



NEWS EDITION

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

STATE LEGISLATURE APPROVES LANGUAGE ACCESS BILL

by Serafin Colmenares Jr., Ph.D. and Rebecca Gardner, JD



Justice Sabrina McKenna speaking at the Language Access Law Forum at the UH Law School in January 2013

The 2013 State Legislature unanimously passed House Bill 266, Relating to Language Access, on April 30, 2013. It now awaits Gov. Neil Abercrombie's signature.

The bill establishes and provides appropriations for a statewide Language Access Resource Center (LARC) and a Multilingual Website Pilot Project to be administered by the Office of Language Access (OLA).

BACKGROUND

According to the U.S. Census Bureau, American Community Survey 2009-2011, almost 24 percent of

Hawaii's population speaks a language other than English at home and approximately 151,187 residents of Hawaii are limited English proficient (LEP). According to the Immigration Policy Center of the American Immigration Council, approximately 18 percent of Hawaii's residents are foreign born, while 14 percent of Hawaii's children with immigrant parents are LEP.

Language barriers have prevented our LEP population from fully benefiting

from essential government and government-funded services. These barriers have also prevented them from contributing to our community and living up to their potential.

To address this, the federal government through Title VI of the 1964 Civil Rights Act and President Clinton's Executive Order 13166 directs all federal agencies to ensure that all programs receiving federal funds provide meaningful

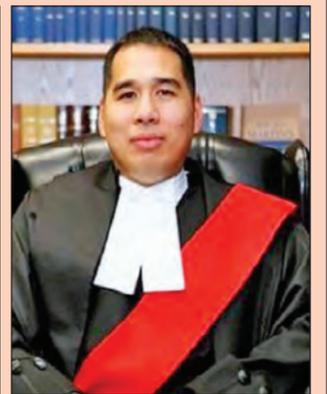
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FILIPINO APPOINTED TO HIGH SEAT IN CANADIAN COURT

by Camille Diola

MANILA, Philippines - The Canadian justice department recently elevated a Filipino-Canadian to hold a seat in the Superior Court of Justice in Ontario, a major Canadian province.

Justice Steve Anthony Coroza, who came from the Ontario Court of Justice in the city of Saint Catharines, was appointed to the provincial superior court last month-



-the first time a Filipino occupied a high position in the country's judiciary.

The Department of Foreign Affairs in a

(continued on page 5)

PHL WON'T CONFRONT CHINA SHIPS

by Jaime Laude



MANILA, Philippines - Chinese ships have again intruded into Philippine territory. What does the government do?

Instead of confronting the intruders, the Western Command of the Armed Forces of the Philip-

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PHILIPPINE NEWS



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MAINLAND NEWS



Hirono Votes For Final Passage of Immigration Reform Bill **13**

EDITORIAL

Who Could Emerge as Democrats' New Quarterback?

Hawaii politics is not quite the same with the passing of the legendary U.S. Sen. Daniel Inouye. The quarterback for the state's Democratic party, Inouye was someone who represented the interests of our state with commanding influence. He left behind a power vacuum in D.C., that will take years to fill, if at all possible.

As soon as next year, Hawaii voters will take part in the first post-Inouye election season. All eyes will be focused on the race for U.S. Senate not only because it will be the first election to fill Inouye's seat, but in many ways that race will help clear the political haze over who will emerge as the next leader for Democrats in our state, similar in a way that Inouye was.

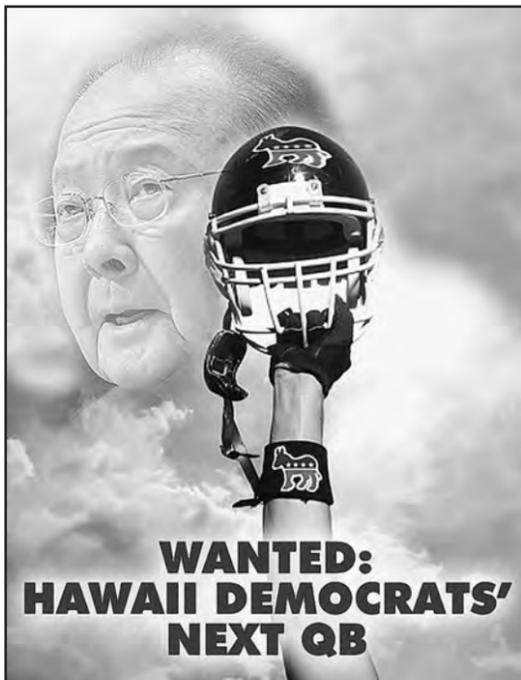
Those on a short list of Democrat titans who could become the party's new quarterback are Gov. Neil Abercrombie, U.S. Rep. Colleen Hanabusa and U.S. Sen. Brian Schatz, who all happen to be connected to the upcoming U.S. Senate race. (Sen. Mazie Hirono is another obvious consideration.)

THE GOVERNOR'S DECISION

Abercrombie has a lot riding on the outcome of the senate race. He was responsible for selecting Inouye's replacement upon the senior senator's passing. The governor made a bold, somewhat controversial decision which could have a lasting impact on his own political future because Abercrombie went against Inouye's "last wish" to have Hanabusa as Inouye's appointed successor.

Abercrombie instead opted to choose the less experienced Schatz who at the time had no congressional experience. The governor's decision, however, is far from being unmerited. Schatz, while inexperienced, already had possessed all the brilliance and charisma to become a national rising political star. To put age into perspective, Schatz, who is 40, is about the same age as current Republican national leaders and presidential hopefuls for the Republican Party—U.S. Rep. Paul Ryan (43) and U.S. Sen. Marco Rubio (42).

Evidently Abercrombie, who served in the nation's Capitol for numerous terms, understood the importance of building a power base for Hawaii in Congress by establishing seniority among younger, talented politicians as Schatz.



Should Sen. Schatz get re-elected, it could only bolster Abercrombie's chances for re-election himself and carry a symbolic, tacit understanding that Abercrombie just very well could be Hawaii's new quarterback for the Democrat party, especially since his former lieutenant governor, would be holding a senate seat.

AGE AND A BRIGHT FUTURE

That could be the case. But what is the chance for Schatz to win a re-election? As we have seen, anything could upend the career of any rising political star. The argument Schatz supporters are using—a need to establish seniority at the senate by the election of a younger, talented politician—sounds very familiar. Remember former congressman Ed Case, his attempt to unseat former U.S. Sen. Daniel Akaka, and the cascading turn of events that followed Case's political career from that point? While a similar parallel could be drawn, the simple fact that Schatz was initially appointed to his seat could spare him from a public perception that he is being too ambitious or too impatient

as Case was unfairly characterized.

The protocol among local Democrats was (or perhaps still is) that "you had to wait for your turn" in order to seek higher office. Who determined when that "turn" came up "unofficially" rested with the party's quarterback (formerly Inouye) and the party's innermost leadership with the blessings from the "old boy's network"—referring to Hawaii's top power brokers in government, unions and to an extent, business.

The fact that two of the most highly prized, blue chip Democrats in Hanabusa and Schatz (backed by Abercrombie) are set to go head-to-head next year further suggests the absence of a party quarterback to organize orderly succession. It also suggests a power struggle within the party and possibly competing interests of Hawaii's "old boy network."

HANABUSA—LEAD QUARTERBACK FOR DEMS?

The obvious spoiler of an Abercrombie-Schatz lock as the Democrats' new top leaders is Hanabusa. Should Hanabusa win the senate, she would solidify what many insiders already see her as, among the very top political leaders in the state, if not already at the helm.

Since entering local politics, Hanabusa immediately became a leader. Her rise in the state senate was quick and memorable. She's held powerful positions as chair of the Senate Judiciary Committee, senate majority leader and became the first woman state senate president.

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NEWS EDITION

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by **Emil GUILLERMO**

Did You Forget? It's Asian American Pacific Islander Heritage Month

Even in Hawaii, where we tend to forget about it, we need an AAPI Islander Month.

Maybe it's the idea of being in paradise, or the fact that there's so many Asian Americans in the Aloha State, one can get blasé. I can hear people say, "Come on, Manong, Emil. AAPI Month is for the mainland. In Hawaii, every day is AAPI Month."

But not so fast, coconut breath.

Usually heritage months have been reminders to help the diversity challenged. It's a month for education and

understanding, a time to appreciate other cultures. Indeed, AAPI Month is often seen for letting others know who we are.

But with more of our broad Asian American community members being foreign-born from homogeneous countries not known for diversity, I've too often noticed the need for diversity sensitivity within our own community.

I still remember when I was in Honolulu, there was an uproar over the portrayal of Filipinos by a prominent Asian American author. But to some, the fictional portrayal stung harder than a newspaper report. It revealed how some in Hawaii—other Asian Americans—still view Filipinos as beneath them.

How do you bridge that

kind of gap?

AAPI Heritage Month helps. It helps bind us as a broader community. But it also gives us muscle in the political game where the only way we can get ahead is by working together.

Indeed May is all about us: Vietnamese, Chinese, Filipino, Cambodian, Laotian, Taiwanese, Pakistani, Hmong, Korean, Bangladeshi, Thai, Indian, Sri Lankan, Indonesian, Japanese, Malaysian, Burmese, Nepalese, Bhutanese, Samoan, Micronesian, Native Hawaiian... to name just a few of the ethnicities under our big umbrella term.

BUT OUR DIVERSITY REQUIRES SOME WORK.

Even President Barack Obama acknowledged

when it comes to providing government services like health care and education, helping Asian Americans is harder than it should be, unless we all dig a little deeper and understand who we are a little more.

"If we're going to do a better job addressing (Asian American Pacific Islanders)," said the president, "Then we first have to stop grouping everybody just in one big category. Dozens of different communities fall under the umbrella of the Asian Americans and Pacific Islanders, and we have to respect that the experiences of immigrant groups are distinct and different. And your concerns run the gamut."

This is the month for acknowledging and understanding all of that. Even in

Hawaii.

In the last year, the umbrella has been a shaky one for Asian Americans, with attempts by some groups to split us on issues like affirmative action.

But that doesn't mean we need to toss the umbrella. When it rains, it's not like a Waikiki misting.

The umbrella provides cover and strength for us all—right when we need it most.

We just need to use it better. And not forget who's under there with us.

Asian American Pacific Islander Heritage Month is a reminder for us all, together. ■

EMIL GUILLERMO is an award-winning journalist who writes for the Asian American Legal Defense and Education Fund. Twitter @emilamok. Visit www.amok.com

EDITORIAL

(cont. from page 2; WHO...)

Hanabusa may be the challenger in the upcoming U.S. senate race, but by no means is she an underdog. She has already raised \$229,000 in the first three months of 2013 even before publicly stating her intentions to run for the senate.

Early on, Hanabusa appears to have the backing of Inouye loyalists, which could be key to her campaign in a close race, to add onto her own base of supporters. The DANPAC, the late U.S. Sen. Daniel Inouye's political action committee, has donated \$10,000 to her campaign. She has gotten numerous union endorsements and is expected to get more.

Schatz raised more than \$1.1 million over the past three months, perhaps due in part to his incumbency status and confidence in his future by the national Democrat leadership.

The winner of next year's sen-

ate election will serve out the remainder of Inouye's six year term up to 2016. The final outcome of that race could very well be determined in the Primary Election. With both Hanabusa and Schatz having very similar positions on most major issues, this race really comes down to who voters believe will be the most effective leader.

Some people may say that there could never be another quarterback for the Democratic party in Hawaii as Inouye was. In fact, shared power is preferred, they might argue. But in the world of politics where leadership and alliances determine influence, and ultimately politicians' own survival to stay in public office, undoubtedly, a clear quarterback is likely to emerge. That's how it was in the Inouye era; that's how it will be again in time. Next year's U.S. Senate race should reveal, or at least begin to settle, who this public figure will be. ■

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access to LEP persons. In 2006, the State Legislature passed Act 290 (later re-codified by Act 201 Session Laws Hawaii 2012 into Hawaii Revised Statutes (H.R.S.) § 321C) which mirrored federal law, requiring that all state agencies and state-funded programs also provide meaningful access to services for LEP persons.

The Act also established OLA which is charged with providing oversight, central coordination and technical assistance to state and state-funded agencies in their implementation of the requirements of Hawaii's

Language Access law. Since the inception of Hawaii's Language Access law and OLA, three major challenges to agency compliance has been identified:

- (1) There is no comprehensive and centralized system or structure in Hawaii to identify qualified language interpreters and translators;
- (2) Hawaii has a dearth of competent language interpreters and translators available to assist LEP individuals – especially in the so-called languages of limited diffusion; and
- (3) State agencies do not

have multilingual websites that can help LEP persons access needed information in their own language.

OLA regularly receives calls from agencies and the public for information and referrals for available and qualified interpreters and translators—a function which OLA consistently serves but is not part of its current legislative charge.

The legislative proposal was initially prepared in 2009, with the assistance of now House Vice Speaker John Mizuno, but it was not introduced because of the budgetary cuts at that time. Sen. Suzanne Chun-Oakland revived the proposal last year following preliminary discussions at the 5th Annual Hawaii Conference on Language Access. After meetings with community stakeholders, the bill was sponsored by Sen. Chun-Oakland in the Senate (SB58), with a companion bill sponsored by Rep. Henry Aquino and the Filipino Caucus in the House (HB266). The two bills were heard and unanimously approved by the House Committee on Health, chaired by Rep. Della Au Belatti, and the Finance Committee headed by Rep. Sylvia Luke, as well as in the Senate Committee on Human Services headed by Sen. Chun-Oakland, and its Ways & Means Committee chaired by Sen. David Ige. HB 266 made it to conference committee and then to the full House and Senate where it was unanimously approved on April 30, 2013.

THE BILL

House Bill 266 establishes the Statewide Language Access Resource Center (LARC) and a Pilot Multilingual Website Project.

The LARC, which will be located within the OLA, shall:

- (1) Maintain a publicly available roster of interpreters and translators listing qualifications and credentials based upon guidelines established

by OLA in consultation with the Language Access Advisory Council;

- (2) Train state and state-funded agencies on how to effectively obtain and utilize the services of language interpreters and translators;
- (3) Support the recruitment and retention of language interpreters and translators providing services to state and state-funded agencies;
- (4) Provide, coordinate, and publicize training opportunities to increase the number and availability of qualified language interpreters and translators and further develop their language interpretation and translation skills; and
- (5) Work toward identifying or creating a process to test and certify language interpreters and translators and promote use of the process to ensure the quality and accuracy of the language interpretation and translation services.

The bill also enables OLA, in collaboration with the Office of Information Management and Technology and other state agencies, to administer a multilingual website pilot project that shall:

- (1) Explore the possibility, utility and feasibility of creating a multilingual website to improve language access to information provided online for LEP persons seeking information about government and government-funded services in the State; and
- (2) To the extent feasible, produce a multilingual website for use by the public for the twelve largest LEP groups in the State.

The bill sets aside \$250,000 (\$170,000 for the LARC and \$80,000 for the multilingual website) each year for two years, and takes effect on July 1, 2013.

COMMUNITY SUPPORT

The bill gained strong community and agency support during the course of its

legislative hearings. Community groups that submitted testimony in support of the bill included Catholic Charities Hawaii, the Congress of Visayan Organizations (COVO), the Hawaii Appleseed Center for Law and Economic Justice, the Hawaii Filipino Lawyer's Association, the Hawaii State Coalition Against Domestic Violence, the Office of Language Access Advisory Council, the Hawaii Civil Rights Commission, the State Department of Health, and the Hawaii Public Housing Authority.

Catholic Charities Hawaii officials say that having a pool of qualified interpreters and translators would enable both public and private organizations to provide the necessary language access for available resources and services. In addition, having information available via website in multiple languages will support newly-arrived immigrants and refugees to adjust successfully in our community.

"Immigrants and refugees have been important contributing members of Hawaii communities for

more than 100 years," states Catholic Charities in its written testimony. "Today, immigrants and refugees continue to be a reliable workforce in Hawaii hotels, restaurants and other businesses that support our tourism industry. It is only right and just that these hard-working brothers and sisters of ours be provided the support they need to realize their dreams, find new beginnings and provide better futures for themselves and their families. House Bill 266 will provide them that opportunity."

The Hawaii Appleseed Center for Law and Economic Justice says that without the language access resource center, state agencies will continue to fall short on their obligations under federal civil rights statutes, as well as our own state Language Access Act.

"Without adequate re-

(continued on page 5)

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HEADLINES

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sources to assist the LEP population, not only does a vulnerable part of our population remain un-served, but agencies out of compliance may be vulnerable to civil rights complaints and further court action," officials stated in written testimony. It is important that the legislature is proactive in moving to provide meaningful access to all of Hawaii's residents and fulfill our commitments under the law."

Officials with the Hawaii Public Housing Authority (HPHA) say that because its LEP clients speak a large number of different languages, it difficult to find qualified interpreters that are available at the place and time they are needed. This is especially difficult on the neighbor islands where resources are scarce. When an interpreter in a foreign language is requested, the agency must sometimes call on embassies, churches, and other community groups to find one. In addition, because there are no certification requirements for interpreters, quality of services may vary by interpreter. Furthermore, given the language barrier, it is very difficult for the agency to know whether the service that was provided is adequate.

"A language access resource center, such as the one proposed in this bill, would provide the agency with more resources to provide meaningful language access services, such as listings of qualified interpreters and translators, training opportunities to in-

crease the number of qualified interpreters, and testing of interpreters to ensure quality control," say HPHA officials in written testimony,

REACTION FROM LEGISLATORS

The bill is generally seen as a big step towards language access for all in Hawaii. OLA Executive Director Dr. Serafin Colmenares sees it as "a recognition of the importance of and the need for language access here in Hawaii, and an affirmation of the continued support from our legislators and the community."

"While the funding given fell short of our requested amount, it is a good start and enables us to start working immediately on this important project," Colmenares says.

Rep. Aquino says that House Bill 266 is one more step to ensure better and stronger access to programs and services for our community members who may not be proficient in the English language.

"The Legislature has done well for our Filipino community by seeing this important need and making a powerful statement and commitment to address it," he says.

However, House Vice Speaker Mizuno describes the bill as a "half-victory." He would like to introduce the measure again for the next session.

"We got funding but not the amount we had requested—and less than half," Mizuno says. "If we can

get strong support from the House and Senate leadership, we can remedy the shortfall in this measure and pass it to represent the full allotment originally asked for."

Colmenares points out two key issues regarding the bill.

"First, because so many of our loved ones are immigrants with English as their second language, we need to invest more in the Language Access Resource Center to ensure that our immigrants become self-sufficient and productive," he says,

Secondly, we also need to provide for adequate public safety and health care services for immigrant populations. An investment in the Language Access Resource Center is an investment in a substantial number of our residents. We really are a state of immigrants—not only Filipino, but Micronesian, Chinese, Korean, Japanese and many others. This legislation is essential for our state to move forward."

UPCOMING LANGUAGE ACCESS EVENTS

OLA is gearing up for its 6th Annual Hawaii Conference on Language Access on August 7-8, 2013 at the East-West Center. The conference theme is "Ola Pono: Language Access in the Community Health Setting."

The purposes of the conference are to understand the need and requirements for linguistic accessibility in the health-care setting; learn about recent developments and best

practices in medical/health interpretation/translation; and develop networking opportunities for language access practitioners.

National and local speakers will be presenting at plenary and break-out sessions. Two free workshops—one on Plain English and another on Medical Terminology—will also be available. Conference sponsors and exhibitors are welcome. The conference is free and open to the public but participants must register. Space is limited and registration is on a first-come, first-served basis. Please visit www.labor.hawaii.gov/ola to

register or call 586-8730.

From September 16-20, 2013, the Office of Language Access and the Office for Civil Rights, Region IX, U.S. Department of Health and Human Services, will jointly hold community forums on all islands to hear from agencies receiving federal and state funds, as well as non-profit and community organizations, challenges and issues they face in the implementation of federal and state language access requirements. ■

DR. SERAFIN COLMENARES JR. is Executive Director, and Rebecca Gardner is Senior Legal Analyst, of the Office of Language Access.

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

statement on Monday called Coroza's appointment "historic" and the "highest attained by a Filipino-Canadian" in Canada's judiciary so far.

The 42-year-old federal prosecutor started out as a criminal lawyer and became a member of the bar in 1997 and prosecuted at all levels of court in Ontario, according to a report by Toronto-based Filipino newspaper Balita.

Philippine Ambassador to Canada Leslie Gatan praised Coroza's appointment, saying it could be an inspiration to the Filipino community in Canada.

"His elevation to a prominent position in the Canadian judiciary sharpens the visibility of Filipinos in Canada's multicultural society and should inspire younger generations of Filipino-Canadians to aim for excellence in all their endeavors," Gatan said.

Coroza, who has been a member of the Federation of Asian Canadian Lawyers, has also been dedicated in the outreach program Ontario Justice Education Network, instructing young people on the justice system

Involved in the network, Coroza also conducted mock trials with English as Second Language students, whom he could relate with due to his mixed nationality, the report added. (www.philstar.com) ■



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Honolulu Resident Among Youth Leaders to Take Part in Leadership Program

HONOLULU RESIDENT RANDY J. CORTEZ will join 9 other outstanding young Filipinos for the 2013 Filipino American Youth Leadership Program (FYL-Pro), which will be held in Manila from July 7-11, 2013.

Cortez, 24, is a program specialist for the State Department of Labor & Industrial Relations. He is the current president of the JCI Hawaii Filipino Junior Chamber and a member of the Knights of Rizal-Hawaii Chapter. Cortez was also a Presidential Merit recipient,

Fulbright-Hays scholar, Phi Beta Kappa honor society member and on the Dean's List at the University of Hawaii-Manoa.

Applicants were chosen for their scholastic achievements and other accolades, leadership skills, accomplishments, active involvement in school, civic, political, business and other organizations as well as their vision, innovativeness and commitment to making a difference in the Philippines and within the Filipino-American community.

Jose L. Cuisia, Jr., the



Philippines' ambassador to the U.S., initiated the leadership program last year. The participants will take part in an immersion program in the Philippines that will allow them to dialogue with top officials and policymakers, leaders of industry, legislators, media, artists and cultural experts, entre-

preneurs and innovators in different fields.

"We have once again come up with another group of outstanding and dedicated young leaders," says Ambassador Cuisia. "In going through their applications, I was struck with their sense of idealism and passion to help their respective communities and Filipinos back home."

The Second FYLPro aims to build on the success of the inaugural program, which was held July 13-16, 2012 in the Philippines. Organizers say the event yielded a remarkable batch of young Filipino-

Americans who continue to work on different advocacies to promote further progress in the Philippines and to further engage the multi-faceted Filipino-American community.

The Ayala Foundation is partnering with the Philippine government on the program. The cost for participants' airfare, local transportation and accommodations are funded by other corporate sponsors, including Chevron, Phinma, Philamlife, Planters Development Bank, CLSA Exchange Capital, SGV & Company, and Ayala Corporation. ■

Search is On for Outstanding OFW

THE PHILIPPINE CONSULATE GENERAL IN HONOLULU is inviting interested organizations and individuals to join the search for this year's outstanding and exemplary Overseas Filipino Workers (OFWs).

The deadline to submit nominations is August 31, 2013. Winners will be announced during the 2013 Bagong Bayani Awards, scheduled for December 2013 at Malacanang Palace.

The contest is spon-



sored by the Bagong Bayani Foundation Inc., the Philippine Overseas Employment Administration and the Overseas Workers Welfare Administration.

Contact the Consulate at 595-6316 for more details. ■

UH-Manoa Releases New Policy for Undocumented Students

UNIVERSITY OF HAWAII-MANOA OFFICIALS are reminding undocumented students that they may qualify for Hawaii resident tuition, provided that they meet certain requirements.

To qualify, undocumented students must meet the following requirements:

- Be able to show that they have lived in

Hawaii for 12 consecutive months prior to the first day of instruction and demonstrate intent to make Hawaii their permanent residence.

- Attended a U.S. high school for at least 3 years and graduated from a U.S. high school (or attained the equivalent).
- Filed an application for

legal immigrant status, filed for Deferred Action, or submitted a UH affidavit affirming the intent to file such application.

For more information, please contact the UH-Manoa Office of Admissions at 956-8975 or visit: <http://opmanong.ssc.hawaii.edu/undoc.html>. ■

HEADLINES

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

Philippines (AFP) is limiting itself to monitoring the activities of the Chinese warships and surveillance vessels that have taken up positions around Ayungin Reef in the Kalayaan Island Group in Palawan.

"Our task at the moment is to support the peaceful resolution of our conflict in the Kalayaan Island Group so the AFP supports the diplomatic actions or protest by our government," said Maj. Ramon Zagala of the AFP Public Affairs Office.

Zagala was referring to the protest filed by the Department of Foreign Affairs (DFA) against the presence of Chinese warships and vessels inside the country's territorial waters.

Ayungin is considered



vital since it is along the supply route from mainland Palawan to Kalayaan town in Pag-Asa Island. The reef is located near the Chinese occupied Panganiban (Mischief) Reef that now serves as China's forward base for its warships.

The DFA said there are two Chinese Marine Surveillance vessels, a warship, and 30 fishing vessels around Ayungin.

DFA spokesman Raul Hernandez stressed no other state except the Philippines is entitled to as-

sert sovereign rights over Ayungin Shoal and its waters under the United Nations Convention on the Law of the Sea (UNCLOS).

He said the presence of Chinese ships in the area is "China's strategy to project its 9-dash line claim over the whole of South China Sea."

The DFA emphasized Ayungin Shoal is part of Philippine territory.

China has not responded to the diplomatic protest lodged by the Philippines last May 10.

"We are assessing our options. No one should doubt our resolve to defend what is ours in that area," Hernandez said.

"This intrusion is provocative and illegal... (and) which according to UNCLOS and international

(continued on page 7)

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by Atty. Emmanuel
Samonte TIPON

How Drinking and Driving Could Result in Deportation

"Don't drink and drive" is a slogan that ought to be taken seriously especially if you are an alien.

Gerardo, a Mexican citizen, was an "alien present in the United States without being admitted or paroled." He was therefore subject to removal pursuant to 8 U.S.C. Section 1182(a)(6)(A)(i). While unlawfully driving under the influence of alcohol in violation of the California Penal Code, he killed a person. He pleaded guilty and was sentenced to 16 months in prison and served approximately half of that time.

The following year, the government initiated removal proceedings against him because of his conviction for vehicular manslaughter. He conceded removability and applied for cancellation of removal or, in the alternative, for voluntary departure. To be eligible for such relief, he had to show, among other things, that he was a person of "good moral character" during the 10-year period immediately preceding his application for cancellation or the 5-year period preceding his appli-

cation for voluntary departure.

The Immigration Judge denied his applications finding that he was not statutorily eligible for relief because he was not a person of good moral character and ordered him deported. Immigration Law enumerates certain categories of individuals who are conclusively presumed to lack good moral character. 8 U.S.C. Section 1101(f). Gerardo fell within one of the categories, namely, an individual who has been "confined as the result of conviction, to a penal institution for an aggregate period of one hundred and eighty days or more." 8 U.S.C. Section 1101(f)(7). The government established that the alien was imprisoned for more than 180 days as a result of his vehicular manslaughter conviction. The Board of Immigration Appeals affirmed.

The alien did not dispute on appeal to the Court of Appeals that the statute precluded him from establishing eligibility for relief, but asked the court to declare the statute unconstitutional on the ground that it violates the equal protection of the laws and the due process clause of the Fifth Amendment. He argued that the vice of the statute is that it conclusively presumes that an individual lacks good moral character based solely on the length of time served in prison, rather than

on the nature of the underlying criminal conduct. Since there is a wide variation in sentences imposed by the different states for the same criminal conduct, he contended that the statute allowed disparate treatment of similarly situated individuals in violation of equal protection principles. He claimed that Congress must use conduct-based classifications, as it has elsewhere in Section 1101(f), by specifying the particular criminal offenses which trigger the conclusive presumption that an individual lacks good moral character.

The court rejected the alien's argument, saying that Congress rationally concluded that in most cases aliens who have been convicted of crimes serious enough to warrant at least six months of incarceration will lack the good moral character necessary to warrant discretionary relief from removal. Congress was entitled to rely on that judgment to create the conclusive presumption of Section 1101(f)(7). The court concluded that there

may well be cases in which the same underlying crime results in a period of incarceration of seven months in one case but only five months in another, but that disparity in the margins does not render the classification invalid under the rational basis test. *Romero-Ochoa v. Holder*, No. 08-74277, 04/10/13, CA9.

COMMENT: Could the alien have been saved from deportation? Possibly. He had the qualifying relatives to make him eligible for cancellation of removal. His wife was a lawful permanent resident of the United States and three of his five children were U.S. citizens. He could have fought the drunk driving charge by refusing a blood test without a warrant as the driver did in *Missouri v. McNeely*, decided last month by the U.S. Supreme Court, a case we discussed in an-

other article. Or he could have entered into a plea bargain and negotiated a sentence of less than 180 days, thereby avoiding the conclusive presumption that he was a person not of good moral character. When an alien is charged with a criminal offense, it is best to hire a criminal defense attorney who also knows immigration law so that the attorney can adopt a strategy that will avoid deportation. ■

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: filamlaw@yahoo.com. Websites: www.MilitaryandCriminalLaw.com, and 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.

HEADLINES

(cont. from page 6; PHL...)

law is illegal and has no basis," Hernandez added.

On the other hand, Marine Col. Edgard Arevalo, Navy spokesman for the West Philippine Sea, said there are no reports of numerous Chinese warships in Ayungin.

He said the defense and military leadership are abreast of the current situation in the area.

"We have not monitored a number of vessels to be construed as mustering (in the area)," he said.

In the case of Ayungin, Arevalo said the Navy has boots on the ground guarding it. He said the troops on forward deployment in the area continue to monitor developments in its periphery round the clock.

"The same is true with other Navy-occupied territories in the West Philippine Sea," Arevalo said, pointing out that the Navy's actions in the area are all based on inter-agency and multi-lateral consultations between and among agencies of government. (www.philstar.com) ■

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KEONI WRIGHT

Talking Story with a Filipino Heritage Player

by Carolyn WEYGAN-HILDEBRAND

Boston-born and Kalihi resident Keoni Wright loves the sport of rugby. His love for the sport has led him to four rugby homes so far—Boston, Japan, Hawaii and the Philippines. Yes, you read it right... the Philippines!

“Personally, there is no greater memory for me than being in the pre-game huddle with ‘Philippines’ in big letters across my jersey,” he says. “Representing a very prominent and strong piece of my heritage through the sport of rugby is something I will never forget.”

Wright has played for the Philippine National Development Team and the local Alabang Eagles rugby team.

“I played twice in international tournaments in No-

vember 2012 and March of 2013 for the Alabang Eagles,” he says. “I played for the Philippines national development team twice versus the Hong Kong national development team in late 2011. I played in the 2011 games that are now part of Philippine rugby history as they were the first rugby games ever played at Rizal Stadium and in Laguna.

The Philippines is his fourth rugby home and Wright wants to return there and as often as his career in the U.S. Navy allows him to. He thinks more Filipino-American athletes should con-

sider rugby or playing in the Philippines as a Filipino heritage player.

PHILIPPINE RUGBY

The transformation of rugby in the Philippines is phenomenal—from just having one team in 2004 to becoming one of the five best rugby nations in Asia today. The best national teams in Asia—Hongkong, South Korea, United Arab Emirates, Japan and the Philippines—just completed the annual Asian 5 Nations tournament.

Last May 18, GMA news reported that the Philippine National team put on a show for the home crowd at the Rizal Memorial Stadium, defeating UAE, 24-8, to remain in the top-flight of rugby in Asia.

Pam Belardo, a spokesperson from the Philippine Rugby Football Union (PRFU), says that rugby is taking root in Philippine schools and covers touch rugby to full-contact rugby.

Belardo is especially proud of the PRFU’s partnership with seven charitable foundations and their efforts to help street children in the Philippines. She says that the Philippine team roster will likely include one of these children when the country vies for a spot in the 2015 Rugby World Cup, the highest level of competition.

The pedigree of many of the players in the Philippines is top notch, with many of them coming from traditional rugby grounds like England, Oceania and Australia. Some have played rugby together in

(continued on page 10)



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(cont. from page 9; KEONI...)



The Philippine National Rugby Team

school or via professional contracts. By international rugby rules, "The Volcanoes" or Philippine National Team can include only those born in the Philippines or have at least one parent or grandparent who was born in the Philippines or have three years of uninterrupted residency in the country. The Philippine National Development Team is less stringent and allows a broader range of players of Filipino-International parentage. Local teams like the Alabang Eagles are open to international and Filipino-heritage players.

The Philippine Development Team coaches saw in him a tenacious, hard-nosed rugby player.

"I have some refined skills but I really enjoy being in the trenches and doing the dirty work on the field," he says. "Most of all, I think my coaches see someone who is not afraid to learn and take on new challenges. And of course they see one big strong crazy Filipino moke."

BEING READY

For Wright, his personal journey involved two non-rugby sports, three rugby homes, surviving cancer and more. He was born in Boston and grew up in Southern New Hampshire. His mother's family is Irish and his father is Filipino. He was always very athletic growing up.

"I excelled at basketball in particular. I was a basketball addict from the time I was 5 years old until my early twenties. In hindsight, it was probably my Filipino blood shining through. I was recruited by Division II and Division III colleges throughout New England. I settled on Emmanuel College right in the heart of Boston," he says.

He played for Emmanuel College during his freshman and sophomore years but was intrigued by sport of boxing in his junior year. He dropped out of basketball altogether and trained as a light heavy weight amateur boxer until graduation.

"Like basketball and boxing, rugby is a full contact sport that does not have protective gear like in American football," he says. "Basketball

definitely prepared me for rugby. Rugby is a running game but it's also a passing game. The awareness and creativity I developed in basketball transferred over to the sport of rugby."

But it wasn't until 2007 that he gave rugby sport a try.

"I took 30 days of leave from my ship (USS Essex) in Japan and returned to Boston," he recalls. "By day, I was visiting family and a few nights a week I was practicing with the Boston Rugby Football Club and learned the sport from some very seasoned players. After three summer tournaments later, I was hooked."

After that experience, he returned to his home station in Japan and sought out a rugby club. A Japanese-speaking friend helped him locate Sasebo City Rugby Football Club in Sasebo, Japan.

"I went on to play and my team became one of the top city level teams in Nagasaki Prefecture," he says. "I learned in many great ways while in my second rugby home. I describe the Japanese to be very technical with their rugby and precise."

However, he was diagnosed with testicular cancer in 2009. The Navy sent him to Hawaii to undergo treatment at Tripler Army Medical Center.

"For the first two months of my chemotherapy treatment, I mustered up enough strength to play rugby for the Hawaii Harlequins Rugby Club. None of my teammates realized the severity of my condition and I doubt that my opponents knew that they were playing against a cancer patient," Wright says. "As chemotherapy progressed though, my ability to run for long periods of time diminished and I became weaker. I continued a rigorous exercise regimen but rugby was out of the question. I took a break even after remission."

But the rugby bug bit him and in 2010, he started playing for various clubs—twice for the All-Navy rugby team. His club, the Harlequin Rugby

(continued on page 11)

Study: Fish Oil Doesn't Prevent Heart Attacks in Folks Already Taking Medicines to Lower Risk

by Marilyn MARCHIONE (Associated Press)

Eating fish is good for your heart but taking fish oil capsules does not help people at high risk of heart problems who are already taking medicines to prevent them, a large study in Italy found.

The work makes clearer who does and does not benefit from taking supplements of omega-3 fatty acids, the good oils found in fish such as salmon, tuna and sardines.

Previous studies have suggested that fish oil capsules could lower heart risks in people with heart failure or who have already suffered a heart attack. The American Heart Association recommends them only for people who have high levels of fats called triglycerides in their blood, says the group's president, Dr. Donna Arnett of the University of Alabama at Birmingham.

Fish oil capsules failed to prevent flare-ups of atrial fibrillation, a common heart rhythm problem, in a large

study in 2010.

The new study was led by the Mario Negri Institute for Pharmacological Research in Milan. It tested 1 gram a day of fish oil versus dummy capsules in 12,513 people throughout Italy. They had not suffered a heart attack but were at high risk of having one because of diabetes, high blood pressure, high cholesterol, smoking, obesity or other conditions. Most already were taking cholesterol-lowering statins, aspirin and other medicines to lower their chances of heart problems.

Researchers at first planned to compare the rate of death, heart attacks and strokes in the two groups, but these were less frequent than anticipated. So they started measuring how long it was before people in either group suffered one of these fates or was hospitalized for heart-related reasons. After five years, the rate was the same — about 12 percent



fillets of Copper River Salmon from Alaska in Seattle. | Photo source: AP Photo/Ted S. Warren

of each group had one of these problems.

"They're very high-risk people and so the level of other treatments was very high," Arnett said. "When you're being aggressively treated for all of your other risk factors, adding fish oil yielded no additional benefits."

Results are published in Thursday's New England Journal of Medicine. Makers of fish oil supplements helped pay for the study.

Eating fish is known to help protect against heart disease, and the Heart Association recommends it at least twice a week.

"People who choose to eat more fish are more likely to eat heart healthier

diets and engage in more physical activity," and studies testing the benefit of

supplements may not be able to completely adjust for differences like these, said Alice Lichtenstein, director of the cardiovascular nutrition lab at Tufts University in Boston.

The results do show that people can't rely on a pill to make up for a bad diet, she said.

"It is sort of like breaking a fish oil capsule over a hot fudge sundae and expecting the effect of the calories and saturated fat to go away," she said.

(www.philstar.com) ■

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FEATURE

(cont. from page 10; KEONI..)

Club, won the 2013 Regional Hawaii Rugby Championship last April 13. Unlike his time in Japan, Hawaii offered him a schedule that was better suited for playing rugby.

BEYOND RUGBY

The diverse diaspora history is one that Filipino heritage players like Wright feel needs more attention.

"Many are aware of post-1946 immigration history only," Wright says about his experience in the Philippines. He realizes that few in Manila are aware of the Filipino stories that our islands are most familiar with and the one that is close to his heart.

"My great grandfather is Fortunato Molle," he says. Wright is fortunate that his grandfather was the subject of a brief oral history project. The project gives an authentic voice to his late great grandfather's life experience. The project establishes that his great grandparents are from Cebu and they came to Lahaina to work on the plantation starting in 1924.

Mr. Molle was a cane cutter before becoming legendary as a fisherman in Waialua and Haleiwa. Wright's grandmother, Marciana Molle, was raised on the plantation and currently lives in Hilo. Jokingly, Wright wishes for lower airfares so he could visit his grand-

mother more frequently.

He also wishes that he would have more of his second best memory of playing rugby in the Philippines. That's one of drinking San Miguel beer with teammates on beaches of Cebu! ■

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Building Made from Plastic, Powered by Solar Energy Unveiled in Manila

A BUILDING POWERED BY SOLAR AND BUILT FROM PLASTIC was recently opened to the public in Manila's Luneta Park to demonstrate renewable energy and highlight the problem of waste.

The building, dubbed the "Solar Revolution Pavilion," was designed in partnership with Stephen Lamb, founder of the South African-based green design firm Touching the Earth Lightly. It is a 200 square meter, 6-meter tall structure built of 1,600 plastic veg-

etable crates containing reused plastic bottles. The crates will eventually become eco-friendly bricks for a school library's walls.

"This is a living example of how you can take food, shelter, water and energy using existing resources that people often disregard as wasteful and actually turn them into something that is useful, and beneficial and can create a quality of life," says renowned environmentalist David de Rothschild who journeyed across the Pacific on a boat



made from plastic bottles in 2010.

Filipino social entrepreneur Ilac Diaz says that the pavilion will also see the launch of a new solar night light. Made by adding LED lights and batteries to the

bottles, these lights will be distributed to 150 locations across the Philippines. Diaz's own "Liter of Light" project sponsored by the My Shelter Foundation has transformed plastic bottles into sunlight-powered bulbs

for 120,000 homes of 20 million Filipinos who have been living without electricity.

Visitors to the building have learned about other locally available green technologies, such as hydroponics, which involves growing plants without soil.

"The world has been too much about expensive technologies that are imported and brought in off-the-shelf," Diaz says. "We want people to be able to come out of that pavilion knowing how to build these technologies themselves."

(Good News Pilipinas) ■

More Pinoys Returning to Work in Phl

by Mayen JAYMALIN/
Monday, May 20, 2013

MANILA, Philippines - **BELIEVE IT OR NOT, MORE OVERSEAS FILIPINO WORKERS** (OFWs) are coming back home to work here.

Labor Secretary Rosalinda Baldoz said the government is now seeing a trend of reverse migration, with more local firms now offering high salaries.

"The Philippines is also seeing for the first time a return migration of our workers from Macau being absorbed by the emerging entertainment and gaming industry in our country," Baldoz said.

The labor department chief noted that OFWs were lured back to work in the country's Entertainment City after they were offered the same salaries they



were receiving abroad.

At this time, she said, the government is exerting all efforts to reduce overdependence on foreign remittances to sustain economic and social growth. And President Aquino wants to give Filipino workers a genuine choice whether to leave or stay in the country.

"The aspiration that the President has put in the social contract with the Filipino people, the challenge for his administration according to him is really to expand the base of employment here and also to

keep on ready the jobs that are here to ensure we have employable work force and to ensure all labor laws are being complied with by the employers so that the benefits that are due to our workers are assured," Baldoz said.

"So what we are seeing is these new industries (entertainment and gaming) right now are setting the trend on what could be the new face of the labor market," she added.

Currently, over 10 million Filipino are working in more than 200 countries and remitting \$22 billion to their families annually.

Baldoz said that based on surveys, migrant workers always identify four priorities: daily consumption, education, health, and housing needs of their families. (www.philstar.com) ■

CBCP: Pope Francis May Visit Philippines in 2016

by Louis BACANI/
Thursday, May 23, 2013

MANILA, Philippines - **THE COUNTRY'S CATHOLIC LEADERS** on Thursday expressed



optimism that Pope Francis will visit the Philippines in 2016.

Archbishop Jose Palma, president of the Catholic Bishops' Conference of the Philippines (CBCP), is hoping that Pope Francis will go to the country after they received a request from the Vatican to move the International Eucharistic Congress (IEC) to an earlier date.

Originally, the Philippines will host the event in Cebu City from May 23 to 29, 2016. But the IEC has been rescheduled to January 25 to 31.

"Two weeks ago, we received a letter from Archbishop Piero Marini asking us if we could move the event to the second preferred date because the Pope has another schedule in May (2016)," Palma said in an article posted on the CBCPnews website.

Marini is the president of the Pontifical Committee on the IEC.

"We told them that January is fine because our suggestion was to make the Pope's visit to the Philippines a priority," Palma also said.

The IEC is an event held every four years that is expected to draw thousands of participants including Church leaders from other nations.

The Philippines last hosted the event in 1937, during the time of Pope Pius XI.

And as the country is set to host the IEC again, Palma urged Filipinos to continue praying so that the newest papal visit in the Philippines will push through.

"We know that the Pope continues to inspire us and his visit will have an enormous impact on our faith and our Christian life," said Palma.

If the Pope Francis does visit the Philippines in 2016, he will be the third royal pontiff to go here after Pope Paul VI in 1970 and Pope John Paul II, who visited twice, in 1981 and 1995. (www.philstar.com) ■

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by Reuben S.
SEGURITAN

Immigration Options of the Investor

Much press has been given to immigrant investors in recent years. One of the main reasons why the EB-5 immigrant investor program has captured the attention of so many prospective immigrants is the low demand for visas under this category relative to the heavily backlogged third preference (EB-3) and, for some countries, the second preference (EB-2) categories.

At present, the EB-5 program presents one of the fastest routes to a green card,

be it through the regular program which requires a \$1,000,000 direct investment or the regional center or pilot program, in which an indirect investment of \$500,000 is usually sufficient.

However, there are avenues that have long existed for other types of investors, particularly those who do not seek permanent resident status in the U.S.

Immigration law and regulations allow treaty traders (E-1) and treaty investors (E-2) to enter the U.S. for specific purposes as non-immigrants. However, one main distinction between them and most non-immigrants is that they can extend their stay almost indefinitely. After an initial period of two years, E-1 traders and E-2 investors can renew their stay every two years for an unlimited number of times if they

maintain an intention to depart the U.S. at the expiration or termination of their status.

An E-1 treaty trader is a national of a country with which the U.S. maintains a treaty of commerce and navigation who enters the U.S. solely to engage in international trade. Trade is defined as the existing international exchange of items of trade for consideration between the U.S. and the treaty country, and includes goods, services, international banking, insurance, transportation, tourism, technology and some news-gathering activities.

The trade carried on by the treaty trader must be substantial, meaning that it must be sizable, sufficient to ensure a continuous flow of trade between the two countries. Substantiality cannot be based on a single transaction no matter how monetarily valuable it is.

The trade must also be principally between the U.S. and the treaty country, i.e. more than 50% of the total volume of the trade must be between the two countries.

An E-2 treaty investor, on the other hand, is one who is seeking to enter the U.S. to direct and develop a business in which he has invested, or is in the process of actively investing, a substantial amount of capital. Like the E-1 treaty trader, the E-2 treaty investor must also be a national of a treaty country.

For E-2 purposes, substantiality is determined by weighing the amount of funds invested against the total cost of purchasing or establishing the enterprise. It is an amount considered sufficient to ensure the investor's financial commitment to the enterprise's success.

A higher proportion of investment is required of small businesses for the investment to be substantial. For instance, while an E-2 investor may be allowed to fund only 10% of an investment worth \$10 million, for an investment of less than \$100,000, the E-2 investor would normally be required to provide the entire investment.

The investment must be in a bona fide enterprise or one that is a real, active commercial or entrepreneurial undertaking. It may not be idle

or passive investment, such as in stocks or undeveloped land. Furthermore, the E-2 investor's investment cannot be marginal or solely to provide for himself and his family. A marginal enterprise is one that does not have the capacity at present or within five years to generate more than enough income for the investor and his family.

An employee of the E-1 trader and E-2 investor may qualify for the same classification if he is of the same nationality as the treaty employer and if the position is primarily executive or supervisory in character, giving the employee ultimate control and responsibility for the operation of the enterprise. If the employee is employed in another or lower capacity, to be eligible for E-1 or E-2 classification he must have special qualifications or skills essential to the operations of the business.

E-1 traders and E-2 investors, as well as their employees, may be accompanied or followed by their spouses and unmarried children below 21 years old. The dependent family members need not be of the same nationality as the trader, investor or the E-1/E-2 employee. ■

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

MAINLAND NEWS

Hirono Votes For Final Passage of Immigration Reform Bill

AFTER MANY DAYS OF WORK ON IMMIGRATION REFORM as a member of the U.S. Senate Judiciary Committee, Sen. Mazie Hirono voted for final passage of the Senate's immigration reform bill in committee.

The committee adopted a number of Hirono's amendments to the immigration reform bill that reunites Filipino World War II veterans and helps Hawaii. Although the bill does much to improve family immigration, Hirono says it contains fundamental changes to the immigration system that move us away from the principle of family unification.

"Nearly everyone agrees that our immigration system is badly broken and in dire need of fixing, and this bill is a step in the right direction," Hirono says. "I will continue working to strengthen the provisions in the bill that impact families.

"As a new senator and a new member of the committee, it was an honor to work with my colleagues on this significant piece of legislation.

I applaud Committee Chair Patrick Leahy, the Gang of Eight and my Judiciary Committee colleagues for their productive work."

Several highlights of the bill are summarized below:

- **Reunifying Filipino WWII Vets With Their Children:** *Hirono's amendment would help eliminate the immigration backlog for the families of Filipino World War II veterans seeking citizenship. Although thousands of Filipino veterans were granted citizenship for their service in World War II, their children were not granted citizenship. The amendment is identical to Hirono's previously introduced bill, the bipartisan Filipino Veterans Family Reunification Act of 2013.*
- **Restoring Medicaid Eligibility For Compact Migrants:** *Hirono's amendment requires the federal government to share the cost of providing health care to migrants from Micronesia, Palau and the Marshall islands living in Hawaii eligible. Each year, the state spends an estimated \$30-40 million to provide health care to these migrants.*
- **Making DREAM Act Students Eligible For Fed-**

eral Student Aid: *Hirono's amendment would make DREAM Act students eligible for federal student loans, work-study and campus services like academic counseling. The amendment gives these students financial options to pay for their educations. These are students who were brought to the U.S. before age 16 and were granted registered provisional immigrant status, or who are immigrant farm workers with blue card status.*

- **Keeping Families United At the Border:** *Many families are torn apart at the border since the law requires adult men to be transferred to a border location hundreds of miles away from where they were intercepted. Meanwhile, their families are simply sent back across the border at the place they were intercepted with no money and no idea of where their husbands or fathers were taken. The situation leaves women and children vulnerable to trafficking, sexual violence and other dangers. Hirono's amendment would stop families from being torn apart at the border by allowing the Department of Homeland Security (DHS) to consider keeping families together during removal. ■*

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First Musical by a Filipino for West End, Broadway in Workshop

by **Naty BEATA**

MANILA, Philippines - Marco Polo An Untold Love Story The Musical written and composed by stage actor, singer and director Rogelio Saldo Chua with a 50-member international cast and artistic team, majority of whom are seasoned Filipino theater professionals, is now in workshop and moving towards the production stage as the first musical composed by a Filipino helmed for West End in London and Broadway in New York.

"This is a pioneering effort to make Manila a center for developing, workshoping and previewing new materials for musical theaters — Manila being unique in the region not only as a melting pot of both Eastern and Western influences but also abundant with musical theater talents from actors and dancers to instrumentalists, composers and lyricists," says Chua



Rogelio Saldo Chua (on the piano) with the cast of Marco Polo An Untold Love Story The Musical...

who also serves as artistic director of the musical production.

Launched in New York in June 2012 with bankers and investors in attendance, Marco Polo is set to have its invitational concert version in Manila on Aug. 10 at 8 p.m. at the Meralco Theater. The Manila previews of the full musical theater version starts with the gala night on Feb. 1, 2014, 8 p.m. and followed the next day Feb. 2, with a 3:30 p.m. matinee. The following weekend will have two more shows on

Feb. 8, 8 p.m. and Feb. 9, 3:30 p.m. Its Jan. 31, 8 p.m. show is reserved exclusively for Meralco executives and employees. The Asian premiere is earmarked for Singapore in the third quarter of 2014 followed by concerts and performances in other major Asian cities to drum up investor interest for the West End production, particularly from China.

The musical is a dramatization of a love story created of Marco Polo and Princess Kogajin, the daughter of Kublai Khan,

amidst the historical setting provided by his book, The Travels of Marco Polo. Marco Polo was the adventurer from Venice whose travels radically changed the way the West looked at the East."

The new musical's storyline sweeps the hero and heroine into adventure, power struggle with the rich and mighty, assassination attempts, romance and true love — the medieval times really mirroring the present but without the tabloids. Written in English and consisting of 23 songs and three dance numbers, the two-and-a-half-hour theater production combines modern scenography and traditional light, set and sound design. Colorful costumes and props amidst Venetian, Middle Eastern, Central Asian and Chinese settings will be extensively used while a 15-instrument orchestra is envisioned to include both Chinese and Western instruments. The new musical was registered under the seal of the copyright office of the United States in March of 2012.

"I was fascinated by the travels of Marco Polo since I saw a movie about him

when I was 14 and have been bitten by the travel bug since then, visiting some 35 countries. Then in 2006, the year I retired from international banking, I saw Marco Polo in the cover of Time Magazine in its August issue featured as "the revolutionary from Venice." I took that as a veritable sign that it was time for me to embark on this musical journey. And so here it is, we are on our way to the new musical's Asian premiere, after six years of artistic and creative endeavor," narrates Chua.

Belgian executive producer Olivier J. Leonard, a development banker, says, "I'm confident that our Marco Polo musical with its contemporary themes and great music will appeal to global audiences and be both an artistic and commercial success from here to Broadway." To book shows and buy tickets, call (02) 811-3514; or 0908-7714185 and 0908-7714064; and e-mail ArtistsTheatre@live.com.

Its cast and artistic team are composed of theater professionals, workers and aficionados of varied backgrounds. (www.philstar.com) ■

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GLOBAL NEWS

Pope Francis Helped Liberate Demon-Possessed Man, Says Exorcist

VATICAN CITY – **POPE FRANCIS' FASCINATION** with the devil took on remarkable new twists Tuesday, with a well-known exorcist insisting Francis helped "liberate" a Mexican man possessed by four different demons despite the Vatican's insistence that no such papal exorcism took place.

The case concerns a 43-year-old husband and father who traveled to Rome from Mexico to attend Francis' Mass on Sunday in St. Peter's Square.

At the end of the Mass, Francis blessed several wheelchair-bound faithful as he always does, including a man possessed by the devil, according to the priest who brought him, the Rev. Juan Rivas.

Francis laid his hands on the man's head and recited a prayer.

The man heaved deeply a half-dozen times, convulsed and shook, then slumped in his wheelchair.

The images, broadcast worldwide, prompted the television station of the Italian bishops' conference to declare that according to several exorcists, there was "no doubt" that Francis performed an exorcism or a simpler prayer to free the man from the devil.

The Vatican was more cautious. In a statement Tuesday, it said Francis "didn't intend to perform any exorcism. But as he often does for the sick or suffering, he simply intended to pray for someone who was suffering who was presented to him."

The Rev. Gabriele Amorth, a leading exorcist for the diocese of

Rome, said he performed a lengthy exorcism of his own on the man Tuesday morning and ascertained he was possessed by four separate demons. The case was related to the legalization of abortion in Mexico City, he said.

Amorth told RAI state radio that even a short prayer, without the full rite of exorcism being performed, is in itself a type of exorcism.

"That was a true exorcism," he said of Francis' prayer. "Exorcisms aren't just done according to the rules of the ritual."

Rivas took the Vatican line, saying it was no exorcism but that Francis merely said a prayer to free the man from the devil.

"Since no one heard what he said, including me who was right

GARDENING

Garden Revival

by Melinda MYERS

Spring floods, summer droughts and temperature extremes take their toll on gardens and the gardeners who tend them. Help your gardens recover from the crazy temperatures and moisture extremes that seem to occur each year.

Start by assessing the current condition of your landscape. Remove dead plants as soon as possible. They can harbor insect and disease organisms that can infest your healthy plantings. Consider replacing struggling plants with healthy plants better suited to the space, growing conditions and landscape design. You can achieve better results in less time by starting over rather than trying to nurse a sick plant back to health.

As always, select plants suited to the growing environment and that includes normal rainfall. Every season is different, but selecting plants that are

suited to the average conditions will minimize the care needed and increase your odds for success. Roses, coneflowers, sedums and zinnias are just a few drought-tolerant plants. Elderberry, ligularia, Siberian iris and marsh marigold are a few moisture-tolerant plants.

Be prepared for worse case scenario. Install an irrigation system such as the Snip-n-drip soaker system for your garden. It allows you to apply water directly to the soil alongside plants. This means less water wasted to evaporation, wind and overhead watering. You'll also reduce the risk of disease by keeping water off the plant leaves.

A properly installed and managed irrigation system will help save water. The convenience makes it easy to water thoroughly, encouraging deep roots and only when needed. Turn the system on early in the



Melinda with shovel in garden

day while you tend to other gardening and household chores. You'll waste less water to evaporation and save time since the system does the watering for you.

Capture rainwater and use it to water container and in-ground gardens. Rain barrels and cisterns have long been used for this purpose and are experiencing renewed interest. Look for these features when buying or making your own rain barrel. Make sure the spigot is located close to the bottom so less water collects and stagnates. Select one that has a screen over the opening to keep out debris. And

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there, you can say he did a prayer for liberation but nothing more," Rivas wrote on his Facebook page, which was confirmed by his religious order, the Legionaries of Christ. (www.philstar.com) ■

look for an overflow that directs the water into another barrel or away from the house.

Add a bit of paint to turn your rain barrel into a piece of art. Or tuck it behind some containers, shrubs or a decorative trellis. Just make sure it is easy to access.

Be sure to mulch trees and shrubs with shredded bark or woodchips to conserve moisture, suppress weeds and reduce competition from nearby grass. You'll eliminate hand trimming while protecting trunks and stems from damaging weed whips and mowers.

Invigorate weather worn perennials with compost and an auger bit. Spread an inch of compost over the soil surface. Then use an auger bit, often used for planting bulbs, and drill the compost into the soil in open areas throughout the garden. You'll help move the compost to the root zone of the plants and aerate the soil with this one activity.

A little advance planning and preparation can reduce your workload and increase your gardening enjoyment. ■

Gardening expert, TV/radio **MELINDA MYERS** has more than 30 years of horticulture experience and has written over 20 gardening books, including "Can't Miss Small Space Gardening." She hosts the nationally-syndicated Melinda's Garden Moment TV and radio segments and is a columnist and contributing editor for *Birds & Blooms* magazine. Her website is www.melindamyers.com.

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