choose One's Gender and Live With It

A review of the movie SHUNNED, directed by Janice Villarosa

By Lilia Q. Santiago, Ph.D.

Some 40 years ago, the idea of a transgender as a person of normal capabilities did not exist. Back then, those who choose to become a woman or a man, or those who straddled between genders were considered abnormal persons.

They were called *bakla*, *binabae*, *tomboy* and regarded as social deviants in Philippine society. Until as recently as 1976, gays, lesbians and homosexuals in the U.S. were considered perverts. They were advised to undergo counseling and psychotherapy.

Now 40 after, in view of research and persistent advocacy by lesbian, gay, bisexual, transgender (LGBT) communities in many parts of the world, this outlook has been debunked. Homosexuals and transgenders are normal people. Scientific and sociological research has affirmed that gender is not "norm" nor "natural" but can be chosen, performed and acted upon.

While the idea remains unpopular and unaccepted in many parts of the world, there is proof that the LGBT community is making inroads in advocating for a less homophobic and more gender tolerant, gender flexible and gender fair society.

Very recently, the State Legislature passed the same-sex marriage law and Hawaii has become one of the states where union between same-sex individuals are recognized. This Hawaiian context is crucial to understanding the movie "Shunned" by filmmaker Janice Villarosa who hails from Cebu but migrated to the U.S. at the age of 3. She states that the film is her personal way of understanding the phenomenon of transgenderism.



The documentary film was nominated for the Halukelani Golden Award at the Hawaiian International Film Festival. It was shown on November 2-3, 2014 at the Regal Cinema theatres. The audience asked a number of questions about the documentary, including how the film could be used as tool for advocacy of gender-related legislation by government and other institutions to promote gender orientation and gender fair relations.

Villarosa admits that her agenda for the movie was not at all "political" but she is open to the idea. She confesses that her initial impression of transgender people was judgmental and that she did not like them. But as she got to know a transgender who became her best friend, she sought to understand them better.

"Shunned" is about the lives of people trapped in male bodies who desire to become female. They openly struggle to escape their biological constitution by transforming themselves into women. They cross-dress and wear gowns, join beauty pageants, dance and act like graceful women. By physically and emotionally acting as women, they are able to fulfill their desires and at times attract men who fall in love with them. Their dilemma, however, is not simply to win men. One of the transgenders confesses to having a girlfriend.

They have different stories. One runs away from a home that maltreated him, while another says s/he was bullied into becoming transgender. Still another says her family understands and tolerates her. They all reveal their preference to be a female and conform their bodies to that of a woman. They narrate how they seek medical help for sex changes. Not all do the physical sex change. Some have simply accepted their physical maleness and admit that is what God bestowed them as. However, they still hanker to look like female.

The documentary also details the different situations of their transformations. Two physicians interviewed in the documentary detail how the male penis can be concealed or castrated in order for the male reproductive organ to become or look like a vagina. This is probably one of the more lurid, if not shocking parts of the documentary.

Overall, "Shunned"

proves that the strength and power of disclosure can be used to untangle difficult concepts. The most private and unappealing aspect of a person's story is told in a very candid and forthright manner. Personal sexual disclosures and testimonials can sometimes offend and obstruct one's understanding of a dilemma, but in this instance, the revelations, in all their honesty, help to emphasize a very unique and different aspect of humanity that often evokes disrespect.

One member of the audience noted the rather "unregulated" use of steroids by the cast in a documentary could

pose a problem. The other problem could be the impression that transgenderism is faced only by the poor and marginalized sectors of society in the Philippines. It is, however, well-known that there are transgenders across all classes, including wealthy Filipino clans.

The title "Shunned" is also rather passive as the objects of documentation were in actuality, targets of rebuke and discrimination. Their struggles are commendable and seem very timely in view of the killing of Jennifer Laude, a transgender in Olon-gapo, whose case remains unresolved today.



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PHILIPPINE NEWS

Noy on Hosting of Next APEC: China a Tough Act to Follow

by Aurea Calica

Thursday, Nov. 13, 2014

BEIJING — China's hosting of the Asia-Pacific Economic Cooperation (APEC) summit may be a tough act to follow next year when the Philippines takes its turn to host the meeting of regional leaders, President Aquino said Tuesday.

"I think, number one, we can't find any fault with the way they hosted, especially the leaders' summit. The precision, the perfection, I think, sets a standard for us to try and at least match next year when we host APEC," Aquino told reporters in a press briefing here Tuesday night after attending the summit.

Aquino said he asked for Chinese President Xi Jinping's and other regional leaders' support for Manila's hosting of APEC next year.

"As you know, the whole of the APEC activities is a year-round event, so my last interaction with everybody was to ask for everybody's support for the success of our hosting of APEC next year," he said.

Aquino said he was bowled over by the "entertainment aspect of the summit, particularly the cultural performances.

"To be honest, I was looking at it quite intensely. Assum-



President Benigno Aquino III poses with Chinese President Xi Jinping who is hosting a welcome dinner for APEC leaders, and his wife Peng Liyuan, at the Beijing National Aquatics Center in Beijing, Monday, Nov. 10, 2014. (AP Photo/Ng Han Guan)

hosted it, especially this portion that I was actually witnessed to, the precision," he said.

"The fireworks, for instance — the human (performance), the video and the fireworks — you won't see anything out of sync. No one is ahead, no one is behind. Maybe with us it will be a little less precise," Aquino said.

(www.philstar.com)

ing... we have the talent, but how do you actually produce something on this level? On the entertainment aspect alone, they combined Chinese and Western," he said.

The President said one of

the dancers in the cultural performance was hearing-impaired, prompting him to think how a person could dance without hearing the music.

"If I were to characterize one thing, in the way they

Romualdez Asks Lacson to Resign

by Christine O. Avendaño

Thursday, Nov. 13, 2014

TACLOBAN CITY, Philippines—Mayor Alfred Romualdez is calling for the resignation of Panfilo "Ping" Lacson as head of the government's rehabilitation efforts for areas devastated by Super typhoon "Yolanda" for saying the city received P6 billion but is still complaining.

Romualdez said he was surprised by the claim of Lacson, head of the Office of the Presidential Assistant for Recovery and Rehabilitation (OPARR), because the city has

not received such an amount from the national government.

"If you are accusing us of receiving P6 billion, which we did not receive, you should resign from that position," said the mayor.

"Our people here in Tacloban had suffered enough and we had enough of this harassment from the national government," he said in an interview over radio station dyBR on Tuesday.

"If we have received this amount as mentioned by Secretary Lacson, all the people in Tacloban who lost their houses

could now be living in condominiums," he said.

Lacson earlier said the national government poured in at least P6 billion in Tacloban to finance part of the city's relief and recovery efforts.

After delivering a speech commemorating the onslaught of Yolanda, Lacson slammed Romualdez, who had been criticizing the national government's rehabilitation efforts.

"We keep on hearing Mayor Romualdez... telling media that Tacloban City has not received even a single centavo," Lacson said.

"That is not right. That is not correct. That's a lie," he said.

"Because we're in charge of consolidating all data. And we know that the city of Tacloban has so far received, not in cash, but in projects, pro-

grams, activities, a total amount of P6 billion," he said.

Lacson said the Department of Interior and Local Government has released P230 million for Tacloban, 80 percent of which was already downloaded to the city government for the repair of the city hall, public market and civic centers.

"In fact, Tacloban received the highest amount. The others got P5 million, P3 million," he said.

Romualdez, nephew of former first lady and now Ilocos Norte Rep. Imelda Marcos, also chided Lacson for calling his performance as "subpar."

He turned the tables on the national government, calling its performance "sluggish."

President Benigno Aquino III, in Beijing, said media should visit other places devastated by Yolanda and compare it with this city.

"I ask any of you, go to wherever—Palo, Tanauan, Guiuan—compare it to the center (Tacloban City)," Mr. Aquino said.

Romualdez said Yolanda-related projects of the national government were all for show.

The mayor cited the case of the proposed construction of the Eastern Visayas Regional Medical Center (EVRMC) building. The actual construction has yet to start, nine months after the ground breaking ceremony in February.

He admitted he was angry after being bashed and criticized by national officials, including President Aquino.

"They humiliated me, shouted at me in several meetings. They never consulted me about the master plan and they are talking to me like this?" Romualdez said. With a report from Christine O. Avendaño in Beijing. (www.inquirer.net)

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LEGAL NOTES



By Reuben S. Seguritan

Non-Immigrant Options for Investors

seek permanent resident status in the U.S.

Immigration law and regulations allow treaty traders (E-1) and treaty investors (E-2) to enter the U.S. for specific purposes as non-immigrants. However, one main distinction between them and most non-immigrants is that they can extend their stay almost indefinitely. After an initial period of two years, E-1 traders and E-2 investors can renew their stay every two years for an unlimited number of times if they maintain an intention to depart the U.S. at the expiration or termination of their status.

An E-1 treaty trader is a national of a country with which the U.S. maintains a treaty of commerce and navigation who enters the U.S. solely to engage in international trade. Trade is defined as the existing international exchange of items of trade for consideration between the U.S. and the treaty country, and includes goods, services, international banking, insur-

ance, transportation, tourism, technology and some news-gathering activities.

The trade carried on by the treaty trader must be substantial, meaning that it must be sizable, sufficient to ensure a continuous flow of trade between the two countries. Substantiality cannot be based on a single transaction no matter how monetarily valuable it is. The trade must also be principally between the U.S. and the treaty country, i.e. more than 50% of the total volume of the trade must be between the two countries.

An E-2 treaty investor, on the other hand, is one who is seeking to enter the U.S. to direct and develop a business in which he has invested, or is in the process of actively investing, a substantial amount of capital. Like the E-1 treaty trader, the E-2 treaty investor must also be a national of a treaty country.

For E-2 purposes, substantiality is determined by weighing the amount of funds invested against the total cost

of purchasing or establishing the enterprise. It is an amount considered sufficient to ensure the investor's financial commitment to the enterprise's success.

A higher proportion of investment is required of small businesses for the investment to be substantial. For instance, while an E-2 investor may be allowed to fund only 10% of an investment worth \$10 million, for an investment of less than \$100,000, the E-2 investor would normally be required to provide the entire investment.

The investment must be in a bona fide enterprise or one that is a real, active commercial or entrepreneurial undertaking. It may not be idle or passive investment, such as in stocks or undeveloped land. Furthermore, the E-2 investor's investment cannot be marginal or solely to provide for himself and his family. A marginal enterprise is one that does not have the capacity at present or within five years to generate more than enough income for the investor and his family.

An employee of the E-1 trader and E-2 investor may qualify for the same classification if he is of the same nationality as the treaty employer and if the position is primarily executive or supervisory in character, giving the employee ultimate control and responsibility for the operation of the enterprise. If the employee is employed in another or lower capacity, to be eligible for E-1 or E-2 classification he must have special qualifications or skills essential to the operations of the business.

E-1 traders and E-2 investors, as well as their employees, may be accompanied or followed by their spouses and unmarried children below 21 years old. The dependent family members need not be of the same nationality as the trader, investor or the E-1/E-2 employee.

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

The EB-5 immigrant investor program has captured the attention of so many prospective immigrants because of the low demand for visas under this category relative to the heavily backlogged third preference (EB-3) and, for some countries, the second preference (EB-2) categories.

At present, the EB-5 program presents one of the fastest routes to a green card, be it through the regular program which requires a \$1,000,000 direct investment or the regional center or pilot program, in which an indirect investment of \$500,000 is usually sufficient.

However, there are avenues that have long existed for other types of investors, particularly those who do not

MAINLAND NEWS

New Study Shows Preschoolers Eat Healthy When Parents Set Rules

Preschoolers whose parents set rules about what they can and cannot eat have healthier eating habits compared to those raised without such rules, according to a new study by pediatrics researchers at the University at Buffalo.

The study also provides new information on how toddlers' ability to self-regulate, or control, their emotional and behavioral impulses influences their eating habits two years later, depending on the presence or absence of parental food rules.

"Parents can make a difference by training children to self-regulate and also by setting food rules in the home," says Xiaozhong Wen, PhD, assistant professor in the Department of Pediatrics in the UB School of Medicine and Sciences. "The combination of parental rules



and young children's ability to self-regulate their behaviors works best in teaching young children to eat healthy."

UB researchers examined associations between self-regulation in children at 2 years and their consumption at 4 years of age of these foods: fruit juices, soda, fresh fruit, fresh vegetables, fast food, salty snacks and sweets.

"We found that children who were able to self-regulate at 2 years old had healthy eating habits by the time they were 4 years old, so long as their parents also set rules about the right types of foods to

eat," Wen says. "We found that self-regulation by itself, without parental food rules, made little difference in children's later eating habits."

Among the unhealthy food items, soda was the one that children consumed most if their parents had no food rules.

"We found that preschoolers whose parents had no food rules drink soda about 25 percent more than children whose parents had food rules," Wen says. "We found that soda is pretty attractive to preschoolers, but soda cannot kill their hunger. It doesn't fill them up."

The UB study focused on a subsample of 8,850 children and involved analysis of data on self-regulation behaviors of

2-year-olds and the diets and parental food rules of the same children when they reached 4 years of age.



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Of Gifts and Tax: Whose Burden?

By Atty. Christopher Chui

Misconception and Definition

A common misconception taxpayers tend to have is to attribute a monetary gift from another person (“donor”) as being a form of income to themselves (“recipients”) and thus taxable income. This is a rather logical presumption since recipients receiving the gift assume that any form of income should be taxable to themselves. If such misconceptions were true, these would make all of those envelopes we get from relatives on new year, graduation presents and birthday gifts reportable to the IRS. Nevertheless, taxpayers should always look to the tax law to find out what income actually is defined to be.

Gross Income as defined in 26 U.S. Code §61: “Except as otherwise provided in this subtitle, gross income means all income from whatever source derived, including (but not limited to) the following items: (1) Compensation for services, including fees, commissions,

fringe benefits, and similar items; (2) Gross income derived from business; (3) Gains derived from dealings in property; (4) Interest; (5) Rents; (6) Royalties; (7) Dividends; (8) Alimony and separate maintenance payments; (9) Annuities; (10) Income from life insurance and endowment contracts;

(11) Pensions; (12) Income from discharge of indebtedness; (13) Distributive share of partnership gross income; (14) Income in respect of a decedent; and (15) Income from an interest in an estate or trust.”

Notice that in the “Gross Income” definition above, “Gifts” are not one of the enumerated categories. However, this is not necessarily the same for the person who is deemed to be the giver (“donor”) of the gift. Donors have limitations as to how much they can give to each recipient before they have to report that respective amount to the IRS and possibly be responsible for paying a tax. The importance of those limitations is good to know as many individuals would like to be able to transfer their wealth to help out a relative or person in need for their lifetime without being penalized monetarily by the IRS.

How Much Can a Taxpayer Give In Taxpayer's Lifetime?

The current lifetime gift tax exemption for a gift donor in 2014 is an aggregate \$5,340,000. An individual can give this amount away for all of the individual's life as a gift (or many gifts) without incurring a tax on that person's estate after death. This exclusion ten years ago was only \$1,000,000, but this threshold increased to \$5,000,000 in 2011 and has increased incrementally each year after as determined annually by Congress. Although there is always the possibility that this lifetime gift tax exclusion may be revised downwards and the annual amount becomes less than the year before, this situation has not happened in the last twenty years. Taxpayers do need to keep in mind that political environments can be complex and one shouldn't assume any trends. Thus, the importance of checking with a knowledgeable professional on taxes to be wary of this amount which could change from year to year if they desire to give money to any individual.

Lifetime Gift Tax Exclusion is Related but Different From An-

nual Exclusionary Gift

The lifetime gift tax exemption should be distinguished from the annual exclusionary gift. Currently the annual exclusion gift amount that is exempt from possible tax is a transfer of \$14,000 by any individual to another during the year. Amounts given to each person exceeding this threshold must be disclosed to the Internal Revenue Service on Form 709. However, if the goal of a donor is to gift as much as possible to an individual so as to maximize their ability to help monetarily, the donor could give up to \$28,000 to the individual per year if the donor is married and receives permission from his/her spouse (the spouse's ability to give \$14,000 can be added to the donor's annual gift exception). The gift can be made in the amount of \$14,000 (\$28,000 per couple) an unlimited amount of times annually as long as they are given to different individuals. This is beneficial in multiple scenarios such as a couple wanting to help their son (and daughter-in-law) for whatever financial purposes for the year. For example, a son could receive \$28,000 and the daughter-in-law could receive another \$28,000 tax free.

In the event that the amount given to an individual exceeds the \$14,000 annual exclusion (or \$28,000 per donor couple), the amount disclosed on Form 709 to the United States government will count against the lifetime gift tax exemption. Nevertheless being counted against the lifetime exemption does not necessarily make the donor's amount taxable since tax only is incurred once the entire \$5,340,000 exception is used up.

An Example of Harry and Wilma

For example, a couple, Harry and Wilma, this year, opts to give son \$40,000 to help make a down payment on a small condominium apartment. Since the aggregate amount of the \$40,000 gift is above the \$28,000 annual gift tax exclusion, the \$12,000 difference will have to be disclosed to the Internal Revenue Service on Form 709. This does not mean the \$12,000 amount is taxable unless the lifetime gift tax exemption of \$10,680,000 (Harry's \$5,340,000 plus Wilma's \$5,340,000) is exhausted. However, Harry and Wilma will have only \$5,334,000 each in their lifetime to give to their son as gifts should they pass away at any time in 2014.

Ex.

	\$40,000 (gift from Harry and Wilma to Son)
-	\$28,000 (annual gift tax exclusion for Harry and Wilma)
	\$12,000 (amount over gift tax exclusion for 2014, or \$6000 per donor)
	\$10,680,000 (2014 lifetime gift tax exclusion)
-	\$12,000 (amount over gift tax exclusion for 2014 and reported on Form 709)
	\$10,668,000 (amount left over to contribute to Son over Harry and Wilma's lifetime after 2014)
	\$10,668,000 (Harry and Wilma's leftover lifetime Gift Exclusion free from Federal tax)
÷	2 (Harry and Wilma)
	\$5,334,000 (leftover Individual Lifetime Gift Exclusion for each of Harry and Wilma)

The lifetime gift tax exclusion and annual exclusionary gift are useful devices to transfer wealth on behalf of the needs of family and/or friends.

CHRISTOPHER CHUI is an Attorney who practices in the area of Taxation and Immigration. He is a graduate of Indiana University Robert H. McKinney School of Law, and the University of Illinois @Urbana-Champaign. He can be reached at chuitax1000@gmail.com and (808) 492-0906.

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COMMUNITY CALENDAR OF EVENTS

MISS PHILIPPINES HAWAII USA PRESENTATION • SATURDAY • November 22, 2014 | Kalayaan Philippines International, Pacific Beach Hotel | 6:00 PM | For more info, contact Ben Pulido @ 421-9747.

PASKUHAN SA CONSULADO, A COMMUNITY CHRISTMAS CELEBRATION • TUESDAY • December 16, 2014 | Philippine Consulate Grounds | 5:30-10:30 PM | For more info, call Jeff de Mesa @ 595-6316 to 19 ext. 105.

FILIPINO ASSOCIATION OF UNIVERSITY WOMEN (FAUW), PASKO! • SUNDAY • December 21, 2014 | Honolulu Museum of Arts | 11:00 AM-3:00 PM | FREE Admission courtesy of Bank of Hawaii's monthly family Sunday | For more information, please contact Pepi Nieva at pepinieva@hotmail.com.

TARLAC MUTUAL CLUB, ANNUAL CHRISTMAS PARTY & CORONATION OF MOTHER OF THE YEAR • SATURDAY • December 27, 2014 | FilCom Center | 5:00-11:00 PM | Contact Armando Celestino @ 779-2166 for more info.

GLOBAL NEWS

WHO Says More Than 5,000 Have Now Died of Ebola

BAMAKO — More than 5,000 people have died in the Ebola outbreak that is ravaging West Africa, the World Health Organization reported yesterday, marking another grisly toll in the epidemic.

This is the largest Ebola outbreak ever recorded, with more than 14,000 people sickened, the vast majority in the West African countries of Liberia, Guinea and Sierra Leone.

There are some signs that the rate of new infections may be slowing overall in Guinea and Liberia, but there are still areas of those countries where transmission remains high, and they are surging in Sierra Leone, the health agency said yesterday. While the response to Ebola is ramping up, it is still insufficient: In Sierra Leone, for instance, less than 40 percent of cases are in isolation, according to WHO estimates.

Worryingly, the virus has continued to pop up in new places, both within the most affected countries and outside their borders. The most recent example is a new Ebola cluster that Malian authorities reported



yesterday — an alarming setback as the country tries to limit the epidemic ravaging other West African nations.

A nurse working at a clinic in the Malian capital Bamako died Tuesday, and tests later showed she had Ebola, Communications Minister Mahamadou Camara said yesterday. Two other people are also believed to have died of Ebola, though no tests were ever done on them to confirm the disease: an imam, whom the nurse treated at the Bamako clinic, and a friend who came to visit the man there.

The announcement of the new cases came just a day after Malian health authorities said there had been no other reported cases — let alone deaths — since a 2-year-old

girl who had traveled to Mali from Guinea succumbed to the virus in late October.

At least 75 people are under quarantine following the new cases in Bamako, including patients and staff from the hospital, said Ousmane Doumbia, secretary-general for the Malian health ministry. Several of the patients under quarantine are troops serving in the country's UN peacekeeping force who were being treated for wounds at the clinic, the force said in a statement.

Health officials are also searching the city of about 2 million for those who helped prepare the body of the imam for burial before it was known that the corpse might be highly contagious.

The imam, who lived in a small community near Guinea's border with Mali, came to the Clinique Pasteur on Oct. 25 late at night. The 70-year-old was so ill he could not speak or give information about his symptoms, according to the head of the clinic.

"His family did not give us all the information that would have led us to suspect Ebola," Dramane Maiga told The Associated Press.

But one of his wives, a son and a brother are all being treated at an Ebola clinic in Gueckedou, Guinea. Two other family members have also died from an "undiagnosed disease," WHO said.

The nurse, meanwhile, was hospitalized on Saturday though hospital officials did not alert the health ministry until Monday morning. By the time the test results came back on Tuesday, the 25-year-old nurse was already dead, said Maiga.

Because of their close contact with patients, often without the proper protection, health care workers have become infected in large numbers in this outbreak.

On yesterday, some health workers at an Ebola treatment center run by Doctors Without Borders in Sierra Leone briefly went on

Philippines Stresses Role of Women in Disaster Risk Reduction

Cecilia B. Rebong, the Philippines' ambassador and permanent representative of the Philippine Mission to the United Nations, told attendees at the conference on Gender Dimensions of Weather and Climate Services about the important role that women have in disaster risk reduction.

Ambassador Rebong emphasized that women should be a part of development policies in DRR.

The conference was held November 6-7, 2014 at the World Meteorological Organization Headquarters in Geneva, Switzerland. It focused on ensuring that weather and climate services embrace the special needs and strengths of women to reduce their vulnerability to disasters and climate change and realize their potential as champions of community resilience.

Attendees included members of the diplomatic community in Geneva, experts on climate change and weather services from capitals as well as representatives of relevant UN agencies, specialized organizations, non-governmental organizations and think tanks. (DFA)

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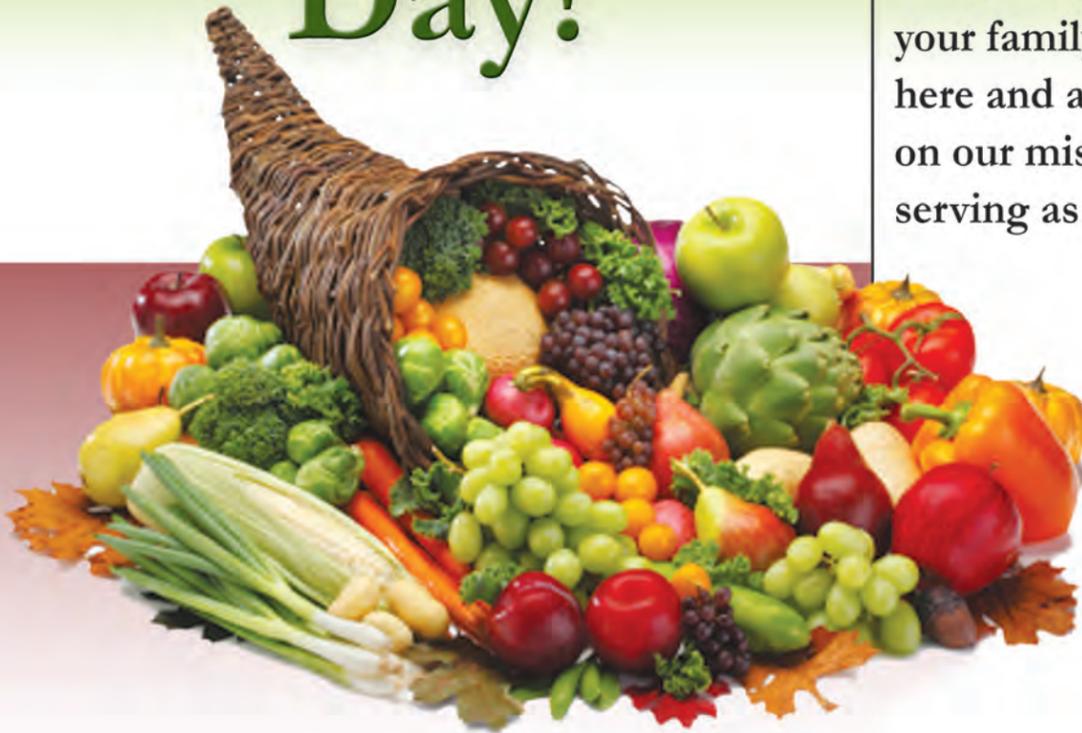
Mabuhay po tayong lahat!

strike over a dispute with the government about bonuses they had been promised. Although the medical charity employs the staff, the health ministry pays them.

Even during the strike, the charity was able to maintain a minimum number of staff to keep the clinic running, Doctors Without Borders said.

Meanwhile, the US military has said it is scaling back its planned Ebola response deployments to Liberia from 4,000 troops to 3,000 because there are a greater-than-expected number of contractors available in Liberia to provide support like construction work. (www.philstar.com)

Happy Thanksgiving Day!



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