

HAWAII CHRONICLE

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

MELTDOWN 2011: UNSTABLE MARKETS AND WHAT IT MEANS FOR YOU

By Danny DE GRACIA II

Perhaps the most concerning development for the health of America's economy and its dollar went largely unreported during the Thanksgiving week: China and Russia officially announced that they would no longer use the U.S. dollar for bilateral trade between their two countries. With the Federal Reserve set to purchase \$600 billion in Treasuries in early 2011, the national debt barreling towards \$20 trillion dollars and interest on the debt already at \$414 billion dollars a year, the news that China and Russia are shying from our currency means only one thing: the dollar is dying from too much government spending, and with it, America's future.

AN "UNSUSTAINABLE PATH"

Since the dollar has not been backed by gold for almost four decades, the present value of America's currency is based entirely on a "floating exchange rate" or said simply, perception of

value by foreign holders of dollars. China, which holds as of September 2010 some \$883.5 billion in U.S. Treasury securities is the largest holder of dollars and is, in effect, the creditor that has given legitimacy to America's continued government spending. Unfortunately for the Chi-

nese, the massive increase in America's spending as well as their public debt has not only negatively impacted prices in their own economy, but has many in their country wondering whether or not the United States has the ability to pay off its debt to foreign holders of the dollar.



China, which held \$938.3 billion in September 2009 has quietly dumped upwards of \$54 billion in securities and is slowly reducing its holdings of dollars.

In June of this year, Federal Reserve Chairman Ben Bernanke testified before the House Committee on Budget and warned

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Pasko sa FilCom to Raffle Round-Trip Tickets to Philippines

By HFC Staff

Two free round trip tickets to the Philippines will be among many give-away prizes during the upcoming Pasko sa FilCom on December 12, 2010 from 11 am to 7 pm at the Filipino Community Center.

The tickets are courtesy of Everlasting Travel and Diplomat Tours & Travel. In keeping with the Christmas spirit, attendees are being asked to bring canned goods, bags of rice or toys which will be donated to the Hawaii Food Bank.

This year's Pasko sa FilCom will highlight traditional and contemporary Philippine Christmas celebrations, and feature eight-hours of merriment, food, games, caroling and cultural encounters. Free and open to the public, Pasko will also offer a string of delightful activities for the young and young at heart, immigrant and local



folks, kababayan and even non-Filipinos. A host of community organizations are sponsoring the event including the Congress of Visayan Organizations, Filipino American Historical Society of Hawaii, Filipino American League of Engineers & Architects, Filipino Association

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Kapolei City Lights Marks 10th Anniversary

By HFC Staff

Games, food booths, employee tree displays and holiday lights will be the focus of this Christmas Season as Mayor Peter Carlisle kicks off the 10th annual Kapolei City Lights Celebration on Sunday, December 11, 2010.

The public is invited to the free event, which also includes a Christmas Tree Lighting Ceremony, West Oahu Electric Light Parade and much more.

The festivities begin at 5 p.m. with food booths, free keiki games and entertainment on Ulukouia Street fronting Kapolei Hale. The parade begins at 6 p.m., and the mayor and first lady will illuminate the tree at 7:45 pm. A stunning fireworks display will commence

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EDITORIAL

Love, Life and the Christmas Season

On the fifth floor at Pali Momi Hospital, centered eye-level between two elevators rests an inspiring quote of author Helen Keller who was deaf and blind by age 19 after contracting scarlet fever. The quotation, framed as a gift to the hospital staff from a former patient, reads: "The best and most beautiful things in the world cannot be seen nor touched, but are felt in the heart." Immediately, when you exit the elevator, walk through the wide halls, catch glimpses of frightened patients embraced by tearful loved ones, hear whispered prayers and muted laughs floating from the recovery rooms, the Keller quotation begins to take on a different meaning. In any other environment, that same quotation would simply remain at the intellectual surface—a brief "ah-ha" moment at best. At a hospital, those same words have texture, warmly brushing at the heart if you pay attention to the surroundings and what's really going on.

Perhaps what makes the Holiday Season so special is this heightened awareness all around us when we are faced with the painful experience of visiting someone dear to us in the hospital. Time slows down and we cherish the present knowing how valuable and quickly the Christmas Season starts and ends, as does life. We also recognize the power of finality and change. Surely another holiday season will come for most of us, we think to ourselves...but deep down inside we know that each Christmas or for that matter the rest of the year, will not be the same. Cycles of birth, aging, graduation, separation, marriage, or even tragedies of divorce, death and illness are inevitable as we grow older. Parents pass on...children grow up. Dinner tables each year,



simply put, are not guaranteed to have the same family and friends around us. So what we hope to achieve whether or not we're mindful of this and every holiday season, is as what Keller described, capturing moments of indescribable beauty that we can remember and happiness that we can feel deep in our hearts before they slip away to change.

For the greater part of the year, many of us switch on to autopilot in carrying out the responsibilities of every day life. We miss out on the people and places we travel with. Perhaps how we perceive our surroundings, how we treat each other and even time itself during the Holiday Season, could be expanded through the rest of the year. Last October, it took a near-tragic event to inspire the world to live a more magical and inspiring life. The rescue of 33 miners trapped nearly a half-mile below the ground for more than two months in northern Chile gripped the attention of almost everyone because of one very powerful universal message—live and love like today could be your last. Mario Sepulveda, one of the rescued miners said: "I buried 40 years of my life down there (his old way of living). I'm going to live a lot longer to be a new person. I have learned a lot of wonderful lessons about taking the good path in life. For those of you able to, call your wives, or your husbands (or children), do so."

Another year is coming to an end and the holiday season has already begun. Let us cherish each moment and our loved ones as if time mattered, because it really does. ■

A Basic Lack

Health is wealth; millions of Filipinos are lacking in both. Wealth creation is an arduous task. It will take time before even the most well-intentioned government can give the majority of Filipinos a decent income. But the Aquino administration can provide more quickly the next best thing: decent universal health care.

It starts with the most basic requirement for human survival: clean water. A party-list lawmaker estimates that some 17 million Filipinos lack access to clean water while a fourth of the population does not have sanitation facilities in individual dwellings.

Experts have said good health can be promoted through proper personal hygiene and sanitation. Merely washing hands regularly could protect people, particularly children, from disease-causing organisms. But even in several public schools, there is no water for washing hands and flushing toilets. Many pupils in these schools live in areas where water is drawn from neighborhood artesian wells and where lavatories are often communal outhouses.

Among the consequences of this problem are periodic outbreaks of cholera in Metro Manila and other parts of the country. Water-borne diseases also remain among the causes of child mortality in this country. Lawmakers said the country could achieve only 82 percent of the Millennium Development Goals on water supply by 2015.

Water supply is a problem even in Metro Manila, where millions of residents are still waiting for their communities to be covered by the water concessionaires. Experts have warned that ground water extraction in these areas is weakening soil foundations and could one day result in a grievous disaster. Ground water supply is also being depleted fast, experts warned, so the water concessionaires must speed up efforts to achieve 100 percent coverage in their respective service areas.

Outside Metro Manila, the government must boost efforts to provide universal access to safe water and proper sanitation facilities. The initial investment in the necessary infrastructure could be substantial, but the long-term advantages in improved public health will more than offset the cost. (www.phlstar.com) ■

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LEGISLATIVE UPDATE

The Office of Sports Development



by Senator Will ESPEROS

onship, the International Bliffish Tournament, and a couple of dozen others. Charter boat skippers can accommodate fishermen from out of state who want to reel it in with the best of them. Hawaii is one of the ultimate surfing spots on the big, blue planet, made famous not just by virtue of awesome curls on the North Shore, but also by the Beach Boys long ago and many surf films since then.

Next week's world-famous Honolulu Marathon is a prime example of how much of an economic impact large sporting events can have. About three-fourths of the roughly 20,000 runners each year are from out-of-state. That's a lot of visitors staying in our hotel rooms, eating at our restaurants, shopping for souvenirs, and going sightseeing. Event promoters say that each year the marathon generates roughly \$100 million in total sales. It boasts one of the highest participation numbers in marathons in the U.S.

Kailua-Kona's Ironman World Championship on the Big Island is thought by some to be the most exciting triathlete competition in the world. Viewed as the defining race for the sport, tens of thousands vie for a prized spot in any of the qualifying events around the globe. Of this elite group, only the top 1,800 vie for the title. The Ironman challenge includes a 2.4-mile swim, followed by a 112-mile bike course, finished up by a 26.2-mile run. How prestigious is Hawaii's

triathlon? It has been described as the Super Bowl, Wimbledon, World Series, World Cup, and Tour de France all rolled into one.

For those super-fit who want to experience the thrill of doing a triathlon but can't train full-time, Oahu offers the Tinian Triathlon, which hosts 1,200 athletes each summer on Oahu. For the adventurous, there's the Kilauea Volcano Marathon with its lava terrain in sections interspersed with the Big Island's lovely forests and grueling slopes. The "Marathon and Beyond" website puts the Kilauea Volcano Marathon as its choice for 10th best among marathons because of the Big Island's exotic scenery. Here's a description that's hard for athletic tourists to resist: "a race in a remote wilderness area that is one of the more scenic in the country...the desert surrounding the volcano...climbs to the summit through the rain forest...[where] you are soothed by wild orchids, wild ginger, and huge palms."

The global publicity from sports events is extremely valuable. The Aloha Stadium has played host to the Pro Bowl for 30 years, and after this year's hiatus, returns to Hawaii in 2011 and 2012. The stands are full of fans, as are the hotels and rented cars, who watch the best of the best of professional football stars. The worldwide TV viewing audience gets to see scenic shots of our state before, in-between plays,

and after the show, giving our state great publicity.

The Sony Open also brings great recognition to Hawaii. Held in January each year, the contest brings 144 of the world's greatest golfers to the Waialae Country Club. Event hosts estimate that the golf tournament is watched in over 450 million homes in more than 200 countries, and that it contributes approximately \$100 million in marketing and economic impact to Hawaii. As one of the most global events on the PGA Tour schedule, the international talent combined with the spectacular beauty of Hawaii's golf courses attracts visitors to our islands. Whether they come to watch the tournament in person or at a later time on vacation, we are happy to have them enjoy our islands and spend their money here.

Our non-profit sector can benefit as well as the commercial sector. Funds raised by the Sony Open provide funding for more than a hundred charitable organizations who receive a share of the \$1 million raised annually.

Hawaii's entrepreneurs also get a share of tourism spending. Former America's Cup challenger the America II, offers three sails daily to those who want to experience the thrill of riding on an actual championship contender. Sailing

out of historic Lahaina Harbor on Maui, riders on the America II can enjoy the exhilarating feel of the refreshing ocean spray and cool breezes as it speeds through the channels among Maui, Lanai, and Molokai, courtesy of our tropical tradewinds. Diving companies can also offer year-round escapades into our warm, blue seas for a close-up view of Hawaii's colorful, unique fish and sea creatures. Hawaii is a natural for skydiving and parasailing, with our glorious mountain ranges and nearby blue seas.

How about indoor sports such as billiards, badminton, or ping pong? Let's not forget youth sports such as the AYSO, Pony League, Little League, Broncos, Diamond softball, volleyball, basketball, or tennis. With year-round beach weather, wouldn't it be great if the US Olympic Beach Volleyball team could train here?

The athletic competitions that are already held here have infused millions of dollars into our local businesses. The potential economic boost of hosting even more sporting events looks promising, and I think Hawaii is best served by actively attracting this sector. I hope that as the bill to create the Office of Sports Development moves through the Legislature, you will join me in supporting it. ■

■ HAWAII-FILIPINO NEWS

Kapolei Chorale to Perform Christmas Concert at Kapolei Library



The Kapolei Chorale

THE KAPOLEI CHORALE WILL PRESENT A FREE CHRISTMAS CONCERT at Kapolei Public Library on Saturday, December 11, 2010 at 10:30 am.

Under the direction of founder Doris Sadako Dudley, the Kapolei Chorale will perform a variety of holiday season favorites for the entire family. Chorale members are comprised of men and women from every major ethnic group in Hawaii who sing primarily four-part harmony and feature talented soloists.

The Kapolei Chorale's vast repertoire includes classical, Broadway, folk and contemporary songs sung in the English, Hawaiian, Latin and Filipino languages.

In addition to participating in many choral festivals, the Chorale has performed at Washington Place, Sunset on the Beach in Maui, the Perry and Price Show, the Maui Arts & Cultural Center and other venues.

The Friends of the Library is sponsoring this 45-minute program. Please call the library at 693-7050 for more details. ■

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HEADLINES (CONT.)

(cont. from page 1; MELTDOWN...)

Congress that "Our nation's fiscal position has deteriorated appreciably since the onset of the financial crisis and the recession" and went on to say that "the federal budget appears to be on an unsustainable path. A variety of projections that extrapolate current policies and make plausible assumptions about the future evolution of the economy show a structural budget gap that is both large relative to the size of the economy and increasing over time." Bernanke's announcement was the clearest indication that the U.S. government is headed for sovereign default if things did not change – but in early November, the Federal Reserve made the decision to aggravate the existing crisis with its "QE2" or second round of quantitative easing in which it would inject more dollars backed by nothing as part of a risky strategy to get bearish investors to put more money into the stock market.

China, whose currency, the renminbi is pegged to the dollar, saw the average cost of food increase by 10% this year alone. The fiscal irresponsibility and wanton printing of dollars in America has deeply troubled the Chinese government and

they will not be willing to sustain our other unsustainable spending forever. If America does not pay down its debts and reduce its \$3.5 trillion dollar a year spending, the Chinese will completely dump the dollar, resulting in a massive international sell-off of our currency and major devaluation which will bring immense hardship upon the average citizen.

BIG DECISIONS TO BE MADE TO KEEP IT ALL TOGETHER

Lyndon Remias, who is the first-ever Filipino to ever be appointed to the position of City Auditor by the Virginia Beach City Council tells Hawaii Filipinos that he believes that major budget reforms must be made at once in order to prevent catastrophe and to ensure fiscal stability for the future of Americans.

"At the Federal level spending is soaring and government debt is piling up at more than a trillion dollars a year," Remias says. "Official projections show rivers of red ink for years to come unless policymakers enact major budget reforms. Unless spending is cut, the United States is headed down the road to economic

ruin." Remias went on to say that "we will have to make major spending cuts sooner or later, and it would be better to make them sooner, before we accumulate even more debt."

Most Hawaii residents may not be aware of the fact that government spending needs to be cut both at the Federal level and the local level, because the more Hawaii spends, the more Washington spends and the more the Federal Reserve prints to cover both Washington and Honolulu. In Hawaii, a significant portion of the state budget is balanced through the infusion of Federal funds. Over the last two years, Federal funding accounted for \$3.4 billion dollars. Next year, it is forecasted that the Federal government will provide 15% of Hawaii's \$11.3+ billion dollar state budget – and with another looming state budget shortfall, even with possible tax increases Hawaii might be in a position to require an emergency bailout from Washington just to keep the lights on.

State representative and House Republican Floor Leader Kymberly Marcos Pine likewise believes that spending is getting out of control and that it greatly endangers the livelihood of the average citizen and the long-term stability of both our state and nation.

"When you have people starving and not having enough money to cover expenses and the chair and vice chair of the House Finance committee advocating for multimillion dollar turf deals balanced on the backs of the average citizen, it shows you their real intent," Rep. Pine said, speaking of the Hawaii State Legislature.

Senator Suzanne Chun Oakland who chairs the powerful Senate Human Services committee and represents a significant Filipino population in Kalihi believes that there will be budget difficulties, but is confident that a solution can still be found. "There will be huge fiscal challenges, but nothing that we cannot overcome if we, the people of Hawaii work together as a community. The state, in partnership with its citizens is working hard to fulfill its responsibilities in helping families and individuals, who find themselves in very difficult circumstances. Whether it is being unemployed or underemployed or having no health insurance coverage, Hawaii's people and our government have stepped up to the plate to care for each other. We have many opportunities and creative solutions that must be explored to meet the goals of supporting those who are most vulnerable in our state, while at the same time making sure that our taxpayer dollars are used wisely and strategically."

At the State Capitol, one op-

tion that was suggested by House leaders as a means to balance the budget was to "clone" the Federal Reserve at the local level by creating a state bank which could use loans as a means to pay for unlimited spending and interest of loans to plug holes in the state budget. House Concurrent Resolution 200 which was heard during the first regular session of 2010 was the Legislature's first step towards that direction, but was stopped by the Senate. The idea to create a state owned bank, however, is extremely dangerous for the same reasons that the Federal Reserve has created a crisis for the nation: fractional reserve banking, or printing money out of thin air backed by nothing on the expectation of creating wealth only creates inflation and debt that potentially cannot be paid off, resulting in the possibility of a default that would require a bailout.

"It's the most ridiculous idea I've ever heard of," Rep. Pine said, speaking of the possibility of a state owned bank. "Right now whenever you have a government project here in Hawaii you have to factor in an additional 20% just for waste and mismanagement, and now we want to apply those same management skills to banking? I don't think that our state leaders have proven from their past track record that they have the ability to run a bank."

Wes Benedict, executive director of the Libertarian Party believes that big banks and government have teamed up to put taxpayers on the hook for risky business.

"Miniature crises are always made worse when the government decides to throw good money after bad. Politicians and bankers swindled the public with the false metaphor that free market forces were driving our economy off a cliff. It was government backing of risky investments followed by wasteful stimulus spending that drug our economy downhill."

When asked about the growing national debt, Benedict warned that "The debt represents seniors living off the backs of younger generations. At some point, younger generations will have to pull the plug on seniors – otherwise the entire system will collapse."

COMMODITIES SKYROCKETING FROM FISCAL INSTABILITY

Meanwhile, as government spending continues to drive higher debts and more intervention by the Federal Reserve, commodities have skyrocketed in price. Since 2005 the price of gold has increased by \$882 dollars – a 178% change – and is as of the writing of this article \$1,363.17 per ounce.

Silver has likewise seen massive gains as investors flock to precious metals to preserve their wealth amidst a devaluing dollar and an imploding economy: in January 2005, silver was \$7; today it is \$26.66 an ounce. Many experts believe that as the Federal Reserve's hot money policy continues, gold will go as high as \$5,000 an ounce and silver to \$200 an ounce. In the event of a dollar panic, markets dumping dollars in favor for gold and silver could cause prices to drive to stellar highs.

Gold and silver aren't the only commodities that are increasing in price – food, energy and other commodities see increased prices as a result of the fiscal instability. For the average person, this means that the little money that they already keep after taxes will buy less and less with each passing day.

THE PHILIPPINE PESO TO BE WORTH MORE THAN THE DOLLAR?

Hawaii's Filipinos who transmit money to families in the Philippines may have noticed that recently, even the peso has gained significantly against the U.S. dollar as a result of the dollar's debasement. In December 2004, one dollar traded for 56 pesos. Today, it trades for 44.25 pesos. This trend is likely to accelerate as Bloomberg News reported last week that JP Morgan Chase analysts now believe that in 2011 the U.S. dollar will begin a course towards becoming "the world's weakest currency." The end of America and its dollar is now well within view, and it is highly possible that that the Philippine peso may one day outpace the dollar.

Honolulu City Councilman Gary Okino, whose term ends this year and also chairs the Oahu Metropolitan Planning Organization, believes that the local economy will be hurt significantly by inflation. "The impact that really bothers me is that a lot of people will not be able to afford living. It's going to make things difficult for people to have even a minimum quality of life," Okino says. "It will cause a new level of homelessness throughout the state and an economic experience very different than what we are used to and very terrible on people's lives."

Okino also feels that the economic crisis will also have a negative spiritual effect. "Poverty is one of the things that takes people away from faith in God because they will be so busy focusing on survival," he warns. "I believe that one of the strategies used by the devil is to cause economic famines to distract people away from faith in God."

Could America see an economic meltdown in 2011? It's definitely a possibility to prepare for. ■

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HAWAII-FILIPINO NEWS

Abercrombie Releases Funds for Community Programs, End Teacher Furloughs

IN HIS FIRST ACTION AS THE STATE'S CHIEF EXECUTIVE, Gov. Neil Abercrombie released funds to end Furlough Fridays for Hawaii's schools and to maintain jobs and services provided by community programs.



Gov. Neil Abercrombie

"This administration is getting to work right away, taking actions that reflect our values and priorities," he said. "We want to keep people working, help the most needy in our community and invest in our children's education."

Abercrombie released \$67 million from the Hurricane Relief Fund to restore 17 instructional days for the 2010-2011 school year and \$23.7 million from the Rainy Day Fund for community programs as appropriated by the Legislature under Act 191.

"We need to get our economy moving and this is a first step," Abercrombie says. "Private non-profit organizations are employers. Like all businesses, they are relying on government to follow through on its commitments."

Of the \$23.7 million appropriated for community programs,

Catholic Charities Hawaii will receive \$350,000; Kapahulu Center will receive \$300,000; Molokai Community Center will receive \$150,000; and Waikiki Community Center will receive \$150,000.

Because some of the allocated funds may have to go through the state procurement process, the Abercrombie administration will work in collaboration with community groups to ensure that the funds are deployed as quickly as possible. The State Department of Budget and Finance coordinated the release of the funds.

Other programs supported by Act 191 include:

- \$1.5 million to Healthy Start program
- \$3 million for Kupuna Care program
- \$2 million for QUEST health care payments to restore adult dental care
- \$1.5 million for development disabilities Medicaid waiver program
- \$1.5 million for mental health services
- \$1.4 million for substance abuse treatment
- \$1 million for homeless service housing pilot program
- \$332,000 for Waianae District Comprehensive Health and Hospital
- \$800,000 for child care subsidies
- \$762,500 for domestic violence shelters
- \$600,000 for HMSA for Keiki Care
- \$550,000 for Hawaii immigrant health initiative program
- \$500,000 for meals for the elderly for Kupuna Care
- \$500,000 for Kokua Kailihi Valley Comprehensive Family Services
- \$300,000 for Families for R.E.A.L. program

Volunteers Needed for Bicol Medical Mission



TITANS USA FOUNDATION



MEMBERS OF TITANS USA FOUNDATION AND THE BICOL CLUB OF HAWAII are gearing up for next year's Bicol Medical Mission, scheduled from January 23-25, 2011.

Volunteer physicians, nurses and other medical professionals will be treating the poor and needy in Naga City, Nabua, Camarines Sur and Legazpi City. Nabua, the center of the mission, is located 257 miles southeast of Manila and has a population of 75,422 residents. Heavier populated Naga City and Legazpi City have 137,810 and 179,481 residents respectively.

"Our goal is to serve 7,000 indigents in Bicolandia during our medical mission with free medical consultations for both adults and children, minor surgery and give them medicines, vitamins and little personal gifts for as much as the funding will allow," says Dr. Charlie Sonido, chair of the Bicol Medical Mission Committee. "Donations

and other contributions are greatly appreciated."

Titans USA is a non-profit group comprised of graduate physicians from the University of Santo Tomas School of Medicine who are now practicing in the U.S. The organization is committed to serving the indigent population of the Philippines.

The Bicol Club of Hawaii is a social, cultural and charitable organization that promotes dynamic and compassionate relationships among its members and the community. The club also encourages Filipinos to help homeland regions in the Philippines in times of need.

Interested volunteers for the Bicol Medical Mission will be expected to pay for their own transportation and accommodation expenses. Volunteer forms should be submitted by December 31, 2010 to J.P. Orias at 387-8297. More details are available by contacting Orias or Dr. Sonido at 671-3911. ■

HEADLINES (CONT.)



(cont. from page 1: PASKO ...)

of University Women, Hawaiian Airlines, Honolulu Filipino Junior Chamber of Commerce, Knights of Rizal-Hawaii Chapter, Leeward Community College Philippine Studies/Sulong Aral, Oahu Filipino Community Council, Philippine Celebrations Coordinating Com-



mittee, Philippine Consulate General of Honolulu, San Nicholas Goodwill Foundation, St. Joseph's Parish (Waipahu), UHM-Kaipunuan, UHM-Timpuyog/TMI Global, United Filipino Council of Hawaii and the University of the Philippines Alumni Association. ■

(cont. from page 1: KAPOLEI)

at dusk.

This year's event will feature entertainment by Touch of Gold, the Royal Hawaiian Band and the Ewa Elementary School Chorus Group. There will also be a Friends of Kapolei Hale 10th Annual Christmas Coloring Contest. Free juice and cookies will be provided by the Salvation Army.

The 40-foot tall tree in front of Kapolei Hale was donated by Roman and Priscilla Tan of Kalama Valley. City employees, community sponsors and local schools created the displays in the courtyard of Kapolei Hale.

The parade will proceed from the Kapolei Fairgrounds at Kealanani Avenue to Farrington Highway to Kamokila Boulevard,

turn left onto Uluohia Street and conclude at Kapolei Hale. Approximately 25 vibrant and uniquely-decorated vehicles will participate in the parade.

Christmas trees and posters will be displayed for public viewing at Kapolei Hale through January 4, 2011. Viewing will be Monday through Friday from 8 am to 10 pm and Saturday and Sunday from 6 to 10 p.m.

Event admission and street parking are free of charge. Additional parking will be available at the Kakuhihewa State Office Building on Kamokila Boulevard.

Kapolei City Lights is presented by Mayor Carlisle, the employees of the City and County of Honolulu and the Friends of Kapolei Hale. ■

Now we're twice as committed to our community.



Loreto M. Vitoria, Paralegal
Clarisse Kobashigawa, Associate Attorney

Galiher DeRobertis Ono welcomes attorney Clarisse Kobashigawa to focus on cases in the Leeward community. Joining our paralegal Loreto M. Vitoria, Clarisse gives our Waipahu office the expertise of one of Honolulu's most respected law firms. Loreto has over two decades of experience and speaks fluent Tagalog and Ilocano. There's no charge for an initial consultation and no fee if there's no recovery.

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FEATURE

Rags2Riches: Doing Business While Doing Good

by Gregory Bren GARCIA

Payatas in Quezon City is infamous for being one of the most depressed areas in Metro Manila. Aside from being home to one of the Philippines' largest dumpsites, it is also home to thousands of families, and to people struggling through their everyday lives doing unusual earning opportunities like scavenging.

Payatas is also home to a large group of stay-at-home mothers who try to make extra income by weaving rugs. In the past, the mom-and-pop industry flourished, thanks to the resourcefulness of these mothers who utilized the scrap cloth they found around the dumpsite to make the rugs. However, when unfair trade crept into their informal industry, the Payatas rug weavers were soon exploited by unscrupulous middlemen who started to take control of the trade. As a result of this abuse, the mothers, who could make between 8 to 10 rugs a day just earned P1.00 (0.02 US cents) per rug, an amount so minuscule one should wonder about the callousness of those who allowed the unfair system to thrive.

Thankfully, the plight of the Payatas rug weavers came to the attention of people who would later establish Rags2Riches, an enterprise known today among Manila's fashion elite for creating high-end, environment-friendly bags and other masterpieces made from humble scrap cloth.

It was in early 2007 when a Jesuit and a group of young professionals and students – the future founders of Rags2Riches – visited the community. Brother Xavier Al-pasa, S.J., who was then with the Simbahang Lingkod Bayan of the Ateneo de Manila University, initially discussed with Angeline Be-

navides-Bulan and Memey Mendoza from Life Directions, a peer counselling organization, to propose solutions to the mothers' problem.

At about the same time, Reese Fernandez, another founding partner and current President of Rags2Riches, also visited the rug weavers together with colleagues from her Business Innovations Class. They too, studied how they can introduce the women's products into a larger market.

Fernandez, an Ateneo alum-nus, says that even prior to Rags2Riches, she was already involved in Payatas through other social outreach programs organized by her school societies.

"I started in Rags2Riches when I was already in senior year in college, during my last semester. But what really got me involved was the Business Innovations Class I attended that encouraged me to think of innovative solutions to social problems and market needs," she recounts.

She adds that Rags2Riches is really a realization of the collective dreams of all those young professionals and students who decided to confront the social ills that the rug-weavers were being subjected to.

A SOCIAL BUSINESS ENTERPRISE

The founders of Rags2Riches describe their company as a "social business enterprise." Fernandez says a social business enterprise is "basically a sustainable solution to a social problem using a business model that exists to enrich the planet and its people while earning profits."

While there isn't an exact definition of what a social business enterprise is, the business philosophy of Rags2Riches can be summa-



The Payatas women rug weavers used to be abused by unscrupulous middlemen who paid them very little for the products they made. Now, the women work with Rags2Riches, a revolutionary social business enterprise that's helping both people and the environment.

rized into four points: people, planet, profit and positive influence.

The business aims to empower communities from marginalized sectors by creating avenues for them to build partnerships with renowned fashion designers, marketers and entrepreneurs. In addition, even though their products are for the high-end market, they make sure that the steps involving the production and distribution of these products are both ethical and ecologically sustainable.

Each of their products, from wine holders to handbags, carry the signature of the mother who made the item, making it more personal and also empowering the consumers to know the people behind their chosen products. As the Rags2Riches founders put it, their patrons are able to "choose purpose over mere purchase." They hope that their success would also inspire and influence other businesses to "do well by doing good."

STARTING FROM SCRATCH

Like other businesses on a start up, the Rags2Riches team also encountered a multitude of problems when they were just beginning.

"There were challenges at the beginning such as gaining the trust of communities and figuring out how we could balance social cause with sustainability," Fernandez says.

The team had to determine the best business model to help the rug weavers, and this wasn't easy, considering how surprisingly complex the community was.

"Payatas is such a huge and diverse place. Some people have decent jobs and some scavenge for valuable materials in the garbage dump site. Most of our members are stay-at-home mothers who had experience in scavenging before Rags2Riches started. As rug-weavers, they make use of their free time to earn extra," Fernandez says.

Perhaps, the women's forbearance for sacrifice was what encouraged the unfair middlemen to exploit them in the first place. "These women are rich in talent and perseverance but are deprived

of good opportunities," Fernandez explains.

By the third quarter of 2007, the Rags2Riches team was able to get through their early hurdles thanks to the generosity of donors who gave them a seed capital of P100,000 (\$2,200). During this time, the team initially helped three women improve the quality of their products which were first sold in bazaars. The market response to the elegant and stylish items that they made was so remarkable that the pool of women weavers quickly grew to 30 because of increasing demand. And after just one year, some 300 empowered Payatas women became members of Rags2Riches.

"Today, our members still do get to work from home and at the same time, they have a neat, well-lit, and well-ventilated production center wherein they can get together as a community. Compared to three years ago, the women now have fair income, acknowledgment for their work, and access to education and better opportunities," Fernandez says.

A DESIGNER'S TOUCH

It was during the fourth quarter of 2007 when the Rags2Riches team decided to incorporate a designer angle to their products to make them more marketable.

"From the beginning, we knew that if we wanted to make a lasting difference, we would have to add more value to the products that the mothers are making," Fernandez says.

Co-founders Angeline Benavides-Bulan and Timothy Agulto sat down with top Philippine fashion designer Rajo Laurel in an informal dinner where they shared the group's success story.

According to the team, Laurel immediately created elegant pieces out of the rugs and presented prototypes the following day. It didn't take long before the RIRB by Rajo Laurel bag collection was born.

FROM RAGS TO RICHES

In first quarter of 2008, less than a year after the young people founded Rags2Riches, the enterprise became a for-profit corpora-

tion designed to continuously provide opportunities for the Payatas women. A few months after that, the volunteer-run organization became a fully-functional organization with hired employees.

The business has also received numerous awards which include the following: the Social Enterprise Award from the University of San Francisco's Business Plan Competition in April 2008; a P10,000 prize from the Body Shop Foundation in August 2008; and First Prize in the Business in Development (BID) Challenge International competition held in Amsterdam, the Netherlands in January 2009, for which the team was also granted a P20,000 prize.

Rags2Riches' Chairman of the Board Mark Ruiz was also recognized as one of the

Top 10 Young Leaders of the Philippines by the international foundation Asia Society in September 2008 and Fernandez herself was chosen as one of the 20 Outstanding Social Entrepreneurs of the World for 2008 by YouthAction-Net, an international community of youth leaders.

In March 2009, Rags2Riches also partnered with premiere Philippine bag designer Amina Aranz-Alunan and launched the RIRB by Aranz collection. The partnership started with a scholarship given by the School of Fashion and the Arts (SofA) in Makati City.

Notwithstanding these successes, Fernandez says their organization is prepared to face more challenges the future is yet to bring.

"Challenges would always be part of what we do even up to now. Today, the challenges are bigger and a lot more exciting. But I think social entrepreneurs have a healthy appetite for challenges and risks," she says.

What does their team think about going global?

"We plan to expand to more communities because Rags2Riches' potential is so tremendous. We also plan to slowly get into the international scene by next year," Fernandez shares.

Fernandez believes that aside from the business side of the enterprise, there is always that facet of their work that makes them feel good about what they are doing. But beyond that and more importantly, they also realize that they are actually making a difference in other people's lives.

"In the beginning, it felt really good. It felt good to be part of something so meaningful and life changing. However, one has to go beyond the 'good feeling' in order to make this sustainable. At the end of the day, it is not just about feeling good about helping. It is about recognizing the obvious fact that we are all in one world, that our decisions affect each other, and that we have a shared future," she says. ■



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by Atty. Emmanuel Samonte TIPON

Can Alien Fighting Corruption Get Asylum?

most plausible basis for obtaining asylum for Filipinos. Up to now most Filipinos seeking asylum continue to play an old tune - that the New People's Army (NPA) is persecuting them for being anti-Communist. A handful has succeeded. However, most fail because they cannot explain why of all people the NPA is targeting them for their political opinion. Neither could they provide details of past persecution or a well-founded fear of persecution. As the saying goes "the devil is in the details."

DENOUNCING CORRUPTION— IS IT POLITICAL OPINION?

Why don't Filipinos try a new approach — that they are being persecuted because they are fighting corruption in the government and try to seek asylum in the U.S.

There is disagreement among the authorities on whether denouncing government corruption constitutes political opinion. Immigration authorities have generally said "no." However, some courts have held that whistle-blowing against government corruption is an expression of political opinion. Thus, asylum was granted to a Bangladeshi journalist who criticized a local leader for mis-

appropriating public funds and to a Ukrainian businessman who filed complaints opposing a government extortion scheme. There was even a case of a Chinese factory worker where the court found that she was expressing a political opinion when she wrote a complaint to the town government after a supervisor who was also a government official raped her.

The most recent case involved an Armenian businessman who refused to pay money to a military officer, was arrested, fined and when he organized other business owners to fight the officer and his cor-

ruption, he was beaten. He came to the U.S. and sought asylum. The court held that opposition to government corruption is an expression of political opinion and that the alien was harmed on account of political opinion. *Baghdasaryan v. Holder*, 592 F.3d 1018. ■

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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. Listen to the most funny, witty, and useful radio program in Hawaii on KNDF 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.)

To be eligible for asylum, an alien must show that he is a "refugee." A "refugee" is a person who is unable or unwilling to return to his or her native country, "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." INA § 101(a)(42)(A). I am not aware of any Filipino being persecuted because of race, although Ilocanos are often discriminated against for alleged "stinginess" when in fact it is only "thriftiness." As for religion, Iglesia Ni Cristo members in the olden days were being discriminated against but now they are much sought after especially during elections. Nationality? Filipinos have the same nationality. Membership in a particular social group? Have not heard of anyone in the Philippines being discriminated on this basis. "Political opinion" is the

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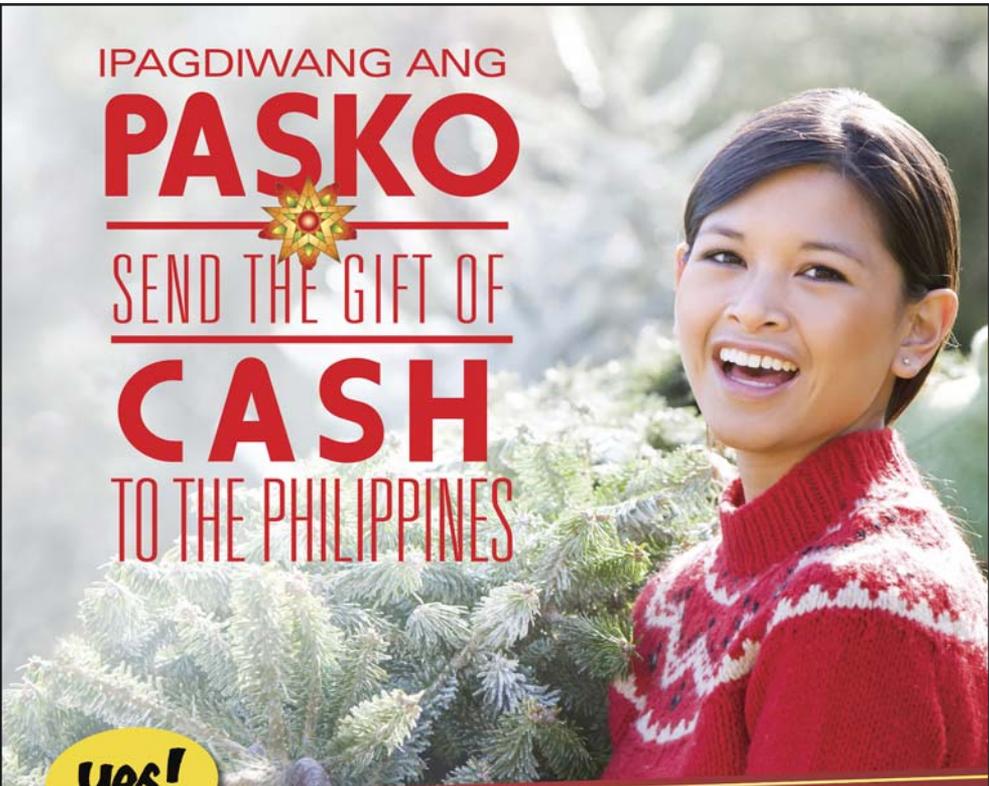
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■ OPINION

OFWs Need Protection from Credit Card Abuse

GOTCHA

by Jarius BONDOCO

Among nonfiction books, biographies are most favored. They tell not only about the person but also the impact on the author, the source, and the community (or industry, genre, society). An example is My Lolo, Diosdado Macapagal, recently launched by eldest granddaughter Ria Macapagal Salgado-Llanes. In it Ria, siblings and cousins recount fond memories of a granddaddy who balances time for statecraft and a growing family. From them readers learn the personality of the ninth President, as well as the Macapagal clan history.

Close to half of the reader-reactors to my series on sky-high credit card charges are overseas Filipino workers (OFWs). That's because their families back home buy on credit and pay upon receipt of repatriated salaries. More than that, OFWs and kin are most vulnerable to card issuers' gimmicks. They receive from the mail "pre-approved" extension cards for dependents. Restaurant and gas station freebies entice them to make more and more credit purchases. Unknowledgable in credit discipline, they spend freely even on costly nonessentials, with the breadwinner-OFW's consent to make up for absence. But what if the salary suddenly is delayed, or sickness befalls the OFW abroad or a child at home, or the bank statement is late? That's when trouble begins.

OFWs and families are not fully informed of credit terms. Often they forget that there's a 3.5-percent monthly interest, plus another 3.5-percent monthly penalty for delayed payments, on top of flat fees. Card issuers do not even say that such monthly rates are compounded. They get away with it because the regulatory Bangko Sentral ng Pilipinas lets them. The BSP does not enforce its policy of full disclosure; nor does it protect cardholders against harassment by collection agents. If the BSP does not tell cardholders in the Philippines that there are Supreme Court rulings against usurious charges, more so are OFWs left in the dark.

The latest such SC decision was in September 2009 (see <http://sc.judiciary.gov.ph/jurisprudence/2009/September/2009175490.htm>). In it the high court reiterates past rulings limiting monthly credit card interest

to only 1 percent, and penalty to another 1 percent. It also stresses that interest and penalty should each be only 12 percent a year, meaning not compounded. SC rulings are part of the law of the land. But the BSP and its governing Monetary Board have not issued rules to implement the SC verdicts. In anyone asks them why, they say that the rulings are case-to-case, pertaining only to the litigants. It's as if the BSP and MB do not see that 7-percent interest and penalty a month, or 84-percent a year is, as the SC says, "exorbitant, iniquitous, excessive." With such rates, OFWs and their families fall into the debt trap.

OFWs are hailed as modern-day heroes for the remittances they send home that keep the economy afloat. Yet the government neglects their financial welfare. A recent survey, reported in *gulfnews.com*, proves that OFWs are most prone to the debt trap. It turns out that 85 percent of foreign workers in the United Arab Emirates, mostly Filipinos and Indians, are deep in debt and landing them in prison. The International Swiss Debt Management Consultancy cites OFWs with a salary of 15,000 dirham but 250,000 dirham in hock. "Especially Filipinos go absolutely crazy with borrowing enormous amounts compared to the salary they earn," notes Steve Gregory, managing partner of Holborn Asset financial advisory in Dubai. "It's a huge mess. Individuals, even on low salaries of 6,000 dirham, were able to get eight credit cards from different banks, including platinum, and max them out. Gregory analyzes it as partly cultural, with Filipinos willingly guaranteeing one another to ease the hardship of working in a strange land. But when one falls on the payments, the guarantors suffer as well from the banks and the police. About 120 female foreign workers were in jail for bouncing checks at the time the survey was made.

If the OFW-heads of families fall into the debt trap, more so their kin back home. The BSP would do well to teach them, and all the five million or so other cardholders, credit discipline. Part of it would be to spread the news about the SC decisions against usurious credit charges. Another part would be to alert them that, by the Credit Card Association of the Philippines' own admission, good payers are made to subsidize the losses from bad payers. Yet another part would be to warn them against credit issuers who practically push the cards into the hands of mall shoppers. (www.philstar.com) ■

■ PHILIPPINE NEWS

House Approves Bill Reducing VAT from 12% to 6%

by Jess DIAZ/

Wednesday, December 8, 2010

MANILA, Philippines - A BILL SEEKING TO REDUCE THE VALUE ADDED TAX (VAT) from 12 to six percent was approved at the House of Representatives yesterday.

Batangas Rep. Hermilando Mandanas, House ways and means committee chairman, said Bill 1970, which he authored, would lessen the cost of VAT and result in additional revenues for the government.

"My estimate is that additional revenues could amount to as much as P50 billion a year," he said.

Mandanas said the incremental income would result from the elimination of deductions comprising the so-called output VAT that businessmen are entitled to claim under the present law.

"For instance, owners of malls and supermarkets are entitled to claim 12 percent of

(continued on page 11)

PHILIPPINE NEWS

SC: Truth Body Unconstitutional

by Edu PUNAY
Wednesday, December 8, 2010

MANILA, Philippines - CHIEF JUSTICE RENATO CORONA AND NINE OTHER SUPREME COURT (SC) justices voted yesterday to void the Truth Commission created to investigate alleged anomalies in the nine-year administration of former President Gloria Macapagal-Arroyo.

Voting 10-5, the SC ruled that Executive Order 1 was unconstitutional for violating the equal protection clause in singling out reports of graft and corruption in the Arroyo administration.

However, lawyer Ma. Victoria Gleostey Guerra, acting SC public information chief, said the ruling is not yet final since respondents still have 15 days from receipt of notice to file an appeal under the Rules of Court.

The SC could reverse the decision depending on arguments in the motion for reconsideration, she added.

Guerra said once the ruling becomes final, the Truth Commission chaired by former ambassador Hilario Davide Jr. should be dissolved.

"Whether the Court rules for or against Mrs. Arroyo, the fact remains that all of them - except Justice (Lourdes) Sereno - were appointed by her," she said.

"But as you can see in this decision, four of those who dissented were also appointees of the former president.

"This means justices resolved the case based on what they feel was right and based solely on the law."

House Minority Leader Edel Lagman and businessman Luis Biraogo filed separate petitions questioning the constitutionality of EO 1.

Joining Lagman in his petition were Representatives Rodolfo Albano Jr. of Isabela, Simeon Datumanong of Maguindanao, and Orlando Fua Jr. of Siquijor through lawyer Johween Atienza.

In his petition filed last Aug. 12, Lagman said EO 1 violates the separation of powers of the executive and legislative branches of government.

"EO 1 arrogates the power of Congress to create government or public offices, agencies and commissions, thereby breaching the constitutionally ordained separation of powers," read the petition.

Petitioners said the Truth Commission has quasi-judicial powers, which requires a law and could not be given by a mere executive order.

Under Administrative Code of 1987, the Office of the President only has the power to reorganize its administrative structure, not to create new bodies, petitioners added.

Petitioners said the Truth Commission duplicates, if not supercedes, the constitutionally mandated powers of the Office of the Ombudsman and the statutorily vested powers of the Department of Justice (DOJ).

"(The Truth Commission) is an adventure in partisan hostility, a launching pad for trial/conviction by publicity and a mere populist propaganda to mistakenly impress the people that widespread poverty will altogether vanish if corruption is eliminated without even addressing the other major causes of poverty," read the petition.

"Prosecutorial and judicial bodies are in place to take cognizance and jurisdiction over graft and corruption complaints without inventing a Truth Commission... whose findings are only commendatory and could be rejected by the Ombudsman and DOJ."

Voting with Corona were Associate Justices Presbitero Velasco Jr., Teresita Leonardo-de Castro, Arturo Brion, Diosdado



Peralta, Lucas Bersamin, Mariano del Castillo, Martin Villarama Jr., Jose Perez and Jose Mendoza, who penned the ruling.

All 10 were appointees of Arroyo.

Senior Associate Justice Antonio Carpio dissented in the deci-

sion. Joining him were Associate Justices Conchita Carpio-Morales, Antonio Eduardo Nachura and Roberto Abad.

Justice Ma. Lourdes Sereno, President Aquino's lone appointee, voted with the minority. www.philstar.com



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(cont. from page 10; HOUSE ...)

infrastructure cost, 12 percent of security cost and 12 percent of electricity as deductions," he said.

Mandanas said under the present VAT law, the government, in some cases, ends up incurring a debt in the form of tax credits, which businessmen apply to their tax obligations.

"They are able to escape the VAT net under the present law, which allows them to pass on the tax to consumers. It is the public that pays the VAT," he said.

(www.philstar.com)

PHILIPPINE NEWS

Palace Ponders Next Step, Vows to Go After Corrupt

by Aurea CALICA/

Wednesday, December 8, 2010

MANILA, Philippines - MALACAÑANG IS DETERMINED TO GO AFTER OFFICIALS OF the Arroyo administration accused of corruption and wrongdoing.

Executive Secretary Paquito Ochoa Jr. said the government will explore other options within the bounds of law to try and punish those who have enriched themselves while in office.

"The Supreme Court's decision on the constitutionality of Executive Order 1 will not deter us from pursuing measures necessary to look into the allegations of corruption in the previous administration," he said.

"While the decision may hamper and perhaps delay our efforts to obtain justice for the people, we remain steadfast in our commitment to scrutinize the numerous allegations and accusations in our quest for truth."

Presidential spokesman Edwin Lacierda said Malacañang would act by the constitutionality of Executive Order 1.

"We believe that we have the right to establish the Truth Commission, and we will continue to fight for this through a motion for reconsideration," he said.

Lacierda said President Aquino has always been open to talking with Chief Justice Renato Corona about the judiciary's proposed budget for next year.

"We are waiting to explain but there were no representatives from the Supreme Court (SC) or the

judges who are coming," he said.

DAVIDE: TRUTH COMMISSION WILL NOT STOP WORKING

Truth Commission Chairman Hilario Davide Jr. said they will continue working until the SC decides on the government's motion for reconsideration.

"Options are being considered to accomplish the objectives of the creation of the Truth Commission," he said.

Lawyer Carlos Medina, a member of the Truth Commission, said their mandate is to focus on specific wrongdoing but not on a specific person.

"The mandate of the Truth Commission is to look at massive cases of graft and corruption committed during 2001 to 2010, that does not mean specific people connected with the Arroyo administration only," he said.

The Truth Commission's desk at the Philippine International Convention Center has received new complaints.

It started reviewing a tentative list of 23 cases involving massive graft and corruption which could be investigated by the body.

The cases include the NBN-ZTE deal, "Hello, Garci" election fraud scandal and alleged irregularities committed during the Arroyo administration covering the period 2001 to 2010.

LAGMAN HAILS DECISION

House of Representatives Minority Leader Edcel Lagman hailed



yesterday the SC ruling voiding the Truth Commission as "a signal triumph" of the rule of law.

In a statement, Lagman said the SC struck down the executive's incursions into the realm of legislative authority and protected the sanctity of civil liberties against governmental derogation.

"It must be reiterated that the petition was filed not to protect the officials of the Arroyo administration but to preserve the separation of powers between the executive and legislative departments and protect the people from unequal treatment of the government," he said.

"Partisan hostility and discrimination under the pretense of search for truth and closure cannot be legitimized."

Former President Gloria Macapagal-Arroyo had just arrived from Syria when the news broke out. She was expected last night to participate in the House session.

Zambales Rep. Milagros Magsaysay scoffed at suggestions

that the decision came about because a majority of SC justices were Arroyo appointees.

"The SC based it on merits of the case," she said.

Negros Occidental Rep. Ignacio Arroyo, Arroyo's brother-in-law, said the formation of the Truth Commission was obviously politically motivated.

"The courts were established for things like this. Not only is it redundant but the commission can be misled for their own agenda."

However, Aquino's allies were unfazed by the latest setback of the administration and proposed ways for him to skirt the ruling.

House Majority Leader Nephtali Gonzales II suggested that Aquino form a new multi-agency body through another executive order.

"The SC decision is a temporary setback," he said.

"I suggest he (Aquino) issue an EO creating a multi-agency task force to be composed of representatives from Department of Justice, the Office of the Ombudsman, the National Bureau of Investigation, and Philippine National Police to investigate, establish a prima facie case and thereafter recommend the filing of the appropriate charges against any person or persons who appear's liable," he said.

Ilocos Norte Rep. Rodolfo Farinas said he was sure the Palace will file a motion for reconsideration since five associate justices had dissented in the ruling.

"At any rate, if such is declared unconstitutional with finality, the President can always ask Congress to legislate it," he said.

Quezon City Rep. Winston Castelo said the creation of the Truth Commission is "a threat from an official policy framework" espoused by Aquino.

"Unfortunately, the SC misread the intention (of the Aquino administration) and found more legal technicalities than ferreting out the truth," he said.

DND: WE WILL CONTINUE TO RUN AFTER ERRING MILITARY OFFICIALS

The voiding of the Truth Commission will not stop the Department of National Defense (DND) from running after erring military officers and personnel.

Defense spokesman Eduardo Batac said a Truth Commission is not needed to promote accountability in the Armed Forces and the DND.

"We do not see it (ruling) as a constraint because we can go on with the pursuit of any reforms and go after abusive AFP (Armed Forces of the Philippines) and defense personnel even without the Truth Commission," he said.

"It (holding erring military personnel accountable) is a guiding policy laid out by both the President and the secretary of national defense, so with or without the

Commission we will pursue this policy."

"In the pursuit of reforms and correcting abusive people and erring personnel, we don't really need truth commission for that."

BAYAN: DECISION FAVORS ARROYO

Bagong Alyansang Makabayan (Bayan) said the SC decision appears to benefit former president Arroyo.

Bayan secretary-general Renato Reyes said the decision makes it difficult to make Arroyo accountable even when she is no longer in power.

"The Truth Commission decision was preceded by other decisions involving Arroyo's midnight appointments and a status quo order on the impeachment case vs. the Ombudsman," he said.

"If this trend continues, and extends to the Ombudsman impeachment case also pending before the SC, there will be fewer avenues to make Arroyo accountable.

Both the Truth Commission (with its limitations) and the Ombudsman (with its constitutional mandate) are supposed to investigate corruption cases."

Reyes said efforts to make Arroyo accountable continue to encounter increasing obstacles.

"This should serve as a challenge to the Aquino administration to make a more determined effort in going after the former president and her cohorts involved in gross corruption and human-rights violations," he said.

It is also a challenge to the various anti-Arroyo groups and personalities, to unite and persevere in holding to account the past president."

JOKER: EXECUTIVE-JUDICIARY CRISIS LOOMS

Sen. Joker Arroyo warned yesterday of a looming crisis between the executive and the judiciary after the SC voided the Truth Commission.

"But what worries me is that with this decision of the Supreme Court plus the decision of the trial judges who were black band, and then expressing their dissatisfaction over the reduction of their budget, it would seem that there might be some kind of a collision course between the executive and the judiciary and that is very unfortunate," he said.

"So you have the SC ruling as unconstitutional the very first EO of President Noyano and the judges, they expressed their digestion. So let's hope that this doesn't get worse. The worst thing that can happen is for the judiciary and the President to be at odds."

Malacañang has many other avenues to bring its complaints against former president Arroyo, Senator Arroyo said. (www.philstar.com) ■

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LEGAL NOTES

ICE Seems To Be Going After the Wrong People



by Reuben S. SEGURITAN

tion courts turned down one out of every four cases (25%) for removal filed by ICE. In the last three months of fiscal year 2010, the rejection rate went up to 31%, meaning that about one out of three cases was denied.

For the entire 2010 fiscal year, more than half of the time the court denied the deportation request. The spike in rejection rate is more evident in large cities, such as Los Angeles (63%), Oregon (63%), Miami (63%) and Philadelphia (55%). In New York City, the turnover rate for 2010 is a whopping 70%.

The research group filed a request under the Freedom of Information Act for more detailed information to explain the rise in denials, but ICE has refused to release it. The information sought pertained to ICE's removal practices and programs, data which might explain why more and more judges are rejecting ICE's requests

for deportation.

There are several ways by which a request by ICE for a removal order may fail. First, the judge may "terminate" the court proceeding if the ICE fails to show that the government has any grounds to remove the individual. Second, the alien may have a legitimate right to remain in the country, because of asylum or some other relief under immigration laws. The court may also close the case for other reasons, which includes administrative closures.

The research group found that the rise in ICE's failure rate in 2010 was due to "terminations" by the judge, meaning that in those cases the judge found no grounds for removal.

In March of this year, the Center for American Progress came up with estimated costs of deporting undocumented immigrants. If their estimates are used, the apprehen-

sion, detention and legal processing of each person will cost about \$22,482. According to TRAC, ICE's unsuccessful filings between 2006 and 2010 affected almost 250,000 individuals. Given these figures, it sure looks like ICE is wasting a lot of resources.

What about the cost to those who were wrongfully picked for removal? They bear their own personal and financial losses, with most of them being detained and separated from their families for years. TRAC found that it took courts an average of 424 days before they could rule that ICE had no grounds for removal, and 696 days to rule that an alien is entitled to asylum or other relief.

These findings tell us that ICE, in pursuing removal proceedings,

does not focus on the merits of each case, but rather has resorted to a haphazard and indiscriminate deportation policy, perhaps under pressure to meet the administration's 400,000-deportation goal. This practice drains the nation's already scarce resources. Moreover, ICE's misdirected efforts take away its ability to deport those who are truly deserving, and this ultimately affects the agency's effectiveness.

Finally, not only are ICE's practices wasteful; they are also inherently unfair. While the government's crackdown on criminals is laudable, it needs to improve its targeting not only to be efficient but also to afford some measure of fairness to this country's immigrants. ■

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

Department of Homeland Security Secretary Janet Napolitano recently announced that in the 2010 fiscal year alone, Immigration and Customs Enforcement (ICE) deported a record 392,000 individuals, of which 195,000 were convicted criminals.

Although these numbers seem impressive, a report by a Syracuse University-based research organization reveals a dangerous trend in immigration enforcement.

Transnational Records Access Clearinghouse (TRAC) found that between 2004 and 2009, immigra-

MAINLAND NEWS

Pinoy Nurses Sue California Hospital Over English-only Rule

by AP/ Thursday, December 9, 2010

LOS ANGELES — **DOZENS OF FILIPINO HOSPITAL WORKERS** in California sued their employer Tuesday, alleging they were the sole ethnic group targeted by a rule requiring them to speak only English.

The group of 52 nurses and medical staff filed a complaint accusing Delano Regional Medical Center of banning them from speaking Tagalog and other Filipino languages while letting other workers speak Spanish and Hindi.

The plaintiffs are seeking to join an August complaint filed by the US Equal Employment Opportunity Commission in federal court over the hospital's enforcement of a rule requiring workers to speak English.

Filipino workers said they were called to a special meeting in August 2006 where they were warned not to speak Tagalog and told surveillance cameras would be installed, if necessary, to monitor them. Since then, workers said they were told on a daily basis by fellow staffers to speak only English, even on breaks.

"I felt like people were always watching us," said tearful 56-year-old Elnora Cayme, who worked for the hospital from 1980 to 2008. "Even when we spoke English ... people would come and approach us and tell us, 'English only.'"

A message was left at the hospital seeking comment.

In its lawsuit, the EEOC has accused the hospital in California's San Joaquin Valley of creating a hostile working environment for Filipinos by singling them out for reprimands and for encouraging other staff to report them. The agency is seeking an injunction to protect the workers against future discrimination.

The EEOC has seen an increase in complaints alleging discrimination based on national origin amid a rise in anti-immigrant sentiment, said Anna Park, a regional attorney for the EEOC. That's especially the case in California's



Elnora Cayme, left, reacts during a news conference Tuesday Dec. 7, 2010. At right is attorney Carmina Ocampo

central valley, where a greater share of the complaints the agency receives relate to such issues than in the nation as a whole.

In this case, the workers filed

a separate complaint under state law in part because monetary damages are capped by federal law, said Julie Su, litigation director for the Asian Pacific American Legal Center, which represents the plaintiffs. They want the English-only policy to be changed and for hospital staff to be trained on the new rule.

Under California law, employers may require workers to speak English if there is a business necessity, Su said.

Delano Regional Medical Center is a 156-bed hospital located about 30 miles (48 kilometers) north of Bakersfield. (www.phlstar.com) ■

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TRAVEL & LEISURE

Getting 'Holidazed' at Belenismo in Tarlac

RENDEZVOU

by Christine N. DAYRIT

The beauty of the Christmas season is it rekindles the child in each one of us. We allow ourselves to be awed by the holiday spirit around us. We somehow become "holidazed" because we are filled with delight and gratitude for all the blessings we have received. As one grows older, it is best to be reminded of what W.T. Ellis once said: "It is Christmas in our hearts that puts Christmas in the air."

It is the heart of a child that beats in me as I marvel at the Busch Gardens in Williamsburg, Virginia. The air is crisp and frosty as the European-inspired Christmas villages in this wonderful holiday wonderland are illuminated by two million colorful lights bulbs, sleigh rides, simulated flights, toy workshops of Santa Claus at the North Pole, Yuletide song and dance shows. Countries like France, Italy, Ireland, Germany and England proudly showcase their Christmas traditions and delicacies such as peppermint fudge brownies, s'mores (combination of chocolate and marshmallow melted between graham crackers), cinnamon crisps, and even buffet banquets prepared by Mrs. Claus in their fireside feasts.

In the middle of the illumination of the iconic 50-foot "O Tannenbaum" Christmas Tree whose twinkling lights and sounds were synchronized to everyone's sheer delight, I wandered on my own and noticed a Nativity scene where an ivory carved belen took center stage. I remembered our very own version of this tradition of the belenismo in the historic and beautiful province of Tarlac. With the be-

lenismo, one gets "holidazed" by the Tarlaquenos' sheer ingenuity and artistry that they employed in their intricate belen creations.

The time of the year when I am proudest to be a Filipino is during the annual judging of the Belenismo sa Tarlac. The Belenismo, now in its fourth year, is a campaign that seeks to transform the province of Tarlac into the belen capital of the Philippines. I am ecstatic to say this is definitely a smashing success. Spearheaded by the indefatigable mother-daughter tandem of Tita Isabel and Dra. Isa Suintay of the Tarlac Heritage Foundation, Belenismo is a community-based contest wherein the people of Tarlac lovingly showcase their ingenuity, artistry and love of Jesus through the creation of the most beautiful, intricate, exquisite and soulful nativity scenes or crèches the world will ever see. It is here that one will witness that no plague, natural calamity or environmental obstacle can hinder the creation of our magnificent belens. In fact, they rise above such situations with flying colors, proving that sustainable tourism can be successfully implemented through collective effort, unity, harmony and compassion.

Tarlac is now a haven of nativity and cheer as belens of every size and theme dominate the mise en scene. The creativity is infectious as recyclable materials are utilized and transformed into awesome obra maestras. Love for the environment is equivalent to love for one another as the spirit of modern-day bayanihan is prevalent.

As we disembarked in the various town plazas and localities where the belens had been set up, the mayors introduced us to the talented youth who created the belens. The innovative lights

magically transported us to Christmas heaven with the entire community singing and dancing in the Yuletide spirit as heartwarming native delicacies like suman, tinupog, hot chocolate were served to our hearts content. It is no wonder that no matter how Christmas is celebrated the world over, there really is no comparison to the way we celebrate the occasion in our homeland — only in Tarlac, only in the Philippines.

I learned from UST Prof. Eric Zerrudo, who teaches Cultural and Heritage Tourism, that it was his student Fr. Alex Baulista who brought to the fore through his thesis, a community-based project showcasing the heartfelt tradition of the Filipinos known as Belenismo. Fr. Alex, together with Tita Isabel and Dr. Isa, initiated workshops to train the Tarlaquenos how to craft various materials, even recycled ones.

This year, Tarlac Heritage Foundation together with the Tarlac Province Provincial Office as represented by Supl. Florante L. Torres and the members of TPPO's Belen Team, officially launched "Belenismo sa Tarlac's Tourist Police," a belen tour guide service that is available for all who wish to discover the belen trail from Nov. 5 to Jan. 6, 2011. Two Belenismo Tourist policemen are dispatched in a buddy system wherein they accompany groups in a bus, coaster or several vehicle caravans.

Can you imagine how some of these belens were created? The infectious spirit of Belenismo has become a profound lifestyle in which the youth create belens from whatever materials are available on hand — whether it's discarded CDs, dextrose bottles, old Comelco ballots, egg trays, corn husks, dried grass, recyclable tetra packs or more. Truly impressive. Proudly Pinoy.

Judging with me in the Belenismo were my sisters Michelle Soliven and Yvonne Romualdez and Cito Beltran, Ces Drilon and Johnny Co. Also with us was Belenismo organizer Ding Mercado, whose PNP belen is simply fabulous, what with its glass wings that resemble a giant flower with the belen right in the middle all aglow in



purple and green lights.

No judging of the Belenismo is complete without us having dinner at our favorite restaurant in Tarlac — Nay's House. The delicacies here include *sugpo sa aligue*, *pancit luglog*, *bringe*, *turn* with *langka*, *burong isda* with *mustasa* and *tibok-tibok* dessert (sweet carabao milk custard flan). Tarlac Gov. Victor Yap joined us for this sumptuous dinner.

We patrolled the province as we became more and more delightfully confused as to which town created the best, brightest belen. Tita Isabel lovingly advised us beforehand that we could judge several entries as top prize winners because she knew how difficult it was to decide. For our judges, each and every belen is a winner in its own right. One is spoiled for choice as to which should emerge victorious in each category. The categories are: Diorama, Monumental, Church, Grand Non-Municipal and Grand Municipal. Do visit the belens this season and be your own judge.

The Belenismo sa Tarlac Awards Night was held last December 4 at the Plazauela of the Municipality of Moncada in Tarlac.

The winners of this year's Belenismo are:

Grand Municipal Category: 1st place: Municipalities of San Clemente and Victoria; 2nd place: Municipalities of Anao and Gerona;

3rd place: Municipalities of San Manuel, Moncada, Mayantoc, and La Paz.

Grand Non-Municipal Category: 1st place: The 3rd Congressional District Office Belen; 2nd place: NOLCOM; 3rd place: Azaya Garden Resort.

Church Category: 1st place: Our Lady of Remedies Parish, Sta. Maria, San Manuel; 2nd place: Immaculate Conception Parish, Mababababa, San Jose; 3rd place: St. Isidore Parish, Estipona, Pura. Where in the world can one find this kind of cultural heritage/community tourism? It is this brand of sustainable tourism that uplifts the entire community as each member is involved tremendously in this dynamic collective process. Cultural heritage promotes community advancement and tourism, through enhancement and implementation of sustainable practices and opportunities for the future.

Each year when the Yuletide season kicks in, I look forward to judging the Belenismo because I am not simply appreciating belens per se. More than that, I am being integrated into the infectious love of a community whose devotion to Jesus Christ has heralded this magnanimity in their homes, hearts and souls. Truly, a jewel of a find, Christmas in Tarlac is not just a time or season but a wonderful state of mind. (www.phistar.com) ■

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GLOBAL NEWS

Phl Overtakes India as World's BPO Leader

MANILA, Philippines – **THE PHILIPPINES HAS OVERTAKEN INDIA AS THE WORLD'S NUMBER ONE** country for shared services and business process outsourcing (BPO), according to IBM's Global Locations Trend.

This is the first time the Philippines is in the top spot for these activities.

IBM growth markets general manager Bruno Di LeoHe said the Philippines is attractive to international business due to its well-educated workforce, strong work ethic and good language abilities.

"Filipinos are competitive and flexible and productive. That is why we are confident in investing in the future of the Philippines," he said.

IBM yesterday announced the opening of three new service delivery facilities inside the UP Ayala Techno Hub in Quezon City that will deliver outsourced process services, including human resources, finance and administration, customer relationship management, application management services and shared services (IBM internal) to existing and future clients of IBM's BPO unit.

This expansion also further strengthens IBM's existing service delivery capability in the Philippines which serves over a million client employees across 84 countries.

A mix of BPO services will be delivered to global companies from sectors such as healthcare/ pharmaceutical, consumer goods, technology, entertainment, telecommunication and distribution through these new facilities.

Di Leo emphasized that the company is committed to growth and to the Philippines. IBM operates in eight world-class locations in the business centers of Metro Manila and Metro Cebu and delivers IT and business solutions to leading public and private sector clients throughout the country.

He said the three new global delivery facilities here will further add to IBM Philippines' ability to deliver business services to both domestic and multi-national clients around the world.

Di Leo also revealed that in the next five years, IBM intends to more than double its employees in the Philippines because the country is a world leader in providing business support functions.

He added that next year, IBM intends to double its business growth in these global delivery centers by building centers of competence with deep industry expertise in business analytics, applications management and helpdesk operations. "We will hire more industry IT architects as well as graduates from top universities," he noted.

Meanwhile, IBM Philippines country general manager James Velasquez said this expansion demonstrates their continued commitment to the country.

"The Philippines is one of the strategic locations in IBM's Global Delivery network that integrates capabilities, assets and skills without borders. With abundant



resources and globally benchmarked processes and methodologies, IBM will provide solutions to global and domestic clients to help them reach higher operational efficiency in a cost-effective way," he said.

Meanwhile, IBM Corp. vice president for global process services delivery Peter Lynt explained that global delivery as a concept has evolved from outsourcing primarily for cost benefits to partnering with clients to demonstrate greater value and differentiation.

IBM recently rebranded the BPO business from Managed Business Process Services (MBPS) to Global Process Services. This new organization has been constructed to deliver the benefits and advantages of the breadth IBM as a company (software, research, etc) to its BPO clients, Lynt said.

IBM Global Process Services started in the Philippines in 2004 and has been experiencing dramatic growth ever since, he noted.

Lynt pointed out that the three new IBM buildings are part of IBM's commitment to extend existing investments in the country and part of the company's strategy transformation into a Globally Integrated Enterprise - where the workforce is remixed to the locations where IBM finds the skills necessary for today's highly globalized economy. (www.phlstar.com) ■

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