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**JANUARY 19, 2013**

# NEWS EDITION

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

## THREE FILIPINOS BEGIN CITY COUNCIL TERMS

By Dennis Galolo



(L-R) Councilmembers Joey Manahan, Kymberly Marcos Pine and Ron Menor pose for a group photo after their first Council meeting on January 2, 2013

**O**ne out of three ain't bad at all, especially when considering that out of the nine member Honolulu City Council, one third is of Filipino ancestry.

The three new Filipino councilmembers are reminiscent of a recent Council trio comprised of Romy Cachola, Donovan Dela Cruz and Nestor Garcia who served together from 2004 to 2010. All three left their mark in the annals of City Council history, most notably with Dela Cruz and Garcia serving as council chairs.

At age 30, Dela Cruz was the youngest person ever to serve as Council chair, a position

he held from 2004 to 2007. Garcia was chair of the Council for about seven months from late 2010 until mid-2011. Cachola and Dela Cruz are still in office, albeit across the street at the Hawaii State Legislature, while Garcia has decided to retire from public service.

The Manahan-Menor-Pine trio may be new to City issues but they bring a wealth of enthusiasm and legislative experience, having served their respective communities for many years at the State Capitol.

Their presence also bodes well for Oahu's Filipino community, says Dr. Belinda Aquino, Professor Emeritus at the School of Pacific and Asian Studies at the University of Hawaii-Manoa.

"This is a very good development for the Filipino community on Oahu given its increasing size as the largest minority group, which means that their needs along a whole slew of social and other services will also expand in the coming years," she says.

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## ABERCROMBIE APPOINTS KEITH-AGARAN TO STATE SENATE

by HFC Staff

**G**ov. Neil Abercrombie's replacement in the State senate for Shan S. Tsutsui, who was appointed as lieutenant governor, is Gilbert Samuel Coloma Keith-Agaran. He will represent Hawaii's 5th senatorial district (Wailuku, Waihee, Kahului).



"Gil brings a wealth of experience from the practice of law and work in county and state government. His

(continued on page 5)

## PIT SENYOR! A CELEBRATION OF VISAYAN CULTURE



by Serafin Colmenares, Jr., Ph.D.

**I**f you're Visayan or Visayan at heart, mark your calendar for "Pit Senyor! A Celebration of Visayan Culture" on January 27, 2013 from 3:30 pm to 7 pm at the Filipino Community Center (Fil-Com) in Waipahu on December 16, 2012 from 3:30 pm to 7:30 pm.

Pit Senyor! will showcase a mini-version of the Sinulog Festival, the largest festival in the Philippines, as well as a Visayan cultural show featuring Visayan songs and dances, martial arts, food and a Visayan

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HAWAII FILIPINO CHRONICLE  
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**EDITORIAL**

# The Time Has Come For Sweeping Reform To Our Gun Laws

**C**olumbine, Virginia Tech, Fort Hood, the Sikh temple, Sandy Hook Elementary School, and counting -- which community is next to fall victim to mass killings of innocent people.

If comprehensive change to gun control is not put in place, the probability is higher for future massacres like that of the recent shooting at Newton, Connecticut will occur, once again shaking the nation to its knees with grief and leaving loved ones of those killed asking why and how could this have happened.

While talks of gun control usually get a spike following incidences of mass murders, the fervor to address serious change quickly gets buried as time passes and political resistance surmounts. Efforts to strengthen gun control couldn't even get a fair shake following a mass shooting two years ago that included former congresswoman Gabrielle Giffords.

But could this latest tragedy involving the deaths of 20 schoolchildren and 6 adults finally be the catalyst towards the creation of serious legislation to control gun violence, specifically a ban on assault weapons with high-capacity ammunition clips. It's high time that something gets done. Aside from headline-grabbing mass killings which alone should be good reason for reform to commence, the vast majority of gun violence do not receive much media attention. But statistics are startling. The Centers for Disease Control and Prevention says that more than 30,000 Americans die annually as a result of firearms.

After five years of hardball negotiations, Congress did pass legislation in 1994 banning certain assault weapons via the Brady Bill and Assault Weapons Ban. Eventually the sunshine clause expiration of that law took effect and was never renewed during President George W. Bush's administration.

It wasn't renewed in part due to the Republican administration leadership at the time, but also because the bill wasn't successful in curbing gun-related violence.

President Barack Obama ought to learn from the weakness of the Brady Bill and set goals more broad and comprehensive. In addition to a new ban on assault weapons, there ought to be a universal background checking system for firearm buyers and stiffer penalties for carrying guns near certain public places such as schools and churches.

**ESTABLISHING A FEDERAL STANDARD**

What could be most effective is the establishment of some federal



standard that would determine the types of guns available for private purchase. The current problem is a lack of consistency in gun laws across states. Gun control in California may be stricter than other states with bans on certain weapons. But what's to stop someone from simply going to another state to buy an assault gun that is illegal in California, but legal elsewhere, then bring it back to California. While any type of gun has the ability to kill, certain assault weapons are outlawed in some states specifically to minimize deaths should these weapons fall into the possession of a mass killer. Citizens of that state with tougher laws who voted for a ban of certain weapons should be protected from those weapons. It shouldn't be so easy to buy that banned weapon a few miles away out of state. That is why a federal standard ought to

be established.

Perhaps the mainland could look to Hawaii to see the effectiveness of what a uniform federal standard of gun control might be like. Due to our geographic isolation, transporting out-of-state weapons is difficult. Hawaii has some of the nation's strictest gun laws and has one of the lowest rate of gun deaths per 100,000 residents, according to FBI data.

**MORE GUNS DO NOT MAKE OUR COMMUNITIES SAFER**

The argument that more guns are needed to keep people safe, or the unarmed must arm themselves against criminals, sounds logical on the surface. But is it really? More guns simply cause more opportunities for problems to arise: gun violence committed during a momentary lapse of reason, rage swings, non-combative quarrels turned deadly, or even by way of accidents. With far fewer guns, there would be far fewer occasions on which a gun would even be necessary for self-defense.

In most other Western countries with tougher gun laws, gun violence is far less. In England where guns are highly restrictive, there are fewer than one hundred gun related deaths each year for the entire country, compared to tens of thousands that die each year in the U.S. Pro-gun supporters claim there is no correlation between gun laws and gun violence. What then are we to believe, that Americans are inherently more prone to violence. A better explanation is that the U.S.'s laws of easier access to firearms is a large part of why Americans kill each other at a much higher rate than in most other parts of the world. It's time for real reform. ■



**NEWS EDITION**

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The Hawaii Filipino Chronicle is published weekly by the Hawaii Filipino Chronicle Inc. It is mailed directly to subscribers and distributed at various outlets around Oahu and the neighbor islands. Editorial and advertising deadlines are three weeks prior to publication date. Subscriptions are available at \$75 per year for Oahu and the neighbor islands, continental U.S. \$85, foreign country \$95. Copyright 2007-2012. The Hawaii Filipino Chronicle Inc. is located at 94-356 Waipahu Depot, Waipahu, HI 96797. Telephone: (808) 678-8930. Facsimile: (808) 678-1829. E-mail: filipinochronicle@gmail.com. Opinions expressed by the columnists and contributors do not necessarily reflect those of the Hawaii Filipino Chronicle management. Reproduction of the contents in whole or in part is prohibited without written permission from the management. All rights reserved. Printed in the USA.

# More Work Needed

SEARCH FOR THE TRUTH by Ernesto M. MACEDA

**W**e have written column after column for 2 years calling the President's attention to the worsening crime situation in the country. We listed most of the killings committed.

Last Saturday, he finally admitted that we have to get moving on the crime front and "much work still need to be done in fighting criminality."

We have also called so many times for a serious campaign against 500,000 loose and unlicensed firearms.

Finally, he issued an order to DILG Sec. Mar Roxas to conduct a stringent campaign to collect unlicensed firearms and to dismantle private armed groups. So far, the PNP has only recovered 249 loose firearms.

For 2012 we saw the big increase in killings by gun for hire groups riding in

tandem on a motorcycle. An estimated 2,000 cases of such murders happened in 2012.

What is alarming is that killings are happening all over the country from Manila to General Santos and Davao City, from Cavite to Cotabato, from Caloocan to Batangas, Cebu and Negros.

Another kidnapping has just happened in Zamboanga City. A restaurant owner, Erlinda Favello, 52, was kidnapped.

So far, 32 people have died in election related violence.

**RUBOUT? . . .** The NBI forensics team found 402 bullet holes in the 2 SUVs used by the 13 persons killed at an Atimonan police checkpoint. The NBI also found a victim, Paul Quiohlag, was shot at close range. The evidence is piling up that the incident was

a well planned rubout of jueteng lord Vic Siman.

PNP Region IV has a lot of explaining to do.

In a surprise statement, PAOCC explained it did not approve "Coplan Armado" because it was a "potentially bloody business." The question now is why did they not formally disapprove it and stop it?

**OUST ENRILE PLOT. . .** The Minority bloc of Sen. Alan Peter Cayetano, Pia Cayetano, Miriam Santiago joined by Antonio Trillanes IV is trying to gather 13 signatures to oust Enrile. So far, they have not succeeded. With only 9 days of session left in the 15th Congress, any change of leadership will derail the legislative agenda.

One stumbling block: There is no clear choice for an Enrile successor with 3 interested parties: Frank Drilon, Manny Villar and Edgardo Angara, but none of them has admitted interest.

Enrile has solid support

from Jinggoy Estrada, Tito Sotto, Gringo Honasan, Bong Revilla, Loren Legarda and Chiz Escudero. It is likely that Joker Arroyo and Ping Lacson will not join any oust Enrile plot.

Enrile challenged Miriam D. Santiago to file cases against him if she insists the distribution of savings to the 19 senators is highly irregular. COA has issued an opinion that the Senate President has the authority to realign savings.

**MORE CASES. . .** The Liberal Party has come out openly to show its hand in the Oust Gov. Gwen Garcia drive.

LP spokesperson for Cebu Democrito Barcenas said 16 more cases will be filed against Gov. Gwen Garcia.

Among the cases is the alleged illegal use of buses owned by the provincial government to transport rallyists to the Provincial Capitol for a demonstration on Jan. 9.

That's petty and pure

political harassment.

**SIARGAO ON THE MAP. . .** The famous paradise island of Siargao, the Philippines' surfing capital, has received good reviews from 3 travel agencies and 2 newspapers.

Travel & Leisure Southeast Asia, Conde Nast Traveller and CNN GO listed Siargao as an "ultimate island," 8th best surf spot in the world and one of the hottest destinations to watch. The New York Times also placed the Philippines as No. 17 in the 46 places to go to in 2013.

In China, the Oriental Morning Post of Shanghai gave the Philippines a "best tourist" award.

**TIDBITS. . .** Cebu Mayor Michael Rama is suspecting he will be the next Cebu official to be suspended. He is unfazed by the report.

There are indications DILG Sec. Mar Roxas is reviving his electoral protest against VP Jojo Binay.

(continued on page 5)

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(cont. from page 1; **THREE ...**)

It is to the advantage of a minority group, Aquino says, whenever one of its own can represent its interests as a member of a highly-visible and influential institution as the Honolulu City Council.

"Society is made up of very diverse, heterogeneous and changing constituencies, which need to be represented in various levels of government, otherwise their interests and needs will not be attended to," Dr. Aquino says. "Given the nature of our representative democracy as the bedrock of our political system, it is imperative that constituencies are not only counted but represented adequately in the decision-making processes of government to make sure that their interests are taken into account, and that they are treated fairly. That is what democracy is all about."

**CITY COUNCIL**

The City Council is the legislative/lawmaking body of the City & County of Honolulu and is considered the second most powerful parliamentary body in the state, following the State Legislature. The Council is comprised of nine members from nine administrative districts. Each member is elected to no more than two four-year terms.

The nine-member Council has a number of responsibilities to their constituents. These include ensuring public safety, regulating transportation and the bus, and addressing a myriad of concerns such as property taxes, homelessness, solid waste, sanitation and water. Among the bigger concerns currently facing the Council is the \$5.3 billion Honolulu rail project and necessary road and sewage improvements

Dr. Aquino is confident that the three Filipino councilmembers will be valuable assets for the City & County of Honolulu.

"Their presence on the City Council augurs well for the continued and sustained participation of the Filipino community in the affairs of one of the largest metropolitan centers in the U.S.," she says. "Their collective leadership will help to advance the City's agenda as it struggles to deal with the multi-farious problems that go with increasing modernization and urbanization."

**JOEY MANAHAN**

The first of the new Filipino councilmembers is Manahan who joined the Council after serving at the State House of Representatives, where he was vice speaker. While at the Legislature, Manahan secured

much-needed funds for high schools and housing projects in Kalihi and was a staunch advocate for issues involving Filipino-Americans, particularly World War II veterans. In 2011, Manahan was named Legislator of the Year by the Hawaii Medical Association for his assistance in the improvement of and access to healthcare for the people of Hawaii.

His passion for serving the community began at the University of Hawaii-Manoa where he worked for the Office of Multicultural Services by running afterschool programs at Kalakaua Middle School. After graduating, he worked under the guidance of trusted and proven leaders in the State House, Senate and City to develop a strong work ethic and sense of community.

"Public service has been a passion of mine ever since I can remember," he says. "I have worked hard and have the necessary skills to lead effectively and meet the challenges of the future."

Manahan represents Council District 7, which includes Palama, Kalihi, Salt Lake and Foster Village. He is chair of the Parks Committee and vice chair of the Transportation Committee.

His priorities include adequately funding basic infrastructure improvements, ensuring the efficient delivery of core City services, and public safety. He will also keep a close eye on the rail project and see to it that it is completed on time and on budget.

"I plan to work with the Council and the administration to ensure that the project is implemented efficiently and in the most transparent way possible," he says. "It is the Council's responsibility to provide oversight and ensure that the people of the City and County of Honolulu are not short changed."

"Being elected to represent our community is certainly an honor and a privilege. I can only repay the trust and confidence the

people have placed in me by doing my best to address the issues facing our district as well as the City and County of Honolulu to the best of my ability."

**RON MENOR**

Born in Hilo, Menor is the son of the late state senator and state supreme court justice, Ben Menor. He graduated from Iolani, received a bachelor's degree from UCLA and earned his law degree at Georgetown University. He was first elected to the State House of Representatives in 1982 and has served in both the House and Senate for over 20 years.

Menor is chair of the Executive Matters & Legal Affairs Committee and vice chair of the Parks Committee. He is excited about serving on the City level after years of having served the people of Hawaii in State government.

"I view representing a larger district as not only a challenge, but also as an opportunity," he says. "City government is the most local of all levels of government. Its services, whether they are road maintenance or bus transportation, affect residents on a daily basis and have the most direct impact on our quality of life. In short, it's where the rubber meets the road."

"I look forward to working effectively and collaboratively with my other colleagues on the City council and with the mayor's office to provide the critical services and facilities that our community needs."

As councilmember of District 9 (Mililani, Waialeale, Waipahu, Village Park, Royal Kunia and Ewa), he will focus on providing important services and infrastructural improvements, alleviating traffic congestion, making the community safer and freer of crime, ensuring that future growth is well-planned and purposeful, and holding the line on fees and taxes.

"I plan to work closely with the key legislative committees, including the

City Council's Budget Committee, as well as with the various City departments to ensure that my district receives its fair share of funds and resources to address these priorities," he says.

Menor says that he ran for the Council because it fulfilled the very reason why he became involved in public service and government in the first place—to make a difference in bettering the lives of people.

**KYMBERLY MARCOS PINE**

Pine handily won her bid for the City Council, defeating incumbent Tom Berg by almost 7,000 votes. She is representing District 1, which includes Ewa, Kapolei, Kalaeloa and the Leeward coast.

As a state representative from 2004 to 2012, Pine represented the communities of Ewa Beach, Iroquois Point and Puuloa. She is known as a tireless worker who has advocated for traffic relief, healthcare, lower taxes and cost of living, public safety, food sustainability and emergency preparedness. She was the first Republican to represent the Ewa Beach district since statehood.

"The people of Ewa Beach and I have worked hard to dramatically improve our community," she says. "We've accomplished many things together. I am excited about the opportunity to share our successes with the entire Leeward Coast."

Pine graduated from the University of California at Berkeley in 2000 with a degree in English. Prior to elective office, she worked as director of the Minority Research Office in the State House of Representatives and as a journalist.

As a City councilmember, Pine looks forward to the challenges that lie ahead. She will chair the Intergovernmental Affairs & Human Services Committee and is vice chair of the Public Safety & Economic Development Committee.

Her top priority, as al-

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HEADLINES

(cont. from page 1; **ABERCROMBIE...**)

passion for the people of the Valley Isle is evident and I am confident he will continue to serve them well," Gov. Abercrombie says.

Keith-Agaran previously served as State representative for House District 9 (Kahului and Maui Lani). As a state senator, he now represents a district that is significantly larger. The 25-member senate also has the responsibility to advise and consent to nominations for various posts such as judges, department heads and state board and commission members.

As for legislative assignments, Keith-Agaran is a member of the committees on Ways and Means, Transportation and International Affairs, and Higher Education. He is also vice chair of the Committee on Tourism and Hawaiian Affairs.

**KEY ISSUES AND PRIORITIES**

Keith-Agaran says that the Maui delegation's main focus in both the House and Senate will be to continue to stabilize and grow Hawaii's economy and to support ideas that will foster a higher quality of life for residents.

Specific areas that he is most interested in will be supporting food and energy self-sufficiency, strengthening our social safety net, maintaining public educational opportunities, and continuing to insist on greater efficiency, accountability and transparency in government.

"I will support food safety regulations that will take into account the concerns of our small, local farmers as well as our larger commercial agribusinesses, as well as continuing to explore ways to support locally grown pro-

duce and livestock," he says.

He will look at ways to support controlling Maui's axis deer population by making the meat available and safe for local consumption. He will also explore how local homeowners can participate on more equal footing to provide alternative energy for Maui Electric's grid, follow-through on modernization projects at Kahului airport and harbor, review plans for Central Maui Regional Park and to help identify a location for a new Central Maui Intermediate School.

"I'll be meeting with Maui Memorial Medical Center supporters and UH Maui College officials about their efforts to improve facilities and, more importantly, to provide quality health-care services and higher education opportunities," Keith-Agaran says.

The Legislature will be

tasked to fashion a balanced State Budget that fosters economic opportunities but also maintains basic social and health services, protects public safety, and supports improvements in our public schools.

**BACKGROUND**

Previously appointed to the House in January 2009 to complete the unexpired term of the late Bob Nakasone, Keith-Agaran has continued to practice law in Wailuku. He served as chair and deputy director of the Hawaii Board of Land and Natural Resources, director of Department of Labor and Industrial Relations and deputy director of the Department of Commerce and Consumer Affairs, as well as County of Maui Public Works Director.

He currently serves on the boards of the Maui Food Bank and the Tri-Isle Resource Conservation

and Development Council. Keith-Agaran previously was a member of the boards of the Maui Coastal Land Trust, the Maui High School Community Council (and its predecessor School Community-Based Management), the Maui Memorial Medical Center Foundation, and other non-profit organizations on Maui and Oahu, and the Hawaii Community Foundation's Maui Advisory Committee. He remains an active member of his community and church.

Keith-Agaran is a graduate of Maui High School. He holds a BA in history from Yale College in New Haven, Connecticut, and he is a graduate of Boalt Hall School of Law at the University of California-Berkeley. Gil is a partner in the Maui law firm of Takitani Agaran and Jorgensen LLLP and is married to Kallie Keith-Agaran. ■

(cont. from page 1; **PIT SENYOR! ...**)

movie. The event is free and open to the public

Pit Senyor! is part of the Filipino Community Center's program of showcasing various aspects of Filipino culture every last Sunday of the month. January is filled with festivals throughout the Visayan region of the Philippines—the Ati-Atihan of Aklan, the Sinulog of Cebu and the Dinagyang of Iloilo—all of which honor and celebrate the Santo Niño or the Holy Child. Organizers decided that these festivals, albeit limited to the Sinulog due to resource limitations, will be the focus for the month of January.

The event is being held

in collaboration with the Oahu Visayan Council, the Congress of Visayan Organizations, the United Visayan Community, the St. Anthony Visayan Community and other organizations.

**SINULOG**

The Sinulog is an annual festival held on the third Sunday of January in Cebu City and other parts of the Philippines. It commemorates the acceptance of Roman Catholicism by the Visayan people by honoring and celebrating the Santo Niño. The main feature is a street parade with participants in bright colored costumes dancing to the rhythm of drums, trum-

pets and native gongs.

The Sinulog celebration actually lasts for nine days, culminating on the final day with the Sinulog grand parade. "Sinulog" is taken from the Cebuano term "sulog" which means "water current."

The Sinulog dance step—two steps forward, one step backward—supposedly represents this water movement. As the street dancers move forward, they shout "Pit Senyor!" which means "hail to the Lord" or "Pray to the Lord," the word "Pit" being a shortened form of the Visayan term "sangpit" meaning "to hail, call upon, invoke, supplicate or pray"

(continued on page 8)

(cont. from page 4; **THREE ...**)

ways, will be to look after her constituents.

"It will always be to improve the quality of life for my constituents," she says. "Building rail efficiently is essential to reducing traffic for my constituents, some of whom spend more than three hours in traffic a day. Waianae and Makakilo also need an additional access road to reduce traffic in and

out of these communities. I also will continue my 'Hire Leeward' initiative to bring more jobs to the Leeward Coast and also focus on increasing access to proper medical care.

"I am thrilled to be in a position to help more people. My husband who is in the Navy and I have a sincere heart for the people and for a life of service to others." ■

**OPINION**

(cont. from page 3; **MORE WORK ...**)

Comelec ruled that as Commander-in-Chief of the AFP, President Aquino is exempted from the election gun ban.

Gabriela party list Rep. Luzviminda Ylagan is pushing for a divorce law but, it will have to wait for the 16th Congress.

President Aquino approved P2M reward for

Nicole Ella's shooter.

Resignations. NDRRMC Executive Director Benito Ramos has resigned to take care of his ailing wife.

DTI Usec Cristino Panlilio has also resigned.

Abra politicians surrendered 179 guns to PNP for safekeeping.

The PNP deployed more policemen to Pangasinan, a potential elec-

tion hot spot.

Dick Gordon, PNRC Chairman, said foreign donors are complaining about the lack of liquidation and accounting of funds they donated. Yes, DSWD should release a report on this.

A flu outbreak has hit 50 states in the US. New York declared a state of emergency. (www.philstar.com) ■

**Joseph M. Zobian, M.D.**



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# State Launches Foreclosure, Fraud Awareness Campaigns

**THE STATE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS** (DCCA) has launched a public campaign to inform Hawaii homeowners who may be facing financial difficulties of the options they have to avoid foreclosure and fraud.

"Many people who have fallen behind in their mortgage payments have stopped opening their mail and answering calls from the bank," says Bruce Kim, State Office of Consumer Protection (OCP) executive director. "These people

need to get in touch with their lenders, particularly those involved in the national settlement, to see what they can do to improve their situation."

Hawaii was part of a recent nationwide settlement with Ally/GMAC, Bank of America, Citi, JPMorgan Chase and Wells Fargo. As part of the settlement, Hawaii homeowners who received mortgages from those lenders may have opportunities for loan modifications or funding for previously foreclosed houses. There is also a fast-approaching deadline



for those who foreclosed between January 1, 2008 and December 31, 2011. Those homeowners must file a claim by January 18, 2013.

As part of the campaign, DCCA has launched HFIC.Hawaii.gov, the online

Hawaii Foreclosure Information Center that will be a hub for foreclosure information for homeowners. The website has answers to many questions and situations and includes contact information to legitimate and free housing counselors with whom the state has partnered.

The campaign also focuses on the growing problem of mortgage rescue fraud. Scammers posing as legitimate businesses are charging distressed homeowners substantial upfront fees on the pretext that they will help save the distressed homeowner from foreclosure. According to the DCCA, Hawaii law generally forbids anyone from

collecting an upfront fee for these services.

"These people have no conscience. They deliberately target homeowners who are worried about losing their homes and give them a message of hope while they plot and scheme to take their money," Kim says. "HUD-certified housing counselors in Hawaii actually provide help to distressed homeowners at no charge."

The OCP has jurisdiction of investigating and seeking court action against perpetrators of mortgage rescue fraud. Homeowners who believe they could be victims or have been approached by potential scammers should call 587-2222. ■

# Poll Shows Hawaii Voters Open to Marijuana Legalization

**A STATEWIDE POLL BY QMARK RESEARCH** shows that Hawaii voters are open to a "legalize, tax & regulate" strategy of marijuana and marijuana laws.

The poll of 600 Hawaii voters was held November 19 to December 4, 2012. According to the poll:

- 78 percent support a dispensary system for medical marijuana.
- 69 percent think that jail time for marijuana offenses is inappropriate.
- 57 percent favor legalized, taxed and regu-



lated marijuana, which is 20 percent higher than the last poll conducted in 2005.

"From the survey findings, it's clear that Hawaii voters are open to reconsidering local marijuana laws," says Pam Lichty, president of the Drug Policy Action

Group (DPAG). "The data in both of these reports will help our communities craft more effective, less costly approaches for the future. The Drug Policy Action Group, the American Civil Liberties Union of Hawaii and our allies will advocate for the policy reforms that people in Hawaii want."

Independent University of Hawaii-Manoa economist David Nixon was commissioned by DPAG to update a 2005 study on the state of marijuana law enforcement in Hawaii. Nixon examined the costs of current law enforcement policies and predicted the economic impacts if Hawaii were to decriminalize or legalize, tax and regulate marijuana.

Among his findings:

- Hawaii has seen a surge in marijuana arrests since 2004. Possession arrests have increased almost 50 percent and distribution arrests have almost doubled.
- Hawaii's marijuana laws overly impact males under the age of 25 and people of native Hawaiian descent. These groups were arrested in numbers disproportionate to their share of the population.
- By decriminalizing marijuana, Hawaii could redirect over \$9 million annually in law enforce-

ment costs.

- By legalizing, taxing and regulating marijuana, Hawaii could conservatively add an additional estimated \$11 million in yearly revenues.

"Arrests for marijuana possession are one of the most common ways that individuals get caught up in the criminal justice system, at great social and economic cost," says ACLU-Hawaii executive director Vanessa Chong. "The study provides important, updated facts for Hawaii as we consider new directions." ■



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# City Announces 2013 Affordable Housing Income Limits

**THE MEDIAN INCOME FOR A FAMILY OF FOUR** in Honolulu rose 4 percent this year to \$86,300, according to the City's Department of Planning and Permitting (DPP).

DPP last week released the 2013 affordable housing income limits, which are used to qualify purchasers and set prices for affordable units as part of Unilateral Agreement conditions adopted in zone

change amendments.

Affordable housing income limits are determined annually based on the annual median income set by the U.S. Department of Housing & Urban Development (HUD) and are used by developers to set affordable homes sales prices and rents based on income groups and household size. The median income last year was \$82,700.

Developers are typically required to provide a certain percentage of affordable units in a housing project when land is rezoned to permit the residential community.

A complete list of the 2013 affordable housing income limits and maximum prices by income groups and household size is available online at: <http://bit.ly/VPa4Hw>. For more information, please call 768-8035. ■



by Atty. Emmanuel Samonte TIPON

# Liability for Injury by Celebratory Gunfire on New Year's Eve

In the good old days in the Philippines, I was in front of our home in Laoag on New Year's Eve lighting firecrackers when an Ilocano congressman with his convoy stopped by and handed me an AK47 rifle saying that I will make more noise using it. I demurred, saying I might hit somebody with a stray bullet. He took back the rifle and fired several shots into the air. Fortunately, no one was reported killed or injured in our neighborhood the next day.

This New Year's Eve, scores were killed or injured by stray bullets during New

Year's Eve not only in the U.S. but in the Philippines. Who is liable for such death or injuries?

Years ago, a woman was hit by a stray bullet at midnight on New Year's Eve in downtown Del Ray Beach, Florida. At the time she was hit by the bullet, the woman was having a glass of champagne in the outdoor section of a restaurant during "First Night Del Ray Beach 2006," a family-friendly event organized and run by the city.

The bullet was most likely fired into the air by a reveler from outside of the event. The woman sued Del Ray Beach alleging negligence in failing to warn her about stray bullets. The jury returned a verdict favorable to the woman, but the trial court granted the city's motion for a directed verdict on

the issue of duty. The woman appealed.

The appellate court concluded that, regardless of sovereign immunity, the evidence failed as a matter of law to establish that a stray bullet at First Night Del Ray Beach 2006 was reasonably foreseeable, and therefore the trial court did not err in finding that the city did not owe a duty to warn the woman of this possibility. Thus, the court affirmed the trial court.

### PROPERTY OWNER HAS NO DUTY TO WARN AGAINST UNFORSEEABLE HARM

The court explained that the existence of a duty is a question of law. "The duty element of negligence focuses on whether the defendant's conduct foreseeably created a broader 'zone of risk' that

poses a general threat of harm to others." Since the possessor of property is not an insurer of a visitor's safety, the possessor is ordinarily under no duty to exercise any care to warn or guard against the harmful acts of a third party unless that third party's harmful behavior is reasonably foreseeable. Although there was testimony at trial that, in 1998 and 2003, stray bullets had struck individuals in downtown Del Ray Beach on New Year's Eve, these prior accidental shootings were too remote in time and too infrequent to render the instant event reasonably foreseeable. See, e.g., *Graham v. Langley*, 683 So.2d 1147, 1148 (Fla. 5th DCA 1996) (holding that car crashing through restaurant window and injuring patron was not foreseeable, explaining that something is foreseeable when "a spe-

cific incident occurs with such frequency that it may be expected to happen again"); *Ameijeiras v. Metro. Dade County*, 534 So.2d 812, 813 (Fla. 3d DCA 1988) (holding that attack in a county-owned park was unforeseeable because no similar violent crimes were reported to have occurred there in the preceding two years). *Leitch v. City of Delray Beach*, 41 So. 3d 411 (Fla. Dist. Ct. App. 2010). ■

(ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. Office: 800 Bethel St., Suite 402, Honolulu, HI 96813. Tel. (808) 225-2645. E-Mail: [filam-law@yahoo.com](mailto:filam-law@yahoo.com). Websites: [www.MilitaryandCriminalLaw.com](http://www.MilitaryandCriminalLaw.com), and [www.ImmigrationServiceUSA.com](http://www.ImmigrationServiceUSA.com). Listen to the most witty, interesting, and informative radio program in Hawaii on KNDI at 1270, AM dial every Thursday at 7:30 a.m., rebroadcast at [www.iluko.com](http://www.iluko.com).)

## ■ SOCIAL SECURITY UPDATE — Medicare Age is Still 65

by Jane YAMAMOTO-BURIGSAY

If you're in your sixties, you probably know that the age to receive full retirement benefits has changed. But it's important to remember that the age to begin receiving Medicare has not—it is still 65.

Even if you've decided to wait until after age 65 to apply for retirement benefits, most people should start getting Medicare coverage at age 65.

If you would like to begin your Medicare coverage when you first become eligible, we suggest that you apply within three months of reaching age 65. You can do so online at [www.socialsecurity.gov/medicareonly](http://www.socialsecurity.gov/medicareonly).

At the website, you'll find more than just the online Medicare application. You'll also find information about Medicare and have the opportunity to watch several short videos about applying for Medicare online. One is a family reunion for the cast of the "Patty Duke Show." In another, Patty Duke and George Takei go boldly where you should be going — online.

Why go online to apply for Medicare? Because it's fast, easy and secure. You don't need an appointment and you can avoid waiting in traffic or in line. It will take about 10 minutes to complete and submit your online Medicare application.

People who started receiving Social Security retirement or disability benefits before age 65 do not need to apply; they will be automatically enrolled in Medicare.

There is no additional charge for Medicare hospital insurance (Part A) since you already paid for it by working and paying Medicare tax. However, there is a monthly premium for medical insurance (Part B). If you already have other health insurance when you become eligible for Medicare, you should consider whether you want to apply for the medical insurance.

To learn more about Medicare and options for choosing coverage, read the online publication "Medicare" at [www.socialsecurity.gov/pubs/10043.html](http://www.socialsecurity.gov/pubs/10043.html) or visit [www.Medicare.gov](http://www.Medicare.gov). To learn more about applying for Medicare Only using the online application, please visit [www.socialsecurity.gov/medicareonly](http://www.socialsecurity.gov/medicareonly). ■

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# Consul General Torres Visits Top State Officials

**PHILIPPINE CONSUL GENERAL JULIUS D. TORRES** paid courtesy calls on newly-appointed Lt. Gov. Shan Tsutsui and State Senate President Donna Mercado Kim in their respective offices at the Hawaii State Capitol on January 9, 2013.

Sen. Kim served as Senate vice president before filling in the Senate president position previously held by Tsutsui. He

took over as lieutenant governor, following the appointment of Brian Schatz as the successor of the late U.S. Sen. Daniel Inouye.

During their meeting, Consul General Torres discussed with Sen. Kim several concerns of the Filipinos in Hawaii, particularly the conditions and the lack of working visas of fishermen working aboard U.S. fishing vessels docked at Honolulu piers.



They also discussed major activities of the Consulate General for 2013, such as the annual commemoration of the Araw ng

Kagitingan (Day of Valor) on April 9, 2013 and the 8th Ambassadors, Consuls General and Tourism Directors Tour (ACGTDT) in July.

Born and raised in Hawaii, Sen. Kim is of Filipino descent. Her grandfather was from the province of Batangas.

Meanwhile, Consul General Torres and Lt. Gov. Tsutsui discussed the upcoming 23rd Trade Mission to the Philippines, spon-

sored by the Filipino Chamber of Commerce in Hawaii, from February 1-11, 2013. Lt. Gov. Tsutsui is looking forward to leading the trade mission and visiting the Philippines for the first time.

Consul General Torres also shared with Lt. Gov. Tsutsui the Consulate's major activities this year and enlisted his support for possible projects which his office and the Consulate could jointly work on in the future. ■

# Rail Delay to Cost Less Than Anticipated



**OFFICIALS WITH THE HONOLULU AUTHORITY** for Rapid Transportation (HART) say that costs for the delay in the construction of the rail transit project are lower than expected.

At a January 10, 2013 HART finance committee meeting, members were told that overall delay costs for three major rail construction contracts came in 31 percent lower than an-

anticipated. Contractor Kiewit Infrastructure West Co., filed delay claims for construction contracts for the first two phases of the rail route from East Kapolei to Aloha Stadium, and the

train maintenance and storage facility in Waipahu.

Costs related to delay claims for the months of September and October 2012 for the two rail guideway construction contracts

(West Oahu-Farrington Highway and Kamehameha Highway) came in 36 and 31 percent lower than expected. However, September delay costs for the maintenance and storage facility construction contract came in 16 percent higher than projected.

Construction delay costs include labor, construction equipment and materials, and overhead. HART is completing archaeological fieldwork along the entire rail alignment in compliance with a recent state Supreme Court ruling. Findings from

archaeological surveys will be submitted in a report to the State Historic Preservation Division later this year for review and approval.

The City hopes to resume rail construction in West Oahu in Fall 2013, according to HART CEO and executive director Dan Grabauskas.

"HART will continue to work with the contractor on future delay claims and how to keep these costs as low as possible until rail construction can resume later this year," Grabauskas says. ■

(cont. from page 5; **PIT SENYORI!** ... ) and the locally-spelled Spanish term "señor" which means "lord or master."

There are several versions of the origin of the dance but the most com-

monly accepted is that it started when Doña Juana, the wife of Rajah Humabon, chieftain of Cebu, was presented with the image of the Holy Child by Ferdinand Magellan after she, her hus-

band and many of their followers were baptized into the Roman Catholic Church.

With the Holy Infant's image in her hands, she reportedly started swaying and dancing and her followers followed suit. This ritual has been practiced since then by the natives, more so after the arrival of Legazpi's expedition almost 50 years later, when they recovered the image of the Santo Niño, unscathed, amid the burnt ruins of the native village in Cebu.

Proclaimed as a miraculous image, a church was erected on the spot where it was found—the same place where the Santo Niño Basilica in present-day Cebu City is located.

The first Sinulog Festival was held in 1980 in Cebu City. It became an official annual festival the following year. Since then, the festival has grown in size and has become the

biggest festival in the Philippines, participated in by groups and individuals in the hundred of thousands from all over the Philippines and the world.

### PROGRAM

The January 27 event will be held at the Consuelo Courtyard and will start with a performance by the Banda Kawayan which will play Visayan instrumental music. This will be followed by a welcome and brief overview of the Visayan region, its people and its culture and a brief introduction to the Sinulog.

The Sinulog will then start, with street dancers and band marching from the FilCom Center parking lot and into the Consuelo Courtyard. Spectators are encouraged to join in as the dancers go around the courtyard.

A Visayan cultural show will follow with songs from the Silangan Singers and

individual performers, folk dances from the UVC dancers and other groups and a choral presentation by the St. Anthony Children's Choir which will sing the celebratory song of St. Pedro Calungsod, the first Visayan saint.

There will also be presentation of Visayan martial arts and the Visayan "balak" or poem. While the cultural show is going on, there will be Visayan finger food displays which people can buy, and there will also be some children's activities going on at the Tech Center relating to Visayan culture.

After the cultural show, a Visayan film by actor/director/producer Cesar Montano, Panaghoy Sa Suba (Call of the River) will be shown.

For additional information, please call the Filipino Community Center at 680-0451 or Jun Colmenares at 510-734-4451. ■



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# Phi Listed As Top Destination for 2013

by Janvic MATEO/  
Saturday, January 5, 2013

**M**ANILA, Philippines - "Sorry, Maldives... We love you, but we've got a new flame."

The Conde Nast Traveller magazine has set its sights on the Philippines, listing it among its top 10 destinations for 2013. The London-based luxury travel magazine described the country as having "around 7,000 of the most heavenly islands in the world."

"It's becoming particularly popular among serious divers, who come for the incredible underwater life, unspoiled coral gardens with rainbow-bright fish, green sea turtles and dugongs," according to Conde Nast.

It added: "In Bicol you can swim with the biggest fish in the world, the whale shark. While fish-fans of a different nature can go deep-sea fishing in one of the deepest trenches in the oceans, not far from the lit-



The Big Lagoon on Miniloc Island in El Nido in Palawan is a must-see for resort guests and visitors | Photo: LUIS ESPIRITU

tle-known island of Siargao."

Particular mention was made of Palawan, which the magazine said "ticks all the boxes: palm-fringed white-powder beaches, crystal-clear turquoise waters, natural lagoons for wild swimming on Miniloc Island... all of it protected by UNESCO. Its Bacuit Bay is something like Halong Bay in Vietnam, only without all the tourists... for the time being, at least. There are just a handful of resorts, which are tasteful and delib-

erately low-key."

Palawan was featured in the final scene of the movie "Bourne Legacy," starring Jeremy Renner and Rachel Weisz. Weisz and her husband, Bond actor Daniel Craig, spent a few days in Palawan after the filming, and raved about it on Twitter.

Also mentioned are the "super-stylish" new Dedon Island on Siargao, owned and designed by celebrated furniture brand Dedon, based in Cebu; and "peren-

nial favorite" Amanpulo, on Pamalican Island, which has hosted many of the world's rich and famous, including the late John Kennedy Jr. (who came with then flame Darryl Hannah), Brad Pitt and Angelina Jolie, Robert de Niro and super model Naomi Campbell.

Despite all the bad press, Manila got a positive mention as well: "As the gateway to these private-island retreats, the Philippines capital of Manila is also having a moment."

Other destinations cited among Conde Nast Traveller's top ten are Brazil, Amsterdam, The Congo in Africa, Galapagos Island, New Zealand (think "Hobbit"), Kashmir, Mexico, Panama and Oman.

Palawan was also chosen by a popular international travel guide as one of the top ten regions of the world in its "Best in Travel 2013."

Describing Palawan as

"the ultimate archipelago for adventurers," Lonely Planet said the island province "incorporates thousands of sparkling, rugged islands and is fringed by 2000 kms of pristine coastline."

"So far Palawan's natural marvels have only been sampled by plucky backpackers. Not for much longer. The trail these pioneers have blazed is set to explode, with regional airlines waking up to Palawan's potential and clambering to schedule direct flights to the capital," Lonely Planet wrote, concluding, "you can feel that Palawan is ready to hit the big-time in 2013."

Palawan ranked eighth, with Corsica in France topping the list. Other Asian destinations on the list are Mustang in Nepal (3) and Inland Sea, Japan (9).

Meanwhile, Luzon, Cebu, and Mindanao were voted among Asia's top ten islands in Conde Nast Traveller's annual Readers' Choice Awards.

(www.philstar.com) ■

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**Palace Serious in Mending  
Fences with Church**

by Aurea CALICA/  
Thursday, January 17, 2013

MANILA, Philippines - **MALACAÑANG MAINTAINED YESTERDAY THAT THE GOVERNMENT** is serious in its efforts to reconcile with the leaders of the Catholic Church after the dispute over the controversial Reproductive Health Law.



Sec. Sonny Coloma

Presidential Communications Operations Office Secretary Herminio Coloma said President Aquino had been openly calling for reconciliation though there were no private meetings yet between Palace and Catholic Church officials.

Coloma said the divisiveness should end now that the measure would be implemented to help people plan their families and promote reproductive health.

He expressed confidence that majority of the people believed in the

need for an RH Law so it should not disrupt relations between the government and the Catholic Church.

Coloma said the Aquino government wants to work with the Church on other activities to help the people

and that they will just have to wait and see whether the administration's support for the RH Law will affect the people's support for it during the May elections.

He said that public opinion surveys showed that majority of the population support the RH Law.

"I don't know if through their voting this will be belied or other considerations will surface. But I think the people have the maturity now and they know the importance of crafting public policies that will improve the nation," Coloma said.

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

**GMA TV Launches Most  
Expensive Drama Series Ever**

**GMA PINOY TV HAS OPENS 2013** with its much anticipated drama-fantasy series "Indio." The series is being billed as the largest television series ever in terms of production value that GMA 7 Network has produced.

"Indio" made its grand premiere on GMA Pinoy TV on January 15. The series features the Philippines' most respected and bankable stars, top-billed by Bong Revilla, Jr. as Malaya/Simeon/Indio. The award-winning actor marks his first prime-time drama project via the network's most expensive television drama to date.

Though staged in pre-colonial setting, the value of Indio's beautiful story traverses through generations, as its theme of earning dignity through selfless sacrifice for loved ones resonates strongly even for audiences of today.

In the series, the battle of goddess Ynaguiguilid against Spanish colonizers ensues when she vindicates the death of her husband and protects her only son. Hurt in battle, she passes on her supernatural powers to the swaddled baby before she draws her last breath. It is this baby who will grow up to be the brave and gifted Indio warrior



Malaya.

Joining Sen. Bong in this action-packed saga are Jennylyn Mercado, Jackie Lou Blanco, Ramon Christopher, Michael de Mesa, Rhian Ramos, Sam Pinto, Rachele, Ann Go, Ehra Madrigal, Ellen Adarna, Paolo Paraiso, Will Devaughn, Steven Silva, Kyle Jimenez, Solenn Heussaff, Jomari Yllana, Agot Isidro, Ronnie Lazaro, Sheena Halili, Daria Ramirez, Dante Rivero, Melissa Mendez, Vaness del Moral, Peko, John Feir, Marco Alcaraz, Ping Medina, Robert Arevalo, Maxene Magalona, Bea Binene, Jillian Ward, Alden Richards, Luis Alandy, Bobby Andrews, Chinggoy Alonzo, Lucho Ayala, Carlos Morales, Princess Snell, Winwyn Marquez, Jon Achaval and Mark Gil.

For more details on the show, visit [www.gmanetwork.com/International](http://www.gmanetwork.com/International) or [www.facebook.com/GMAPinoyTV](http://www.facebook.com/GMAPinoyTV). ■

# Noy Pitches for LP Slate

by Delon PORCALLA/  
Thursday, January 17, 2013

MANDAUE CITY, Philippines – **WEEKS BEFORE THE OFFICIAL START** of the campaign season, President Aquino fired the opening salvo yesterday for the Senate slate of the ruling Liberal Party (LP).

Accompanied for the first time in an out-of-town LP event by six of the party's Senate bets, the President said the candidates were tested and qualified to help his administration effect change and achieve development goals.

The Supreme Court has issued a ruling setting aside rules against premature campaigning.

Aquino made his pitch in a province whose governor, who belongs to the opposition, has been suspended for six months by Malacañang.

His visit to Cebu also came a week after the opposition United Nationalist Alliance (UNA), to which



(L-R) Rep. Sonny Angara, Bam Aquino, Pres. Noy Aquino, Risa Hontiveros-Baraquel, former senators Jun Magsaysay and Jamby Madrigal

Cebu Gov. Gwendolyn Garcia belongs, also embarked on what looked like the start of its campaign for its Senate slate.

Transport and Communications Secretary Joseph Emilio Abaya, a member of LP, joked that UNA kicked off its campaign ahead of the LP because the opposition coalition was living up to its name: "Nauna lang sila dahil UNA ang pangalan nila."

Abaya, who was with the President in this city, said Sen. Franklin Drilon had volunteered to serve

campaign as the LP's campaign manager for the midterm elections in May.

The party is mapping out its strategy and is set to discuss limits set by the Commission on Elections on campaign spending and hours, Abaya said.

"We're slowly getting into the campaign mode," Abaya said, amid observations that the LP was starting late in the game.

"We have to bear in mind that the other party has more to prove than we do," the President, who is LP chairman, told reporters

in Filipino. "So they have to catch up... hence the need to have all of these sorties at this point in time."

Vice President Jejomar Binay, Senate President Juan Ponce Enrile and former President Joseph Estrada are the leaders of UNA.

Aquino said LP candidates do not have to make early provincial campaign sorties primarily because "we are actually also tasked to run this government (and) running this government has to take precedence over politics."

"I'm telling you, we need them to speed up change. I personally handpicked them. Let's help each other here," Aquino told reporters in Filipino on the sidelines of the LP meeting at the Mandaue Sports and Cultural Complex. "Shall we continue our straight path or make a U-turn to irregularities?"

He said the administration candidates would be coming up with their own TV ads soon.

"I think we will religiously comply with not just the letter of the law but the spirit of the law," he said, referring to the official start of the campaign season on Feb. 12 under Commission on Elections rules.

Lawyer Hilario Davide III, LP gubernatorial candidate and son and namesake of a former chief justice, vowed to help steer the administration coalition to victory in the province.

"We assured you of our strong support. We will work hard for our victory," he said in a speech. He had

lost to Garcia in the 2010 gubernatorial race.

The LP candidates present yesterday were Sen. Aquilino Pimentel III, Aurora Rep. Sonny Angara, former Akbayan party-list representative Risa Hontiveros-Baraquel, and former senators Jun Magsaysay and Jamby Madrigal.

Las Piñas Rep. Mark Villar represented his mother, former Rep. Cynthia Villar, who is also running for senator under the LP coalition. She is the wife of incumbent Sen. Manny Villar.

Prior to the LP meeting, Aquino inaugurated the Austal Shipyard in barangay Arpili, Balamban, also in Cebu.

Among those at the event, apart from Abaya, were Interior Secretary Manuel Roxas II, retired chief justice Davide, acting Cebu Gov. Agnes Magpale, Rep. Tommy Osmeña, former deputy speaker Raul del Mar, and presidential spokesman Edwin Lacerda.

Last week, Aquino endorsed the candidacy of LP-led senatorial candidates during a dialogue with executives of the Radyo Mindanao Network (RMN).

The other administration candidates are Bam Aquino, a first cousin of the President; incumbent senators Francis Escudero, Loren Legarda, Alan Peter Cayetano, Antonio Trillanes IV, and Grace Poe-Llamanzares, daughter of the late action star Fernando Poe Jr. (www.philstar.com) ■

# DOH Coming Out with Guidelines on Stem Cell Therapy

by Sheila CRISOSTOMO/  
Thursday, January 17, 2013

MANILA, Philippines - **THE DEPARTMENT OF HEALTH (DOH)** is coming out with guidelines for the practice of stem cell therapy in the country, Health Secretary Enrique Ona said yesterday.

Ona said they have come up with a preliminary draft of the guidelines, which would be the subject of a public hearing tomorrow.

"After the public hearing, there might be a consensus and then it will come out. When we have the guidelines, you'll see those things that will not be allowed," he told reporters on the sidelines of the 1st National Convention on Stem Cell organized by the Philippine Society on Stem Cell Medicine (PSSCM).

In his speech, Ona lauded the establishment of

PSSCM amid the increasing demand for the use of stem cells as therapy in oncology, end organ diseases and regenerative medicine.

"We owe it to our patients and the general public to ensure that proper information and guidance regarding this novel medical approach is available," he said.

Ona said the public must be apprised of the most current and accurate information about stem cells and its various applications. "We must ensure that only safe and ethical uses of stem cells are being used in the POA expressed concern that "some facilities might not have the minimum capabilities needed to perform stem cell therapies safely and effectively."

"Although this technology holds promise, stem cell

therapy is not yet part of standard care and is considered an investigative procedure for compassionate use. Applications of stem cells for the treatment of malignancies, blood disorders, degenerative diseases such as Alzheimer's disease, metabolic diseases such as diabetes and immune cell therapy are still under clinical evaluation and study," he added. (www.philstar.com) ■

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# Miriam to Take Gift Issue to SC; JPE Foes Lose Staff

by **Marvin SY**/  
Thursday, January 17, 2013

MANILA, Philippines - **SEN. MIRIAM DEFENSOR-SANTIAGO INTENDS TO FILE A CASE** before the Supreme Court (SC) questioning the authority of the Senate President and other heads of government offices to utilize the savings of their respective agencies for whatever purpose they see fit.

But before filing the petition, Santiago said she would wait first for the Commission on Audit (COA) to act on her request for it to study the realignment of savings made by Senate President Juan Ponce Enrile to cash gifts and maintenance and other operating expenses (MOOE) for the senators.

Senate Minority Leader Alan Peter Cayetano, on the other hand, revealed Enrile had pulled out some of the staff members assigned to the minority bloc.

Cayetano said two of his staff, both employees of the Senate, were recalled on orders of Enrile, as well as two more who were assigned to Sen. Antonio Trillanes IV.

According to Cayetano, one of the recalled employees used to work in the office of his father, the late senator Renato Cayetano.

He said his office merely received a memorandum from the Senate secretary informing him the four Senate employees assigned to Trillanes' and his offices were being recalled.

Cayetano said this was unusual, considering they were not given prior notice about the recall of the per-



*READY TO RUMBLE? Senator Miriam Defensor-Santiago and Senate President Juan Ponce-Enrile*

sonnel. He said this should have been done by the Senate secretary as a courtesy to them.

"I can't help but think that this is part of the overall strategy that if you are not very good to Senate President Enrile, you pay the price," Cayetano said.

In a statement, Enrile said the order to recall the four employees was issued on Dec. 6, 2012, saying "the assignment for their detail had actually expired already and it was only proper that these high-salaried personnel should be sent back to and be utilized by their respective mother units."

"I should also point out that even when employees detailed to their offices have been recalled, there are still two Senate Secretariat employees who have remained assigned to the Office of Sen. Alan Cayetano, and one Secretariat employee still detailed to the Office of Sen. Trillanes," Enrile said.

#### DISAPPOINTMENT

Santiago questioned the constitutionality of the so-called absolute discretion of the Senate President on the use of Senate savings,

which she said the COA or the SC should settle.

"I am required by law to observe the principle of exhaustion of administrative remedies. This means that first I have to go to the COA and request for a study and report on the issue of constitutionality. If the COA opinion differs from mine, only then will I be allowed to file a court case. If not, the court will dismiss my petition," Santiago said.

However, the initial responses coming from the COA, particularly its chairman Ma. Gracia Pulido Tan about the issue, seemed to support the position taken by Enrile.

Tan earlier said the Senate President and the Speaker are authorized under the law to augment any item in the general appropriations law for their respective offices from any savings in other items of their respective appropriations.

Santiago said she was very disappointed and frustrated with Tan's statement, which she said must still come out with a response to her request to determine the legitimacy of Enrile's actions.

"If she (Tan) said that, then she may have overlooked the constitutional provisions on due process and equal protection. I hope she did not mean that COA rules vest unlimited discretion on every head of office. Every discretionary use of budget funds is always limited by constitutional provisions," Santiago explained.

Santiago said Enrile had admitted giving away taxpayers' money of some P2 million as gifts to senators.

"And the COA does not see anything wrong in that? Suppose next year, the Christmas gift for a senator is raised to P3 million, and the year later, to P4 million. Does COA mean that the amount is unlimited? We are talking of taxpayers' money here," she added.

The controversy over the release of funds by the Senate President came about after Santiago revealed that she and Senators Pia Cayetano, Trillanes and Minority Leader Cayetano received P250,000 each from the office of Enrile last December when other senators got P1.6 million each.

Santiago claimed the P250,000 was a personal cash gift from Enrile and not MOOE as claimed by the Senate President.

She argued that releasing MOOE at the end of the year is highly irregular.

#### 'ATTACK DOG'

Santiago also set her sights on Sen. Panfilo Lacson over the issue of the supposed cash gifts being distributed in the Senate.

In an interview over ANC yesterday, Santiago continued her attack against Enrile, who she said "does not even have the guts to face me at a public televised debate" and instead "has been hiding behind the tails of his attack dogs."

Santiago did not mention names but in describing the person during the interview, she was apparently referring to Lacson.

She said the "attack dog" is not a lawyer but pretending to be one. She said the attack dog has been calling

on her to shut up on the issue of cash gifts.

"He does not even have a clue about the principle of exhaustion of administrative remedies. He was involved in a court case, and he turned tail and became a fugitive from justice, which is criminal behavior. That is what you get when a layman filled with hubris pretends to be a lawyer. Pilit nakikisawsaw," Santiago said.

"If that senator wants to participate in the conspiracy of silence, he can, but he should respect my freedom of expression and the public's right to know under the Constitution. If a dog barks at midnight, the homeowner should go out and search for the intruder, instead of beating the dog," she added.

Lacson did not back down from the tirade of Santiago and promptly called her a "crusading crook."

"She pretends to be clean when she is not. A hypocrite par excellence, she doesn't have a single shred of integrity in her veins and moral ascendancy over any mortal on earth," Lacson said.

"Ask the people who have fallen victim to her verbal threats and assaults and they will tell you how much they shelled out," he added.

Lacson previously aired his disappointment over Santiago's allegations against Enrile.

He said Santiago also received funds last year and the previous years but never complained.

Santiago had admitted she received funds in the past but what was different in the current situation was that the amounts were just too big and the distribution was inequitable.

Lacson, however, said the complaints from Santiago now were due to the decision of Enrile not to give her, the Cayetano siblings and Trillanes the same amount as the other senators.

Instead of going on with her attacks against her colleagues, Lacson advised Santiago to stop and do some reflection.

(www.philstar.com) ■

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by Reuben S. SEGURITAN

# Immigrant Visa Processing at a U.S. Consulate Abroad

or I-140 petition to the National Visa Center.

Each approved immigrant visa petition will be assigned an NVC case number. The first three letters of the case number designate the U.S. consulate, followed by the year the petition was received by the NVC. The case number applies to the entire family but each family member must submit an individual immigrant visa application and civil documents and pay the required fees.

The NVC then sends a fee bill to the visa applicant or to the attorney of record, if any. For family-based cases, there is a separate fee for the review of the Form I-864 Affidavit of Support. Fees may be paid online through electronic fund transfer or by mail with a cashier's check or money order.

After fees are paid, the NVC will send visa application instructions to the applicant. Documents to be submitted generally include the Form DS-230 Parts I and

II, copy of the passport, two passport-style photos, original or certified copy of birth certificate, and an original or certified copy of a police certificate from each country where the applicant resided for 6 months or longer after age 16.

In family-based cases, the applicant must also submit a Form I-864 signed by the sponsor, along with supporting documents such as tax returns, W-2 form and a letter of employment. This requirement ensures that the applicant will not become a public charge. In employment-based cases, the applicant should submit a letter from the petitioning employer confirming the employment.

When all required documents have been submitted, the NVC will schedule the interview and send instructions to the applicant. The instructions will tell the applicant if any documents must be brought to the appointment, which will depend on the type of the application and on the circumstances of the

applicant. The notice will also have a list of physicians who may conduct the required physical examination which will screen for relevant medical conditions. After the appointment is scheduled and instructions are sent, the file is transferred from the NVC to the consulate.

Visa applicants must appear personally at the interview. They should be prepared to respond to questions pertaining to their eligibility for the visa, including questions on prior U.S. immigration history and any criminal history. Marriage-based visa applicants should expect to be asked about their marital relationship. Employment-based applicants must be prepared to discuss their work history and answer questions regarding the proposed employment. The types of questions will vary from one applicant to another, especially since consular officers have wide discretion when it comes to questions to be

asked.

If the applicant is found to be inadmissible to the U.S. and therefore ineligible for an immigrant visa, he/she may be able to apply for a waiver of the ground/s of inadmissibility. Many visa applicants get denied because of prior unlawful presence, misrepresentation, or criminal convictions.

If the visa application is approved, the consular officer issues the visa and stamps the applicant's passport. The visa will be valid for travel to the U.S. within 6 months of issuance. The applicant will also be given a sealed envelope which he/she must give the officer at the port of entry. Finally, the new immigrant's green card will be produced by the USCIS and mailed to the address provided in the visa application. ■

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)

Many foreign nationals become lawful permanent residents by applying for an immigrant visa at a U.S. consulate abroad. This pathway to a green card is called "consular processing" and it requires a personal interview before a consular officer before the applicant can obtain an immigrant visa.

Consular processing is available in both family-based and employment-based immigration cases. Generally, petitioners filing I-130 and I-140 petitions will choose whether visa processing will take place in the United States through what is called adjustment of status, or at a U.S. consulate abroad. If consular processing is chosen, the USCIS will forward the approved I-130

## MAINLAND NEWS

# Filipino Student Invited to Obama Inauguration

**ATENEO DE MANILA UNIVERSITY STUDENT** Santiago Arnaiz is the lone Filipino youth invited to President Barack Obama's inauguration ceremony.

Arnaiz literally fell off his chair when he realized that the invitation was real.

"At first, I didn't mind the email because I thought it was a spam message," he says. "Honestly, who gets invited to a presidential inauguration?"

In 2011, Arnaiz was chosen as the Top Alumnus of the 2011 Global Young Leaders Conference. He was also one of four students who delivered closing speeches during the conference closing ceremonies.

"I spoke about how the

future will rely on how my generation embraces this globalized world that's been created," he says. "Because of that conference, I was invited to the presidential inauguration. I can't express how excited I am. It's an amazing opportunity."

The Obama inauguration will be held in Washington, D.C. on January 21, 2013. A week of festivities will include the presidential swearing-in ceremony, inaugural address, inaugural parade and numerous inaugural balls and galas. The official theme for the 2013 inauguration is "Faith in America's Future," com-



Ateneo's Santiago Arnaiz

memorating America's perseverance and unity. I will also mark the 150th anniversary of the Emancipation Proclamation and the placement of the Statue of Freedom atop the Capitol Dome in 1863.

The lives of Filipinos, Arnaiz believes, will be greatly influenced by the person who sits in the White House.

"We stand to gain a lot in advocating the faith that the American people have in their government. Now, more than ever, we need that faith in good governance and that collective will as a people that we see in Americans," he said. ■

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**DAYASADAS**

by Pacita C. SALUDES

**M**abang-aran ti amin a tumapog iti BARO A TAWEN. Iti umuna a tawen nga agay-ayam iti panunot iti kada maysa a tao, kayattay amin nga irusat wenno itungpal iti daytoy a tawen - dagiti res-olusion a kayat tayo a maaramid iti biag.

Kabayatanna ditay met malipatan a ti napalabas a tawen, narsing manen ti naikudi a tawen a kaad-datayo iti idadanontayo iti sabali lubong a panung-palan. No ania dagiti nap-intas a rusat nga ibati tayo a nayon dagiti nalikudan a tawen ti biagtayo nayonan-tay iti narangranga pay a pakalaglagipan.

No ania pay a napintas naaramidan, pagwadan wenno pakalaglagipan a naibati iti likudan, nasayaat

# Baro A Tawen, Baro A Pakinakem, Rusat Ken Tarigagay Iti Biag

unay ta di mapadtuan no ania nga oras wenno aldaw ti panggeddeng ti panawen nga ipapanaw iti daytoy a biag.

Taliawen ti napalabas a tawen ket pindaen a kitaen dagiti imbati kada bulan a kas ti panagsaggaysa kadagiti inyalbumtayo a ladawan. Adda naisem ken naalibuyong a panawen. Dagita ti ituloy wenno aturen tapno ita nga tawen napimpimtas dagiti ladawan a mainayon kadagiti ur-urnongentayo a pakalaglagipan dagiti maud-udi ngem datayo. Kas kadagiti annaktayo, no naaramid tayo ti obligasion tayo kadakuada. Wenno nasayaat met laeng ti lan-gen tayo iti aglawlaw tayo.

No adda plano nga itungpal iti kabiitan a panawen, saan nga itantan-tan. Ket no adda samrid ti isip, ikupin ket sandian kadagiti makapaisem a bambanag tapno naragsak ti biag. Dagiti rusat saan nga itantan tapno di ma-

pugsat dagiti napudno a kaipapanan dagiti rusat.

**ANNAK TI KAILOKUAN ITI AMERIKA**

Tinawen a rambakanna ti FIESTA TI KAILOKUAN A kas iti pagilian a nagga-puan. Maaramid ti selebra-sion inton Enero 19 (January 19, 2013) dita Au-gust Ahrens School Waipahu. Kas gagangay a maisagana no adda piesta, adda met dagiti maisagana a pabuya dagiti kamka-meng kas dadagiti salsala, kankanta, BUKANEGAN ken koronasyon ti Reyna ti AKA ken GUMIL Hawaii. Ta ti AKA naisangrat a mak-isinnaranay ti GUMIL (GUNGLO DAGITI MAN-NURAT NGA ILOKANO ITI HAWAII) Kas naaramid kadagiti uppat a pulo ket dua a tawen (42 years a panagbiag ti GH). Nupay napugsat iti napintas a ganadat iti sumagmamano a tawen ti napalabas gapu ti saan a pannakaitungpal

dagiti dadduma nga ussuat a nairugi ti GH. Babaen ti panagituloy ti agdama a president ni Mrs. Cirvalina Longboy, agbiag a natali-naay ti grupo ket maitung-pal dagiti naliwayan a gandat ti Gunglo. Mai-

wawaras ita a tawen ti LIBRO (GH ITI UPPAT A PULO A DEKADA) ket maiyalnag met ti LIBRO (BALLAIGI TI PULI NI FIL-IPINO) inurnong ti Presi-dente ti AKA.

HAPPY NEW YEAR TI EVERYONE! NARAGSAK A BARO A TAWENYO AMIN! ■

*Pilid Ti Biag*

NO ADDAKA MAN ITA NGA AGNGUY-NGUY-A ITI LADDIT TI NABANTOT A PILID TI BIAG ANGAYEM TA PURSA A MANGIKUDAG TI MANGPANPANDAG KENKA NABANTOT A BARAS

BABAEN TI PAKINAKEN KEN PISKEL TAKIAG NADALUS A PAKINAKEN, NASAYAAT A GANUAT INUT-INUT MAALLINMO TI KINABANTOT PANDAG BABAEN KARARAG A DANGGAYAN TA ALIBTAK

NADALUS A GANDAT KEN TARIGAGAY MARAGPAT DI MAPUPUOTAN MAKADANONKA ITI TAPAW GIN-AWA SUMALLIPUT NO IPAAY TI GASAT ARTAPAN NI MALAS NO DI MASALUNGAT

KADAGITI ADDA ITI NARUGBO A BIAG A SIUUMSI A MANGTANTANAWAG SIRURUNGSOT A KANAYON MANGPADPADDAK AWANAN GAWAY KEN NATIBKER A KALASAG

KAS NABILEG UNAY GAPU TA NANGATNGATO TI KALIDAD ADDAAN GASAT AGGAPO TI BINUNTON A PIARAK SIUUMSI A MANGPADDAKPADDDAK AWANAN SAGUDAY MANGIMAMEG KADAGITI AWANAN GAWAY

AMMUEN A TI PILID TI BIAG AGGUNGUNAY ADDAKA TA BABA ITA PAGAMMUAN ADDAKA ITI RABAW ADDAKA METTEN A NAPAGASATAN MANGTANTAN-AW ITI LUGAR NAGSAGABAAM LIDAY, KINAKIRANG

SAAN A LIPATAN A NAYNAY TI LANGIT ADDA A KANKANAYON A SIIMATANG TI PILID TI BIAG TI ADDA A MANGTIGTIGNAY

**— MAINLAND NEWS —**

## Phl Legion of Honor for Hillary

by Pia LEE-BRAGO/  
Thursday, January 17, 2013

MANILA, Philippines - **THE PHILIPPINES HAS CONFERRED THE LEGION OF HONOR** on US Secretary of State Hillary Rodham Clinton for



Foreign Affairs Secretary Albert del Rosario confers the Philippine Legion of Honor on US Secretary of State Hillary Clinton in Washington.

her support for the country's advocacy for a rules-based approach to resolving territorial claims.

On behalf of President Aquino, Foreign Affairs Secretary Albert del Rosario conferred on Tuesday the Legion of Honor on Clinton at the US State Department in Washington. (continued on page 15)

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# Essay Contest on West Philippine Sea

**THE US PINOYS FOR GOOD GOVERNANCE (USP4GG)**-Marianas Chapter has launched an essay contest for high school and college students themed "The West Philippine Sea and its Impact on the Future of the Philippines."

The contest is open to all students of Filipino descent in the Philippines or overseas, from 10 to 25 years old who are enrolled in high school and college. The deadline to submit entries is February 1, 2013.

Essays should focus on the following:

- Sovereignty or ownership issues of territories in the West Philippine Sea contiguous to the Philippines.
- How control of Philippine territories and the valuable marine and energy resources found therein can affect the future of generations of Filipinos.
- How young people can help defend Philippine sovereignty

over our territories and protect the marine and energy resources in the West Philippine Sea

The essay must be original and must not be previously published in print or online or in any visual and/or auditory recording. It must be in English and not be more than 1,500 typed words.

Contest officials advise entrants to read books, publications and the internet on various articles regarding the theme. Loida Nicolas Lewis, USP4GG national chairwoman, urges young people to get involved.

"This essay contest should alert our younger generation on the wealth of the mother country, the Philippines," she says. "No Filipino in the future, if this wealth is not squandered or stolen, should be poor."

Prize ranges from 50,000 to 10,000 pesos (\$1,200 to \$240). Entry forms are available at

www.uspgg.org. Signature of the school principal, college or university president or dean, address, email address and telephone number are required to authenticate the student entries.

A panel of judges, selected by the USP4GG Ad Hoc Committee for Essay Contest on West Philippine Sea, will make the final decision. The panel will be composed of prominent lawyers, journalists, editor, retired educators and university administrators.

Winning entries will be announced during the Global Summit of Filipinos in Diaspora on February 25-27, 2013, at the Philippine International Convention Center (PICC), Manila, Philippines.

Entries may be submitted via email to: [usp4ggessay@yahoo.com](mailto:usp4ggessay@yahoo.com) or sent by regular mail to ATTN: Secretariat, USP4GG Essay Contest on West Philippine Sea, 25 C Luna Gardens, Rockwell Center, Makati City, Philippines 1221. ■

## PHILIPPINE NEWS

# Classes Suspended as Group Calls for USM Prexy's Ouster

MANILA, Philippines - **CLASSES AT THE UNIVERSITY OF SOUTHERN MINDANAO (USM)** have been suspended until Friday as protesters blocked the campus entrance as they call on the university's president to step down.

The students are calling for the ouster of USM president Dr. Jesus Antonio Derije over a supposed complaint filed against him before the Department of Justice (DOJ).

In a statement, Derije said that he will stay put in his position "no matter what."

"Unless I am declared guilty [of] all the allegations the rallyists

have hurled against me, I will hold on to this position," he said.

The university president also challenged the USM Multi-Stakeholders Group to show documents that would prove that he had been charged before the DOJ.

"Until now, I was not given information that the DoJ has received such complaints against me. But if there was, I believe the DoJ will exhaust all means to know the truth. As of this time, the DoJ has not released anything as regards these complaints," Derije said.

Dr. Antonio Tacardon, a member of the USM's Board of Re-

gents, meanwhile, said that the university's performance since Derije took over last year has been "exemplary."

"During the recent Licensure Examination for Teachers, three of the graduates at the USM were among the top 10 examinees; while their engineering department had a 100 percent passing rate during the recent board exam. The performance of the university, in the past, had been very commendable," said Tacardon.

It was the board that recommended Derije's re-appointment at the Commission on Higher Education (CHED). ([www.philstar.com](http://www.philstar.com)) ■

## MAINLAND NEWS

(cont. from page 14; PHL...)

The Philippine Legion of Honor is the highest honor that the President may grant to an individual without the concurrence of Congress. The highest rank, Chief Commander, is normally conferred on heads of state or governments, and distinguished individuals in recognition of their contribution to the country.

The first American to be conferred the rank of Chief Commander was US President Franklin D. Roosevelt (posthumous). Also given the same honor were President Dwight Eisenhower, General Douglas MacArthur, and Sen. Daniel Inouye.

"Secretary Clinton strongly supported the Philippines' advocacy for a rules-based approach in resolving competing claims over maritime areas through peaceful and diplomatic processes within the framework of international law. On various occasions, she spoke up for the common interest in maintaining freedom of navigation, unimpeded lawful commerce, and transit of people across the seas," the Department of Foreign Affairs (DFA) said.

Expressing her appreciation, Clinton reaffirmed the US government's commitment to strengthening the Philippines' defense capabilities.

As Secretary of State, Clinton signed with Del Rosario the Manila Declaration, confirming the two countries' commitment to the objectives of the Philippines-US Mutual Defense Treaty (MDT).

On the sidelines of Aquino's 2012 official working visit to the US, she also signed with Del Rosario a statement of support for the construction, outfitting and training of a new National Coast Watch Center for the Philippines.

In September 2010 in New York, Aquino and Clinton unveiled the \$434-million Millennium Challenge Account (MCA) Compact aimed at reducing poverty through economic growth. ([www.philstar.com](http://www.philstar.com)) ■

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One dollar lang, kayang-kaya ng powers mo.**

May dollar power ka kapag ang variety na walang katumbas ay sinamahan ng mga paboritong walang kupas. Ang bagong Grilled Onion Cheddar burger na may caramelized, grilled onions at white cheddar\* na ginagawa pang mas exciting ang McDonald's Dollar Menu. Pumili sa masasarap na choices gaya ng McChicken® sandwich o ang fabulous Fruit 'n Yogurt Parfait nang ma-enjoy mo ang malinamnam na paraan para magpang-abot ang budget mo.



\*Pasteurized process. Lemon available upon request. A la carte only. Price and participation may vary. ©2013 McDonald's.

