

HAWAII

# FILIPINO CHRONICLE

HAWAII'S #1 FILIPINO NEWSPAPER

◆ NOVEMBER 5, 2016 ◆

## HONORING OUR COURAGEOUS FILIPINO VETERANS

COVER STORY PAGE

4

MANILA, PHILIPPINES, FRIDAY, APRIL 24, 1942

YEAR XVII

### BATAAN COMPLETELY OCCUPIED BY JAPANESE

*Japanese Forces Take Cebu*

15 Generals Among War

Japanese Flag Planted In Cebu City

ABOARD A JAPANESE WARSHIP, APRIL 11 (Dated) ...



#### CANDID PERSPECTIVES

**DON'T STAY HOME---VOTE!**

**3**



#### HAWAII-FILIPINO NEWS

**NEW FILM BY STEPHANIE CASTILLO TO PREMIERE ON KAUAI**

**8**



#### LEGAL NOTES

**3 VISA AUTHORIZATIONS EXTENDED THROUGH DECEMBER 9, 2016**

**13**



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## EDITORIAL

# Honoring Our Nation's Veterans

Every year on November 11, the nation pauses to honor all of the men and women who have served in our armed forces and remember those who made the ultimate sacrifice for the sake of freedom. Parades and other patriotic events are held across the nation, while in Virginia, the Veterans Day National Ceremony is held. Wreaths are laid at the Tomb of the Unknown Soldier at Arlington National Cemetery, followed by a parade of colors by veterans' organizations and remarks by dignitaries. But when the pomp and circumstance fade, many veterans and their families are left alone to face considerable challenges when returning home from deployment—challenges such as post-traumatic stress disorder (PTSD), traumatic brain injury, depression, suicide, divorce and substance abuse, all of which exert heavy emotional and psychological tolls on military families and communities.

A 2013 report by the Institute of Medicine showed that almost half of the 2.2 million U.S. troops deployed to Iraq and Afghanistan reported difficulties on their return home and also received inadequate care from the U.S. Department of Defense and Department of Veterans Affairs (VA). Many complained of long waits for disability compensation for physical and mental injuries associated with their service. At one point, over 610,000 disability claims were stuck in a backlog due to the VA's antiquated paper-based system. To its credit, Congress moved quickly to end the crisis by passing the Veterans Access, Choice and Accountability Act of 2014 and also approving billions of dollars to overhaul and streamline the VA to ensure that veterans have access to the healthcare that they have earned.

In sum, parades and even free meals for veterans and active duty military personnel at some restaurant chains are wonderful gestures but perhaps the true way to honor these heroes is to make sure that they and their families are taken care of—war or no war. We as a nation are obligated to make sure that even though less than one percent of Americans wear the uniform, that 100 percent of Americans honor our veterans' sacrifices, especially our young people because one day it will be their generation's turn to answer the call to serve, protect and defend our great nation.

## Philippine Presidency: More Decency Needed

Rodrigo Duterte, elected last June as the 16th president of the Philippines, is a conundrum of sorts. We got a glimpse of his tender side as he stood weeping at his parents' gravesite shortly after winning the presidency—a very different Duterte from the one whose lewd comments about a rape victim infuriated women's rights groups and whose uber violent war on drugs has resulted in the deaths of thousands. He threatened to cut ties with the U.S., its long time ally, and instead seek greater cooperation with China and Russia. Then a week later, his tone was more conciliatory, clarifying that he wanted a separate foreign policy in dealing with the U.S.

His supporters say it's vintage Duterte—brash, vulgar and foul mouthed—but even his closest aides must have cringed when he called Barack Obama an "SOB" and in a recent tirade referred to Americans as "monkeys." Such bravado may have worked when he was mayor of Davao City but as president of the Philippines and on the international scene, he is no longer the big fish in a little pond. And the stakes are much, much higher. Seeking greater cooperation with China, in light of its

## FROM THE PUBLISHER



Happy Veterans Day! We at the Chronicle send out a heartfelt "thank you" to all of the brave men and women who sacrificed so much so that we could enjoy a better life and a country to call home. Let us never forget to include them in our prayers. In line with Veteran's Day, this issue's cover story focuses on our Filipino veterans of World War II (see page 4) and the many struggles they have had to overcome and continue to face. The veterans are on the cusp of receiving approval from lawmakers for the Congressional Gold Medal—our nation's highest civilian award. Let's hope this honor comes sooner rather than later because their numbers are dwindling. In a few short years, they will be gone forever, so let's take some time to honor and support them while we still can.

The General Election is next week Tuesday and more voters on Oahu appear to be casting their ballots via walk-in polling sites and absentee ballot. I have a feeling that most voters want to cast their ballot early and get it over with so they can tune out all of the political rhetoric and negative campaigning. The 2016 presidential election is turning out to be the most negative and ugly campaign in modern U.S. history with both sides attacking each other as criminals, racists, sexist and liars. Please remember to vote if you haven't already done so. Your vote truly does matter!

In other news, if you frequent Ala Moana Beach Park, please be advised that portions of this very popular park will be closed for on-going irrigation repairs and other upgrades. The work is scheduled for completion by next summer at a cost of over \$2 million. We all know how crowded the park gets on holidays and weekends, so if you're planning an upcoming picnic or other event at the park, make sure to apply early for a permit to reserve a space and confirm that the repair work will not be an inconvenience.

Lastly, if you're looking for a fun-filled and free family event this weekend, check out the 11th Annual Taste of Waipahu this Saturday from 4 pm to 10 pm at August Ahrens Elementary. If you're planning to go, please drop by the Leeward Community Health Fair booth for free medical tests, services and giveaways. Hope to see you there!

In closing, thank you for faithfully supporting the Hawaii Filipino Chronicle. Please take some time to read the other informative articles and columns we have for you in this issue and as always, please feel free to email us at: [fipinochronicle@gmail.com](mailto:fipinochronicle@gmail.com) with story ideas, suggestions or concerns you may have. We would love to hear from you!

Until our next issue... *aloha* and *mabuhay!*

*Chona A. Montesines-Sonido*



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bullying tactics in the disputed Spratly Islands, would spell nothing short of disaster for the Philippines.

On the domestic front, Duterte remains popular among the masses who insist that beneath his unpolished exterior, he is honest, hardworking and champions the poor. Many are also starting to feel safer in their neighborhoods as a result of his crackdown on crime. However, on the international scene, Duterte's inflammatory comments, if not held in check or carefully managed, could very well come back to haunt him and his country.

The bottom line is that Duterte is the face of the Philippines. When he speaks, he speaks for all Filipinos. As such, he should conduct himself in a manner consistent with the status of the office of the president. To his credit, Duterte has vowed to watch his language. You may or may not agree with his policies and neither can we expect him to be perfect but at the very least he should display more verbal decency and dignity. It's certainly not too much to ask of the president of the Philippines.

## CANDID PERSPECTIVES



By Emil Guillermo

# Don't Stay Home—Vote!

The tapes of Donald Trump talking dirty, followed by 12 women coming forward confirming mistreatment by the Donald, were thought to have finally disqualified him to be president. But the Trump sex video released a few weeks ago may not be the October Surprise that counts, thanks, or no thanks, to the FBI.

FBI Director James Comey's political act has changed everything. He may see himself as simply doing his duty, but Comey really didn't have to notify Congress that there was a re-opening of the Clinton e-mail investigation. He could have simply shut up and let his agents do their work.

By breaking the protocol of silence during an ongoing investigation, Comey's letter to Congress just days before the election gives the gift of innuendo to politicians looking for a Hail Mary.

Ultimately, more leaks have revealed that thousands of emails were in former Congressman Anthony Weiner's

computer which he shared with his now estranged wife Huma Abedin, a top Clinton aide.

It's emails in that cache, which may or may not be from Clinton, that the FBI is concerned about. Or they could be possible duplicates already known and part of the investigation that was deemed not prosecutable last summer. In other words, it's either nothing. Or a lot of nothing.

Comey himself earlier this year said it didn't merit a prosecution. But I guess that doesn't mean it doesn't merit being a political tool. One that may get you to switch your vote, or not vote at all.

Of course, Trump's reaction to the news is that maybe the election isn't rigged, after all. You'd say that too if you've been handed a last minute jackhammer to drill Clinton on the email question, and even suggest criminality on her part.

For Clinton, instead of contemplating future cabinet members, she's thinking of how she's going to hang on

from the fallout. It means there's no more talk of landslide or congressional majorities. There's just talk of maintaining the key states where she knows she's ahead to protect the electoral vote.

It's a defensive strategy, one that the Clinton camp wasn't anticipating just a week ago. But now it makes sense. Firm up the blue states, hold the electoral advantage and pad the popular vote victory. But it means getting out the vote.

Of all the Asian American groups, Filipinos are among the Trumpiest voters in existence, according to the recent National Asian American Survey. Twenty-five percent of Filipinos back Trump; one in four, according to the survey. That's more than the 20 percent of Japanese, 16 percent of Vietnamese and Cambodian.

With every bump on the campaign trail, I've checked in with some Filipino Trump supporters, and they stay unwavering. And it's because of their extreme dislike for Hillary Clinton. But the flipside is true when I talk to Clinton supporters. They're in for the long haul.

I find it hard to believe that Donald Trump is more likeable than Hillary Clinton, and in fact a recent Gallup Poll found a majority of voters think Clinton has presidential qualities. Fifty-

one percent said that of Clinton, only 32 percent said that of Trump.

Despite that, my Filipino friends who support Trump, fiscal conservatives who want a cut in taxes, are holding steady attracted to Trump. But after the Comey letter, we're really at the point where people have really already made up their minds.

And I'm not going to persuade them otherwise. I think the independents who are still truly undecided may split off and vote for Libertarians or Greens, or may stay home.

That's good for the independents. They're still small in number.

But for the rest of you, if you believe in America's system of governance, there's just one more thing to do. Cast your ballot. Vote. For whomever. This is why we've had a campaign that's lasted two years.

Don't get turned off by all the October surprises we've had. Remember in Campaign 2016, it's not voter apathy, its voter suppression that's the real enemy. So whomever you want to see in office, that's fine. Just vote. Your Filipino American voice matters.

EMIL GUILLERMO is an award-winning journalist and commentator who writes from Northern California. He recently won the 2015 Dr. Suzanne Ahn Award for Civil Rights and Social Justice from the Asian American Journalists Association California.

**T**here's just one word left—vote.

I have already. You've made up your mind, haven't you? Or are you waiting for the last day? But why? In Hawaii, any registered voter can vote early. If you get it out of the way, you can turn off the noise, and it's been considerable.

It may even make you so disgusted you don't want to vote. Sometimes that's what campaigns want—to suppress your vote. Don't let them.

To show you how volatile things get in politics, a short while ago the discussion was totally different. There was talk of a Clinton electoral landslide so massive that the Senate and House could all be turning blue from a wave of Democratic voter support.

## HAWAII-FILIPINO NEWS

# City Unveils New Micro-Units for Homeless

City officials recently unveiled an innovative new micro-unit at Winston Hale, one of six brand new units built into former commercial spaces within the City-managed building. Homeless individuals are expected to begin moving into the units by the end of the year.

Units range from 181 square-feet to 261 square-feet and include a studio-style bedroom, full bathroom and a kitchenette with stove. The \$1 million project is a collaboration between the Office of Strategic Development, Department of Design and Construction, CC Engineering and Construction, Inc., Group 70 and SSFM Construction Management.

The City also renovated 29 existing units at Winston



Hale that were previously unoccupied for nearly a decade due to plumbing issues. Renovations are 86 percent complete and the units ready by December. The total cost of renovations is \$966,000.

Mayor Kirk Caldwell says Winston Hale is a model for rethinking the use of existing city properties.

"It's a beautiful historic building in the heart of Chinatown that sat underutilized for years due to deferred maintenance," says Caldwell. "Winston Hale is also in a transit-oriented development zone close to the future Chinatown rail station and represents a continued commitment

to further revitalizing Chinatown into an even more bustling, thriving, accessible and inclusive community in the heart of our city."

Last month, the City purchased a 24-unit apartment building located at 1727 South Beretania Street for \$6.9 million to also house the homeless. Housing Solutions Incorporated (HSI) has been selected as the property manager and will begin accepting rental applications from prospective tenants in December. The City and HSI will also engage community stakeholders and work collaboratively to make the project a success.



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## COVER STORY

# Remembering Our Filipino Veterans

By HFC Staff

**I** am a warrior and member of the team. I will always place the mission first. I will never accept defeat. I will never quit. I will never leave a fallen comrade.”—excerpt from the U.S. Army Soldier’s Creed

Veterans Day this year falls on November 11, 2016. It is a day set aside to thank and honor all of those who served honorably in the U.S. military, both in wartime and peacetime. Veterans Day is largely intended to thank living veterans for their service and to acknowledge their contributions to the peace and security of the U.S.

Veterans Day traces its origins back to the early 20th century. In November 1919, President Woodrow Wilson declared November 11th as the first commemoration of “Armistice Day.” In 1938, Congress approved a bill that made November 11 an annual holiday known as Armistice Day that would honor the cause of world peace but it was primarily used to honor veterans of World War I. In 1954, the law was amended to change the word “Armistice” to “Veterans,” officially establishing November 11 as the day to

honor veterans of all American wars.

These veterans include the over 260,000 Filipino soldiers who fought for the U.S. in World War II. On July 26, 1941, President Franklin D. Roosevelt issued a military order directing the Philippine Commonwealth Army, Philippine Scouts and the Philippine Constabulary to fall under the command of the Commander of the U.S. Army Forces Far East (US-AFFE) to defend the Philippines and the U.S. against enemy forces.

## Compensation for Filipino Veterans

These Filipino soldiers, who had been placed under American command during the war, expected to receive the same pensions and benefits as American soldiers once the war ended. Instead, President Harry Truman in 1946 signed a law stripping the Filipinos of their citizen-

ship and reversing the promise of benefits.

The veterans and their supporters spent decades lobbying Congress for their promised benefits and compensation. Congress has been agonizingly slow in righting the wrongs against the veterans. In February 2009, the veterans finally got what they worked long and hard for when President Barack Obama signed the American Recovery and Reinvestment Act of 2009 which authorized the release of a one-time, lump-sum payment to eligible World War II Philippine veterans. These payments were made through the U.S. Department of Veterans Affairs (VA) from a \$198 million appropriation into the Filipino Veterans Equity Compensation (FVEC) Fund established for this purpose.

Eligible veterans who were U.S. citizens received a one-time payment of \$15,000, while non-U.S. citizens received a one-time payment of \$9,000. Veterans who were eligible for the one-time payment include those serving in the organized military forces of the Government of the Commonwealth of the Philippines, members of organized guerrilla forces recognized by the Commander in Chief, U.S. Army and the Philippine Scouts.

According to VA records, as of September 1, 2016, a total of 42,755 applications were processed. Of that amount, 9,307 applications were approved for \$15,000 payments and 9,657 approved for \$9,000 payments. A total of 23,791 applications were disapproved. And to



date, over \$225 million has been awarded to eligible Filipino Veterans.

For many veterans, the compensation was “better than nothing,” while others preferred monthly pensions. Attorney Lourdes Tancinco called it a “bittersweet victory.”

In an interview with National Public Radio (NPR), Tancinco said, “I think of the veterans who passed away during the last years that we’ve been here. They’ve been hoping for this to happen, to be recognized, but there’s nothing, nothing in the stimulus package that would benefit them.”

The 23,791 applications that were disapproved were due to a lack of required documentation. At the end of World War II, the U.S. Army created the Approved Revised Reconstructed Guerrilla Roster of 1948, also known as the “Missouri List,” based on the individuals who came forward after the war to receive health care benefits. The list has been used by the military to verify the soldiers who fought alongside U.S. troops in the Philippines.

Veterans rights supporters say it is possible that some Filipino veterans who fought in the war were not added to the list and could therefore be improperly denied benefits.

“We have heard the stories of how numerous Filipino soldiers were afraid to record their names during World War II, for fear the enemy would obtain roster lists and retaliate against them,” U.S. Rep. Mazie Hirono said in a media statement.

Hirono co-introduced a measure with U.S. Sen. Dean Heller (R-NV) and U.S. Rep. Grace Meng (D-NY) that would establish a process for eligible Filipino veterans to receive compensation for their service during World War II. Introduced in 2013, the Filipino Veterans Promise Act directs the U.S. Department of Defense, in consultation with the VA, to establish a process for determining whether certain individuals have the necessary service requirements to receive specific Filipino veterans’ benefits.

“This bill will provide

(continued on page 5)

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**VILMA D. FUENTES, Doctor of Physical Therapy**

## COVER STORY

(from page 4, REMEMBERING ...)

Filipino World War II veterans a process to prove that they indeed served and are eligible for the benefits they've been promised. We must now work to ensure every surviving veteran who served shoulder-to-shoulder with American forces receives this well-earned benefit," Hirono says.

**Parole For Filipino Veterans**

One particular initiative on behalf of Filipino veterans has been of tremendous help. Earlier this June, the federal government launched the Filipino WWII Veterans Parole Program, which allows certain Filipino World War II veterans and their spouses who are U.S. citizens and lawful permanent residents to request parole for certain family members. The program, which allows family members to reunite in the U.S. before immigrant visas become available, is part of the Obama administration's "Modernizing & Streamlining Our Legal Immigration System for the 21st Century" recommendations.

With the exception of immediate relatives of U.S. citi-



zens, the number of family-sponsored immigrant visas available by country of origin in any given year is limited by statute. These limits result in long waiting periods before family members may join petitioning U.S. citizens or permanent residents in the U.S. and become permanent residents themselves. For some Filipino-American families, this wait can exceed 20 years.

World War II veteran and Kalihi resident Mariano Guillermo, 88, served in the guerrilla forces and Philippine Scouts. His two children, now ages 60 and 58, have waited over 20 years to join him in the U.S. Under this parole program, families like the Guillermos can finally be together in the U.S. while their applications are being processed.

U.S. Rep. Hirono, who worked with the Obama administration to create the program, called it a "significant milestone" for the veterans, their widows and children.

"Filipino World War II veterans have been waiting patiently for decades to be reunited with their families," Hirono said at a press conference. "It has taken over 50 years for this country to grant U.S. citizenship for several thousand Filipino veterans and another 25 years for their children to be allowed to join them. This is a lifetime of waiting patiently, at times painfully, of resilience and perseverance, of loyalty and faith to country."

**Gold Medals In Store For Veterans**

Supporters hope that an-

other attempt at honoring Filipino veterans will result in similar success—the awarding of the Congressional Gold Medal—our nation's highest civilian award. Supporters say that the Filipino veterans' service during World War II and exemplary lives as civilians are their most potent argument for receiving the gold medals.

In June 2015, U.S. Rep. Tulsi Gabbard and U.S. Sen. Mazie Hirono co-introduced H.R.2737, the Filipino Veterans of World War II Congressional Gold Medal Act of 2015. U.S. Sen. Brian Schatz, the late U.S. Rep. Mark Takai and other lawmakers in a bipartisan effort also co-sponsored the measure.

"Filipino veterans fought bravely alongside American forces during World War II and our recognition of their service and sacrifice is long overdue," says Gabbard. "Our nation owes these individuals our deepest and sincere gratitude. I am pleased

to join my colleagues in a bipartisan and bicameral effort to honor these veterans with the Congressional Gold Medal—a well-earned tribute for their service."

The bill has already passed the Senate and referred to the House. So far, it has received the support of 205 of 290 members needed in the House of Representatives. Army Maj. Gen. Antonio Taguba (ret.) hopes the measure will pass before year's end.

"We're knocking on doors to get 85 more," Taguba said to a group of Filipino veterans in San Francisco earlier this year. "You cannot wait another year."

Filipino veteran Ben Acohido, who took part in a national census to determine the exact number of surviving Filipino veterans, believes time is of the essence as there are a little more than a dozen still alive in Hawaii.

"The Congressional Gold Medal will preserve the history of service and sacrifice by these loyal Filipino WWII veterans," Acohido says. "They were the first line of defense in the Pacific, providing valuable time for the American military to marshal its forces when the outcome of the war was still in question. We are now hopeful for the bill's passage in the U.S. House."

## HAWAII-FILIPINO NEWS

**State Completes Repair of Farrington Auditorium**

Nearly four years after the Farrington High School auditorium's roof collapsed, students and staff are now enjoying the newly-renovated facility and state-of-the-art equipment.

A 40-foot section of the facility's roof collapsed during a brief but heavy downpour in November 2012. No one was injured in the incident. An investigation by structural engineers from Kai Hawaii uncovered a design flaw in the 58-year-old auditorium that contributed to its roof collapse. One of the steel trusses that created the roof framing was inadequately designed to support the loads that a normal truss would, in addition to a light balcony attached to that truss.

Repairs and renovations

costing \$11.9 million were completed in September 2016 and include the addition of updated lighting and audio elements, refurbished chairs, classroom space and a new media center equipped with a green screen and studio lighting.

"I want to thank the students and staff for their input in the rebuilding of their auditorium," says State Department of Education Superintendent Kathryn Matayoshi. "This facility is the center for so many activities. Now, it is equipped with state of the art audio systems and a media center that the students and school community can be proud of."

"We are grateful to have our auditorium back," Farrington Principal Al Carganilla says. "This space will be a

vital part of our school community that will feature concerts, film festivals, academy graduations and more."

The auditorium was originally opened to the school in 1954. The school will use the 1,200-plus seat facility to host events such as Parent Night for parents of seniors, band and orchestra concerts, song contest, student assemblies and more. In addition, construction on Farrington's new football field and a 4,000-seat stadium will be completed and unveiled by Fall 2017.

According to a 2014-2015 School Status and Improvement Report, Filipinos comprised 61 percent of Farrington's student body population. Enrollment for the 2014-2015 school year was 2,417 students.

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# Greedy, Philandering Marcos a Bayani?

By Ted Laguatan, Esq.

(Note: Below is a reprint of an article I wrote on April 8, 2011. On November 8, 2016, the Supreme Court will announce its decision on whether the former dictator Ferdinand Marcos can be buried in the Libingan ng Mga Bayani. The Marcoses have found a great ally in President Rodrigo Duterte for making the burial a reality, a great insult to the Filipino people and humanity. President Rodrigo Duterte openly idolizes Marcos as well as Hitler. All good and decent Filipinos everywhere must wake up to the reality of the darkness that has engulfed the Philippines and pray much to bring back the light.)



hen I despair, I remember that all through history,

the way of truth and love have always won. There have been tyrants and murderers, and for a time, they can seem invincible, but in the end, they always fall. Think of it – always.” – Mahatma Gandhi

The Marcos family and their supporters (ex-cronies, mercenaries, etc.) are moving heaven and earth to have Marcos interred at the Libingan ng mga Bayani. With tons of money, influential loyalists, mercenary journalists and other resources at their disposal—they may well succeed. They hope to end the stigma against the Marcoses if they do. They recently got some military officials to install Marcos in the AFP Hall of Heroes.

Libingan ng mga Bayani literally means “Cemetery for Heroes.” Essentially, in theory, it is reserved for those whom the nation honors for their service to the country. In Congress, Marcos crony Congressman Salvador Escudero, leads this campaign. The father of Senator Chiz Escudero has already gotten 204 members of Congress to sign the petition to have Marcos interred as a hero.

Money talks especially in the Philippine socio-political

cultural setting. This distortion of getting a brutal greedy dictator buried as a hero will happen unless the people speak out and shout: “No way.”

Ferdinand Marcos became a dictator based on a lie. He claimed the Communists tried to assassinate his then Defense Secretary Ponce Enrile, so he declared martial law. Enrile later confessed after Marcos fell, that this assassination story was concocted. The dictator killed, imprisoned and tortured political enemies. He engaged in all kinds of graft and corruption as well as stole directly from the Philippine treasury enabling him to amass billions, impoverishing and starving Filipinos.

Marcos brought out the worst in the Filipino. Many cooperated with his evil ways. He could not have thrived for so long without the obvious or tacit assistance of many.

The corrupt practices he institutionalized today continue to plague the Filipino people. Corrupt politicians from the lowest to the highest utilize Marcos’ corruption technology of “steal and hide.” Steal money through government procurements and other sophisticated methods—then hide the booty using cronies as fronts, depositing money overseas, investing in other countries and converting into corporate assets.

Imitated by succeeding

government officials, Marcos’ “massive stealing without going to jail” example has resulted in the country being arguably the most corrupt in Asia.

The economy is generally kept afloat by the millions in foreign currency sent by hundreds of thousands of heroic, hardworking overseas workers who undergo tremendous sufferings due to family separations, loneliness and culture shock.

As a result of its widespread reputation for corruption, massive poverty and government inefficiency, the country is referred to by its neighbors interchangeably as “the basket case of Asia” or “the sick man of Asia.”

Marcos’ dark legacy should cause Filipinos to shudder in shame if despite the innumerable sufferings he had imposed on our people, his fabulously wealthy family and a small group of influential loyalists and mercenaries are able to impose their will on us and have him buried as a hero.

On July 4, 2004, investigative reporter Frank Walker of the Sun-Herald, an Australian newspaper, revealed in an article that the dictator had an affair with an obscure Australian playboy model named Evelyn Hegyesi, who somehow had become a multimillionaire, lived in a plush Sydney water-

front mansion and owned several investment companies.

Hegyesi’s daughter with Marcos is named after his mother, Analisa Josefa. Documents obtained by Sun-Herald reveal that on October 14, 1970, the 23-year-old Hegyesi, then three months pregnant with Analisa, formed a company named Austraphil Pty Ltd. In February 1971, Austraphil bought a five-bedroom mansion in Sydney’s most expensive area, Wyuna Road, Point Piper, paying mostly in cash and a small loan.

Real estate papers showed that Austraphil took a loan of \$250,000 (\$2.5 million in today’s money) from Finanz AG of Zurich. Finanz was a subsidiary of the Swiss SKA Bank, now called Credit Suisse. This is the main bank used by Marcos to stash his swag.

Hegyesi paid off the loan in 1976, transferring the property in her own name, and sold the mansion for \$6.2 million in 1999. She has lived quietly in Sydney’s ritziest area for almost 40 years.

Sun-Herald’s investigation of the Marcos-Hegyesi affair led to other revelations. It turned out that Marcos had many secret accounts at SKA including so called “foundations” dubbed Azio, Charis, Avertina, Vibor and Valamo aside from others. Swiss court investigations reveal that the Marcos millions came from illegal sources.

Among other irregularities, court papers indicated that Marcos siphoned directly from Japanese reparation funds \$23 million (worth \$275 million in today’s money) and placed it in his Charis foundation. These funds belonged to the Filipino people and were vital at that time to the country’s economic development.

Of note is that on November 12, 1971 Marcos signed a document making Austraphil the sole beneficiary of his Anzio Foundation. Analisa was then 3 months old.

This greedy, philandering, cruel man was nice to his many mistresses but not to the Filipino people to whom he left a

legacy of much misery, suffering and bad governance. Now his family and a small group of powerful robber barons want to pull wool over the people’s eyes and make him out to be a hero.

Mercenary Filipino journalists play a major role in good versus evil conflicts in Philippine society – attacking or defending an issue – depending on “envelopemental concerns.”

Thus, some argue that Marcos may have been brutal, corrupt and greedy but he nevertheless was a World War II hero and should still be buried in the cemetery for heroes. Others argue that PNoy should be large hearted enough, be a statesman and show forgiveness and compassion to a war hero. He would be a fool and not a statesman if he did.

They further cite the recent example of General Angelo Reyes. Reyes served in many government positions including as Chief of Staff and Defense Secretary. When it was revealed in a Congressional investigation that he accepted payola, in shame he committed suicide. President PNoy nevertheless allowed his burial at Libingan ng mga Bayani based on his past government services.

PNoy played politician here giving the impression of being a kind person sympathetic to the family of Reyes. Moreover, it had yet to be established by corroborative evidence if the witness against Reyes told the truth even if he appeared credible. The burial was excusable.

Was Marcos the multiple-medaled war hero his propaganda machine claims he was? This claim was debunked by various researchers including the late Col. Bonnie Gillego who scanned military records in Washington, DC and elsewhere. Gillego discovered that Marcos’ claim as the greatest resistance fighter in WW II and his stash of war medals were blatantly false.

Gillego’s book, *The Fake Medals of Marcos*, not only exposed the deception foisted

(continued on page 10)

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## WHAT'S UP ATTORNEY?



By Atty. Emmanuel  
Samonte Tipon

# How to Obtain Administrative Closure of Deportation Proceedings Without Really Trying

## Factors in Evaluating Propriety of Administrative Closure

**D**uring the course of removal proceedings, an Immigration Judge or the Board of Immigration Appeals may find it necessary or, in the interests of justice and fairness to the parties, prudent to defer further action for some period of time.

There are two ways to defer further action: continuance and administrative closure.

Continuance may be appropriate to defer further action on immigration proceedings, such as to await additional action required of the parties that will be or is expected to be completed within a reasonably certain and brief period of time. Under the regulations, 8 CFR 1003.29, continuance may be granted at the Immigration Judge's own instance or for good cause shown at the request of a party. Continuance keeps the case on the Immigration Judge's calendar.

Administrative closure is a procedural tool created for the convenience of the Immigration Courts and the Board. Matter of Avetisyan, 25 I&N Dec. 688, 690 (BIA 2012). Administrative closure may be appropriate to await an action or event that is relevant to immigration proceedings but is outside the control of the parties or the court and may not occur for a significant or undetermined period of time. Matter of Avetisyan, 25 I&N Dec. 688, 690 (BIA 2012). When a case is administratively closed, it is taken off the Immigration Judge's active calendar, but the case may be re-calendared where the event being awaited does not take place or its result is adverse to the party seeking administrative closure. Thus, administrative closure does not result in a final order in the removal proceedings.

The factors considered in evaluating the propriety of administrative closure include, but is not limited to: (1) the reason administrative closure is sought, (2) the basis for any opposition to administrative closure, (3) the likelihood that the respondent will succeed on any petition, application or other action that such respondent is pursuing outside the removal proceedings, (4) the anticipated duration of the closure, (5) the responsibility of either party, if any, in contributing to any current or anticipated delay, and (6) the ultimate outcome of removal proceedings, such as, for example, termination of the proceedings or entry of a removal order, when the case is re-calendared before the Immigration Judge or the appeal is reinstated before the Board. Matter of Avetisyan, 25 I&N Dec. 688, 696 (BIA 2012).

## Effect of Opposition by a Party

In the olden days, a case may not be administratively closed if either of the parties opposes it. But in 2012, the Board of Immigration Appeals held that it is improper to afford absolute deference to a party's objection, and that an Immigration Judge or the Board has the authority to administratively close a case, even if a party opposes, if it is otherwise appropriate under the circumstances. Matter of Avetisyan, 25 I&N Dec. 688, 690 (BIA 2012).

## Examples

I assisted another lawyer, who had no prior experience, in preparing a motion for administrative closure. An alien was admitted to the United States on a fiancée visa, adjusted her status to that of a lawful permanent resident,

and was given a conditional permanent card with instructions to file a petition to remove the conditions within 2 years. Within the 90 day period before her conditional resident status expired, the alien filed a Form I-90, Application to Replace Permanent Resident Card. The USCIS denied her Application because it was not the correct form after the deadline for filing a petition to remove conditions on residence.

The alien then filed Form I-751, Petition to Remove Conditions on Residence. USCIS rejected the petition on the ground that the alien did not send the appropriate filing fee. USCIS terminated her status as a conditional resident alien. The alien was then placed in removal proceedings on the ground that her status as a conditional resident had been terminated. The alien hired a lawyer who filed a new Form I-751 with the appropriate fee. At the Master Calendar hearing, the alien with her lawyer filed the Motion for Administrative Closure that we prepared, in which we stated that administrative closure was proper to await the adjudication by USCIS of the Form I-751. We stated that administrative closure was appropriate in order to await an action or event that is relevant to immigration proceedings but is outside the control of the parties or the court and may not occur for a significant or undetermined period of time. We contended that in the event that USCIS adjudicates Form I-751 in favor of respondent, then there would no longer be any basis to remove respondent from the United States. We pointed out that there was a great likelihood that respondent would succeed in obtaining USCIS approval of her Form I-751 since it was prima facie approvable and there were strong and plausible

grounds for such favorable action. We said that Form I-751 was supported with significant and substantial evidence to establish the bona fides of respondent's marriage to her U.S. citizen husband with whom she had two children, including joint tax returns, joint bank accounts, rental and utility bills in the names of the alien and her husband, etc. The USCIS had granted a year's extension of the alien's conditional resident status and had taken her biometrics. The Immigration Judge granted administrative closure.

On the other hand, a respondent with a criminal conviction asked for administrative closure of his removal proceedings so that

he could pursue his petition to set aside his conviction on the ground of ineffective assistance of counsel in not telling him that if he pleaded guilty to drug distribution, his conviction would result in mandatory deportation. The lawyer contended that administrative closure was appropriate to await an action that was relevant to immigration proceedings but was outside the control of the parties or the court and may not occur for a significant or undetermined period of time. The Immigration Judge refused to administratively close the case or to grant continuance and ordered the alien removed. Subsequently, the alien obtained a favorable decision from the Court of Appeals Ninth Circuit holding that he was a victim of ineffec-

(continued on page 10)

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## OPEN FORUM

# The Stakes Are Higher Than Ever in This Coming Election

By Jonathan Yao

**T**here has been a recent and burgeoning trend towards materialism in Chinese cultures, perhaps coinciding with recent economic booms. I witness this anecdotally whenever I walk down 5th Avenue in Manhattan and see a disproportionate number of Chinese people outside luxury retail stores. After perusing through some studies, I confirmed my intuitions and discovered that 68% of people from China feel a lot of pressure to be successful and make money and that 71% of people from China are most likely to measure their success by what they own. Both of these numbers are the highest among all countries surveyed. Chinese consumers have now overtaken Americans to become the world's largest buyers of

personal luxury items.

From what I understand, Asian cultures, and especially Chinese cultures, tend to buy into the 'saving face' and 'upholding honor' mentality, wherein upholding one's reputation is of utmost importance, maybe even the primary source of one's motivation. The consumption of luxury items then, if we continue to follow this mode of logic, is the most tangible way of demonstrating one's value and one's belonging in said community.

When I speak to many Chinese American Republicans, lower taxes is the number one reason why said Chinese Americans support Republican policies. Even when these aforementioned Chinese Americans would fall outside the income brackets that would allow them to enjoy the most generous of Republican tax codes, the idea of one day making that much untaxed income is too tantalizing to ignore pres-

ent day reality. To be clear, there is no real economic hardship here, just the prospect of one day being 'successful and having more money'. By definition consumerism falls outside the realm of a necessity.

The idea, then, with lower taxes, would be more personal spending money to seek approval and acceptance by others. Lower taxes are a means to purchasing material items which are a means to seeking approval and acceptance by others.

We currently live in a Democracy in which all citizens can participate and have a voice in shaping their vision of this country. The Republicans cling to a Xenophobic platform in which White is Right and every other group a threat, whether it be Hispanics, Blacks, Muslims, and yes, even Asians. The Democratic platform, championed by Hillary Clinton, embraces diversity and acceptance, favoring

pro-immigration policies, anti-discrimination policies, and seeks to appoint minorities in leadership roles within the public sector.

You can have a Prada bag or even a Porsche, but to hardcore Trump supporters, you are still just an Asian, a foreigner, someone who isn't American and will never be, someone who will never belong. What good is all of that hard work, that financial success, those fancy material items, if you still fall so short of your ultimate goal of finding belonging and acceptance in America? What if I told you there was an easier path towards finding belonging and acceptance? What if it just meant voting for candidates who recognize you as American no matter what you look like, no matter where your ancestors come from? What if it meant voting for a candidate who sees you and values you the same you want to be seen and valued?

Civic engagement requires effort, maybe even less effort

than that required through private enterprise, but it symbolizes more than anything else who belongs and whose voices matter in our society. Historically, Asian Americans, despite their economic success, have been powerless against political exclusionary acts like the 1882 Chinese Exclusion Act or the Internment of Japanese Americans in the 1940s. Should Trump win this election and anti-Asian sentiments rise, just as they did earlier in our history when the white working class resented the rise of Asian Americans, economic success and material wealth will not protect us from not just the off-hand discrimination many of us face in our day-to-day lives, but the systemic legal discrimination that our forebearers faced. The stakes are higher than ever, but the path forward is clear.

.....  
**JONATHAN YAO** currently works at the Center for Medicare & Medicaid Innovation implementing National Healthcare Reform through the Affordable Care Act. A descendant from China, he grew up in Princeton, NJ, and attended Yale University, where he received both his undergraduate degree and his Masters of Public Health.

## HAWAII-FILIPINO NEWS

### New Film by Stephanie Castillo to Premiere on Kauai

**T**he newest film by Emmy Award winning filmmaker Stephanie J. Castillo will premiere at the Garden Island Film Festival from November 11-13, 2016.

Castillo's 10th documentary film—"Thomas Chapin, Night Bird Song"—recently screened at the prestigious Monterey Jazz Festival. A modified, 90-minute version renamed "Night Bird Song, the Incandescent Life of Thomas Chapin," will be shown at no charge to audiences on Kauai at the following dates and times:

- *Fri., Nov. 11 at 6 pm*  
Westin Princeville Ocean Resort Villa
- *Sat., Nov. 12 at 6 pm*  
Kauai Marriott Resort
- *Sun., Nov. 13 at 6 pm*  
Blu Umi & Japanese Grandma

Cafe Bistro Garden

The film is a moving music biography about a brilliant and extraordinary jazz master from the 1990s who died at age 40 from leukemia at the height of his music career. For two decades, Chapin, an alto sax and flute player with "massive chops," was a potent force whose sound was original and rhythmic yet full of wild improvisations.

Chapin had an uncanny gift of melding all forms of jazz into a single body of music. His pathway of moving sound was so multi-directional, yet so singular, original and steeped in tradition that the jazz community struggled to categorize him.

The film gained rave reviews and was described as "inspiring," "a masterpiece"

and "a beautiful tribute."

"It's not just a music or a jazz film—it's a film about how to live life," says Castillo.

Chapin was married to Terri Castillo of Kapaa who is the sister of the acclaimed filmmaker. They first met in 1992 during her mother's 70th birthday celebration. He met his life's end way too soon, while his dreams still burned bright and his audiences yearned for more. Today, new listeners and young players seeking inspiration are discovering and playing his music. Thanks to the film, Chapin will no longer be a footnote in jazz. His indelible mark will be known for all time.

The film is being done in association with Akasha Inc. which is a 501(c)(3) non-profit corporation dedicated to education through the preservation and advancement of the Thomas Chain Music Legacy.



**THOMAS CHAPIN TRIO**  
 MIKE SABIN MARIO PIVONE THOMAS CHAPIN  
 Thomas Chapin Trio  
 Photo courtesy George Haling



Thomas Chapin | Photo courtesy Akasha Inc.



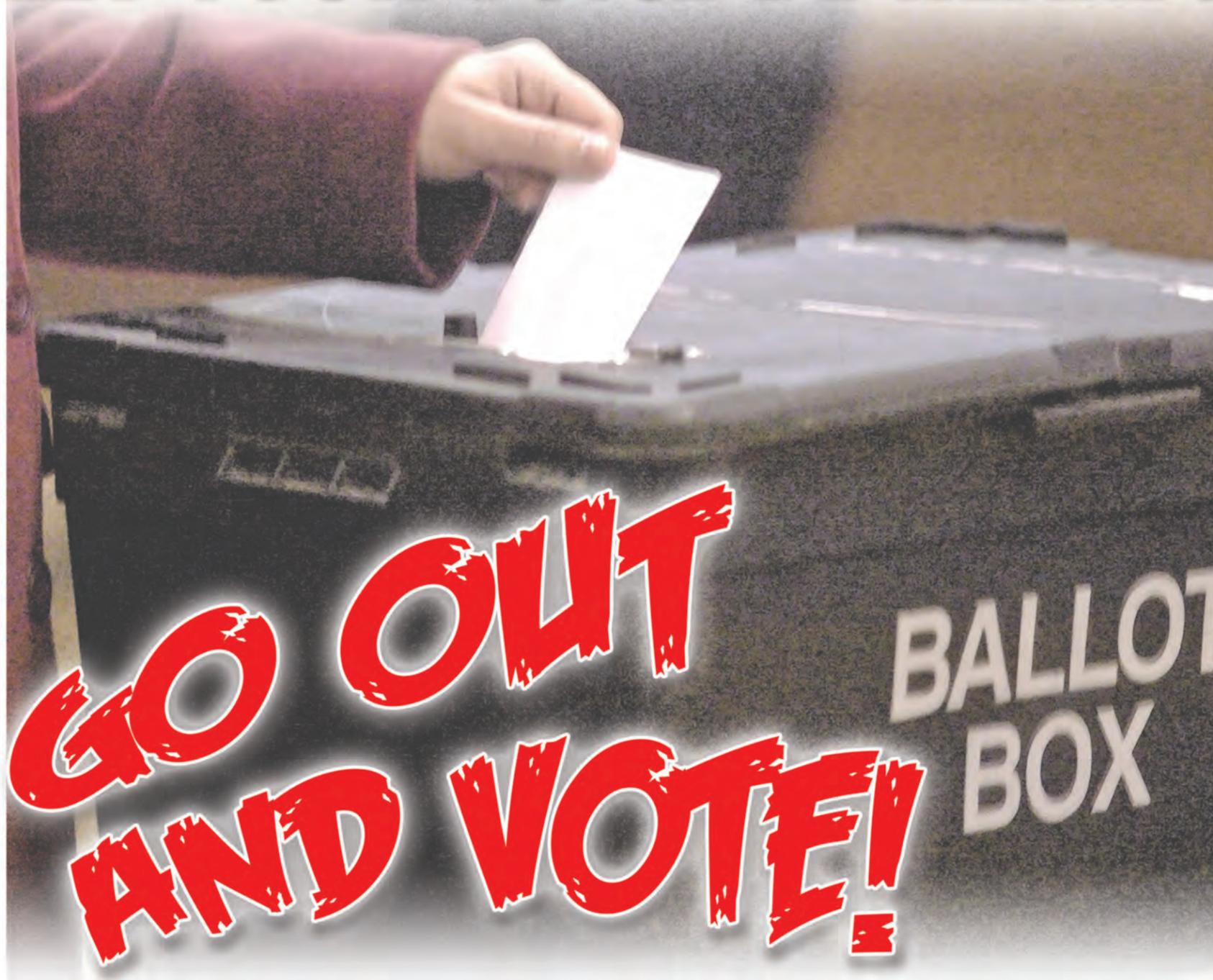
Stephanie J. Castillo

For more information on "Thomas Chapin, Night Bird Song," go online to: <http://www.thomaschapin-film.com>.

For those wanting more of Castillo's work, two of her films will be shown at 2 pm on November 12 at the Kauai Marriott. "Remember the

Boys" is a Veterans Day weekend tribute to Kauai's World War II veterans, which she co-wrote and co-produced with Noel Izon. The second film, "Sandaan: 100 Years of Filipinos in America," is being sponsored by the Filipino Chamber of Commerce of Kauai.

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**City Upgrading Irrigation System at Ala Moana Beach Park**

The City has launched a large-scale irrigation improvement project at Ala Moana Regional Park to upgrade the aging system with technologically efficient measures.

The upgrade will begin in the Great Lawn area where the irrigation system was last improved in 1971. From there, the work will proceed in the Diamond Head direction and then work back towards the Ewa-end of the park. The entire project is scheduled for completion by next summer.

The first phase's work area will be closed to the public during the renovations. Only the immediate section surrounding the work site will be closed but the rest of the park will remain open.

"This project will significantly upgrade the park's lawns and the new technology will significantly reduce water use, saving the city money and protecting our precious resource," says Mayor Kirk Caldwell who noted that parts of the park's irrigation system haven't been upgraded in nearly half a century.

Fixing irrigation to the fields at Ala Moana Regional Park is one of the City's main objectives for improvements to the park. Other objectives already achieved include: fixing rocky areas of the beach, renovating comfort stations, repairing ex-

ercise paths, adding safety measures to the park, including energy efficient and brighter LED lighting, beautifying the park through tree planting and the addition of a local food vendor within the park.

The irrigation improvement project will include the installation of the Rain Bird Maxicon® system, designed to provide a smarter, more effective way of watering large areas of the 119-acre park. The system offers real-time remote controls that connect the irrigation system for the entire park. Currently, the park has a patchwork of separate irrigation systems that have undergone different levels of maintenance since the 1950s.

The new system also measures and considers park conditions, such as evaporation rates, rainfall, topography and soil type to determine the most practical way to deliver the best irrigation possible. Once in place, it is expected to reduce water usage and billing, while also extending plant life and minimizing maintenance needs. The \$2,020,062 contract for the project was awarded to RMY Construction, Inc.

Dedicated in 1934, Ala Moana Regional Park is Hawaii's busiest park and enjoyed by four million people every year.

**OPINION (from page 6, GREEDY....)**

by the dictator on the Filipino people but also revealed that he was a Japanese collaborator and therefore a traitor. Gillego based his findings on American military records.

The world would be shocked if Marcos were now declared a hero. It's like former Nazis using their amassed wealth and influence succeeding in getting Adolf Hitler declared as a hero.

If PNoy gives in to pressure and allow Marcos a hero's burial at Libingan, it will be an official act formally declaring that Filipinos are the biggest fools on earth. It will also be an unofficial act declaring that PNoy has no balls and does not really understand true moral leadership. By so doing, he also desecrates the

memory of his genuine hero-father who was ordered killed by the Marcoses. Marcos was an absolute dictator and no one would have dared put the hit on Ninoy Aquino without an okay from Malacanang.

Does this mean Marcos should not be forgiven for his transgressions?

The Almighty tells us to forgive and we should. But He never told us that aside from forgiving, we should also honor murderers, torturers and thieves as heroes. This would be a terrible example for future generations of Filipinos.

ATTY. TED LAGUATAN is a San Francisco based human rights lawyer and recognized Immigration Law expert. email laguatan-law@gmail.com

**WHAT'S UP ATTORNEY (from page 7, HOW TO....)**

tive assistance of counsel. However, the alien had already been removed. He did not want to come back to the United States because immigration authorities said that he should pay his own fare in coming back and they would place him in jail upon arrival. The alien's father said that his son had found a good life in his native land.

Granting administrative closure is discretionary, and like any discretionary determination, it is subject to abuse.

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 specializes in immigration law and criminal defense. Office: 900 Fort Street, Suite 1110, Honolulu, HI 96813. Tel. (808) 225-2645. E-Mail: filamlaw@yahoo.com. Websites: www.MilitaryandCriminalLaw.com. He is from Laoag City and Magsingal, Ilocos Sur. He served as an Immigration Officer. He is co-author of "Immigration Law Service, 1st ed.," an 8-volume practice guide for immigration officers and lawyers. This article is a general overview of the subject matter discussed and is not intended as legal advice.

## NEWS FEATURE

# Caldwell vs. Djou: The Debate that Never Was

by Emmanuel Samonte Tipon, Esq.

I thought it was a good idea to have a debate between the two Honolulu mayoral candidates with a Filipino flavor. I shared my thought with Ric Agnes, Chairman of the Philippine Press Club of Hawaii of which I am a Director. He agreed. He talked with other officers and members. Joe Lazo and Flor Martinez endorsed the idea. They said the Club would sponsor the debate and I would be the moderator.

Agnes talked to Mayor Kirk Caldwell who immediately agreed. I talked to Charles Djou, the challenger. He asked if we had talked to the Mayor. I told him that Agnes had obtained the Mayor's agreement. Djou agreed. The venue was at Max's Restaurant at Dillingham on October 31 from 10:30 to 11:30 a.m. I called it the "Trick or Treat Debate" since it was Halloween. Agnes distributed a press release to the newspapers and major television stations.

On the day of the debate, the room was filled. At least one television station, Hawaii News Now, covered the event.

Djou showed up. Mayor Caldwell did not.

As the moderator, I did new things that have never happened in a debate. First I asked Joe Lazo who is a minister to deliver an invocation. Then I asked the lone "debater" Charles Djou to put his hand on a bible and asked him to swear: "I do solemnly swear that I will tell the truth, the whole truth, and nothing but the truth, so help me God." Everybody in the audience laughed. I told him that the reason so many political debaters lie is that they do not take an oath.

## FILIPINOS IN CABINET

*Moderator:* "Filipinos have a particular human trait. They want to see Filipinos in a position of prominence – like a Miss Universe, a boxing champion, a director. Mayor Fasi appointed a number of Fil-



Honolulu mayoral candidates: Mayor Kirk Caldwell and Charles Djou

ipinos to his cabinet (directorships of city departments). Mayor Caldwell, have you appointed any? [Since he was not there, my question was answered with silence.]

*Moderator:* "Silence means none." (Laughter)

*Moderator:* How about you Mr. Djou, will you appoint a Filipino to your cabinet? Remember, you are under oath. (Laughter)

*Djou:* "Yes" (Applause)

## POTHOLES

*Moderator:* Mayor Caldwell, what is your solution to the pothole problem? [Silence.]

*Moderator:* How about you, Mr. Djou? In terms of quantity the city has fixed many potholes but not in terms of quality.

*Moderator:* The Philippines has the same weather as Hawaii. They used to use asphalt. But asphalt does not last long. They call it asfalto. They are now using concrete roads even to the remotest barrio. These roads last very long. Will you consider using concrete for building roads in Honolulu?

*Djou:* It is worth exploring.

*Moderator:* What are the 5 biggest problems confronting Honolulu in the order of their significance and how do you intend to solve them?

*Djou:* The rail, homelessness, ethics, infrastructure, public safety.

*Moderator:* The Federal Transportation Administration

reportedly insists on an Ala Moana rail terminus otherwise it will not give any more money and might even seek refunds for the money it gave. Philippine President Duterte said that if America does not give aid freely without all those preconditions "The Hell with you". I will go to China, Japan, and Russia. Can you not say the same to FTA? To Hell with you, I am going to ask China, Japan, and Russia. (Laughter).

*Djou:* President Duterte's style is not my style. I want to go back to FTA and see if there is another way to get money. I cannot say what President Duterte said. The Federal government has a hold over us.

*Moderator:* If you had your druthers, would you have started the rail project?

*Djou:* No. I did not support this rail system from the beginning. I did not believe that the rail would get the ridership that was estimated.

## SALARY

*Moderator:* Can you live on the salary of a mayor which is about \$165,000 without taking a second job?

*Djou:* Yes.

## OTHER QUESTIONS

Is it proper for a mayor to take a second job or part time job?

What is your solution to the homeless problem?

I only buy the newspaper to check the obituaries to be

sure I am still alive and not reported dead, otherwise I will sue. Honolulu Star Advertiser in its Sunday edition endorsed Mr. Caldwell, calling him the "best bet to tackle city's major challenges". What do you think of the endorsement?

Is it ethical for a newspaper to endorse candidates? How can it be fair in reporting political news?

What is your position on the various city charter amendments, especially the one allowing the mayor to run for 3 terms?

What is your vision for Honolulu?

Do you have an "October surprise" or "November surprise" against your opponent that you are holding back and will unleash it only when it is too late for your opponent to respond?

Do you expect your opponent to have an "October" surprise?

What is the first thing you

would do on your first day in office?

Why should Honolulu voters vote for you?

Why should Honolulu voters not vote for your opponent?

In one word, what is the nicest thing you can say about your opponent?

In one word, what is the worst thing you can say about your opponent?

In one word, describe yourself.

## FOOTNOTES

Flor Martinez, the most popular radio announcer and commentator on Filipino radio in Hawaii, said that this was the best "debate" he had heard and that I can be a moderator on the national stage.

The "debate" was broadcast on Flor Martinez's radio show at KNDI radio, 1270 on the AM dial, on November 3. It can be rebroadcast should there be sponsors.]

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## PHILIPPINE NEWS

# US Swears in New Ambassador to the Philippines

by Matthew Pennington  
Friday, November 4, 2016

Secretary of State John Kerry expressed confidence Thursday that the U.S. relationship with the Philippines can survive recent turbulence as he swore in a new U.S. ambassador to the Southeast Asian nation.

Kerry administered the oath of office to Sung Kim, formerly the chief U.S. envoy for North Korea policy, in a ceremony at the State Department.

Kim, a career diplomat, takes up his new position in turbulent times. Outspoken Philippine President Rodrigo Duterte, who took office in

June after winning a presidential election, has been antagonistic to Washington over human rights criticisms.

Duterte has forged closer ties with China — a blow to the Obama administration effort to forge deeper ties with Asia. He has declared his desire to scale back military engagements with the U.S. and has told President Barack Obama to "go to hell."

But Kerry remained confident about the future of the 70-year alliance between the U.S. and its former colony, "notwithstanding a difference here or there about one thing or another."

"Democratic elections

bring change, and we must have the wisdom to recognize and adjust to that change. But the logic of our alliance and why we have stood together for so long," Kerry said, "are as compelling today as they have ever been."

On Wednesday, Defense Secretary Ash Carter said the U.S. continues to regard the Philippines as an ally but stressed it isn't America's only friend in the region, where Washington has been pushing against China's assertive behavior in the disputed South China Sea.

"Our strategy, however, is strong and isn't dependent upon any single one of our

friends or allies out there. And we have many. And there's a huge demand for us to do more. And the reason for that, quite honestly, just to be direct about it, is that many of them have concerns about Chinese behavior," Carter said during a question and answer session with soldiers at Fort Leonard Wood, Missouri.

Daniel Russel, top U.S. diplomat for East Asia, told reporters in Washington on Thursday that Chinese coast guard, navy and maritime militia vessels continue to be stationed near Scarborough Shoal — a disputed reef off the northern Philippines that China effectively seized in

2012. But he said that some Philippine fishing boats have now been able to fish in the vicinity of the shoal.

China granted that access after Duterte met with President Xi Jinping and other Chinese leaders last month. The Philippine defense secretary said Sunday it is the first time in years Chinese coast guard ships have not harassed and stopped Filipinos from fishing there.

Russel said he hoped it was a step in the direction of respect for the July 12 decision of an international tribunal that invalidated Beijing's sweeping territorial claims in the South China Sea. The ruling said both Filipinos and Chinese can fish at the shoal.

(www.philstar.com)

## US-PH Relationship Does Not Rest on Shoulders of One Individual

by Dan Sioson  
Thursday, November 3, 2016

The United States stressed on Tuesday, November 2, that its relationship with the Philippines "doesn't rest on the shoulders of just one individual."

U.S. State Department spokesperson John Kirby made the statement following Philippine President Rodrigo Duterte's recent tirades against America.

In his latest attack, the Philippine president called the U.S. officials "fools" and "monkeys" for reportedly halting the planned sale of about 26,000 assault rifles to the Philippines due to "concerns on human rights issue."

"Well, because the government isn't — doesn't rest — especially in a democracy, it doesn't rest on the shoulders of just one individual," Kirby explained.

Despite President Duterte's anti-U.S. rhetoric, Kirby reiterated that the United States con-

tinues to have a close relationship with the government of the Philippines.

"Yes, he's the head of state, but there are many agencies in his government, there are many cabinet officials, there are longstanding relationships that we have nurtured over the years with figures in his government, and those relationships are still there and they're still vibrant," the spokesperson added.

Kirby, however, clarified that the United States recognizes Duterte as the duly

elected leader of the Philippine government and that he determines the country's foreign policy.

"The point I was trying to make is that there are institutions in the government that we have good relationships with and we're going to try to continue those relationships, as well as try to develop a good working relationship with him himself," he said.

Asked about the status of the controversial rifle sale, Kirby did not issue any comment.

For the past few months, the Philippine president has been throwing controversial statements against the United States.

In his recent trip to China, Duterte announced that he wanted to cut off the military and economic ties with America to pursue a more independent government policy. He also cursed U.S. President Barack Obama, calling him "son of whore" during this year's United Nations Summit. (www.asianjournal.com)

## UN Renews Call to Counter Culture of Impunity

by Patricia Lourdes Viray  
Friday, November 4, 2016

MANILA, Philippines - The United Nations has warned that crimes against journalists

ran rampant the world over and called for immediate action to secure justice for those who have been attacked or killed in the line of duty.

UN Secretary-General

Ban Ki-moon issued the warning during the observance of International Day to End Impunity for Crimes against Journalists the other day.

The UN chief said con-

crete steps from all countries are necessary to ensure that media professionals are guaranteed space to operate free from harassment and intimidation.

For the past 10 years, 827 journalists have been killed, with only eight percent of perpetrators held accountable, the UN reported.

In the Philippines, a total of 70 killings were recorded from 2006 to 2015.

Of the figure, only five cases or seven percent have been resolved, 58 or 83 percent unresolved, and seven or 10 percent without information received, according to the United Nations Educational,

Scientific and Cultural Organization (UNESCO).

The Director General's Report on the Safety of Journalists and the Danger of Impunity, released on Nov. 2, said eight percent of 827 cases of killings of journalists worldwide from 2006-2015 have been resolved.

Forty percent of the cases are considered "ongoing," meaning that either a police or judicial inquiry is still underway or the cases have been archived or deemed to be unresolved.

In 51 percent of the cases, either no information was received or the member-state in whose jurisdiction the killing occurred sent only an ac-

(continued on page 15)

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## LEGAL NOTES



By Reuben S. Seguritan

## 3 Visa Authorizations Extended Through Dec. 9

their status to H-1B or adjust to permanent residence and meet the demand for healthcare in medically underserved areas where doctors are in short supply.

An extension was also granted to the employment-based 4th preference category visa for non-minister religious workers. This visa grants special immigrant status to professionals and non-professionals working within a certain religious vocation other than being ministers. The extension also includes their accompanying spouses and children. To be eligible, an applicant must have been a member of a religious denomination with a bona fide non-profit religious organization in the US and he must have also have been working in a religious vocation or occupation aside from those that are purely

administrative in nature.

Lastly, extension was granted to the EB-5 Regional Center Immigrant Investor Program (R51 and I51 visa categories). This comes as a welcome development since organizations of business leaders, trade associations and government officials had recently urged Congress and members of the Judiciary Committee to take a second-look at the program.

The EB-5 regional center program grants a green card to foreign nationals who invest in any of the regional centers all over the country. As of October 3, 2016, the USCIS has approved 863 regional centers across the country.

In its letter to the members of Congress, the EB-5 Investment Coalition highlighted the contribution that the program has done especially in turning the wheels of the American economy. According to the

group, the program has created jobs, facilitated growth of vital industries in different parts of the country and essentially, has revitalized communities.

“The program, has facilitated billions of dollars in direct foreign investment into a diverse range of projects throughout the United States and has thereby generated over \$15 billion from 2005-2015, creating well over 100,000 new US jobs in that time,” stressed the coalition.

Unlike the regular EB-5 program which requires the investor to create 10 full-time jobs

in two years, a regional center investor can use the more relaxed requirement of indirect job creation. Furthermore, for regional centers \$500,000 is usually sufficient for investment as opposed to the \$1,000,000 required under the regular EB-5 program making it a more welcoming program to anyone who wishes to invest in a targeted employment area.

**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)

**T**hree visa programs that expired last September 30 were recently extended through Dec. 9, 2016. The visa programs are the Conrad State 30 Program, the non-minister special immigrant religious worker program (SR visa), and the EB-5 Regional Center Immigrant Investor program.

The Conrad 30 program allows state health departments and agencies to recommend the waiver of the 2-year foreign residence requirement for up to 30 foreign medical graduates upon completion of their J-1 exchange visitor program. This waiver allows them to change

### MAINLAND NEWS

## Vargas Trainer Looks to Disrupt Pacquiao's Composure

by Dino Maragay  
Friday, November 4, 2016

**L**AS VEGAS – Manny Pacquiao's whirlwind style, while notoriously effective, makes the Filipino icon vulnerable.

Pacquiao fighting at a frenetic, devil-may-care pace inevitably leaves him open to counterpunches. For the camp of Jessie Vargas, successfully capitalizing on such disadvantage translates to creating chaos in Pacquiao's mindset.

And for Vargas' trainer Dewey Cooper, this is one big dent in Pacquiao's armor.

“He (Pacquiao) has losses. Every fighter who has losses has chinks in the armor,” the well-versed, dreadlocked Cooper told reporters in a roundtable discussion Thursday at Wynn Las Vegas (Friday in Manila).

“Pacquiao's biggest [weakness]? I think his composure is something that we will be able to exploit,” he added.

Asked if he was specifi-



cally referring to Pacquiao's fight with Floyd Mayweather Jr. last year, Dewey answered to the affirmative.

It can be recalled that Pacquiao was giving Mayweather a run for his money in the early rounds of their megabuck showdown until the slick American made adjustments starting the fourth round – using his jab, counterpunching, clinching and movement.

This put Pacquiao out of his rhythm, with Mayweather establishing control and eventually winning.

Pacquiao, according to Dewey, is usually dead-set at

achieving a goal – usually knocking an opponent out – that he is willing to do it at all costs.

Indeed, Pacquiao has a tendency for recklessness whenever his opponent manages to land a solid blow, often tapping his gloves in response.

Now, Vargas, who will stake his WBO welterweight champion on the line Saturday (Sunday in Manila), is out to put Pacquiao's composure to the test.

“We are ready with ways of confusing him,” said Cooper. ([www.philstar.com](http://www.philstar.com))

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PHILIPPINE LANGUAGE



**DAYASADAS**  
By Pacita Saludes

# Eleksion Manen! Intay Amin Agbutos! Pantawentayo A Mangpili Ti Mangituray Kadatayo

**K**umari b u s o

manen dagiti KANDIDATO a papili para iti daytoy a tawen. Saan nga ammo ti ngaliawen nga ikaso, gagayyemdatayo amin. Awan

ti di umalamano ken um-abrasa. Ania ti aramidem? Supapakantayo ida ti isem. Ania nagarud di met mabalin a likudan ida no saantayo a kayat ida.

Agsasaruno dagiti maawat a pangawisda ti panangbutos tayo kadakuada ken mangi-paneknek ti nasayaat a panagserbida ken no ania ti aramidendanto no isuda ti

mapili. Napintas amin dagit wayatda nga aramidem. Dagiti naserbi ken makatulong kadatayo iti nasaysayaat a kasasaad ken nasaysayaat a masagrapp ti pagilian.

Datayo nga agpili met ita ti agpanunot no asino ti inana-maentayo a makapagserbi ti nasaysaat a para kadatayo ken iti komonidad. Okey kokompare, sumalog-tayo amin a mapan agbuto, no ditayo makapan ipatulodtayon

dagiti botostayo iti KOREO, mabalin met. Ditay koma lipipatan a datayo ti mangpili met laeng ti mangpasayaat ti biagtayo ken kasasaadtayo agraman ti komonidad a pag-gargarawantayo. Datayo it ari itoy a panagpili. Datayto ti mangpili ti inana-maentayo a makaaramid kadagiti kasapulan ken pagrarsagkantayo.

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**APPO A KANDIDATO**

Makitami a di mapunas ta isem Amin a masarakam alamanoem Dagiti maasitgam ti abagana pikpikem Ipakitam a naragsakka a gayyem.

Adayoka pay kadagiti ummongan Imam nakatayagen a pumaypayapay Adda met tumakder sumabat kumablaaw Adda met umisem laeng imanatanalpay.

Siguro madlawmo latta met no asino Ti nasingsinged kenka mangsaludo Naginad iyaasidegna paalibtakem Mabalin nga agduadua kenka paganaygayem.

Siimem dagiti isem a pampamarang Iyad-addam nga asitgan sarsaritaan Barbareng mabaliwan pangngeddengna Ket maabukaymo a sika to botosanna!

TRAVEL & TOURISM

## BORACAY RULES 'WORLD'S BEST ISLANDS' LIST

By Rosette Adel

**M**

ANILA, Philippines — Readers of international magazine Condé Nast Traveler recently voted Boracay Island as the Best Island in the World of 2016 after failing to make it in the past two years.



"This itty-bitty island (10-square mile) in the Western Philippines is as close to the tropical idyll as you'll find in Southeast Asia, with gentle coastlines and transporting sunsets. Add in a thriving nightlife scene, and you have one of the top tourist spots in the region," Condé Nast Traveler wrote.

"The aptly named White Beach is Boracay's main draw, with powdery white sand and shallow azure water ideal for swimming and snorkeling," it added.

Boracay only ranked 12th and 13th, respectively in the last two years. However, it now bested other world-famous islands such as Bali, Indonesia (10); Tahiti, French Polynesia (15); and Santorini, Greece (17).

Aside from Boracay, two other Philippine islands made it to the Condé Nast's Top 20 Best Islands in the World list. Palawan ranked second while Cebu landed to the fifth spot in the list.

This is the third time that one of the Philippines 1,107 islands topped the World's Best Island list by Condé Nast readers. Palawan was named the

world's best in 2013 and 2015.

Philippine Department of Tourism in New York representative Zenn Pallugna accepted the plaque of recognition on behalf of the country. The awards night where over 100 awardees were presented was held at the 1 World Trade Center in New York City.

Pallugna said that the international recognition of the country's top island destinations is a big boost to sustained tourism efforts which seek to encourage more travelers to visit the Philippines and experience its beauty and culture.

This year, more than 300,000 travelers took part in the 29th Annual Readers' Choice Awards Survey of Condé Nast to vote for their chosen islands.

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## COMMUNITY CALENDAR OF EVENTS

**FILIPINO BUSINESS WOMEN ASSOCIATION'S 33RD ANNUAL KIMONA BALL & BUSINESS WOMEN OF THE YEAR AWARD PRESENTATION** | November 19, 2016, Saturday | 6:00 p.m. | HAWAII PRINCE HOTEL | Contact: Nancy Walch @ 778-3832 or Elsa Talavera @ 358-8964

**PASKO SA FILCOM** | December 4, 2016 | FILCOM CENTER | Contact 808-680-0451 for details.

**OHANA MEDICAL MISSION IN THE PHILIPPINES** | December 13-Dec. 23, 2016 | Contact: JP Orias @ 387-8297 for further information

## MAINLAND NEWS

## Brown Signs \$15 Minimum Wage Measure into Law

**G**OV. Jerry Brown made history on Monday, April 4, when he signed legislation that made California the first state in the nation to set its minimum wage to \$15 per hour.

"This is about economic justice," Brown said prior to signing the bill at the Ronald Reagan State Building in Downtown Los Angeles, according to the Associated Press. "It's about people. It's about creating a little, tiny, amount of balance in a system that every day becomes more unbalanced."

Under the plan, California's hourly minimum is scheduled to rise from the current \$10 to \$10.50 on Jan. 1, 2017 for businesses with more than 25 employees, \$11 in 2018, and an additional \$1 per year after until 2022. Businesses with 25 or fewer employees have an extra year to comply. The law also allows the governor to temporarily pause the hike depending on economic conditions and budget deficits.

Los Angeles Mayor Eric Garcetti, who approved in 2015 an ordinance to boost Los Angeles' minimum hourly wage to \$15 by 2020, touted the legislation on Monday.

"Today California leads the nation once again, passing a historic minimum wage increase that will help lift millions of hardworking

men and women out of poverty," he said in a statement.

New York on Monday also passed legislation to gradually boost its statewide minimum wage to \$15 an hour. But before the raise is applied statewide, the new minimum will be implemented in New York City first.

"Proud to sign into law \$15 statewide minimum wage and the strongest paid family leave policy in the nation," New York Gov. Andrew Cuomo tweeted after he signed the bill at a labor rally in New York City.

For many Filipino workers, the passage of the law is a victory. Joanna Concepcion, executive director of Filipino Migrant Center, a non-profit organization dedicated to organizing and mobilizing low-income and working-class Filipinos in Southern California, said the group welcomes the passage of laws that would boost the incomes of struggling, hard-working families.

"Many Filipino immigrants in Southern California work multiple jobs in order to place food on the table, pay for health care and other basic necessities on top of supporting family members in the Philippines," Concepcion told the Asian



Journal. "We have seen the detrimental effects this can cause to the health and well-being of many Filipino families and children facing economic hardship."

In the Asian community, one business organization says that the wage is expected to hurt for small business owners, particularly in the short run.

"Going from \$10 to \$15, that 50 percent [increase] for a company or small business [is] a big difference," said Dennis Huang, executive director of the Asian Business Association, a non-profit organization representing Asian American business owners.

One good aspect of the legislation, Huang said, is that the wage increase is mandated statewide, rather than varying in different cities. However, he said he expects that the price of goods for business owners will increase to cover the higher wages, noting that businesses compete on these prices. Huang added that higher wages also equate to increased worker's compensation, which is an additional expense for businesses.

As for the six years businesses are given to pay employees \$15 per hour, Huang said it would have been better if companies had more time to meet the wage requirement.

"I think its a good idea to space it out, but I do think it's a little bit tighter for small businesses. It takes a little time for them to adjust for this," he said.

Other business owners, like financial adviser Cynthia Tan, whose firm is based in Los Angeles, welcomed the new legislation.

"I'm a believer in increasing the minimum wage. I believe in providing benefits. If you take care of your employees they will take care of you," Tan said.

As a financial adviser, Tan

### PHILIPPINE NEWS (from page 12, UN RENEWS ....)

knowledge of receiving the UN Director-General's request.

The figures do not include journalists who, on a daily basis, suffer from non-fatal attacks such as torture, enforced disappearances, arbitrary detention, intimidation and harassment in both conflict and non-conflict situations.

UNESCO also cited specific risks faced by women journalists such as sexual attacks.

Each year, the agency releases a report with the latest facts and figures on violence toward journalists around the world.

According to its report, 2015 was the second deadliest year since 2006, with 115 journalists killed,

including 10 media workers in the unprecedented attack against the French satirical weekly Charlie Hebdo in Paris.

Journalists are also kidnapped, arbitrarily detained, tortured, intimidated and harassed, both on and offline.

Freelance journalists are more vulnerable as they often work without adequate protection large media outlets provide, the UN said.

While the overwhelming majority of journalists murdered are men, this should not obscure the fact that women journalists face additional risks such as gender-based threats, harassment, intimidation, violence and rape, it said. ([www.philstar.com](http://www.philstar.com))

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works with business owners to reduce their taxes. She said that although payroll taxes rise along with higher wages, businesses are able to write it off on their taxes.

"One of the ways of [reducing taxes] is to increase payroll. The bottom line is, when I talk to different business owners, ultimately the question is: Who do you want to pay? Uncle Sam? Or would you rather give benefits to the employees?" she said.

In the state legislature, Filipino-American Assemblyman Rob Bonta (D-Alameda) who supported the move, said the legislation would have a positive effect on Californians living in poverty and on Filipinos residing in the state.

"For small businesses, when minimum wage earners get more money in their pockets, they'll be taking that money and spending it in the economy, at retail stores and at Filipino-owned businesses. It will be good for businesses. But overall, it's more productivity for these workers and employers. It's healthier employees. These are all good things that small business owners should want. The positive outcomes that studies show far outweigh any negative ones. It's a win-win for the state of California," Bonta told the Asian Journal.

([www.asianjournal.com](http://www.asianjournal.com))

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