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HAWAII'S #1 FILIPINO NEWSPAPER

◆ OCTOBER 7, 2017 ◆

## GOP MEDICARE OVERHAUL LOOMS; 4 RATES INCREASE SLIGHTLY

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## EDITORIALS

## Medicare: It's A Social Program, But Market Forces Keep Driving Costs Up

**W**hen looking at changing policies or reforming existing government programs, it's always prudent to look at intention and the philosophy behind why they were created in the first place. Medicare was created in 1965 to provide health insurance for Americans over 65 who at the time found it virtually impossible to get private health insurance. Why? Because it wasn't profitable for health insurers to cover seniors at their most physically vulnerable years. Government stepped in as a moral obligation, a kind of contract government made with its people that health care is a universal right, at least to this segment of society, the elderly. When we look at the intention and philosophy behind Medicare's creation decades ago, obvious questions come to mind: "Has Medicare kept this contract with the people decades later?" "If changes are made to it, would these changes abandon the original intent and philosophy of Medicare?"

Being a large part of the overall American health care system that is in a cost-crisis, Medicare is not immune to the built in financial challenges of healthcare. Medicare is a single-payer system, a social program. But it does not operate or can be administered in a bubble. The cost of Medicare is greatly influenced by the market forces of the larger American health care system, a model predominately privatized, for-profit, and operates under the assumption that austerity is a consequence for those consumers unable to pay. This is not the philosophy behind Medicare. So, what we have then is Medicare as a socialized sub-model trying to remain financially robust under the larger American health care system model that is facing runaway costs.

The web of economic neoliberalism and the financial burdens found in the overall American health care system naturally over time is further placing a financial strain on Medicare. How? Medicare must continue to raise premiums, copayments, annual deductibles and out-of-pocket costs just to remain viable.

In the short term, Medicare can continue its current course of incremental, moderate, price increases. But in the long term, at some point passing off Medicare's operational costs onto its beneficiaries will become unaffordable to the people it serves and break that original social contract.

The future of Medicare is ultimately tied to the future of the larger American health care system. House Speaker Paul Ryan and Republicans' plan for Medicare is to make it more like the rest of the health care system, mimic privatization, slowly, until it has no semblance to what Medicare was intended to be. That is one alternative path for Medicare's future. The other future alternative is for the Medicare model to become the future model of the entire American health care system -- single-payer for all Americans. This idea, once thought of as too radical or unfeasible, is quickly gaining political acceptance, and could possibly be the main platform for Democrats in 2020. Wildly popular Senators Bernie Sanders and Elizabeth Warren are pushing for it; joining them is the new national political rising star and potential presidential candidate Senator Kamala Harris of California, and even Hawaii's own Senator Brian Schatz is backing Medicare-for-All.

Medicare and the American health care system at some point could become too costly. We can continue to seesaw with gradients of privatized and socialized medicine for a few years more until we finally realize it's a failed model. Americans eventually will need to adopt a new model -- maybe one that is completely privatized or completely single-payer. Weaknesses of the quasi-privatized health care model of today is increasingly becoming apparent. The opposite model, a true single-payer system, has yet to be tried.

## FROM THE PUBLISHER

**I**n the past few months we've seen two proposals to revamp our country's health care system that have failed. The latest attempt just last week, the Graham-Cassidy Health Care Bill, fell short of making it to the Senate floor for voting. For now, important health care programs such as Medicare is spared from major changes. But there are a few updates to Medicare that will affect recipients' pocket-books.

For our cover story this issue, associate editor Edwin Quinabo writes about the short-term and possible long-term changes to Medicare that millions of senior and disabled Americans rely on to be able to afford healthcare. The cover story goes over some of the immediate changes -- mostly moderate, incremental increases to parts of Medicare in premiums, deductibles, and out-of-pocket costs. He also details a Republican Medicare legislation backed by House Speaker Paul Ryan that would transform the social program into a voucher system if adopted. AARP Hawaii Director Barbara Stanton and Executive Council Member Toy Arre, as well as national politicians and health policy experts chime in on how Medicare could be affected.

In our Mainland news section, read about the Trump administration's new controversial plan to monitor the social media accounts, internet search history, and interaction of U.S. legal immigrants, naturalized U.S. citizens, permanent (green card holders) lawful residents, and immigrant applicants. The Department of Homeland Security says the new digital tracking system will go into effect on Oct. 18. This collection of social-media interaction is an update to the existing Alien file, known as A-File, that the DHS uses for record-keeping of immigrants. Immigrant activists raise concerns of this new policy saying that it threatens free speech and invades the privacy of not just legal U.S. immigrants but anyone they interact with on social-media. The system, while it is intended to prevent terrorism, could be open to abuse. For example, critics worry that it could target immigrants for their political views or their social media contacts' political views that might have nothing to do with terrorism. The public is also unaware of what kind of information could be used to deny immigrant applicants entry.

In our Hawaii-Filipino news, read about the celebration of Filipino American History Month. There are three exhibits open to the public. The Filipino-American Historical Society of Hawaii presents: Filipino Heroes at UH-West Oahu Library; Sakadas and Soldiers: Hawaii's Filipinos in World War II at Aiea Public Library; and the Sakada Series (three short films) at Aiea Public Library. Bring along your children and help educate them of our history and heritage. Lastly, on Oct. 29, attend Hawaii Eskrima Masters at the FilCom Center that is part of FilCom Sunday Art, Music and History Day.

Please read our other regular columns and informative news. Thank you for supporting your community newspaper. Until next time, *aloha* and *mabuhay!*

*Chona A. Montesines-Sonido*

## Racial Inequity Is the Reason Behind Black Athletes' Protests, Trump Mischaracterizes Athletes as Unpatriotic

**T**he cultural war continues as President Donald Trump launches yet another salvo at another minority group -- this time, targeting the country's black community. The divider-in-chief chose to play white identity politics in Alabama by criticizing NFL players for kneel-



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(continued on page 3)

## NEWS FEATURE

# Trump Issues New Travel Ban with No Expiration Date

The Trump administration unveiled a new Travel Ban to go into effect on Oct. 18. New restrictions will be placed on certain foreigners from Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela and Yemen. The new countries added to the new ban are Chad, Iran, North Korea, and Venezuela.

In most instances, travel will be broadly suspended, while in other cases, travelers will have to undergo enhanced screening and vetting requirements.

For instance, foreign nationals from North Korea are banned, but a student from Iran will be allowed in, subject to "enhanced screening and vetting requirements," according

to the President's new proclamation.

A major point of contention in the original travel ban, in this new ban no current validly issued green cards, visas or travel documents will be revoked.

But unlike the earlier ban, which temporarily limited travel for 90 days, the new restrictions are indefinite and "conditioned based, not timed based," a senior administration official explained on a call with reporters.

The new order additionally provides consular officers with discretion to waive the new restrictions on a "case-by-case basis" if a foreign national demonstrates that denying entry into the US would cause

"undue hardship" and he or she does not pose a threat to national security.

"Making America Safe is my number one priority. We will not admit those into our country we cannot safely vet," President Donald Trump tweeted just after his administration released the details of the restrictions.

The White House called the new restrictions a "critical step toward establishing an immigration system that protects Americans' safety and security in an era of dangerous terrorism and transnational crime."

Acting Department of Homeland Security Secretary Elaine Duke also issued a statement, saying President's proclamation will allow DHS

"to better keep terrorists and criminals from entering our country."

"The restrictions announced are tough and tailored, and they send a message to foreign governments that they must work with us to enhance security," Duke said.

For the last three months, the administration used an executive order to ban foreign nationals from six Muslim-majority countries from entering the US unless they have a "bona fide" relationship with a person or entity in the country. Those nations included Iran, Syria, Libya, Somalia, Yemen, and Sudan.

The President's latest order was met with swift criticism by the same groups that filed law-

suits earlier this year, including the American Civil Liberties Union.

"Six of President Trump's targeted countries are Muslim. The fact that Trump has added North Korea -- with few visitors to the US -- and a few government officials from Venezuela doesn't obfuscate the real fact that the administration's order is still a Muslim ban," said Anthony D. Romero, executive director of the ACLU. "President Trump's original sin of targeting Muslims cannot be cured by throwing other countries onto his enemies list."

The US Supreme Court is set to hear arguments on the legality of the travel ban next month.

## EDITORIALS (from page 2, RACIAL....)

ing during the national anthem. Addressing the mostly all-white crowd, Trump demanded in his typical demagogic fashion that NFL owners fire protesting players, even referring to them crudely as "sons of bitches." Clearly, Trump's criticism was yet another attempt to bind his right-wing base to his hip at the expense of alienating another minority group.

A few NFL players, mostly African Americans and notably Colin Kaepernick, have taken to one knee during the playing of the national anthem in protest of police brutality and unequal treatment under the law. The NFL has accepted this act as a player's right to freedom of expression and speech, a constitutional right of the individual. Trump's recent tirade was an attempt to politicize this act of peaceful protest by mostly Black professional athletes and mischaracterize it into one of disrespect to country, veterans, and the national anthem. It's an old debate: some conservative Americans believe the American anthem and American flag in no way should be used in protest; while some disenfranchised Americans choose to exercise their freedom of expression, protesting in the backdrop of ceremonial nationalism.

Given the history of Trump's treatment of minorities and in the context that most

of the protestors have been doing it to raise awareness of police brutality of Black Americans -- it's hard not to conclude that Trump is back to his old trick of race baiting, even though he claims otherwise. To conservative Americans who urge protestors to do so in some other less inflammatory fashion, they need to be reminded that resistance has always been unnerving and uncomfortable. Rosa Parks challenge of segregation by refusing to go to the back of the bus was more than controversial at the time. Martin Luther King Jr. and the civil rights movement challenged the accepted norms and was met with such anger that it resulted in his assassination.

Peaceful protest is an exercise of true freedom and far more meaningful than symbols of freedom, including the national anthem or flag. The very words in the national anthem "Liberty and Justice for All" -- is precisely what these protestors are fighting for (end to police brutality and equal protection under the law) and demonstrates a deeper understanding of the principles behind the national anthem. Critics who don't get this are placing more importance to the symbol of an anthem and their own personal bias of what patriotism should be. The danger of elevating symbols to "sacred" status is clear. When one

class of Americans believe they can monopolize the meaning behind the symbols and set the parameters of allegiance -- that is the first step towards fascism, and completely counter to freedom. Americans have died to protect this true meaning of freedom, not the symbol of freedom.

The NFL should be commended for protecting players in its league to exercise their right to protest. The 200-some players who knelt or raised their fists in defiance during the anthem following Trump's call to ban such protests were within their rights as Americans and had nothing to do with being unpatriotic.

If debates should arise from this controversy, instead of discussions on whether players should or shouldn't protest during the national anthem, Americans should explore the real issue at hand -- to stop police brutality and ways to improve societal inequalities.

San Antonio Spurs coach Gregg Popovich gave a poignant assessment of what's happening: "Obviously, race is the elephant in the room, and we all understand that. Unless it is talked about constantly, it's not going to get better... There has to be an uncomfortable element in the discourse for anything to change, whether it's the LGBT community or women's suffrage, race, it doesn't matter. People have to be made to feel

uncomfortable, and especially white people, because we're comfortable. We still have no clue of what being born white means. And if you read some of the recent literature, you realize there really is no such thing as whiteness. We kind of made it up. That's not my original thought, but it's true.

"It's hard to sit down and decide that, yes, it's like you're at the 50-meter mark in a 100-meter dash. You've got that kind of a lead, yes, because you were born white. You have advantages that are systemically, culturally, psychologically there. And they have been built

up and cemented for hundreds of years. But many people can't look at it, it's too difficult. It can't be something that is on their plate on a daily basis. People want to hold their position, people want the status quo, people don't want to give that up. Until it's given up, it's not going to be fixed."

Perhaps, it is this uncomfortable reality that Popovich speaks about that makes it far easier for some Americans to accuse Black athlete protestors as unpatriotic and disrespectful rather than examining why they are protesting in the first place.



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## COVER STORY

# Medicare Rates Increase Slightly

## GOP Overhaul Could Change Medicare into Voucher System

By Edwin Quinabo

**M**edicare has seen slight incremental rate hikes since Obamacare became law. In the short term, experts believe premiums, deductibles and copayments are expected to rise in the same moderate pace. But if the political winds blow in favor of House Speaker Paul Ryan (R-Wis.) and Republicans, Medicare could undergo a major overhaul and be turned into a privatized voucher system that places a greater financial burden on the shoulders of beneficiaries.

As it stands now, Medicare beneficiaries are currently responsible for paying premiums for three divided parts of what's called traditional Medicare: Part A (hospital services: annual cost ranges from several hundreds to free), Part B (doctor's visits and outpatient services: average monthly cost \$109.) and Part D (prescription drug costs: average monthly cost about \$34.). In addition to monthly premiums, Medicare recipients must also pay copayments, annual deductibles and out-of-pocket costs. Some beneficiaries purchase Medi-gap plans from private insurers to help supplement medical costs not covered by traditional Medicare Parts A, B, and D. Or an alternative route for some is to purchase Part C Medicare Advantage that provides medical and prescription drug coverage through private insurance companies. Medicare Advantage charges lower premiums

but have higher cost-sharing and more limited choice of providers.

"Currently, Medicare beneficiaries in Hawaii already have a choice between traditional Medicare and private plans. Private health plans in Medicare – called Medicare Advantage plans – offer an alternative to traditional Medicare. In 2015, 112,110 Hawaii residents, a little more than half, were enrolled in Medicare Advantage or other health plans," said Barbara Kim Stanton, AARP Hawaii State Director.

AARP Hawaii's Executive Council Member Toy Arre said there is about 239,880 people enrolled in Medicare in Hawaii.

### Changes in 2017

This year Medicare beneficiaries saw a moderate increase in premiums for Part A (hospital services) coverage. It went up slightly to \$413 from \$411

in 2016. For those who qualify for "free" Medicare Part A coverage (those who already paid Medicare payroll taxes for years), the cost remained free.

For Medicare Part B (doctor visitations and outpatient services), monthly premiums also went up. The monthly cost for individuals making \$85,000 or less went from \$121.80 to \$134; those making above \$85,000 to \$107,000 saw an increase from \$170.50 to \$187.50; rates for those making \$107,000 to \$160,000 rose from \$243.60 to \$267.90; income earners above \$160,000 to \$214,000 saw an increase from \$316.70 to \$348.30; and beneficiaries with individual taxable income above \$214,000 had to pay rates that went from \$380.80 to \$428.60.

Deductibles and coinsurance costs vary according to plans that beneficiaries qualify for. For some beneficiaries that have no deductible, it will remain the same. For others, the



annual deductible for Part B (doctor visitations and outpatient services) went up this year to \$183 from \$166 from 2016. As usual, once a deductible is met, beneficiaries will be responsible for 20 percent of the costs for Medicare-approved services.

"It's a little too early to say what will happen with Medicare premiums and deductibles for 2018 and how those changes will affect people with lower incomes and higher incomes. Actual premiums and costs should come out soon with open enrollment beginning Oct. 15," said Stanton.

Stanton said there is some good news for Medicare Part D, which covers prescription drug benefits. "Last month, the Centers for Medicare and Medicaid Services estimated that the average Part D prescription drug coverage premium is expected to decrease. It's the first decrease in five years. The average basic premium is expected to go down by about \$1.20 to \$33.50 a month, a 3 percent savings over this year. The projected decline is the result of bids that drug plans have submitted for 2018.

The actual amount beneficiaries will pay varies wildly depending on the plan," said Stanton.

### Role of Medicare

Close to 60 million seniors age 65 and older and the disabled rely on Medicare to cover doctor visits, hospitalizations and prescription drugs. Without it, retirement would be financially difficult for millions of Americans. Since its creation in 1965, Medicare has guaranteed certain government paid health coverage. Today, it's the second largest social insurance program in the U.S. and has an annual expenditure in the billions. In 2016, the total annual expenditure was \$679 billion, the latest data shows from the Centers for Medicare and Medicaid Services. Medicare also funds some medical nursing facilities and rehabilitation centers.

Given its life-enhancing importance for the most vulnerable sectors of society, Medicare remains widely supported even in today's anti-federal government intrusion environment. According to a Kaiser poll, 77 percent of respondents believe Medicare is a "very important" program.

The big dilemma is keeping Medicare financially robust enough to have it to continue working for millions of Americans into the next generations

(continued on page 5)

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## COVER STORY

*(from page 4, MEDICARE...)*

-- this is what Congress and the Trump administration will explore in the coming years.

President Donald Trump promised older voters during his campaign that Medicare would remain intact. "Every Republican wants to do a big number on Social Security. They want to do it on Medicare. They want to do it on Medicaid. And we can't do that," he said at a New Hampshire rally during the primaries. "It's not fair to the people who have been paying in for years."

On this issue, the president sets himself apart, at least for now, from the Republican establishment calling for major Medicare reform.

### How the GOP wants to change Medicare

"Because of Obamacare, Medicare is going broke," Speaker Ryan said. "For those of us in the younger generations, it won't be there for us if we stay on the current path."

Medicare accounts for 15 percent of the federal budget and is expected to grow as the number of beneficiaries rises. Enrollment is expected to go up as the large Baby Boomer generation retires; but enrollment could drop in future generations with a smaller population base.

Contrary to Ryan's claim, experts say Obamacare has extended the life of Medicare by slowing the growth of spending and cracking down on fraud, waste and excessive payment. Medicare annual cost increases between 2010 and 2015 were 1.4 percent while private insurance in the same period rose more than double that at 3.0 percent.

As far as Medicare's financial strength, according to the 2017 Medicare Trustees report, Medicare is able to pay all its bills through 2028, in part due to Obamacare. The Affordable Care Act or Obamacare has also helped beneficiaries save on prescription drugs. Between 2010 and 2015, nearly 11 million Medicare beneficiaries saved \$20.8 billion on prescription drugs, an average of \$1,945 per person.

Under Ryan's plan,

Medicare would go from the current benefit program to a contribution program. The guaranteed benefits package coverage that Medicare beneficiaries currently have would be replaced by a "premium/voucher support" system. Under this new system, the government would give beneficiaries a fixed dollar amount that must be used to shop for coverage from private health insurers in a new Medicare exchange.

Ryan and Senate Majority leader Mitch McConnell (R-Ky) would also want to raise the Medicare eligibility age from 65 to 67.

The fixed dollar amount or government subsidy is based on the Medicare recipient's income. The less taxable income a recipient has, the bigger the subsidy. If a recipient chooses a plan that costs more than the government subsidy, the recipient must pay the difference.

Consumer groups such as AARP and Democrats oppose Ryan's plan citing numerous problems. Health care policy expert Henry Aaron of the Brookings Institution who formerly supported Ryan's plan had changed his position saying it would be dangerous and foolhardy to switch to vouchers. "When the fact changes, I changed my mind," he said.

"What you've got here is a group of people who are very sick, poor, and often cognitively impaired one way or the other," said Aaron. "Tossing people like that into a health care marketplace and saying, 'Here, go buy some insurance,' is a recipe for problems."

Experts say Ryan's approach would erode much-needed coverage and shift costs to many who live on fixed incomes. While lower-income recipients would receive greater subsidies, it is unlikely to keep pace with rising costs of insurance. This would lead to health rationing -- recipients going without needed medical care due to an inability to pay for increased out-of-pocket costs.

Stanton said "AARP is



strongly opposed to a voucher system. Since its inception over 50 years ago, the Medicare program has provided people on Medicare with a guaranteed set of benefits. Some in Congress want to replace those guaranteed benefits with a fixed dollar amount that beneficiaries would use to purchase private insurance. This approach, we call it a voucher system, could shift more costs to Medicare beneficiaries over time, when many simply cannot afford to pay more for their health care.

"About 19 percent (or 268,118) Hawaii residents are between the ages of 50 to 64 and will transition into Medicare over the next 15 years. These people will likely pay higher out-of-pocket costs in a voucher system.

"Their premiums could also rise as younger and healthier people enroll in the separate voucher system, leaving an older and more expensive pool of people covered by Medicare."

Stanton added "Seniors with chronic health conditions or who have a disability rely on Medicare for needed health care services. Many Hawaii residents with Medicare already pay substantial out-of-pocket costs and would have difficulty absorbing higher health care costs that would likely accompany a voucher system, making it more difficult for them to access necessary care."

In 2014, about 69,504 (or

considering restricting access to some medicine for mental illness. Certain treatments for depression, schizophrenia, bipolar disorders and other mental illnesses could be dropped from Medicare Part D. Or patients could be forced to try older treatments that are less costly for insurers but also less effective medically.

Another proposed change to Medicare is cutting home health reimbursement by \$80 million in 2018 and a whopping \$950 million in 2019.

Senate Finance Committee Chairman Orin Hatch (R-Utah) who heads the committee that oversees Medicare, has called for "real reforms" to ensure the program is not "condemned to bankruptcy."

House Minority Leader Nancy Pelosi (D-Calif) blasted Republican plans and vowed to block an overhaul.

Jon Ann Jenkin, AARP CEO said "Older Americans strongly believe that we must protect and strengthen Medicare for seniors and future generations. It's imperative that the Centers for Medicare & Medicaid develop and test new ways to deliver care that both reduce cost and improve health outcomes. Congress should continue investing in preventing waste, fraud, and abuse to help maintain the integrity of Medicare."

"AARP remains strongly

*(continued on page 6)*



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## COVER STORY

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opposed to any health care proposal that reduces the tax credits to help people afford coverage, increases costs for older Americans, or that weakens protections for people with pre-existing conditions,” said Jenkins.

**Fate of Medicare tied to Obamacare**

One policy strategy that could jeopardize Medicare benefits is if changes to Medicare is tied to the repeal and replacement of Obamacare. Even though Trump’s American Health Care Act failed in 2017, consumer advocates warn of its future passage.

“AARP calls on Congress to move away from talk of repeal and instead focus on stabilizing the insurance market. Committing to paying for cost-sharing reductions for consumers and improving risk mitigation programs, such as through reinsurance, are two options that will help strengthen the ACA (Obamacare) markets and reduce premiums,” said Jenkins.

Stanton said “We want to make sure the age rating established in the ACA is not raised. It’s a 3 to 1 ratio now. That means a 64-year-old who is not yet Medicare eligible cannot be charged more than three times the premium of a 21-year-old with the exact same health insurance plan. The ACA repeal and replace bills would have raised that ratio to 5 to 1 or higher and tax credits to help low in-

come people pay for higher premiums would have been reduced for many, leading to what we called an Age Tax.

“People with pre-existing conditions should also be protected and still be able to get insurance. AARP will fight to ensure that any legislation to change the ACA protects Medicare, lowers prescription drug prices, stops insurance companies from overcharging older Americans and protects older Americans’ ability to live independently,” said Stanton.

Arre shared a story of one of AARP Hawaii’s volunteers. “Anna Filler had a health scare recently. A mammogram revealed a lump in her breast. Medicare helped pay for a biopsy, which thankfully came out negative. Because of changes in Medicare through the Affordable Care Act, preventive tests like mammograms are free. Those mammograms are especially important to Anna and people in similar situations. Because of her scare, she’ll need to make sure she gets regular mammograms.”

On preserving parts of the Affordable Care Act, Arre said “We also need to preserve changes in the Affordable Care Act that helped extend Medicare solvency rather than repealing them. These include savings from provider payments and Medicare Advantage plans, the 0.9% Medicare Part A payroll tax on earnings of higher-income workers (incomes more than \$200,000/in-

dividual and \$250,000/couple), and the fee for the Part B trust fund on the manufacturers and importers of branded drugs. Together, these provisions of the health law have improved Medicare’s fiscal outlook without harming beneficiaries.”

**Savings by Reducing Prescription Drug Costs**

Opponents of Ryan’s plan say one option that would reduce the cost of Medicare is giving the program the authority to negotiate prescription drugs directly with drug companies. This could save the federal government \$1 out of every \$6 Medicare spends. Lowering high drug prices is one of the biggest cost-savings measures to keeping Medicare costs down.

“Drug prices are a major factor in health care inflation. The rising costs for drugs that are needed for people to survive also take a bite out of the budgets of seniors,” said Arre.

Stanton said “We would like to see further reductions in prescription drugs costs by continuing to close the Medicare Part D donut hole and taking further steps to reduce costs, which are out of control (in 2015, retail prices for 268 brand name prescription drugs widely used by older Americans increased by an average of 15.5 percent); and maintaining a strong combination of insurance market reforms, broad risk-pooling, restrictions on gender discrimination, subsidies, and cost-sharing limits are

***“We need to preserve changes in the Affordable Care Act that helped extend Medicare solvency rather than repealing them. Drug prices are a major factor in health care inflation. The rising costs for drugs that are needed for people to survive take a bite out of the budgets of seniors.”***

***— Toy Arre, AARP Executive Council Member***

needed to make coverage affordable and accessible.”

AARP’s Jenkin agrees that giving the Secretary of Health and Human Services negotiating power on behalf of Medicare could reduce costs.

Jenkins also supports other changes: “Any discussions on improving the health care law must include solutions to the problem of unsustainable prescription drug costs. AARP supports a range of steps to achieve this goal.

“Allowing safe importation of lower-priced drugs, reducing the amount of market exclusivity for biologic drugs, prohibiting pay-for-delay deals between brand and generic drug manufacturers, and demanding greater transparency in prescription drug pricing,” said Jenkin.

The cost of prescription drugs is increasingly becoming too high even for seniors on Medicare. An AARP survey found that “19 percent of us (Medicare recipients) using prescription drugs are skipping taking drugs or cutting it in half to reduce cost.”

While drug companies defend their high prices to financial investments, research and development of drugs, critics say drug companies spend far too much on lobbying and marketing. Drug companies spend more than \$24 billion annually on lobbying and marketing compared to \$2.6 billion over 10 years for the development of a new drug. Drug companies enjoy some of the highest profit earnings of all indus-

tries. An example: Amgen’s operating profit margin is 42.6 percent and Johnson & Johnson is 29.4 percent, while the average S&P 500 company operating profit margin is 10.4 percent.

**Still Too Expensive**

While the Ryan-Republican overhaul is not an acceptable choice to Americans knowing they would shoulder a larger burden of Medicare costs and pay more, a growing number of Americans are finding that Medicare, as it is now with slow incremental increases, is already becoming unaffordable.

The monster of rising healthcare costs ultimately will devour even Medicare if the entire health care system is not changed dramatically. One seemingly radical approach that some experts are starting to think is unavoidable is a single-payer system or Medicare-for-All to drive down costs through massive buy-ins of every American into the health system. Sen. Bernie Sanders recently introduced a Medicare-for-All bill in the Senate. Increasingly more progressive Democrats are jumping on this bandwagon and some political forecasters see this issue as being one of the major platforms for Democrats wanting to retake the White House in 2020.

Medicare-for-All or a single-payer system is still perceived as a far-fetched idea to many in the medical establishment that they haven’t formulated a public opinion on it this early.

## Hawaii Filipino Chronicle

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## WHAT'S UP, ATTORNEY



By Atty. Emmanuel  
Samonte Tipon

# Does Marrying U.S. Citizen While Alien is in Removal Proceedings Automatically Save the Alien?

**M**any aliens (including a number of immigration lawyers) believe that marrying a U.S. citizen while they are in removal proceedings will automatically save them from removal. In immigration, there is no such thing as “automatic”.

A Filipina in Hawaii was advised by the lawyer (not Filipino) of a Filipino under removal proceedings to marry the Filipino in order to save him from removal. She did. The Filipino was deported anyway. The Filipina was crying and blaming the lawyer for misleading them. Apparently, the lawyer did not have a strategy for using the marriage option. Very recently, a couple from an Asian country (not the Philippines) had used a lawyer (not Filipino) in an I-130 petition by a U.S. citizen wife to save her husband in removal proceedings but USCIS issued a Notice of Intent to Deny on the ground, among others, that the petitioner had not asked for an exemption from the prohibition against the approval of a visa petition for an alien if the marriage creating the relationship occurred while the alien was in removal proceedings.

If you wish to try and save an alien from being deported using the marriage route, here is the strategy:

1. Determine the ground for removal. If it is for an aggravated felony as defined in INA § 101(a)(43) (such as, murder, sexual abuse of a minor, illicit trafficking in a controlled substance, or a crime of violence for which the term of imprisonment is at least one year), stop here. Committing an aggravated felony is a mandatory ground for removal. Marrying the alien will not save such alien.

2. If the ground for re-

moval is not for an aggravated felony, the U.S. citizen can marry the alien in removal proceedings provided the marriage is bona fide. Consider, however, that if the alien is in jail, it is well-nigh impossible to obtain permission from jail authorities for the inmate to be married. If the U.S. citizen and the alien met after the alien was placed in removal proceedings, it is more difficult to establish bona fides than if they had met before the alien was placed in removal proceedings.

3. After the marriage, the U.S. citizen should then file a Form I-130 petition for the alien relative with the USCIS. There is a general prohibition against the approval of a visa petition filed on behalf of an alien if the marriage creating the relationship occurred while the alien was in removal proceedings. 8 CFR § 204.2(a)(iii). However, the petitioner should make a written request for exemption stating the reason for the exemption and eligibility for the exemption. The request should be submitted with the Form I-130. 8 CFR § 204.2(a)(iii)(A).

The petitioner should also submit documents to establish that the marriage was entered into in good faith and not entered into for the purpose of procuring the alien's entry as an immigrant. Such documents may include, but is not limited to: (a) documents showing joint ownership of property, (b) lease showing joint tenancy of a common residence, (c) documentation showing commingling of financial resources, (d) birth certificates of children born to petitioner and the alien, if any, (e) affidavits of third parties with knowledge of the bona fides of the marital relationship, (6) any other documentation which is relevant to establish that the marriage was not entered into in order to evade the immigration laws of

the United States.

The test of a bona fide marriage “is that the two parties have undertaken to establish a life together and assume certain duties and obligations.” *Lutwak v. United States*, 344 U.S. 604, 611, 73 S. Ct. 481, 486, 97 L. Ed. 593 (1953); *United States v. Diogo*, 320 F.2d 898 (2d Cir. 1963). The marriage is a sham if the bride and groom did not intend to establish a life together at the time they were married.

*Bark v. INS*, 511 F.2d 1200 (9th Cir. 1975).

USCIS will schedule an interview for the petitioner and the alien. The interview will focus on the bona fides of the marriage. The parties may be subjected to a “Stokes interview” (separate interview of each of the parties with the same questions asked and comparing their respective answers to check for discrepancies). See *Stokes v US, INS*, 393 F. Supp. 24 (SDNY 1975). For Stokes interview questions, see <https://search.yahoo.com/search?p=stokes+interview+questions&ei=UTF-8&fr=chrff24>

The alien should ask the Immigration Judge to continue the removal proceeding on the ground that there is a prima facie approvable I-130 petition that has been filed for the alien. See *Benslimane v. Gonzales*, 430 F.3d 828 (7th Cir. 2005). See also *Matter of Hashmi*, 24 I&N Dec. 785

(BIA 2009).

4. The I-130 petition is approvable if the petitioner establishes eligibility for the exemption (that the marriage is bona fide) by “clear and convincing evidence”. See INA § 245(e)(3).

5. If the I-130 petition is approved, the alien may file a Form I-485, Application for Adjustment of Status with the Immigration Judge. There is no guaranty that the Judge will approve it. The alien must establish that he is eligible for adjustment of status as a matter of discretion. The alien could cite the factors in determining eligibility for cancellation of removal (*Matter of C-V-T*, 22 I&N Dec. 7 (BIA 1998) to establish eligibility for adjustment of status. The alien might consider requesting the Immigration Judge to administratively close the removal proceedings in order that the Form I-485 could be filed with USCIS. There is authority to the effect that a Form I-485 could be filed with the USCIS simultaneously with the Form I-130 with a copy of the Form I-485 furnished the Immigration Judge.

See *Benslimane v. Gonzales*, 430 F.3d 828 (7th Cir. 2005).

6. If the I-130 petition is denied, the petitioner may appeal to the Board of Immigration Appeals. 8 C.F.R. § 204.2(a)(1)(iii)(E).

7. If the BIA dismisses the appeal, the petitioner should consider filing a petition for declaratory judgment to determine the validity of the marriage with the proper U.S. District Court. See *Stokes v US, INS* 393 F. Supp. 24 (SDNY 1975).

**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: American Savings Bank Tower, 1001 Bishop Street, Suite 2305, Honolulu, HI 96813. Tel. 808 225 2645 E-Mail: [filam-law@yahoo.com](mailto:filam-law@yahoo.com). Websites: [www.MilitaryandCriminalLaw.com](http://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.

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By Emil Guillermo

October is Filipino American History Month for a number of reasons, but probably not because it's my birthday month. The Filipino American National Historical Society chose October because it's the month when the first Filipinos are said to have landed in California, at Morro Bay, Oct. 18, 1587.

16th-century Filipinos in America? Yes.

So do the math. That's 33 years before the Pilgrims, and 20 years before Jamestown.

And if you doubt that, here's some scholarship. The landing site has five stars on Yelp. <https://www.yelp.com/biz/landing-of-the-first-filipinos-historical-landmark-morro-bay>

Of course, after this year, October will also be remembered for another historical reason: the worst gun massacre in modern U.S. history.

And now we have a five-star person of interest.

An Asian American, Marilou Danley.

I saw her face and I knew instantly. From the police-provided picture to the glamour shots on her social media pages.

Danley is an Asian American of Filipino descent.

Technically, she was a Filipino who had an Australian passport, but she was married to an American and lived in the U.S. in Tennessee, Arkansas and Nevada for many, many years.

But of her Filipinoness, was there any doubt? It wasn't the surname. It was the first. Marilou?

Marites, Marivic, the Mari-X prefix was a dead giveaway.

But let's be clear. She's not guilty. She's just the Las Vegas gunman's girlfriend.

Danley, 62, lived with Stephen Paddock, the man who stood on the 32nd floor of

the Mandalay Bay hotel and opened fire on more than 20,000 country music fans gathered across the way at the Route 91 Harvest festival.

Danley was far from there and somewhere in Asia. The Philippines, reported CNN. Law enforcement said Tokyo at a news conference later in the day.

Danley's not a suspect, just a person of interest. But she is probably the best lead to understanding why Paddock did what he did.

That's the puzzling thing. Why does Paddock, a retired accountant with a fondness for gambling and guns, open fire on Vegas country music fans?

No one has been able to figure out a motive.

Danley may help to provide clues.

She's a self-described casino professional who has lived in both Reno and Las Vegas. On Facebook, she calls herself a "proud mom and grandma who lives life to the fullest."

Does a picture visiting a niece in Dubai depict anything more than a Filipina visiting her relatives forced to find work overseas? It's a common plight for Filipinos unable to find jobs in the Philippines. But was there some other connection?

Late Tuesday, The New York Times reported the FBI is scrutinizing Paddock sending thousands of dollars to the Philippines. That's not necessarily suspicious. Filipino families regularly send back dollars into the peso economy. But one-hundred thousand dollars coming from the perpetrator of the largest gun massacre in U.S. history is definitely worth a second look.

We still haven't heard from Danley. Could there have been domestic despair at Chez Paddock/Danley in the 55-plus retirement community in Mesquite, Nevada?

While we wait for officials to question Danley, the debate no one seems to want again resurfaces.



Marilou Danley

### Gun Control

I thought Sandy Hook was our last best chance for gun control. Innocent children shot to death before Christmas 2012?

But that hasn't brought any sanity to the gun debate.

While the number of Americans owning guns is down to about 32 percent, the average owner has a larger than ever stockpile of eight guns, according to NBC News.

NBC also reports 17 gun massacres since the 1960s.

But only two (Orlando and San Bernadino) had links to any sort of international terrorism.

Asian Americans already have a significant place in U.S. gun massacre history. Remember Virginia Tech?

But here's an interesting stat that came out as the debate ramps up again.

Mother Jones took gun ownership data and compared it to gun deaths by state.

It's plain to see: More guns = More gun deaths.

Wyoming was the worst, with about 65 percent of households owning guns, and nearly 20 gun deaths per 100,000.

Most states were somewhere around the middle.

Georgia, where more than 40 percent of households own guns, had about 13 gun deaths per 100,000.

Nevada has more than 30 percent of households with guns. It's one of the highest, with nearly 16 gun deaths per 100,000.

If we want to limit gun deaths, we should limit guns.

Perhaps it's a coincidence,

but five of the six most Asian American states rank among the lowest in gun ownership and gun deaths.

Hawaii leads the way with only 10 percent of households owning guns, and fewer than 4 gun deaths per 100,000.

California, the most populous Asian American state, was also much lower than the majority of states with just 20 percent of households owning guns. It had under 10 gun deaths per 100,000.

The chart is a moral guide: Fewer guns mean fewer gun deaths.

We should be more like Hawaii.

### Debate Means Talking to Each Other

Moments of silence are too easy. In an attempt to reach for some higher meaning, the silence (especially in Congress) only highlights the fact that nothing is being done.

A higher form of nothing is still nothing.

But even Trump was somber in his response to the Vegas massacre, quoting scripture and avoiding calling anyone "a son-of-a bitch."

Trump knows even his country music-loving base was stunned by this massacre.

So maybe we're ready for a real debate.

It does mean we'll have to talk to one another.

I have a business where I talk to people all over the country.

One man recently told me he asked his congressman to put a bounty on the head of members of Antifa the antifascist protest organization.

He wasn't joking.

Instead of taking offense, I diffused it with a joke, because politics wasn't part of our business discussion.

In a different setting, I'd challenge him. But, of course, it would end up alienating him, and we'd both hang up in unison. Not exactly the unity we seek.

Lost would be the opportunity to gain his trust, under-

stand him, or even change his mind, let alone the opportunity to do business.

So we've kept talking, and yesterday, we talked again.

At literally the end of the day, after hours of news and revelations, we were both sad. And tired.

The Second Amendment, pro-gun, pro-hunter, small government conservative had nothing to say.

We pushed on with our business, working together, but we both understood one thing. Something had to be done. And that for once, what happened in Vegas shouldn't stay in Vegas.

Already, I'm seeing a similar reaction among some in the camo country crowd. People say they wonder about their blind allegiance to the NRA and to a conservative Second Amendment approach. No one is saying if we armed the concertgoers, everyone would have been safer. Nevada is one state with the fewest gun restrictions and an open carry law to boot.

Maybe this time, people once polarized can see the gun issue more clearly. It's not Orlando. It's not San Bernadino. It's fun-loving, cowboy hat-wearing people like themselves. Men, women, children.

And there they were exposed to Paddock's automatic weaponry and the sounds of combat on the Strip.

Maybe the staggering amount of carnage will finally be enough to tip the debate and make us all realize that surely, there's no reason to continue this war amongst ourselves.

More than ever, stronger gun control, especially when it comes to conversions of semi-automatic weapons, must be made a priority.

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. Listen to his podcast: *Emil Amok's Takeout* <http://emilamokstakeout.libsyn.com/website>

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# Celebrate Filipino American History Month

The community is invited to learn about Filipino history, heroes, and the Sakadas in three exhibits in honor of Filipino American History Month this October. The exhibits are presented by the Filipino-American Historical Society of Hawaii. Also this October, the FilCom Center, the Waipahu Community Association, Hawaii Council for Humanities and the UHM Office of Multicultural Student Affairs presents Hawaii Eskrima Masters.

## Filipino Heroes

October 1-31, 2017, during library hours

UH – West Oahu Library, 91-1001 Farrington Highway, Kapolei

Three exhibits about the forgotten Hawaii Filipino military and labor movement heroes and Philippine heroes, Jose Rizal and Apolinario Mabini. This exhibit is cosponsored by the Knights of Rizal – Hawaii Chapter and the UHM Office of Multicultural Student Services.

## Sakadas and Soldiers: Hawaii's Filipinos in World War I



October 17-31, 2017, during library hours

Aiea Public Library, 99-374 Pohai Place, Aiea

An exhibit honoring the U.S. Army and Navy service of Filipino plantation workers during World War I. Of the 10,000 men and women of Hawaii who served during World War I, 4,000 were sakadas (Filipino plantation workers). Who were these sakada soldiers? Why did so many serve although they made up less than 8% of the total Hawaii population in 1916?

This exhibit is cosponsored by the UHM Office of Multicultural Student Services.

## The Sakada Series

Saturday, October 21, 2017, 10:30 a.m.-12:30 p.m.

Aiea Public Library, 99-374 Pohai Pl, Aiea

The Sakada Series (35min) is a series of three short films capturing the personal stories and successes of the sakadas and of the Filipino-American second-generation. Sakadas are Filipino contract workers who immigrated to Hawaii between 1906-1946 to work as laborers for Hawaii's sugar and pineapple plantations.

The first film, A Sakada Story, highlights the life story of Cipriano Erice, who immigrated to Hawaii in 1946 to

work as a laborer for the Waialua Sugar Plantation. The second film, Living Treasure (10min), highlights the life story of Angel Ramos, who also immigrated to Hawaii in 1946 to work as a laborer for the Kahuku Sugar Plantation. The third film, Filipina (15min), highlights the life story of Apolonia Agonoy Stice, a second-generation Filipina American, who grew up in the pineapple plantation town of Lanai City in the 1940's.

There will be a Q&A session and light refreshments after the films. Website: [thesakadaseries.com](http://thesakadaseries.com) | Facebook: [thesakadaseries](https://www.facebook.com/thesakadaseries) and [asakadastory](https://www.facebook.com/asakadastory) This film series is cosponsored by the Mayor's Office of Culture and the Arts – Honolulu, Atherton Family Foundation, and Boutique de Voile.

## Hawaii Eskrima Masters

Sunday, October 29, 2017, 3:00 – 6:00 p.m. Filipino Community Center, 94-428 Mokuola Street, Waipahu

The premiere presentation of the final cut of Masters of Eskrima is part of FilCom Sunday Art, Music and History Day event. Hawaii Masters of Eskrima is a project documenting several of Hawaii's masters who laid the foundations for and have been influential in today's practice of eskrima in Hawaii and abroad. While eskrima -- a Filipino martial arts also known as kali or arnis -- has gained popularity in the U.S. and around the world, Hawaii's contribution has often been neglected. Nine Oahu eskrima schools from Beretania, Ewa, Halawa, Kalihi and

Waipahu are featured in Hawaii Masters of Eskrima.

This event is in collaboration with the FilCom Center, the Waipahu Community Association, Hawaii Council for the Humanities, and UHM Office of Multicultural Student Affairs.

For more information, call 277-9538 or email [fah-soh808@gmail.com](mailto:fah-soh808@gmail.com).

## Maui's Fil-Am History Month Kicks Off

Maui officially kicks off the month of October as Filipino American History Month with a flag raising ceremony led by Maui Mayor Alan Arakawa and the County of Maui along with the Maui Filipino Chamber of Commerce Foundation on Tuesday, October 2 at 10:00 am in front of the County Building at 200 S. High Street.

In 2008, the Hawaii State Legislature passed Act 15, 2008 which established October as Filipino-American History Month to "commemorate the contributions of Filipino-Americans to the history and heritage of Hawaii and the United States."

"I invite all residents to attend the Maui Fil-Am Heritage Festival to discover the cultural diversity that makes Maui a special place to work, play and live," said Mayor Arakawa.

"The Maui Filipino Chamber of Commerce Foundation is appreciative of Mayor Alan Arakawa and the County's support in celebrating the month of October as Filipino-American History Month," said Sharon Zalsos, president of the Maui Filipino Chamber Foundation. "We look forward to sharing our Filipino-American history, heritage, and culture with all of Maui County."

After the brief formal program, entertainment will be provided by La Galeria: Compania Baile Filipino and food samples will be provided by the restaurants who will be at the Maui Fil-Am Heritage Festival: CAA Market Place, Central Mini Mart, Lea's Halo Halo, Paradise Supermart Fast-food & Catering, R.M. Mini Mart, Randy's Catering & Fastfood, and Vidad's Local Kine Grindz.

# Pacita Saludes Receives UFCH Sr. Lifetime Service Award

The United Filipino Council of Hawaii (UFCH) recently awarded the Juan Dionisio, Sr. Lifetime Service Award to Pacita Cabulera Saludes at the UFCH 59th Progress Awards Gala Night on July 26 at the Pacific Beach Hotel, Grand Ballroom.

Besides being a well-known published writer in Iloko, Saludes has given much of her time and commitment in bettering Hawaii's Filipino community.

She founded Gumil Hawaii in January 16, 1971 along with other writers and individuals in the communications and media industry in Hawaii. Saludes, a new immigrant at that time, became



Pacita Cabulera Saludes

the first GUMIL Hawaii president and served in that position until 2005. The goals and objectives of Gumil Hawaii are to promote the Iloko dialect through study, publishing in Iloko, and inculcating the value of the native dialect to Ilocanos and all who are interesting in learn-

ing Iloko. It also aims to develop and advance Iloko literature and enable writers to compile their literary works for publication.

Saludes also was the founder of Annak ti Kailokuan iti Amerika (son and Daughters of Kailokuan (AKA).

One of Hawaii's most distinguished authorities in Iloko, Saludes keeps our community informed on local and community news by writing in Iloko as a columnist-writer in the Hawaii Filipino Chronicle. She has been writing for the paper for over 15 years.

Saludes was born in Badoc, Ilocos Norte and obtained her Bachelor's degree in Education.

## PHILIPPINE NEWS

# Trillanes Claims Duterte Has Questionable Wealth Amounting to P2 Billion

by Audrey Morallo  
Tuesday, October 3, 2017

**M**ANILA, Philippines — President Rodrigo Duterte and his family have more than P2 billion of questionable wealth in their bank accounts, according to Sen. Antonio Trillanes IV, as the senator continues to challenge the chief executive to sign waivers that would allow the scrutiny of his bank transactions.

Trillanes also reiterated his call for the president to sign a waiver that would pave the way for the probe of these accounts which could prove Duterte's guilt or innocence.

"Para malaman kung totoo ito o hindi at para malinis mo yung pangalan mo dun sa mga naniniwala pa sa'yo na hindi ka kurakot lalo na yung mga sundalo at PMAer, yang mga sundalo na sinusubo mo ngayon

dyan sa gyera sa Marawi," he said in a privilege speech on Tuesday.

"Ipakita mo na hindi ka kurakot. Pirmahan mo ang waiver."

Trillanes alleged that the president's supposed accounts had 13 deposits of P50 million or more every April and October from 2006 to 2015.

"Hindi po ito kampanya. Hindi po ito campaign funds. Hindi rin po ito yung sinasabi niyang college student pa lang siya meron na siyang P3 million. Itong flagged accounts na ito nagsimula ng 2006 up to 2015," Trillanes said on the Senate floor.

There were also 21 transactions involving the deposit of between P40 and P50 million during the said period, according to the senator.

"Ang highest amount of transaction in a single day ay

P193 million. Ito ay nangyari noong Oct. 7, 2013," he said.

Trillanes also bared that a certain Samuel Cang Uy, whom he described as a close friend of the Duterte family, deposited at least P10 million in the bank accounts of his children and partner Honeylet Avanceña every six months.

This happened for a period of more than two years and totaled P118 million, according to Trillanes, one of the fiercest critics of the president since last year's national election campaign.

Duterte, a former Davao City mayor, also bought insurance worth P20 million for each of his four children, for a total of P80 million, on April 1, 2014.

He bought these using actual cash, according to the senator.

The total amount of these

transactions from Sept. 2006 to Dec. 2015 was P2 billion, which, according to Trillanes, was highly questionable since Duterte was just the mayor of Davao City then and did not have any business.

"From Sept. 2006 to Dec. 2015 total amount of credits ay tumatangingting na mahigit na P2 billion. Yan po ang pera ni Mr. Duterte," said the senator.

He also mocked the president's vow before soldiers that he would allow himself to be shot should more P40 million was found in his bank accounts.

"Kung makikita ito ng mga sundalo M-16 na machine ang gagamitin sa'yo kasi marami ito kasi mauubos yung magasin kung P40 million ang hinahanap mo," Trillanes said.

Trillanes has been a thorn in the side of the president since last year when he accused Duterte of owning P211 million in an account in the branch

of the Bank of the Philippine Islands in Julia Vargas, Pasig City.

He has also accused a president's son and son in law of owning hundreds of millions of pesos in several local banks, a claim they denied.

The president has also turned the table on the senator and claimed that he had several offshore accounts.

Trillanes was able to disprove that he did not have a DBS account in Singapore, and Duterte later admitted "inventing" the account number supposedly to fool the senator.

More recently, the chief executive claimed that Trillanes had closed his DBS account online before he went to Singapore to dispute his claims.

However, a spokesman for the Singapore bank said that closing one's account online was not possible as this should be done at the home branch.

(www.philstar.com)

## HAWAII-FILIPINO NEWS

## Hawaii Educator Ernest Libarios Jr. Dies at 47

**H**awaii educator and Filipino community leader Ernest "Niki" D. Libarios Jr. died on Aug. 19 due to liver failure. Libarios, director of the Office of Student Academic Services at the University of Hawaii at Manoa, was 47.

Libarios was active in Filipino organizations and helped at-risk youth and students underrepresented in higher education. Before his employment at UH Manoa, he was a teacher at Pearlridge, Salt Lake and Kaiulani elementary schools, and worked as an instructor at LCC and a counselor at Honolulu Community College.

He earned his doctorate in education at UH-Manoa, an A.A. from Leeward Community College, a B.Ed. in elementary education from UH-Manoa, an M.S. in counseling psychology from Champlain State University.

He recently took a leading role in the University of



Ernest Libarios Jr.

Photo courtesy of UH Manoa College of Education

Hawaii's "Be a hero. Be a teacher" campaign to address the teacher shortage.

Niki was the recipient of numerous local and national awards and was also an active member with various professional and non-profit organizations. Some of his awards included the National Academic Advising Association (ACADA), the National Association of Student Personnel Administrators (NASPA), Waipahu High School Academy of Teacher Education Advisory Board, Kukuluao and

Ka Lama Education Academy, Sacred Hearts Academic Parent Organization Board, Kalihi YMCA, Board of Managers, Sariling Gawa Youth Inc. and the Tinalak Filipino Advisor Counsel.

"I've worked with Niki Libarios Jr. on the Recognition Ceremony for Landas ng Tagumpay Scholars in 2016 and was asked to cover the event. Niki was very helpful and always on top of whatever project he was involved in at the time. He was thorough, energetic and passionate about his work. We all felt motivated when working with him because he led by example. He was a great administrator, leader and manager," said Chona Montesines-Sonido, publisher and managing editor of the Hawaii Filipino Chronicle.

Family time was a priority for Niki. Whether it was exploring and traveling to a new national park every year or just sitting down outside and talking, his family was his priority.

He was an active member of New Hope O'ahu where he and his family volunteered with the church's Children's Ark Sunday School every month for years. Niki is remembered by many as a fun-loving, energetic, optimistic, and generous man.

He will surely be missed by the students he served, community members, colleagues,

family and friends.

Libarios was born in Honolulu to Ernest Libarios Sr., a former Leeward Community College counselor and the late Shirley Libarios, a teacher at Aiea High School. He is survived by his wife Laurie Toma, daughters Joy and Faith, father Ernest, and brother Jason.

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HEALTH & FAMILY

# DON'T DIE OF HAIR DYE

WELL-BEING By Mylene Mendoza-Dayrit

**I** do not know anyone more sensitive than I when it comes to hair products. I have been rushed to the emergency room twice and in both cases ended up being hospitalized after having my hair treated in the salon.

All my dermatologists were right all along about my allergies getting worse as I age. When I was in college, my doctor applied some hydrogen peroxide to my ear lobe. In minutes, my ear was red and extremely swollen. She told me to remember that I am allergic to hydrogen peroxide. A fact that I completely overlooked 20 years ago when I had my first hair color treatment in a salon. Peroxide is the developer or oxidizing agent in a hair dye. There was a burning sensation on my scalp while the dye was left to penetrate my hair. From then on, I looked for a hair color that not have peroxide and found Clairol Loving Care.

Whenever I was in the US, I would buy several bottles for my personal use since supply there was very scarce. Unfortunately, the product was completely discontinued sometime in 2011. That was when I was first hospitalized. I bought hair

color that didn't have peroxide and had my salon apply it on me. Confused, I had a complete allergy sensitivity test. The doctor said I have a severe reaction to paraphenylenediamine or PPD, which is present in almost all hair coloring products.

After that incident, I had to do a patch test every time I would like to try a new product. I couldn't find an alternative I didn't react to. Desperate, I checked online on PPD-allergic individuals who mourned the discontinuation of Loving Care to find out if they had succeeded in discovering an alternative. Most gave good reviews to another Clairol product, Beautiful, which is a professional product available in salon supply stores. I got one to try and I did not develop a reaction. Happy, I always buy a year's supply whenever I am in the US.

So, how did I get hospitalized a second time when I have been using Beautiful ever since I discovered it? According to my doctor, it was most likely PPD contamination from the salon's mixing bowl, comb, brush, etc. He told me to bring my own personal tools next time.

Lessons learned. Take your allergy seriously. Do a patch



test for new products you want to try. Dab a small amount of the dye solution behind your ear or on your inner elbow and leave it to dry. Observe if there will be an adverse reaction. Always check the labels for a complete list of ingredients. Bring to the salon not only the product to be used but also all the tools necessary to apply it.

When I was admitted in the emergency room, they immediately placed me in an isolation

room. I guess I looked too red and my face was swollen, and one eye closed.

It is possible also that the salon (not my regular one) staff felt that I was just exaggerating about my allergy. Maybe she was not careful. In the UK, there are reported cases of death from PPD allergies.

"Many permanent and some semi-permanent hair dyes contain PPD, which is a known irritant and allergen.

This is the culprit of most reactions to hair dye. You're particularly at risk if you have (or have previously had) a black henna tattoo. These temporary tattoos should be avoided because the paste often contains toxic levels of PPD, which can sensitize you to the chemical. This means your immune system has 'remembered' the chemical and will launch a defense reaction the next time you're exposed to it. So, you could develop a life-threatening allergic reaction when you next use PPD hair dye," warned NHS Choices, UK's biggest health website.

Your reaction to PPD can range from mild irritation in the scalp to an allergic reaction that can trigger serious symptoms. If you think you are allergic to PPD, have your blood and skin tested for allergens. It pays to know. ([www.philstar.com](http://www.philstar.com))

## MAINLAND NEWS

### Filipino Students Launch National Alliance and Fight Against Trump's Anti-Immigrant Policies



Kabataan Alliance, a newly founded national Filipino youth alliance, take a stand for human rights in the Philippines.

**S**AN FRANCISCO, CA--More than 300 Filipino youth and students gathered from all over the U.S. on September 30, 2017 for a national conference entitled, "Kabataan Magkaisa (Youth Unite) 2: Kumilos Na (Act Now)! History Is in Our Hands." The following day, 24 organizations put the chant -- "Kabataan, unite! Fight for people's rights" -- to action by launching a national youth alliance, the Kabataan Alliance, to tackle the burning issues of the Filipino community in the U.S., Philippines, and across the world.

Located in the heart of

Excelsior district, Balboa High School served as a backdrop for the conference and the founding of Kabataan Alliance. The Excelsior District is one of San Francisco's last working-class neighborhoods and is home to the largest population of Filipinos in San Francisco.

"Defend DACA, Legalization for All! Stop the Killings in the Philippines!"

Throughout the weekend, attendees were empowered to learn about the history, culture, and struggles of the Filipino community, and the importance of collective action in the face of injustice.

Almost 20 workshops were hosted, with facilitators coming from coast to coast. The topics of the workshops ranged from forced migration, LGBTQ issues, human rights violations in the Philippines, and women's empowerment, to theater, traditional martial arts and music, and mental health.

A panel of youth speakers reinforced the lessons learned during the workshops by shedding light on the experiences of migrant working-class Filipinos. One of the panelists, a 24-year old DACA recipient, rallied attendees to fight for undocu-

(continued on page 15)

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## LEGAL NOTES



By Atty. Reuben S. Seguritan

## Possible Immigration Options for 'Dreamers'

**W**ith the recent termination of the Deferred Action on Childhood Arrivals (DACA), close to 800,000 DACA recipients also known as 'Dreamers' fear that they may be losing more than just protection from deportation and permit to work in the United States.

The Department of Homeland Security (DHS) is no longer accept new applications and renewals of DACA although those whose permits will expire on March 5, 2018 will be allowed to apply for a two-year renewal as long as they apply by Oct. 5, 2017.

Protection from deportation and work authorization are not the only benefits that Dreamers will lose. A lot of them are also worried about losing their health insurance and other benefits granted by their employers and

their driver's licenses and occupational licenses. Those who have attended college and obtained student loans may also face the difficult situation of paying off these loans while not being able to work legally.

But as gloomy as their situation is, it may not be the end of the line for these DACA recipients. Members of the American Immigration Lawyers Association (AILA) have reported that up to 30% of potential DACA applications are eligible for something better like lawful permanent residence, for instance.

Under our current immigration law, there are certain individuals who are not in lawful status- like DACA recipients- who may still be eligible to apply for LPR status. While the general rule is that only individuals who were "inspected and admitted or paroled" into the United States by an immigration officer may apply for LPR status from inside the United States, if a family member or

employer filed either a family-based or an employment-based petition on behalf of said DACA recipient on or before April 30, 2001, and a visa is immediately available, he/ she may be eligible to obtain LPR status. He/ She may just have to pay a fine of \$1,000.

The Immigration and Nationality Act (INA) likewise provides for temporary visas for certain victims of crimes. Even though one entered the US without being admitted or inspected, if he or she have been the victim of certain qualifying crimes, suffered substantial physical or mental abuse as a result of these crimes and cooperates with law enforcement in the investigation and/or prosecution of these crimes, he/she may be eligible to apply for U Visa. T visas, meanwhile, may be available to those who have been victims of severe forms of trafficking and would suffer extreme hardship involving unusual and severe harm if removed from the US. Both visas

can be ways for the victims to gain lawful residence status and later on apply for citizenship.

Certain spouses, children and parents of US citizens or LPRs who have been subjected to battery or extreme cruelty by said US citizen or LPR family member are likewise allowed by the Violence Against Women Act (VAWA) to apply for their adjustment of status. Even if they entered without inspection and without admission, they are eligible to adjust status as long as they can prove that they resided with said US citizen or LPR family member, and were battered or were the subject of extreme cruelty.

The Special Immigrant Juvenile Status (SIJS) is also worth looking into. Certain unmarried individuals under 21 years old may be allowed to remain in the US where a juvenile court has found that the child's reunification with his or her parent(s) is not viable because of abuse, neglect, abandonment or a similar basis under State law and it is in the child's best interest not to be returned to his or her country of nationality or last

habitual residence or that of his or her parents.

For DACA-recipients who just came to the US and have only stayed here for less than a year and cannot return to their home country due to persecution or a well-founded fear of future persecution on account of his/ her religion, nationality, political opinion, or membership in a particular social group, he/she may be eligible to apply for asylum. It is important, however, that an asylum application be filed within a year of their last arrival in the US. This is even better than a DACA application since this allows an asylee to apply for LPR status one year after obtaining the asylum status.

It is therefore important for the Dreamers to consult with an immigration attorney to be able to determine what immigration options may be available to them after the termination of DACA.

**REUBEN S. SEGURITAN** has been practicing law for over 30 years. For further information, you may call him at (212) 695 5281 or log on to his website at [www.seguritan.com](http://www.seguritan.com)

## MAINLAND NEWS

## DHS Will Begin Social Media Surveillance of Legal Immigrants, Naturalized U.S. Citizens and Green Card Holders

**A**s part of President Donald Trump administration's efforts to crack down on both legal and illegal immigration, the Department of Homeland Security will begin monitoring social media accounts and internet search history of legal immigrants, immigrant applicants, naturalized U.S. citizens, green card carrying lawful permanent residents, and immigrant applicants to the U.S.

The controversial new tracking system is planned to go into effect on Oct. 18, the same day that President Trump's new travel ban is set to begin. DHS is already collecting social-media handles.

The digital tracking will also include anyone who inter-

acts with immigrants. Collecting this kind of information would also have a dramatic impact on every single person that interacts with immigrants to the US, since it would make all of their conversations on social media subject to surveillance.

The adding of social-media handles to data about immigrants being stored in electronic files is an effort by the Trump administration to prevent terrorism.

It's an update to the Alien File, also known as an A-File, which is the official record-keeping system for an individual going through the immigration system. Until now, A-Files could be kept in either paper or electronic form. Now, the rule says, these records can be kept on paper,

electronically or through some paper-electronic combination.

The information that's now going to be kept in A-Files includes the country of nationality, country of residence, the U.S. Citizenship and Immigration Service online account number, social media handles, aliases, associated identifiable information and search results.

"DHS, in its law-enforcement and immigration-process capacity, has and continues to monitor publicly available social media to protect the homeland," said Joanne Talbot, a spokeswoman for the agency.

The new rule "makes clear that the government intends to retain the social media information of people who have immigrated to this country, singling out a huge group of

people to maintain files on what they say," Faiz Shakir,

American Civil Liberties Union national political director. "This collect-it-all approach is ineffective to protect national security and is one

(continued on page 15)

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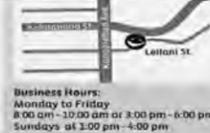
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PHILIPPINE LANGUAGE



By Pacita Saludes

# Dayasadas

awan adalna.

Ditan ti pakadlawan ti marikna ti kaadda ti nasayaat a sursuro tay maysa a tao. Idasarmi ditoy ti marikna manipud kaaduan a ti makuna ngamin a deadal ket dagiti adu ti naadalna kadagiti pagadalan a pagtamtamdan dagiti saan a nakaadal, ngem awan met ti sursuro a mabalinna nga ipatulad... "ADAL ken SURSURO" nasayaat unay. No ikutan ti maysa a tao daytoy isu ti makuna a mapagrukbaban.

No ikutan tay maysa a tao dagitoy, dua a kinabaknang isu ti makuna a mapagwadan ken mapagrukbaban. Ad-adu ti gagayyemna ken mangdayaw kenkuana. Deadal ken addaan ti sursuro a saan managin-dadakkel likliklikan dagiti nanomnomo ngem natantan-ok ti pannakilangenna ti aglawlaw. Puera De Los Buenos. Manmano met ketdi ti kasta nga Ilokano. Madlawtayo met ketdi a dagiti Ilokano agpipinategda a mangitantan-ok ti kinataoda.

Nakiddaw daytoy a maiparikna manipud DAYASADAS ket ditay ungtan ti DUMADAYASADAS a pasaray mangpaunget, pasaray MANGPAKATAWA. Thank you!

duma ti panangidasig dagiti deadal ti kinataoda a di mabalina a patasen dagiti nakurkurang ti magaw-atna. Nupay no kasta saan met nga umdas a mangidasar ti natan-ok a kinatao ti kinangato ti adalna. Adda ngamin tay pagsasao nga uray DEADAL no awan sursurona.

Kuna dagiti nataengan, "deadal ngem awan sursurona". Mapagdadasigtayo dayta. Ngem madlawtayo uray dagiti nababa ti adalna maidasarda ti nasaysayaat pay a sursuro a maipakita. Nadayawda ken saan a managindadakkel.

No ania kadatayo ti makadlaw ti kasasaad ken rikna dagiti makalanglangtayo madlawen dita. Ket masapul a maawatantayo ida.

Adu ngamin dagiti kayatna ti maitantan-ok ken madaydayaw gapu mariknana a dagiti kasangsangona madlawna a dida matukod ti kabaelan ti ilawlawag a di kabaelan ti

**K**adagiti adun a tawen a pannakilanglangentayo kadagiti tattao iti aglawlawtayo, din mabilang a nakaammo kadagiti galad ken kababalin dagiti nakapulpolapoltayo a tattao. Addaan ti ADAL ken awanan adal naglilimog ti lubong a paggararawan babaknang ken napanglaw.

Dagiti addaan ti adal ti makaiparang kadagiti pagsiriban a di magaw-at dagiti awanan adal. Ket no dadduma madlaw ti pannakatagibassitda kas ti panagrikna no dadduma dagiti napanglaw a maki-langlangen kadagiti ad-daan.

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No naliday, naranggas nagkauna a panawen

Inut-inut met a malipatan kinaimnas ti kalman  
Dagiti nagparagsak nangpangayan kadagiti nga aldaw  
Dagiti rabii a naraniag malaglagip a masansan  
Mangtagtaginayon isem a pulos di malipatan

Mangliwengliweng adayon a naikupin nalikudan  
Nakallalagip a sirmata no lagipen  
A dagita ti mangaron dagiti laglagip no dumteng  
Di malipatan uray an-anuem a lipaten

Dandanin agmunaw dagiti naglaslasatan  
Dagiti adun a tawen a naglabas ti biag  
Dagiti regta nangin-inuten a malpay

Nupay ar-ardanan pay laeng dagiti gundaway

Ngem nupay kumodrepen ti darang ti init  
Ikarigatan latta nga itulok dagiti agpang  
Dagiti tarigagay nga umaddang pay  
A mangtonton ti ad-adda pay a darang

Ditay pay itulok nga agtukeng dagiti sirmata  
Guminginaden ti maikawalopulo ket walo nga askaw  
Ngem ammok a siak pay laeng daydi napinget  
A mangsubok kadagiti nagduduma a parikut ti biag

Datay pay laeng daydi di mamati ti ublag  
Agtakder a sititibker di adipen ni lupoy  
Tannawaganna ketdi dagiti ruangan a serken  
Kas kadagiti nagkauna a panawen.

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*Dr. Jon Avery Go is a Magna Cum Laude graduate of the University of Santo Tomas Faculty of Medicine and Surgery and underwent training at the Roger Williams Medical Center in Providence, Rhode Island which is affiliated with Boston University School of Medicine.*

## COMMUNITY CALENDAR OF EVENTS

**FILIPINO COMMUNITY CENTER'S BAYANIHAN GALA FUNDRAISER** | October 16, 2017 | Contact FilCom Center @ 808-680-0451 for details.

**2ND PMAH GOLF TOURNAMENT** | October 18, 2017 | 9:00 am (Registration), 11:00 a.m. (Golf Tournament Begins) and 6:00 p.m. (Awarding of Prizes and Buffet Dinner) | **HOAKALEI COUNTRY CLUB** | For registration, contact Elmer Baysa, MD @ 689-8315, Ray Romero, MD @680-0554 or Christopher Regala, MD @ 622-2626.

**DOCTORS-ON-STAGE'S DOWNTRODDEN** | October 28, 2017 | 3:30 pm | **KROC CENTER HAWAII THEATER** | For further info, call JP Orias at 888-674-7624 (Fax: 888-391-7624) or visit [www.bayanihanclinicwwhawaii.org](http://www.bayanihanclinicwwhawaii.org)

**HALLOWEEN AND MASQUERADE BALL FUNDRAISING, PHILIPPINE NURSES ASSOCIATION OF HAWAII (PNAH)** | October 29, 2017 | 5:00 - 10:00 pm | **ALA MOANA HOTEL, RUMUOURS NIGHTCLUB** | Cost is \$30.00, heavy pupus and one drink included. For reservations, contact Ramon Sumibcay @ 489-7148, Tina Salvador @426-6183 or Tina Fernandez @ 721-1721.

**ANNUAL KIMONA BALL AND BUSINESS WOMAN OF THE YEAR AWARDS** | November 4, 2017 | 6:00 pm | **DOLE CANNERY POMAIIKAI, BALLROOM AT IWILEI ROAD, HONOLULU, HI** | Contact Elsa Talavera @ 358-8964.

### MAINLAND NEWS (from page 11, FILIPINO....)

mented immigrants, declaring, "I deserve to be here, and the youth are the future. I'm not going anywhere without a fight. No human being deserves to be illegal. Defend DACA and fight back!" Of the 800,000 total DACA recipients, 10,000 are Filipino.

Congresswoman Sarah Elago, an activist-legislator and the sole youth representative in the Philippine Congress, delivered a keynote speech reminding Filipino youth in the U.S. that their struggles in this country are directly tied to those in the Philippines. Citing the pervasive poverty and increasing killings in the country, it is "no wonder," asserted Rep. Elago, that "thousands everyday are forced to migrate [from the Philippines], an average of 6,000 daily." Of the 15 million Filipinos overseas, almost half are in the U.S. Rep. Elago's final call to the participants challenged them to truly take history into their own hands: "I have high hopes that our generation will be the generation that will finally end systemic ills that have long caused suffering, exploitation, oppression, and plunder in many parts of the world. It is upon the young people of today, to tread the path of struggle, to decisively put an end to structural ills, and to prevent history from repeating itself."

Capping the conference was a

cultural showcase, "Community is Home: Culture and Music Against Displacement." Various musical, dance, and theater acts by community performers resonated the theme of the weekend. Hip-hop acts by the Kasamas, Shining Sons, and by the Carson Maharlika Club were some of the highlights of the show.

### Youth Make History, Launch Kabataan Alliance

Conference participants marked the first day of Filipino-American History Month with the launch of Kabataan Alliance. The alliance approved its constitution and a 3-year plan, which focuses on educating, uniting, and acting upon issues in the U.S. affecting Filipinos, such as education, immigrant and workers' rights, and solidarity with non-Filipinos. The alliance also resolved to campaign for human rights, including indigenous people's rights, in the Philippines.

The Executive Board that will guide the alliance for the next 3 years is composed of Edmund Nabua (Chicago) as Education Director; Jewelle Dela Cruz (Los Angeles) as Finance Director; Patrick Racela (San Francisco) as Internal Vice President; Chrissi Fabro (New York City) as External Vice President; and Kenneth Crebillo

(Portland) as President.

Fabro emphasized the need to stand for human rights in the Philippines. "To understand why we are here as Filipino youth in the U.S. is to understand the grave injustices that are happening in the Philippines that force our families to migrate. We must continue to raise awareness about the systemic violence in our home country, including the Duterte administration's bloody war on drugs. As Filipino youth in the U.S., we can campaign to put international pressure on the Duterte administration to stop the killings." To date, there are more than 13,000 killed under Duterte's drug war in the Philippines.

Crebillo called on all Filipino youth to continue building more unity among the youth to fight for the rights and welfare of all marginalized Filipinos, especially migrant, working class, and indigenous communities. "We are not just here to fight for our own future, but the future of all generations that come after us. Like the vibrant youth who joined the Katipunan to fight against Spanish colonization, to the youth who were instrumental in toppling the Marcos dictatorship, we will continue the fight for a brighter future."

### (from page 13, DHS WILL BEGIN....)

more example of the Trump administration's anti-immigrant agenda."

It's not the first time the administration has floated using social media to vet travelers and immigrants. In February, then-Homeland Security Secretary John Kelly, now the White House chief of staff, announced that the agency was considering asking visitors to give officials their social media passwords. In June, the administration quietly put in place a new visa questionnaire requiring all social media handles used in the last five years.

"There's a growing trend at the Depart-

ment of Homeland Security to be snooping on the social media of immigrants and foreigners and we think it's an invasion of privacy and deters freedom of speech," said Electronic Frontier Foundation attorney Adam Schwartz.

Other anti-immigrant policies of late, Trump supported the RAISE Act, that proposes to dramatically reduce the number of legal immigrants; and he ended the Deferred Action for Childhood Arrivals program (DACA) that granted work permits and temporary deportation relief of undocumented immigrants brought into the U.S. as youths.

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 Nicanor Joaquin, MD  
 Benilda Luz-Llena, MD  
 Noelani Coreen Hobbs, MD  
 Edgar Manuel, MD  
 Ross Simafranca, MD  
 Russell Tacata, MD  
 Josephine Waite-Ansdell, MD  
*Narrator*  
 Jasmin R. Kelly, MD  
*Their Guests:*  
 Fernando Adora  
 Erica Brenner  
 Anna Davide  
 Tim Llena  
 Rosalie Woodson  
 Dance Academy

**Saturday, October 28, 2017**

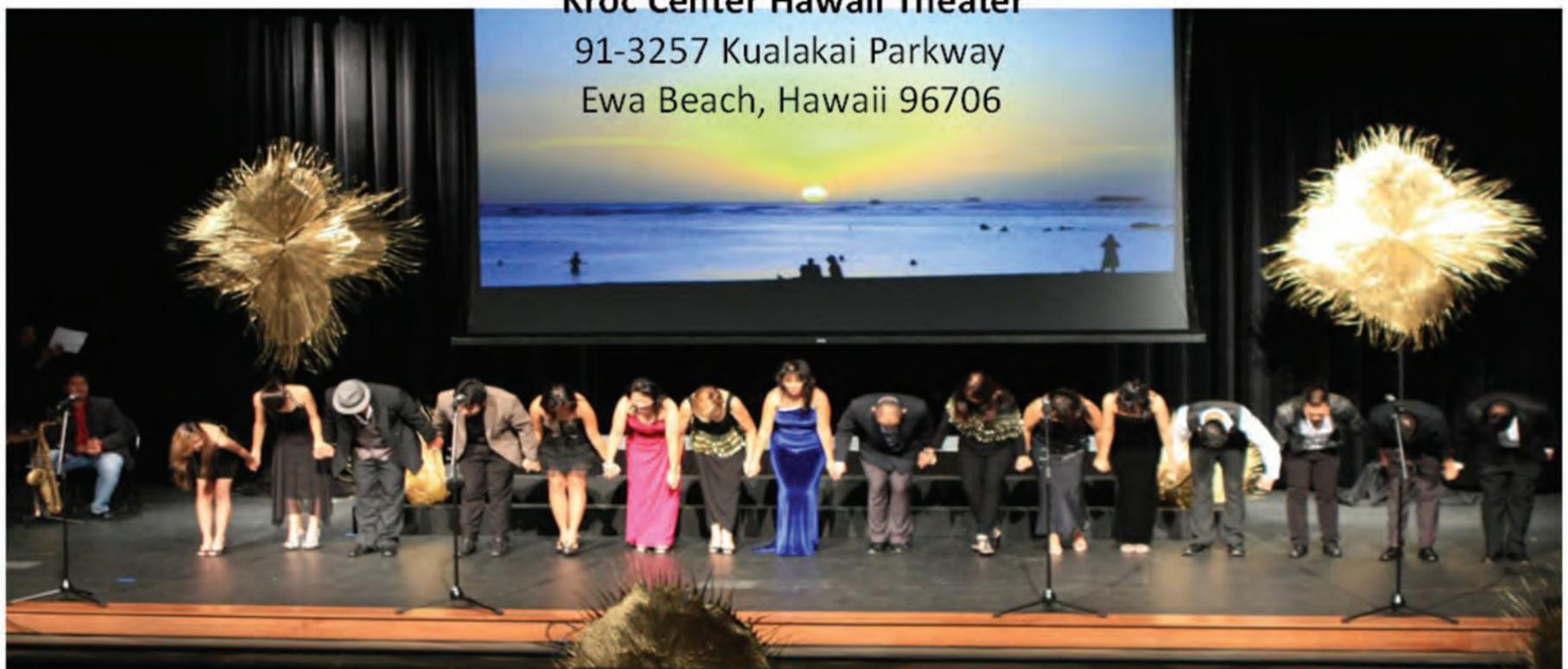
3:30 PM, Matinee Show  
*VIP \$40; Wings \$30; General Admission \$20*  
 7:30 PM, Gala Performance  
*VIP \$70; Wings \$50; General Admission \$30*

For Tickets, please call 888 674-7624 or [808-391-7678](tel:808-391-7678)  
 or email [pmahinfo@gmail.com](mailto:pmahinfo@gmail.com).  
 You may also book on line through:  
<https://bcww.ticketspice.com/downtrodden>



**Kroc Center Hawaii Theater**

91-3257 Kualakai Parkway  
 Ewa Beach, Hawaii 96706



## BAYANIHAN CLINIC WITHOUT WALLS

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 P.O. Box 1294, Pearl City, HI 92782  
 Phone (888) 674-7624 • Fax (888) 391-7624  
[www.bayanihanclinicwwhawaii.org](http://www.bayanihanclinicwwhawaii.org)

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