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# HAWAII PHILIPPINO CHRONICLE

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

## ECONOMISTS SAY CRISIS HAS SLOWED REMITTANCE GROWTH

By Jeremiaah M. OPINIANO  
OFW JOURNALISM CONSORTIUM

A slow growth in remittance flows and export of Filipino workers overseas are expected to occur as the U.S. economy remains wanting in signs of a recovery on lackluster jobs data.

Economists and data from government agencies reveal that the global economic crisis continues to slow down the growth levels of the deployment of overseas Filipino workers (OFWs) and their billion-dollar remittances —both being the country's major trump cards of economic resiliency.

While money sent by overseas Filipinos last year was higher year-on-year by 5.6 percent to US\$17.348 billion than 2008 levels, economists say

there has been a decline in growth. Economist Geoffrey Ducanes of the University of the Philippines cites data from the Bangko Sentral ng Pilipinas.

"The BSP's figures showed a substantial decline in remittance growth in 2008 versus 2009, compared to the previous years when remittances were growing by double digits," Ducanes says.

He used the 2003 to 2008 data from the BSP that showed average annual growth of remittances at

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## Neri Testifies on '200' Bribe

By Michael PUNONGBAYAN

M ANILA, Philippines - Former socioeconomic planning secretary Romulo Neri reprised his allegation of bribery against former Commission on Elections chairman Benjamin Abalos during yesterday's Sandiganbayan hearing on the graft case against the retired polls chief in connection with the botched national broadband network deal between ZTE Corp. of China and the previous Arroyo administration.

For more than an hour, Neri testified how Abalos allegedly offered him a P200-million bribe in the middle of a golf game in early 2007 at the Wack Wack Golf and Country Club in Mandaluyog, supposedly for his endorsement of the \$329-million NBN project. Neri was then director general of the National Economic and Development Authority or NEDA. Neri made the same allegation before the Senate in Sep-



File photo showing former COMELEC Chair Ben Abalos (left) answering queries as Romulo Neri (right) listens intently in last year's Senate Blue-Ribbon committee hearing about the "anomalous" NBN-ZTE deal.

tember 2007 but he refused to divulge details citing executive privilege. "Sec, may 200 ka dito," he quoted Abalos as telling him while they were in a golf cart. He said he took it to mean P200 million, based on how much was involved in the NBN-ZTE project. When asked by Associate Justice Samuel Martires whether the "200" could have meant something else like 200

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## Noy on Stronger Peso: It Means the World Is Now Watching Us

By Delon PORCALLA

H ANOI, Vietnam - President Aquino yesterday assuaged fears of not just overseas Filipino workers here but in other parts of the world as well that the strengthening of the peso means that the Philippines is now an "emerging economy." "Although (we don't know) developments in other parts of the world... it tells us that the world is looking at us," a proud chief executive told reporters in a briefing after he met with the local Filipino community here at



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## EDITORIAL

## The World Loves Manny Pacquiao: The Boxer, The Humanitarian, The Teacher

When fashioning any type of comprehensive legislation, political strategists always look to the numbers: where do we stand on demographics and who wants what.

Filipinos around the world anxiously await their most popular celebrity to capture another historical win on Saturday, November 13, adding to his legendary icon status in the world of boxing.

Manny Pacquiao will face off against 3-time world champion Antonio Margarito for the WBC Super Welterweight World Title. For Pacquiao, he will be attempting to win an unprecedented eight division world champion title. He is the first boxer in history to win nine world titles in seven different weight divisions; and the first to win straight championship titles in four weight classes. He was named "Fighter of the Decade" for the 2000s by the Boxing Writers Association of America and is a multiple "Fighter of the Year" recipient by The Ring magazine, boxing's most prestigious media authority. He is known for his exceptional speed, unorthodox punching angles, and chin of steel. Most importantly, he is well-respected for his heart and fearlessness, always willing to take on the best fighters.

## BEYOND THE RING

Boxer, congressman, humanitarian, actor, singer, Pacquiao is the consummate renaissance man who's passion for life trumps any fears of failure inside or outside the ring. While most world-class stars settle on their chosen area of talent for the rest of their lives, the Filipino superstar is already transitioning to perhaps an even tougher career in politics. In May 2010, Pacquiao was elected to the House of Representatives, Philippine Congress, representing his home province of Sarangani. Undeterred by his failed first attempt at Congress, Pacquiao's star power has propelled him to victory this time around. His desire for public service is actually an extension of his already noteworthy humanitarian efforts. Coming from a very indigent family himself, he realizes the special needs of the very poor, what it means to feel



aching hunger, what it means to feel alone, what it means to have little hope for a future.

Suddenly, by the grace of destiny, sheer hard work and determination, he has attained riches and fame beyond his most fanciful dreams. With his new wealth from boxing, Pacquiao is making sure thousands of desperately poor Filipinos are provided with money, food, clothing, shelter, and education. He has already given away millions of dollars to various Filipino charities, including helping people in Indonesia and Samoa. Once homeless himself and a child from a broken family, his rise to stardom is nothing short of amazing. Becoming a world-class boxing champ is as statistically rare as a would-be internationally famed actor. The odds for success are slimmer given the caliber of who he is in this sport, acknowledged by many as one of the greatest of all time. But what's no less remarkable about Pacquiao, who is one of only a handful of athletes ever to grace the cover of Time magazine, is his humanitarian work. His good deeds elicit equal admiration and respect to his sports accomplishments. In fact to many people who do not even follow the sport of boxing, this "diminutive-giant" is more than a legendary boxer, but a true champion of the people.

Pacquiao is loved and endeared around the world because he is a living example of the goodness in each of us. He is symbol for the world of how we can give back to our communities and make life better for our fellow brothers and sisters.

This November 13, Filipinos and the rest of the world will not only be watching a championship boxing match, many of us will be cheering for a Pacquiao win so that we can continue to watch in astonishment how much further greatness can carry on in the ring and outside the ring. His global influence transcends sports.

Teachers come from every walk of life. Some might even say that Pacquiao could very well be one of this century's great teachers of life for his exemplary humility, strength, courage, hope, faith and compassion, especially in light of his impoverished beginnings. ■

## Slight Improvement

It's based on perceptions, and those on the Philippines aren't going to improve dramatically overnight following a change of administration. In the 2010 Corruption Perceptions Index prepared by Transparency International, the Philippines registered a slight improvement, from 139th place last year to 134th among 176 countries.

The rank can be puzzling to those who take the time to look at how other countries fared. The Philippines shared 134th place with Africa's current basket case, Zimbabwe, as well as Azerbaijan, Bangladesh, Honduras, Nigeria, Sierra Leone, Togo and Ukraine. These countries were rated more corrupt than Belarus, Ecuador, Lebanon, Nicaragua, Syria, Timor-Leste and Uganda, which shared 127th place. Also rating better were those in 116th place: Ethiopia, Guyana, Mali, Mongolia, Mozambique, Tanzania and Vietnam.

At least two Philippine business groups commented that participants in the 13 surveys on which the corruption index was based must have been reading too many negative stories about the country, which was ranked way behind most others in Asia. Hong Kong

ranked 13th, Japan 17th, Taiwan 33rd, Brunei 38th, South Korea 39th, Macau 46th, Malaysia 55th, China and Thailand (78th), India (81st) and Sri Lanka (91st). Indonesia shared 110th place with Kosovo, Benin, Bolivia, Gabon and the Solomon Islands.

There were few disputes over those perceived to have the cleanest governments. Denmark, Switzerland and Singapore shared first place with a score of 9.3. There were also few debates over the countries that fared worst: Somalia, Afghanistan, Myanmar and Iraq.

Transparency and good governance have long been linked to success in poverty alleviation and overall national progress. In recent years, Transparency International has also linked corruption to slow progress or failure in addressing the world's most pressing problems, including climate change and instability in financial markets.

It is no coincidence that countries and economies that were ranked at the top of the index also happen to be among the world's most prosperous. This is worth bearing in mind as certain quarters consider perceptions of the corruption problem in the Philippines to be overly negative. President Aquino, who was elected on an anti-corruption platform, has been telling the world that a new team is in charge in the Philippines and reforms should be expected. The latest Corruption Perceptions Index should prod him to speed up efforts to clean up government. ([www.philstar.com](http://www.philstar.com)) ■



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# OPEN FORUM

## Immigrants Beware: Republicans are Pushing to Deny Citizenship for U.S.-Born Children of Immigrants

by Terry VISPERAS

There is no question that Republicans continue to push a national agenda to oppose every Democratic proposal to clean up the mess created by eight years of failed Republican policies.

Republicans have a track record of opposing fair immigration reform, and continue to work in lockstep to propose more anti-immigration laws that would hurt millions of immigrants and their children.

In their latest attempt, Republicans are now pushing to deny citizenship for U.S.-born children of immigrants.

As recently reported, conservative Republicans across the country are now organizing a national anti-immigration campaign to eliminate "birthright citizenship" to the children of immigrants.

Reaching across 14 states and growing, this anti-"birthright citizenship" campaign aims to revoke the right of children born in the United States to have automatic U.S. citizenship, regardless of their parents' status. In other words, individuals born in the U.S.

will no longer be guaranteed U.S. citizenship if Republicans have their way. Under the new proposal, families would have to establish proof of legal immigration before their U.S.-born children are given citizenship. Imagine the bureaucratic mess to enforce this proposal, not to mention the difficulty for families in some situations to render the proper paper trail.

Republicans, who claim to be the party most ardent in protecting the U.S. Constitution, suddenly are willing to change the 14th Amendment to the Constitution, just to deny children of immigrants this right to citizenship. Clearly, there is hypocrisy taking place here. This anti-immigrant proposal sends a clear message where the Republican party's leadership stands when it comes to our hard-working immigrant population.

To date, at least 41 Republican lawmakers across the country have signed onto the "State Legislators for Legal Immigration" Coalition which has a broad agenda for repealing immigrants' rights, including the repeal of the 14th Amendment Citizenship Clause in

place since 1868. Led by Arizona State Senator Russell Pearce (R-Mesa), the sponsor of the toughest anti-immigration law in the country criminalizing undocumented immigrants, the campaign intends to push the issue all the way to the U.S. Supreme Court. At a time when workable and reasonable immigration reform is on the table for serious discussion, Republicans are

choosing to start this process with extreme proposals.

We can stop this unprecedented attack on immigrants' rights and the Constitution by voting for the Democratic Party candidates - Dan Inouye, Colleen Hanabusa, Mazie Hirono, and Neil Abercrombie on November 2nd.

Make your vote count and help stop the barrage of Repub-

lican anti-immigrant bills and initiatives.

Historically, the Democratic party has been and continue to be the party that stands up for immigrants. Let's make sure we have the right candidates in office who will support the kind of immigration reform we need, not policies that are based on hate and fear as those being pushed forward by Republicans. ■

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# SOCIAL SECURITY UPDATE

## What Immigrants and New U.S. Citizens Should Know About Social Security Cards

by Jane YAMAMOTO-BURIGSAY

Whether you are a new U.S. citizen or a non-citizen with authorization to work in this country, you need to apply for a Social Security card and number in order to work in the U.S. While most American citizens now have Social Security cards issued at birth, a non-citizen applying for a Social Security card or number must prove his or her identity, age and citizenship.

### FOR NATURALIZED CITIZENS

If you are a naturalized citizen, you will need to prove your citizenship with documentation from the U.S. Citizenship and Immigration Services (formerly Immigration and Naturalization Service). You also must complete an application for a Social Security card, which you can download online at: [www.socialsecurity.gov/online/ss-5.pdf](http://www.socialsecurity.gov/online/ss-5.pdf). Bring your completed application to your local Social Security office or Social Security Card Center along with official documents that show:

- U.S. citizenship
- Age

### IDENTITY

All documents must be originals or copies certified by the issuing agency. Photocopies or notarized copies of documents will not be accepted. Even if you already have a Social Security number when you become a naturalized U.S. citizen, you should still contact Social Security to update your status.

### FOR NON-CITIZENS

All non-citizens needing a Social Security number must prove their immigration status, and show proof of age, identity and work authorization from the U.S. Department of Homeland Security. To

prove your age, you must show your birth certificate if you have it or can easily get it. If not, you can show other documents, such as your passport.

As proof of immigration status and identity, Social Security will ask for your unexpired passport and current immigration documents from the Department of Homeland Security, including a:

- Permanent Residence Card or Form I-551
  - Arrival-Departure Record or Form I-94 with an unexpired passport; or
  - Work permit card - Form I-766 or I-688b.
- These documents must be

current, meaning they cannot be expired. And, again, all documents must be either originals or copies certified by the agency that issued them. Photocopies or notarized copies of documents will not be accepted.

If you would like more information about Social Security cards and the requirements needed to get one, go online to: [www.socialsecurity.gov/ssnumber](http://www.socialsecurity.gov/ssnumber). If you do not have internet access, call toll-free number at 1-800-772-1213 (TTY 1-800-325-0778) and ask for the publication, "Your Social Security Number And Card or Social Security Numbers For Non-Citizens."

## HAWAII-FILIPINO NEWS — Coalition Unveils New Cancer Book, Action Plan for Combating Disease

EACH YEAR, OVER 6,000 PEOPLE IN HAWAII ARE DIAGNOSED with cancer. Cancer is the second leading cause of death in Hawaii with more than 2,000 people dying annually from the disease annually.

A new publication entitled "Hawaii Cancer Facts & Figures 2010" was recently unveiled by the Hawaii Comprehensive Cancer Control Coalition in hopes of shedding new light on the disease and outlining its devastating effects on people of all ages, genders, demographics and ethnicities.

In Hawaii, the lowest cancer incidence rates are among Filipino and Chinese females. Native Hawaiians have the highest incidence rate, followed by Caucasians. Among males, Caucasians have the higher incidence rates followed by Japanese. In terms of cancer deaths, among both males and females, Native Hawaiians and Caucasians have the highest mortality

for all cancer sites combined.

"Everyone in Hawaii, at some time, will be touched by cancer, whether it is their own personal struggle or supporting and caring for loved ones battling against the disease," says State Health Director Dr. Chihome Fukino. "Every year, the number of cancer survivors in our state increases, due largely to the timely use of new cancer screening methods, the discovery of innovative treatment options and more effective medications."

The "Hawaii Cancer Facts & Figures 2010" is a collaborative effort of the American Cancer Society, Cancer Research Center of Hawaii and the State DOH and is intended as a tool for public health education, research, and planning.

The Coalition also unveiled the "Hawaii State Cancer Plan 2010-2015—an action plan to reduce the burden of cancer among key stakeholders by working together in a coordinated, comprehensive, statewide approach. It is intended to guide cancer control and pre-

vention efforts throughout the state. The plan organizes partners' objectives under four major goals:

- Prevent future cancers by reducing exposure to known factors
- Increase early detection to decrease late stage cancer
- Provide all Hawaii residents, especially cancer survivors and the medically underserved, to facilitated access to the health care system
- Improve the quality of life for cancer survivors and others battling the effects of cancer

"Allowing health disparities to exist in our community is not acceptable," says State Sen. Rosalyn Baker, chair of the Hawaii State Cancer Plan working group. "We must strive to offer the best available strategies for cancer prevention and risk reduction, early detection and treatment to all segments of our populations."

For more details on new publications, please call Floryn Tafinger at 692-7479. ■

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# HAWAII-FILIPINO NEWS

## Nakem Youth Press Launches a New Book by Filipino Youth

**IN CELEBRATION OF FILIPINO-AMERICAN HISTORY MONTH**, a book launch and reading of *Kabambannuagan: Our Lives, Our Voices* will be held on Friday, October 29, 2010, at the University of Hawai'i at Manoa Spalding Auditorium from 6 to 8 p.m. The free event is open to the public and is sponsored by the UH Timpuoyog Ilokano Student Organization, UH Ilokano Language and Literature Program, and Nakem Youth. The book culminates Nakem Youth's efforts to reconnect Filipino teens and college students with their culture, and encourage them to actively participate in politics and education to create social change.

The 14 vignettes in the book reflect the individual and collective experiences of young adults of Ilokano descent whose immigrant parents settled in the Kailahi and Waipahu areas on the island of Oahu. The collected essays—which include translations in Ilokano—explore the complex dynamic of immigrant and local-born youth, their reflections on home and homeland, and the challenges they faced searching for identity and meaning in a new heartland.

Aurelio Solver Agcaoili, co-editor of the book and executive director of Nakem Youth, notes that while 85% of Hawai'i's Filipino population can trace their heritage to the Ilokos region where Ilokano is widely spoken, "many are ashamed to speak it, favoring only the dominant lan-



guages of English and Filipino, which is the Tagalog-based national language of the Philippines."

Agcaoili adds that the mistaken notion of Ilokano as an inferior language is quickly changing, with many global advocates for "cultural plurality, mother language education and linguistic justice." He points to the publication of *Kabambannuagan: Our Lives, Our Voices*, as a shining example of the growing critical mass of books written in Philippine languages other than Tagalog.

Jeffrey Tangonan Acido, program director of Nakem Youth and co-editor of the book says his youth group wants to emphasize the importance of pride in their Ilokano heritage. He asks that parents and grandparents to talk to their children and grandchildren in Ilokano to ensure future generations can speak and read Ilokano. "That's why the book launch readings will be done in both English and Ilokano, with the Ilokano sections read by our Ilokano elders," he says.

Acido explains that the Ilokano

word "kabambannuagan" in the book's title refers to the "essence of youth, that point in time which can never be captured again. It speaks to the critical consciousness you develop when you learn who you are, where you come from, discover knowledge about yourself in the context of 'Ilokano-ness' that no one can take away."

Among the issues the book addresses are history, freedom, justice, and equality. In Charissa Isidro Fabia's essay "Going Past the Route of the Butterfly," she dreams of freedom from an oppressive job, which she must endure to pay for her college tuition. She ultimately realizes the bad experience makes her a stronger person, underscoring her determination to "give back to her parents." Fabia wrote the story, she says, because she does not want others to be telling her story. "We want to be the ones writing our own narratives, using our own words."

To order a book, call (808) 295-6787 or email nakem.youth@gmail.com. ■

## City Gets \$5 Million Grant For Hybrid Buses

**HONOLULU MAYOR PETER CARLISLE THANKED THE U.S.**

Department of Transportation, the U.S. Department of Housing & Urban Development and Hawai'i's congressional delegation for a \$5 million grant which will be used to replace diesel buses in Waikiki with turbine hybrid-electric buses that are quieter, more fuel-efficient and produce lower emissions.

"By providing quieter and cleaner buses to the busy Waikiki area, this project will help to create a more livable community for both residents and visitors," Carlisle said. "The new vehicles will also be evaluated for their ability to reduce energy and greenhouse gas emissions."

Honolulu's project was selected on a competitive basis through a green transit initiative called the Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER II) Program.

The program is a result of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2010, which appropriated \$75 million for grants to public transit agencies for capital investments that will reduce the energy consumption or green-



Mayor Carlisle

house gas emissions of their public transportation systems.

Honolulu's project objectives are to:

- Reduce greenhouse gases and energy consumption on one of the busiest bus routes in Honolulu.
- Increase the livability and vitality of Waikiki by operating quiet, low-emission turbine buses through this densely populated area.
- Evaluate the performance of a 45-foot bus in Waikiki allowing a reduction in the number of bus trips.
- Evaluate the use of electrically-powered components including A/C system, air compressor and power steering pump.
- Eliminate the use and disposal of engine oil, transmission fluids and engine coolants.
- Improve service reliability.
- Compare turbine hybrid buses with conventional hybrid buses and with conventional diesel buses.
- Reduce operations and maintenance costs.
- Prepare an evaluation report which will be used nationwide to advance the knowledge of innovative technologies in transit systems. ■

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## Mayor Signs Bill for 'Pedestrian Use Zones'

**HONOLULU MAYOR PETER CARLISLE** signed into law Bill 39, which establishes "Pedestrian Use Zones" that reserve substantial portions of City sidewalks for pedestrians in high foot traffic areas.

Bill 39 prohibits the storage of personal property within a Pedestrian Use Zone, defined as the portion of a sidewalk that extends toward the street up to eight feet from the adjacent private or public property line bordering the sidewalk opposite the curb.

The measure exempts individuals who are unable to comply due to a medical emergency, waiting at a bus stop or taxi stand; or watching a parade, festival, performance, rally, demonstration, meeting or similar event conducted on a public sidewalk pursuant to and in compliance with an applicable permit.

Pedestrian Use Zones will be established in the neighborhoods of Ala Moana/Kaka'a; Downtown; Kailahi; McCully/Moiliili/Makiki; and Waikiki. The restrictions will apply between the hours of 5 a.m. and 10 p.m. except in Waikiki, where they will apply between 6 a.m. and 2 a.m. of the succeeding day. Upon conviction, violators may be fined a maximum of \$50 or be sentenced to community service.

Carlisle cautioned that resource constraints limit the City's ability to implement the measure's requirements immediately in all areas. The City will conduct an educational and warning program prior to enforcement.

The Honolulu City Council approved Bill 39 on October 13, 2010 by a vote of 5-4. The measure takes effect in 60 days. ■

# LEGAL MATTERS



by Atty. Emmanuel Samonte TIPON

## Is Unborn Child a "Child" for Immigration Purposes?

1229b(b)(1)(D)). Being eligible does not mean the alien will be granted cancellation. It is discretionary with the Immigration Judge.

What do the terms mean? Does "spouse" include an ex or one whom the alien is about to divorce or married to by proxy; does "parent" include one who is dead or living abroad; does "child" include minor, adult, illegitimate, adopted, dead, or unborn? Why did not our brilliant lawmakers define specifically and detailedly these terms so that people are not left guessing or the courts are not groping around to interpret them?

This article will discuss "unborn child". An Indian was placed in removal for an immigration violation. He claimed eligibility for cancellation of removal because his wife was pregnant. The IJ and the Board of Immigration Appeals rejected his claim, holding that the "then-unborn daughter" did not constitute a qualifying relative.

### FUNCTIONAL OR DYSFUNCTIONAL APPROACH

The court rejected a "functional approach" to defining the term "child". So what approach should be used, Your Honor – a dysfunctional one?

The court said that the statute,

INA § 101(b)(1) "simply does not contemplate the cancellation of removal based on the hardship to be suffered by a 'de facto' child. Rather, cancellation of removal is appropriate only if the detailed statutory definition of 'child' is met." But the definition does not mention "unborn" child?

### UNBORN CHILD NOT U.S. CITIZEN

The court said that the statute requires the "qualifying relative" be "a citizen of the United States." Citizenship requires "birth" in the United States or naturalization, under both the Constitution and the governing statute. The Constitution, Amendment XIV, §1, provides that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States." 8 USC § 1401(a) confers citizenship on "a person born in the United States and subject to the jurisdiction thereof."

The Indian's unborn daughter, the court concluded, did not meet the statutory definition of "child" in INA § 101(b)(1) at the time of his hearing before the Immigration Judge, hence was not a qualifying relative. The court also held that the BIA did not abuse its discretion in denying a motion to remand after

his daughter's birth since the alien did not tender any evidence showing "exceptional and extremely unusual hardship". Partap v. Holder, No. 05-75777 (9th Cir. 5/10/10)

OBSERVATION: Susmariosep or Mejora. Why did not the lawyer move for continuation of the removal proceedings to until after the child was born?

To obtain favorable results, an alien needs an honest and hardworking attorney who is experienced in this kind of case and has a track record of credibility with the Im-

migration Judge. ■

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

There is relief from deportation. "Removal" is now the politically correct term since 1996, although the Immigration and Nationality Act still uses "deportation" in most provisions.

Cancellation of removal (formerly "suspension of deportation") is one such relief. However, more than 90% of aliens are deported because they do not know it or their lawyers don't know how to use it. I have started writing a book on this subject. There are more than 1,040 reported cases discussing the issue.

An alien who is a nonpermanent resident (no green card) is eligible to apply for cancellation if, among four requirements, the alien has a "qualifying relative" who will suffer "exceptional and extremely unusual hardship" if the alien is removed. "Qualifying relative" means a U.S. citizen (USC) or lawful permanent resident (LPR) who is the alien's "spouse, parent, or child". Immigration and Nationality Act (INA) § 240A(b)(1)(D) [8 USC §

## HAWAII-FILIPINO NEWS

### State to Receive \$3.6 Million for Mental Health Services

THE STATE DEPARTMENT OF HEALTH (DOH) has received a \$3.6 million Mental Health Transformation grant from the Substance Abuse and Mental Health Services Administration (SAMHSA). This new grant will bring over \$730,000 each year for five years to provide enhanced mental health services with a focus on trauma-informed, recovery-oriented care for adults with severe mental illness.

"This grant will help provide advanced services and training that will enhance the quality of care for some of Hawaii's most vulnerable people," says DOH director Dr. Chiyo Fuku.

The grant will fund training and service delivery for the department's Adult Mental Health Division (AMHD) network of providers helping to integrate the use of trauma management skills into their current practices. Providers will learn the neurologi-

cal and psychological effects of stress and traumatic experiences and how to avoid or mitigate trauma and re-traumatization, particularly in forensic settings. This effort will also engage those who receive services in the planning and delivery of trauma-informed care.

In its first year, the grant will concentrate on preparing providers to screen for, assess and treat trauma. In the second year, qualified service recipients will have the opportunity to receive training to become providers of trauma-informed services or find support toward other employment. These new options will ease some of the challenges faced by both service providers and service recipients as they work on the road of recovery to independence.

This year's grant follows SAMHSA's 2006 award to Hawaii in the amount of an \$11 million

five-year Mental Health Transformation State Incentive Grant (MHT SIG). As a result of the 2006 grant, trauma was identified in a needs assessment as an important workforce and training area for Hawaii communities. Trauma-informed care projects were implemented in 2009 and 2010 in several community hospitals and a correctional facility.

Based on experience since 2006 under MHT SIG and on efforts of AMHD, Hawaii pursued additional federal grant funds for services to consumers with severe mental illness who have been affected by trauma. The effect of trauma in the lives of persons with severe mental illness has become more apparent in recent years and new evidence-based practices have emerged. Hawaii is proud to be one of 22 states nationwide to be awarded funding to enhance our state's capacity to provide quality care. ■

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# PHILIPPINE NEWS

## Palace on RP Still Being Highly Corrupt: We Will Improve

by Aurea CAUCA /  
Wednesday, October 27, 2010

MANILA, Philippines — **MALACANANG EXPRESSED OPTIMISM THAT THE COUNTRY'S RANKING** in global corruption surveys would further improve as the Aquino administration continued to pursue reforms.

Based on Transparency International's latest survey, the country's ranking in global corruption already improved during the past three years, but the country was still tagged as "highly corrupt" among 178 countries.

In its 2010 Corruption Perception Index (CPI) released on Tuesday, TI said that the Philippines was

ranked 134th with a score of 2.4, better than its 139th ranking in 2009.

In 2008, the country was ranked 141st with a score of 2.3.

TI defines corruption as the abuse of entrusted power for private gain.

"We're just four months old and the fact that we improved in the ranking says something about our determination to promote good governance. We'll continue to do our part in the promotion of good governance," Presidential Spokesperson Edwin Lacierda said.

Lacierda said it would be hard to give a specific timeline as to

when the Philippines' ranking would go up but "it's really a determined effort on the part of the national government to do so and we have that determination."

"In our discussions with the President, that's always a concern," Lacierda said.

Lacierda explained the government would pursue good governance not just in terms of prosecuting erring officials.

"It does not mean only the creation of Truth Commission, it also involves proactive measures. Prosecution in itself (is not) the only means by which we will eradicate corruption. It's more of the fact that President Aquino is leading by example; the fact that he is known as a man who is not tainted with corruption speaks for itself and we intend to do that in our ways to promote good governance," Lacierda said.

He also expressed hopes the current reforms in the budget and other actions taken by the government geared toward poverty reduction and promotion of good governance would be taken as



Sec. Edwin Lacierda

signs that "we are serious" and determined to effect the necessary changes.

"We are happy that we have improved and four months is a good indication that apparently, Transparency International is recognizing our efforts," Lacierda said.

Despite the improvement in overall ranking, the Philippines is still considered as a "highly corrupt" country in the world along with Kenya, Laos, Papua New Guinea, Russia, Republic of Congo, Uganda, Timor Leste, Lebanon, Solomon Islands, Mali, Mongolia, Niger, Libya, Iran, Nepal, Yemen, Cambodia, Venezuela, Honduras,

Syria, Nicaragua, Bolivia, Benin, Gabon, Indonesia, Kosovo, Kazakhstan and Moldova, among others.

It also continued to lag behind most of its neighboring countries in Southeast Asia, among them Malaysia, 56th; Thailand, 78th; Indonesia, 110th and Vietnam, 116th.

Denmark, New Zealand and Singapore tied for first place in the ranking with identical scores of 9.3.

The 2010 CPI measures the degree to which public-sector corruption is perceived to exist in 178 countries around the world. It scores countries on a scale from 10 (very clean) to 0 (highly corrupt). The 2010 results are drawn from 13 surveys and assessments published between January 2009 and September 2010.

This year's index ranked 178 countries by their perceived levels of public-sector corruption, as determined by expert assessments and opinion surveys.

All sources measure the overall extent of corruption (frequency and/or size of bribes) in the public and political sectors.

The CPI helps to highlight the propensity of domestic corruption and its damaging influence. ([www.philstar.com](http://www.philstar.com)) ■

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## Palace Hands Off on Poll Sabotage Probe, Denies Offer to Melo

by Aurea CAUCA /  
Wednesday, October 27, 2010

MANILA, Philippines — **MALACANANG WOULD BE HANDS OFF** on the investigation into the alleged sabotage of the barangay and Sangguniang Kabataan elections in some areas.

Speaking to reporters, presidential spokesman Edwin Lacierda said it would be up to the Commission on Elections to investigate the matter.

The Comelec is an independent constitutional body, he added.

Lacierda rejected criticisms that Monday's polls became chaotic because of lack of preparation.

"Let me state for the record that the barangay elections are a previously scheduled elections," he said.

"That is something that the Comelec is fully cognizant of. They were aware of it and were supposed to prepare for that. The fact is, the President already mentioned his preference that the barangay elections should push through and we should not be blamed."

Lacierda said the executive branch should not be blamed for the lack of preparation of a constitutional body tasked to supervise the elections.

"It's not our fault, it's something that the Comelec was aware of and should have prepared for regardless of what statements from the other legislators were concerned," he said.

Lacierda said the poll body is responsible for the elections. "They supervise the elections, they depu-



tize the PNP (Philippine National Police), they do all these stuff necessary for the conduct of the elections," he said.

"So you cannot blame us. It's a constitutionally independent body regardless of whatever the discussions between the House (of Representatives) and the executive as regards whether we postpone the barangay elections or not. Comelec should have been there doing the job."

Lacierda said Sen. Juan Miguel Zubiri should not pin the blame on President Aquino or on the executive branch.

"Again that is a non-sequitur statement on the part of Senator Zubiri," he said.

### 'WE DID NOT SABOTAGE POLLS'

The head of the Comelec's Packing and Shipping Committee (PSC) belied yesterday allegations that they had sabotaged the packaging of the election paraphernalia for last Monday's barangay and SK elections.

Lawyer Rey Doma, SC chairman, said doing personal delivery is a "headache" but that many "people in the Comelec" had volunteered to deliver the supplies.

"They would come here to my office, bugging me. They are like

vultures waiting for trips," he said.

Doma said each volunteer is given as much as P50,000 in cash advances for food allowance, per diem, hotel accommodation and vehicle rental on their own discretion but subject to liquidation.

"Of course some of them earn from doing that but it's not so much," he said. "The per diem is P800 (a day)."

Sources said some Comelec personnel had messed up the labeling of the supplies while being packaged at the National Printing Office.

Comelec Commissioner Armando Velasco, head of the fact-finding committee created to investigate the sabotage, said those who would be found to have manipulated the preparations might face an election offense punishable with up to six years imprisonment and removal of rights of suffrage and administrative case.

"Personally, I don't believe there was a plan to sabotage the elections. If there was, maybe it was at a lower scale. Maybe for personal gains (only)," he said.

A list obtained by reporters showed that 36 individuals were involved in the delivery and they belonged to the Comelec's Administrative Service Department, Planning Department, Personnel Department, Election and Barangay Affairs Division and Election Records and Statistics Division.

The panel is set to include in its investigation the PSC, the Comelec's Bids and Awards Committee and the NPO. ([www.philstar.com](http://www.philstar.com)) ■

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■ **PHILIPPINE NEWS**

**Aquino Urged to Talk Tough  
on Human Rights, Act on  
'Morong 43' Case**

by Dennis **CARCAMO** /  
Tuesday, October 26, 2010

MANILA, Philippines — **PRESIDENT AQUINO IS EXPECTED TO DENOUNCE THE CONTINUED DETENTION** of political prisoner Aung San Suu Kyi of Myanmar at the Association of Southeast Asian Nations (ASEAN) summit in Hanoi, Vietnam, but he has yet to act on the release of the so-called "Morong 43," militant group Bayan said.

"It would also be strange for the Philippines to want to host the ASEAN Intergovernmental Commission on Human Rights when there remains rampant rights violations in the country," Bayan secretary general Renato Reyes Jr. said.

Reyes noted that the Department of Justice has already submitted its review and recommendations on the case of the 43 health workers who were arrested last Feb. 6 during



a raid on a house in Morong, Rizal.

However, the document is still awaiting the approval of the President, Reyes added.

"Mr. Aquino can show the way to other ASEAN members by releasing political prisoners in his own country. The case of

the Morong 43 has garnered international attention from various rights groups. Now would be a good time for Mr. Aquino to back up his pronouncements on human rights with concrete action," Reyes said.

"We would want to see the 43 reunited with their families this Christmas. There is already sufficient legal basis to withdraw the charges against the 43 so that the courts can order their immediate release," he added.

([www.philstar.com](http://www.philstar.com)) ■

**Pesticide Misuse Triggers Pest  
Infestation in Iloilo, Capiz**

by Helen **FLORES** /  
Wednesday, October 27, 2010

PNSt/ PhilRice -- **NEXT TIME, THINK CAUTION** when applying pesticides.

This is the advice of an expert based at the Central Experiment Station of Philippine Rice Research Institute (PhilRice), Science City of Muñoz, Nueva Ecija amidst infestations of brown planthoppers (BPH) reported Thursday last week in Iloilo and Capiz.

"Brown planthoppers are not pests until farmers indiscriminately apply insecticides. What's alarming is that insecticides make the hoppers stronger as shown by studies conducted in some rice-growing countries in the world," Gertrudo S. Arida of PhilRice-Crop Protection Division said.

In China, the reported area of BPH infestation increased from about 18 percent in 2001 to about 51 percent in 2007. Experts who investigated the resurgence of BPH as the "world's worst rice pest" identified the increasing use of chemical insecticides as the cause.

According to Arida, BPH populations are regulated by beneficial organisms such as spiders, coccinellid beetles, mirid bugs, and crickets.

"Nature itself prevents the occurrence of this outbreak as the natural enemies of BPH keep critical population in check. With the chemical applications, however, the beneficial organisms are also killed," Arida explained.

In a phone interview, rice sufficiency officers (RSOs) assigned in Iloilo and Capiz said farmers in affected areas indiscriminately apply insecticide at the sight of an insect. In an average, they said that farmers spray chemicals at least three in a season as early as three days after broadcasting.

In one of the affected areas, an RSO

noted that farmers engaged in "spider fight," in which spiders are pitted against each other on a stick while farmers bet as high as P25,000.

According to Arida, the said hobby destructs healthy farm ecology as it reduces the number of spiders, especially the hunting spider, *Lycosa pseudoannulata*, which is the most common and effective enemy of BPH.

"When plants are dried up or hopper burned, no amount of pesticides or insecticide can help the plant recover from the damage. This outbreak may just serve as lesson to farmers who indiscriminately apply chemicals," Arida said.

As of today, Ricardo B. Saltin, Chief of the Regional Crop Protection Center of the Department of Agriculture Regional Field Office-VI, reported that 10 municipalities in Iloilo were affected with severity ranging from 2 to 20 percent while about 4000 ha covering four towns in Capiz posted a severity of 2-10 percent. In Dumalag, Capiz, about 3,800 ha of rice fields were hit.

Already in the vegetative and reproductive stages, affected varieties include NSIC Rc 150, 152, 154, 156, and 158. Iloilo Provincial Agriculturist Ildelfonso Toledo, meanwhile, clarified that the "occurrence of planthoppers is not because of rice variety."

DA-PhilRice is a government-owned and -controlled corporation that aims at developing high-yielding and cost-reducing technologies so farmers can produce enough rice for all Filipinos.

For more information, please visit or contact DA-PhilRice at Maligaya, Science City of Muñoz, Nueva Ecija with telephone number (044) 456-0285 loc 511/512 or any PhilRice station near you. You may also visit their website at [www.philrice.gov.ph](http://www.philrice.gov.ph) or text your questions to 0920-911-1398. ([www.philstar.com](http://www.philstar.com)) ■

# PHILIPPINE NEWS

## Asean Ministers Meet in Manila to Tackle Human Trafficking

by Cecile **SUERTE-FELIPE**  
Thursday, October 28, 2010

**MANILA, Philippines - MINISTERS OF THE MEMBER STATES OF ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)** are set to discuss the problems of human trafficking, illegal drugs and terrorism in the region.

Interior and Local Government Secretary Jesse Robredo welcomed his counterparts from the ASEAN yesterday as he stressed the need to strengthen regional co-operation and commitment against these crimes and the other transnational crimes.

Robredo said these issues would be the top agenda of the 10th ASEAN Senior Officials Meeting on Transnational Crime (SOMTC).

"Organized crime groups that are operating across borders are taking advantage of the sophisticated weaponry, modern technologies and telecommunications," Robredo told the ASEAN delegates during the formal opening ceremony at the Dusit Hotel in Makati City.

Robredo led the Philippine delegation with Undersecretary Rico Puno in the welcoming ceremonies.

Puno, chairman of this year's

SOMTC, explained the ASEAN SOMTC is the operating arm of the ASEAN Ministerial Meeting on Transnational Crime (AMMC), the highest policy-making body on ASEAN cooperation in combating transnational crimes.

The SOMTC is instrumental in realizing the recommendations of the Vientiane Action Plan to develop the ASEAN Convention on Counter Terrorism, which has been signed by all ASEAN member countries.

Robredo, on the other hand, told the ASEAN forum that "the sophistication of crime groups should serve as a challenge for the ASEAN to work more closely together for a more comprehensive regional strategy against transnational crimes."

"Crimes have evolved and taken many forms and these will continue to be an issue for all of us here," he said.

Robredo said the Philippines was chosen as the Lead Shepherd for Trafficking in Persons (TIP), which has been in the forefront of regional and local actions against trafficking in persons.

Robredo said human trafficking is a significant issue in the Philippines since 2003, which prompted the government to enact Republic

Act 9208 or the Anti-Trafficking in Persons Act.

The law makes us one of the first countries in Asia to have enacted an anti-trafficking legislation, Robredo pointed out.

Robredo told the forum that the DILG had issued several directives to local government units for the strict implementation of RA 9208 and the establishment of the necessary institutional mechanisms for the protection and support of trafficked persons.

He added the National Police Commission also issued guidelines for improving case management and initiating efforts towards addressing the problem of trafficking in persons.

Participants in the high-level ASEAN meet are senior officials from ASEAN member states of Brunei, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Singapore, Philippines, Thailand and Vietnam.

Representatives from international organizations also attended the forum.

"It is my hope that by the time this meeting comes to a close, we will be in a more strategic position to effectively address new and more sophisticated criminal threats, and closer to our goal of a peaceful and

stable ASEAN region," Robredo said.

This developed as the Department of Foreign Affairs (DFA) yesterday said a Filipino was sentenced to death in Indonesia for drug trafficking.

The DFA told presidential adviser on overseas Filipino workers (OFWs) Vice President Jejomar Binay that the Filipino was sentenced to death last Oct. 11 amid the state prosecutor's petition for a lower sentence of life imprisonment.

The DFA did not identify the Filipino death convict but revealed she was a drug mule caught carrying 2.6 kilograms of heroin at the Aduciscripto International Airport in Yogyakarta last April 25.

DFA Undersecretary for Migrant Workers' Affairs Esteban Conejos Jr. warned that Indonesia and other countries have imposed stiff penalties on illegal drug possession.

"We warn our countrymen from carrying drugs when traveling overseas and especially not to accept packages which they suspect contain drugs, and also to be wary of the modus operandi being used by drug trafficking syndicates. If they are caught, they will face very dire circumstances," Conejos said.

The DFA said some 112 Fil-

ipino migrant workers are now detained in China facing drug-related cases.

As of Oct. 21, 2010, the DFA said there are 76 Filipinos in China who have been convicted and sentenced to death for drug trafficking.

Of the 112 death penalty cases, 16 are OFWs charged for multiple murder/murder, murder with robbery, blasphemy and drug-related case.

The cases of 18 OFWs in Malaysia who were sentenced to death include drug trafficking, robbery with homicide, rape with homicide and murder.

Conejos said there are already 205 Filipinos facing drug trafficking cases abroad.

Meanwhile, the Blas Ople Policy Center, the Cravings Group and Sen. Manuel Villar Jr. yesterday launched a job training scholarship program for victims of illegal recruitment and human trafficking.

Dubbed as the "Skills-Up" program, the project aims to equip victims of illegal recruitment and human trafficking with housekeeping and barista skills.

Susan Ople, president of the Blas Ople Policy Center said the 20 scholars, who are victims of human trafficking and illegal recruitment, would undergo a three-month course on hotel housekeeping and barista training for free. ([www.philstar.com](http://www.philstar.com)) ■



## Cop Says He Was Paid \$350 for Massacre

by Helen **FLORES**  
Wednesday, October 27, 2010

**MANILA, Philippines - A POLICE OFFICER YESTERDAY TESTIFIED IN COURT** that he was paid about \$350 by Andal Ampatuan Jr. to help carry out the country's worst political massacre.

Inspector Rex Ariel Diong said he received the money from Ampatuan to set up the police checkpoint that stopped the convoy of a rival politician in Maguin danoo last year.

The convoy carried relatives of Esmael Mangudadatu who were going to file his candidacy to run against Ampatuan for provincial governor.

"Do you know who our enemies are? Are you capable of killing them?" Diong quoted Ampatuan as saying.

He recalled answering "yes," but said he only did so out of fear.

He said Ampatuan paid him P15,000 (about \$350 dollars) for the job, adding that

he saw at least three other police officers receive payoffs as well.

When the convoy carrying Mangudadatu's wife and other relatives, their lawyers and 32 journalists arrived, Diong said his men stopped their vehicles, allowing Ampatuan and his gunmen to take the passengers away.

Other witnesses in the trial have said that Ampatuan and his armed followers forced 57 people out of their vehicles, beat them up despite pleas for mercy before taking them to a hillside area where they were gunned down.

One witness, a former servant of the clan, said the Ampatuan family planned the massacre days in advance.

Diong said he saw Ampatuan poking a gun at the passengers and hitting them but he did not say he witnessed the actual shooting.

The policeman was testifying for the prosecution in the trial of Ampatuan and several of his relatives and bodyguards as well as several policemen accused of helping in the massacre. ([www.philstar.com](http://www.philstar.com)) ■

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## TRAVEL GUIDE

## Secrets to Saving While Shopping Abroad

by Paolo ROMERO /  
Sunday, October 24, 2010

**M**ANILA, Philippines - Traveling comes with many perks such as seeing amazing sights, making personal discoveries and learning new things. For travelers who love to shop, these perks come with a bonus — the chance to take home unique finds and the best bargains.

And with the right information, they can maximize trips by taking advantage of the many shopping and tourism perks offered by top Asian destinations.

Tax refunds in Singapore. In Singapore, travelers who spend a minimum of SG\$100 in a single day can claim tax refunds.

Tourists are allowed to get a seven percent Goods and Services Tax (GST) refund on purchases made from participating retailers, thanks to Singapore's

#### Tourist Refund Scheme.

Buyers just have to provide proper documentation such as receipts and refund forms issued by retailers and present it at the Changi Airport GST Refund counter before they leave Singapore.

VAT rebates in Bangkok. A trip to Bangkok, Thailand allows travelers to splurge on very affordable deals on food and clothes.

Aside from the low prices, they can also avail themselves of the seven percent Value Added Tax (VAT) rebate for items worth more than 5,000 baht.

Stores taking part in this refund scheme are easy to find. Friendly Thais eagerly assist and even post signs of "VAT Refund for Tourists" at their establishments.

Travelers only need to ask for a VAT refund form after making a purchase and keep their original receipts. Present the paperwork to

the Customs Inspection for VAT Refund desk at the international airport to have the tax refund approved.

Hong Kong's Quality Tourism Services. Hong Kong is every shopper's dream destination with its constant sales and free trade economy. Because of the huge number of shops, restaurants and hotels, the Hong Kong Tourism Board (HKTb) came up with the Quality Tourism Services (QTS). This is a list of HKTb-accredited establishments so travelers can easily access unique shops, affordable accommodations and superb restaurants. Now, it's easier to find high quality establishments with QTS. The HKTb visitor hotline is +852 2508 1234.

To enjoy such perks and have an even bigger shopping budget, travelers can book budget-friendly seats early with a trusted airline.

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## PHILIPPINE NEWS

## PNP Deploys 'Tourist Police' for Foreign Visitors' Safety

by Perseus ECHIMINADA /  
Wednesday, October 27, 2010

MANILA, Philippines (Xinhua) - **THE PHILIPPINE NATIONAL POLICE (PNP) HAS STARTED** deploying over 100 policemen in key destinations in Metro Manila to

ensure the safety of foreign tourists, a police official said Wednesday.

The police officers from the Regional Public Safety Battalion, known as "tourist police", are deployed mainly to assist foreign nationals visiting the country, Philippine National Capital Region

Police Office (NCRPO) chief Nicanor Bartolome said.

"The deployment of tourist police is part of NCRPO's commitment to making police services more accessible to foreigners and helping make Metro Manila a tourist-friendly city," he added.

The deployed personnel cover two 12-hour shifts, from 6:00 a.m. to 6:00 p.m. and 6:00 p.m. to 6:00 a.m. the following day.

Bartolome said the tourist police are deployed particularly in Mandaluyog, Pasay and Manila cities including the vicinities of SM Mall of Asia, Intramuros (ancient Spanish palace), UP Manila, Divisoria (a cheap goods shopping center), Binondo (Chinatown) and

Roxas Boulevard.

He added that the deployed police personnel are conversant in English and trained in customer service.

President Benigno Aquino III earlier vowed to reactivate the tourist police following the Aug. 23 Quirino Grandstand hostage crisis where eight Hong Kong tourists were killed and seven others were wounded. ([www.philstar.com](http://www.philstar.com)) ■

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## P152-Million Lotto Pot: One Winner

by Reiner PADUA /  
Thursday, October 28, 2010

MANILA, Philippines - **A LONE BETTOR HAS BECOME** the latest lotto multimillionaire after winning the P152-million jackpot in the 649 Super Lotto draw last Tuesday.

The lucky bettor from Luzon had placed the winning combination of 22-35-29-21-33-26 in Naic, Cavite and won the total jackpot of P152,513,661.60.

Liza Daguyo, assistant general manager for online lottery of the Philippine Charity Sweepstakes Office (PCSO), said the winner has not yet claimed the prize.

Daguyo said aside from the jackpot winner, there were also 22 bettors who won P56,000 each:

1,348 who won P1,000 each and 31,917 bettors who won P100 each.

The 649 Super Lotto remains as PCSO's most popular game. It registered the biggest jackpot in history at a whopping P347 million in February 2009.

Another lone bettor, meanwhile, won the P18,606,636 jackpot in the 645 Megalotto draw last Monday.

The lucky bettor placed the winning combination of 06-17-24-45-22-28 in Luzon and was expected to claim the prize yesterday afternoon.

No bettor, however, won the jackpot for the Grand Lotto game which has reached P272 million. The winning combination was 43-38-26-02-12-48. ([www.philstar.com](http://www.philstar.com)) ■

LEGAL NOTES

# Authorized to Work but Status is Unlawful



by Reuben S. SEGURITAN

**M**ay an alien be considered to be in unlawful status even though he or she is authorized to work? In the recent case of Bokhari v. Holder, the Court of Appeals for the 5th Circuit said yes.

The decision has been criticized by some immigration lawyers as an "immigration absurdity" and one that "defies logic."

In this case, Bokhari entered the United States on April 9, 2001

as a B-2 nonimmigrant. His B-2 status was extended through October 9, 2002. On June 11, 2002 his status changed to L-1A nonimmigrant worker (intra-company transferee).

His employer applied for an extension of his L-1A status on June 09, 2003, one day before its expiration. The application was denied on March 19, 2004. His employer appealed but the appeal was denied.

On June 8, 2004 his employer filed an I-140 (employment-based) visa petition on his behalf and simultaneously, Bokhari filed for adjustment of status. The I-140 petition was approved but the adjustment of status was denied. The denial was based on the ground that Bokhari had failed to maintain lawful immigration status

for more than 180 days before filing the application. Section 245k of the Immigration and Nationality Act allows an alien who is out of status to file an adjustment application if his or her unlawful status lasted less than 180 days.

Because of the denial of his adjustment application, Bokhari was placed under deportation proceedings. During the hearing, Bokhari claimed that he was eligible for adjustment but the Immigration Judge ruled that he was not eligible because the application was filed more than 180 days after his L-1A status expired on June 10, 2003.

Bokhari appealed to the Board of Immigration Appeals. He argued that he was in lawful status until his extension application was denied on March 19, 2004. He asserted that he was in lawful status from the expiration of his L-1A on June 10, 2003 through

March 19, 2004 because immigration regulations allowed him to work during that period. The regulation that he cited authorizes an alien to continue working for 240 days while the extension application is pending.

The Board of Immigration Appeals denied his appeal and stated that although he had been authorized to work, the work authorization did not provide him lawful immigration status.

In his appeal to the Court of Appeals he argued that the Board of Immigration Appeals misinterpreted the immigration regulation and the statute. He claimed that the automatic employment authorization provided by the regulation logically gave him lawful immigration status.

The Department of Homeland Security (DHS) on the other hand contended that employment authorization is not a grant of lawful

immigration status. It said that they are two different issues and that the extension application did not confer lawful status.

The Court of Appeals agreed with the DHS. It held that the employment authorization provided to Bokhari under immigration regulations did not provide him with lawful status. The Court pointed out that the term "lawful immigration status," is granted to nonimmigrants "whose initial period of admission has not expired or whose nonimmigrant status has been extended," Bokhari, said the Court, was in unlawful status after June 10, 2003 and was thus ineligible to have his status adjusted to that of a permanent resident. ■

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)

# PHILIPPINE NEWS

## Two Leftist Rebels Killed in Clash with Gov't Troops in Zamboanga

by Dennis CARCAMO / Thursday, October 28, 2010

**DAVAO CITY, Philippines (Xinhua) -- TWO LEFTIST REBELS WERE KILLED WHEN GOVERNMENT TROOPS** clashed with a group of rebels, suspected of New People's Army, in southern Philippines on Wednesday, a military official said Thursday.

Soldiers conducting clearing operations also recovered a Carbine rifle as well as the bodies of a male and a female New People's Army guerrillas following the encounter in a village in Siay town in Mindanao's Zamboanga Sibugay province. Major Arnold Gasalanan, spokesperson of the army's 1st In-



fantry Division, said in a text message.

Gasalanan said the clash happened past 5 a.m. Wednesday when operating troops of the army's 53rd Infantry Battalion conducting combat patrol ran into an undetermined number of leftist rebels which resulted to a fierce 20-minute gunfight.

He said government troops did not suffer casualties and "voluminous documents of high intelligence value" were also recovered after the clash.

The 4,000-strong NPA, armed wing of the Communist Party of the Philippines, is fighting a 41-year leftist insurgency in 60 of the country's 79 provinces. ([www.philstar.com](http://www.philstar.com)) ■



## 19 Large Mining Projects to Boost RP Economy

by Aureo CAUCA / Thursday, October 28, 2010

**MANILA, Philippines (Xinhua) -- NINETEEN LARGE MINING PROJECTS ARE EXPECTED TO BOOST** the Philippine economy in the coming years, the Chamber of Mines of the Philippines (CMP) said today.

CMP President Benjamin Philip Romualdez told a business forum that these projects which are on the pipeline could bring in total investment of \$12.92 billion, \$1.2 billion of which will be used by next

year and will bring total revenues of \$2.13 billion.

Romualdez said that three medium-sized nickel mining projects and one processing plant will be on stream in 2011.

The official noted that mining sector grew by 36 percent during the first half of 2010 from 22 percent a year ago.

He said the growth could be translated to over \$3 billion to the Philippine economy.

Currently, there are three large-scale operating mines in copper, four in gold and 10 in nickel in the country. ([www.philstar.com](http://www.philstar.com)) ■

## Government to Come Up with New Guidelines to Protect OFWs

by Paolo ROMERO / Thursday, October 28, 2010

**MANILA, Philippines (Xinhua) -- THE GOVERNMENT TODAY SAID IT PLANS** to come up with new guidelines aimed at protecting its citizens working abroad.

A new committee was created under the Department of Labor and Employment and will primarily be responsible in developing policy guidelines and procedures when the country enters into bilateral labor agreements or arrangements with other countries or organizations.

The committee will come up



with a "package of reforms" that will provide greater protection to overseas Filipino workers, whose remittances corner roughly 10 percent of the country's gross domestic product. It will also provide guidelines and rules of engagement in the negotiation.

Other functions of the committee include reviewing and assessing existing bilateral agreements, monitoring their implementation and coordinating with relevant agencies. ([www.philstar.com](http://www.philstar.com)) ■

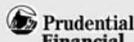
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# MAINLAND NEWS

## 'Pacquiao Might Be Done with Boxing'

by AP/  
Friday, October 29, 2010

**LOS ANGELES — WHEN MANNY PACQUIAO FINALLY MADE HIS WAY** past the autograph hounds and the process server to climb the rickety staircase to the Wild Card Gym, he was met by dozens of fans, fellow fighters, reporters and even a television star, all wanting a moment before his workout.

Hollywood is jampacked with distractions for the world's top pound-for-pound boxer — and the man they call Pacman isn't even a congressman in this country.

Trainer Freddie Roach says Pacquiao is having the worst training camp of his career heading into his Nov. 13 meeting with Antonio Margarito in Texas.

In the five months since he won a congressional seat in his native Philippines, boxing has lost some of its urgency for Pacquiao. Roach can even cite physical evidence their careers have been hurt by politics.

"He has a foot problem, and that's because he wears dress shoes too much," Roach said, referring to the nagging left heel injury that has slowed Pacquiao's running.

Although Roach thinks he'll have no problem putting together a speed-based game plan to beat the bigger Margarito, he's worried about Pacquiao's ability to execute it. The fighter who flawlessly teamed with boxing's most respected trainer to forge a 12-fight winning streak just doesn't have

the same focus, or even the same drive.

"At two in the morning, I'm walking around Baguio pulling my hair out, saying, 'What do I have to do?'" Roach said, referring to the Filipino city where they trained before returning to Los Angeles last weekend.

"I know his mind is off the fight. I know his mind is somewhere else, and that's because of politics. If there are no more challenges out there after this fight, this could be it. If Floyd (Mayweather Jr.) doesn't come to the table, I don't know what's going to challenge him. He loves his other job, and he might be done with this one."

Roach hopes the move state-side will help, although the hubbub Wednesday at the open workout suggested otherwise.



Manny Pacquiao with his trainer, Freddie Roach

After Pacquiao apparently was served with papers in an envelope on the way into the gym, he quickly got his hands wrapped before walking slowly around the ring in the Wild Card's stifling heat, patiently answering questions from dozens of reporters. Perhaps after greeting actor Jeremy Piven, Pac-

quiao would be ready to train.

"I've been under pressure and tough conditions before," Pacquiao said. "The training is going good, but the problem is aside from training, there's lots of stuff to do. ... I'm thinking about (retirement), but I can still fight. I think I'll do a few more." ([www.philstar.com](http://www.philstar.com)) ■

## 'Mayweather Fears Emotional Trauma if Beaten by Pacquiao'

by Alex P. VIDAL/PNS

BOSTON, Massachusetts — **Now it can be told.** Flamboyant Floyd Mayweather Jr. doesn't want to preserve his unblemished record and did not want to risk it by agreeing to fight Filipino lefty Manny Pacquiao this year.

"With all his legal problems and after that ridiculous, racist rant of his (on video), I don't know if it happens," Orange County Register scribe Mark Whicker quoted Top Rank chief executive Bob Arum in an article dated October 10, 2010.

Arum said: "It certainly looks like Floyd doesn't want to fight him. I just think he would feel a lot of emotional trauma if he lost his zero (as in his 41-0 record)."

Mayweather has officially been charged with felony counts of coercion, robbery and grand larceny — as well as four misdemeanors — for the alleged domestic incident with his baby's mother in Las Vegas.

### MISDEMEANORS

According to the Clark County District Attorney the misdemeanors are battery, and three counts of harassment.

As reported earlier, Josie Harris claims the boxer beat her, threatened to kill her, and stole her cell phone during the alleged incident on September 9.

The coercion and harassment counts include alleged threats Mayweather made against his sons. Ac-

ording to the docs, the boxer threatened to beat his kids' asses if they "called 911 and/or left the residence."

If convicted of all charges, Floyd could spend up to 28 years behind bars.

Pacquiao was supposed to square off with Mayweather earlier this year but ended up fighting Joshua Clottey in a 12-round WBO welterweight championship at the Cowboys Stadium in Arlington, Texas last March 13.

In an apparent delaying tactic, Mayweather blasted Pacquiao's refusal to undergo an Olympic-style blood test to determine whether the popular Filipino fighter was using drugs. ■

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## GLOBAL NEWS

### OFW Jailed for Arab's Death Seeks Noy's Help

by Ding CERVANTES /

Friday, October 29, 2010

CLARK FREEPORT, Pampanga, Philippines — **RODELIO "DON-DON" CELESTINO LANUZA MARKED HIS 37th birthday** last Oct. 4 at the Damman Central Jail in Saudi Arabia where he has been locked up since August 2000 for the death of an Arab national.

Lanuza, whose two children in Cavite have relied mostly on donations for their schooling since he was jailed, reiterated his appeal to President Aquino in whose term he could be beheaded.

Under Muslim laws, the final verdict on Lanuza's death penalty would depend on the decision of the eldest child of the Arab victim when the latter turns 18 less than

four years from now.

Lanuza informed THE STAR through e-mail that only recently, other Filipinos had been beheaded after waiting for as long as 17 years for the children of their victims to turn 18 but eventually refused them pardon.

Lanuza initially claimed self-defense in the murder case, but has since admitted his fate. He is hoping though that the Philippine government would negotiate with the Saudi government so that the Saudi Court of Cassation, which is equivalent to the Philippine Supreme Court, would overturn the lower courts' previous rulings or convince the victim's relatives to forgive and grant him pardon.

Lanuza said his case has re-



mained under appeal before the Court of Cassation.

Lanuza's wife, Meribeth, is also in Saudi Arabia working as a nurse. However, her serial salary has been insufficient to fund the schooling of their two children.

Lanuza's sympathizers have put up a Facebook group account called "Help Save a Life" to lobby for his pardon and raise funds for his children. ([www.philstar.com](http://www.philstar.com)) ■

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## GLOBAL NEWS

### ASEAN Urged to Boost Business, Investment Efficiency

HANOI, Philippines (Xinhua) - **VIENTIANE PRIME MINISTER NGUYEN TAN DUNG** said here Wednesday at the ASEAN Business and Investment Summit that ASEAN countries should work together closely to boost efficiency of business and investment activities.

The summit is co-organized by Association of Southeast Asian Nations (ASEAN) Business Advisory Council and Vietnam Chamber of Commerce and Industry.

Dung said the business summit offers a platform for company leaders, policy-makers and economists from ASEAN countries to discuss opportunities and challenges in pursuing sustainable development.

Dung said this process will contribute to narrowing the development gap among ASEAN countries and maintaining regional stability in the region, said Dung.

The idea of ASEAN Business and Investment Summit (ASEAN-BIS) was

created in 2002 by leaders from ASEAN countries as a part of the bloc's annual leaders' summit to encourage the participation of business sector in the process of building the ASEAN Economic Community, an important pillar of the ASEAN Community.

The first ASEAN-BIS was held in 2003. It now serves as a forum linking the private sector with public sector and government representatives.

ASEAN, founded in 1967, currently groups Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. (www.philstar.com) ■

### Indonesia Tsunami Kills 113; Help on the Way

PADANG (AP) - **NAVY SHIPS PACKED WITH MEDICINE AND FOOD AND RESCUERS** in helicopters headed Tuesday to remote Indonesian islands that were pounded by a 10-foot (3-meter) tsunami, sweeping away villages and killing at least 113 people.

Rough seas and bad weather have hampered relief operations, leaving villagers to fend for themselves for nearly two days. With not enough people to dig graves, corpses littered beaches and roads, according to district chief, Edison Salelo Baja. Fishermen were scouring waters in search of survivors.

The fault line that ruptured Monday on Sumatra island's coast also caused the 2004 quake and monster Indian Ocean tsunami that killed 230,000 people in a dozen countries.

Disaster officials have been unable so far to reach many of the villages on the hardest hit Mentawai islands — a popular surfer's destination that is usually reachable only by a 12-hour boat ride. But they were preparing for the worst Wednesday.

"We have 200 baby bags on the way, just in case," said Mujiharto, who heads the Health Ministry's crisis center, putting the death toll so far at 113 with hundreds more still missing.

Indonesia, the world's largest archipelago, is prone to earthquakes and volcanic activity due to its location on the so-called Pacific Ring of Fire — a series of fault lines stretching from the Western Hemisphere through Japan and Southeast Asia.

The country's most volatile volcano, Mount Merapi, 800 miles (1,300 kilometers) to the east, started to erupt at dusk Tuesday as scientists warned that pres-



sure building beneath its lava dome could trigger one of the most powerful blasts in years.

The 7.7-magnitude quake that struck late Monday just 13 miles (20 kilometers) beneath the ocean floor was followed by at least 14 aftershocks, the largest measuring 6.2, and many panicked residents have been too afraid to return home.

That could account in part for the more than 500 people still missing, said Hendri Dori Satoko, a local parliamentarian who was overseeing a fact-finding mission. "We're trying to stay hopeful," he said.

The first cargo plane loaded down with 16 tons of tents, medicine, food and clothes was expected to arrive by Wednesday afternoon, said Nells Zuliastri, a spokeswoman for the National Disaster Management Agency.

Two helicopters also were on the way, as was a Navy ship and a boat carrying dozens of police and military personnel, said Ade Edward, another disaster official.

Officials say hundreds of wooden and bamboo homes were washed away on the island of Pagai, with water flooding crops and roads up to 600 yards (meters) inland. In Muntel Baru, a village on Silabu island, 80 percent of the houses were

badly damaged. Those and other islets hit were part of the Mentawai island chain, 175 miles (280 kilometers) from Sumatra.

Eight Australian survivors, and American and a New Zealander arrived in the Sumatran city of Padang on Wednesday, recounting their harrowing encounter with the tsunami.

They said they were on the back deck of their anchored boat, the 'MV Midas,' when the wall of water smashed them into a neighbouring vessel, triggering a fire that quickly ripped through their cabin.

"They hit us directly in the side of the boat, piercing a fuel tank," said Daniel North, the American crew member. "At most immediately, the captain gave the order to abandon ship and everyone got off the boat."

They clung to surfboards, fenders — anything that floated — as they washed in the wetlands and then climbed the highest trees they could find and waited for more than 90 minutes until they felt safe.

Ade Edward, a disaster management agency official, said crews from a tourist boat were found safe after more than 24 hours missing in the Indian Ocean, including up to nine foreigners. (www.philstar.com) ■

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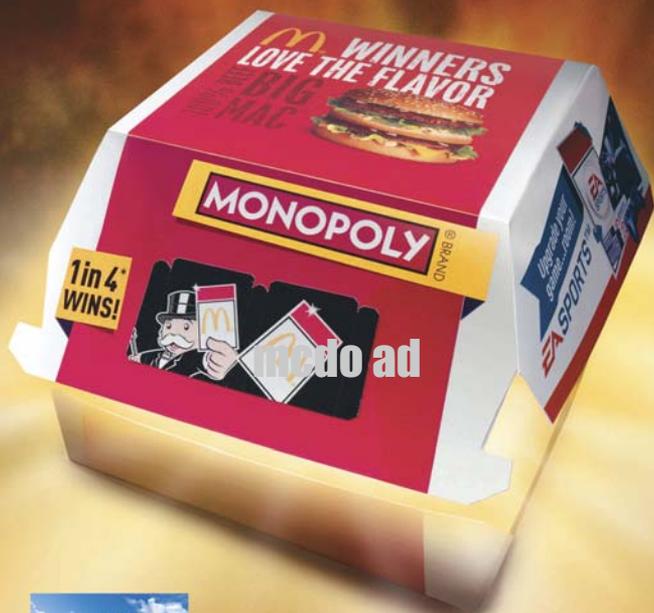
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