



FILIPINO CHRONICLE

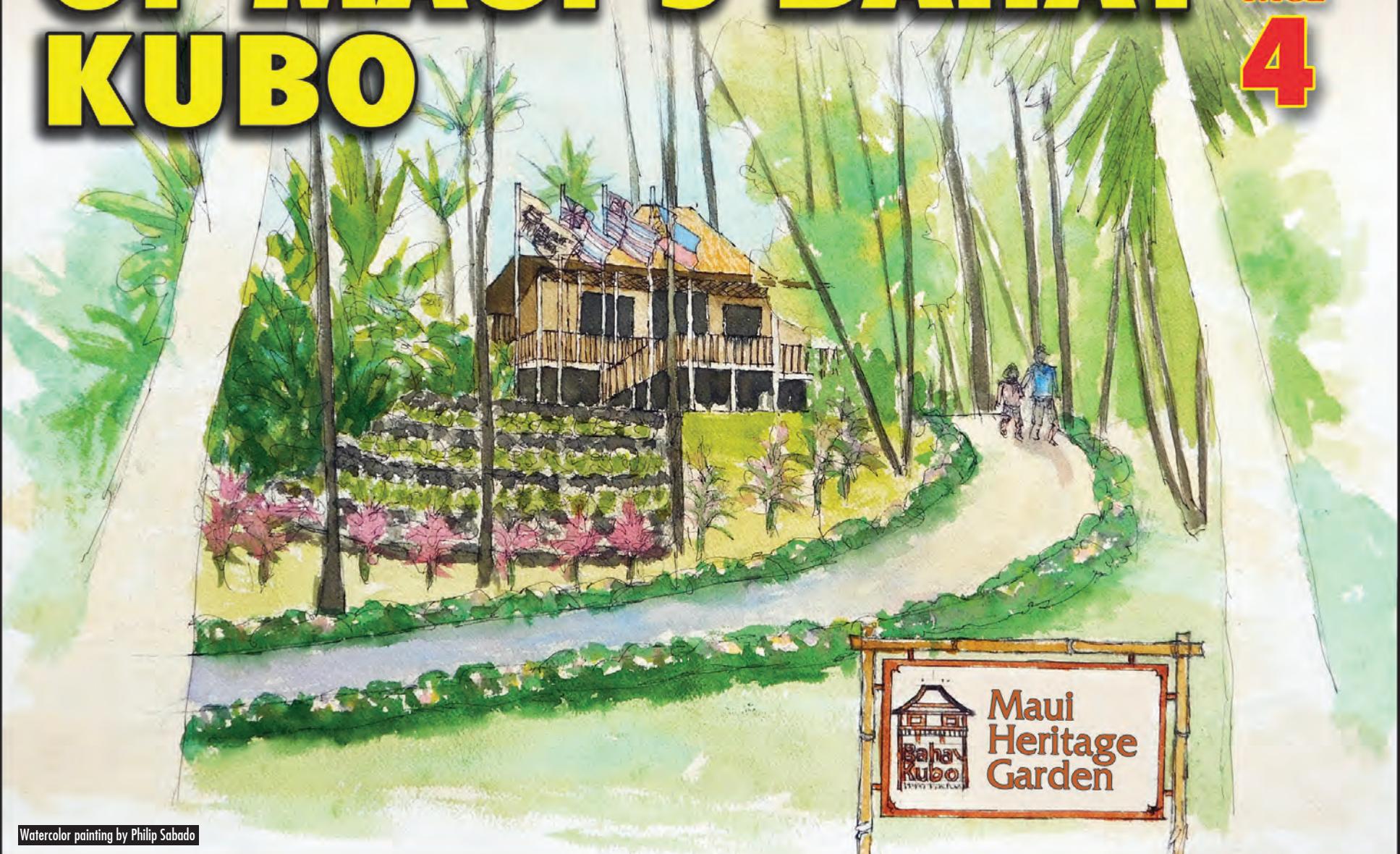
HAWAII'S #1 FILIPINO NEWSPAPER

◆ JUNE 11, 2016 ◆

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Watercolor painting by Philip Sabado



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EDITORIAL

Importance of Restoring Maui's Bahay Kubo

A grassroots effort is underway on the Valley Isle to restore what's known as a *bahay kubo*, or *nipa* hut—an indigenous housing structure found throughout the Philippines, particularly in rural areas. The iconic *bahay kubo* is quintessentially representative of the Filipino people—simple, resilient and adaptable. But there is more to the *bahay kubo* than meets the eye. Traditionally built on sturdy stilts, this raised structure with its large, open windows, steeply pitched thatched roof and wood and bamboo materials take full advantage of cooling breezes when most needed during the hot summer months. Families use the open space beneath the structure to store food or to house livestock such as pigs, goats and poultry. Its simple design also means that the *bahay kubo* is easily repairable after seasonal monsoon rains, typhoons and earthquakes using simple tools and inexpensive native materials. Simply put, the *bahay kubo* is considered a national symbol that embodies the character of country life in the Philippines.

Sadly, the humble *bahay kubo*, which has withstood the test of time and the elements, is slowly becoming an endangered species as modern day life stretches into rural areas in the Philippines. For the time being, the structures can still be found in rural mountain and coastal areas for farmers and fishermen, respectively. But as the earth-friendly and climate adaptable *bahay kubo* gives way to more modern 21st century concrete homes in subdivisions, future generations will unfortunately see more of these structures fade away into disrepair.

On Maui, a small but dedicated group of volunteers are restoring the *Bahay Kubo* at the Maui Heritage Gardens located in the lush Iao Valley in Central Maui. Mahalo to these volunteers for their collective efforts to preserve Filipino architectural heritage and ensure that this ancestral home does not fade away into the pages of history. Preserving the *bahay kubo* is important because it provides an important cultural element in architectural design that ensures that the Filipino identity stands out. If you feel compelled to help in whatever way you can, please do so in the spirit of *bayanihan*—the time honored Filipino tradition of working together as a community for the common good without personal gain.

Give Duterte's Controversial Measures a Chance

The Philippines' president-elect Rodrigo Duterte has not yet officially assumed office but several of his proposals to instill law and order have already drawn controversy. After winning last month's election, the former Davao mayor, who earned the nicknamed "the Punisher," promised to clean up crime within six months and vowed to resign if unsuccessful. He wants to not only bring back the death penalty but to give Filipinos the authority to take the law into their own hands and use deadly force to kill drug dealers and other criminals who resist arrest or threaten them. His tough stance extends to corrupt police officers who have been duly warned to clean up their act—or else.

Duterte has also proposed a nationwide 10 pm curfew for unescorted minors and bans on smoking in public places, late night karaoke and drinking sessions. Filipinos can still do such activities, but only at home. Filipinos who voted for him insist that his controversial methods will bring peace and order to the entire nation, as he did as Davao's mayor. The only difference is that he must now lead a nation of 110 million people, as opposed to Davao City's 1.9 million population.

Some fear that Duterte's extreme measures will severely

FROM THE PUBLISHER

June 7th marked the deadline for candidates to file to run in the 2016 Primary Election. Sixteen state senators and representatives will win reelection outright as no opponents filed to run against them. They include Sen. Gil Keith-Agaran from Maui and Rep. Henry Aquino of Waipahu. The big prize locally is the Honolulu mayoral race, where the favorites include incumbent Mayor Kirk Caldwell, former mayor and prosecutor Peter Carlisle and perennial candidate Charles Djou. The Chronicle will take a closer look at various races in upcoming issues so stay tuned!

The cover story for this issue (see page 4) was written by our Maui correspondent Christine Sabado, whose husband is celebrated artist Philip Sabado. Christine explores the efforts to restore the *bahay kubo* at the Maui Heritage Gardens, located about a mile from Iao State Park. Though not as grand in scale as Maui's Binhi At Ani Filipino Community Center, which opened in January 2005, or the Kauai Philippine Cultural Center, which broke ground earlier this year, the *bahay kubo* at the Maui Heritage Gardens is still significant as it will serve as another symbol of Filipino ethnic pride and unity. Kudos to the small but committed group of community volunteers who are making this *bahay kubo* restoration possible. We also commend the many others who are helping in one way or another to restore this iconic Filipino symbol.

Locally, if you're planning to take your teenage son or daughter for their road test this summer, keep in mind that the City will soon be moving its drivers' licensing and Satellite City Hall operations at City Square to a new site called Kapalama Hale, located at the corner of Dillingham Boulevard and Alakawa Street. City officials say the move, which should be completed by the end of June, is a cost cutting measure. For more details on the relocation, please turn to page 10.

In closing, thank you for faithfully supporting the Hawaii Filipino Chronicle. Please take some time to read the informative articles in this issue and feel free to email us at: filipinochronicle@gmail.com with any story idea, suggestion or concern you may have. We would love to hear from you!

Until our next issue...*aloha* and *mabuhay*!

Chona A. Montesines-Sonido

curtail the personal freedoms of Filipinos. Whether it does or not depends entirely on one's perspective. Traditionally, Filipinos have been respectful to authority figures but others who have grown up in or exposed to Western influence often question authority. The liquor ban is a particularly good idea, since it will severely curtail drunk driving, disruptive behavior and alcohol-fueled brawls. When you really think about it, nothing good happens after 2 am.

However controversial Duterte's proposals may seem, they certainly deserve a chance to be implemented. Expectations are high but the people who elected him as president have spoken. Filipinos have lived for so long under the administration of former presidents who overpromised but underwhelmingly delivered. Little else has proven effective in a nation where brazen criminals are unafraid of the law and corruption runs rampant, so Duterte's radical measures just may bring about lasting change that the people have long waited for. Let us hope and pray that he indeed proves to be the decisive leader who gets things done.



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CANDID PERSPECTIVES



By Emil Guillermo

Donald Trump was on good behavior the other day, on teleprompter and playing nicely after essentially being chastised for racist remarks over a certain federal judge whose name happens to be Curiel.

Spanish sounding like many Filipino names, right? By virtue of the lasting curse of Spanish colonialism, Filipinos who bear surnames of the colonizer now find ourselves put on notice.

If you haven't been, you're likely to be soon—politically profiled. At least they would, by one Donald Trump, the presumptive standard bearer of the Republican Party in the U.S. That's a long-winded way of saying he wants to be president, although some of the things he's said recently should immediately disqualify him from being the leader of as diverse a country as America.

That's what I thought when Trump started this mess about Judge Gonzalo Curiel. When I first heard Trump utter the name of Curiel, he was campaigning in San Diego and talking about how Curiel was releasing embarrassing documents regarding two class-action lawsuits against Trump University.

Trump said, "I have a judge who is a hater of Donald Trump, a hater. He's a hater."

Donald Trump Says He's No Racist But He's Sure Acting Like One

And then he added something about how he believed the judge was "Mexican."

He wasn't sure. But think about that. Trump thinks a federal court judge in America is "Mexican." And that being a "Mexican" would obviously bias the judge against Trump. That's straight up racist logic, as if the judge's race has anything to do with his carrying out the law.

And what if the good judge with the Spanish surname were a Filipino? With a last name like Guillermo, Garcia or Dela Cruz. It happens. All good Mexican names, right?

Trump would have stereotyped us and gotten it wrong. But Trump has it wrong with Curiel, too. Turns out Curiel is as American as it gets. Born in the heart of the Midwest in Indiana to Mexican immigrants. There is no doubt about it. There's not even a Ted Cruz-type doubt that Curiel is 100 percent American.

So to say that Curiel can't do his job because he's "Mexican," and that he ought to remove himself from the case? That's just plain old fashioned racism. Can't have that in the land of the free.

But it's a good thing we still have a free press in the U.S. where reporters can ask Trump questions to explain his racism in his own words.

And there was CNN's Jake Tapper asking Trump to clarify:

Tapper: "If you are saying he can't do his job because of his race is that not the definition of racism?"

Trump: "No, I don't think so at all."

Tapper: "No?"

Trump: "No, he's proud of his heritage. I respect him for that."

Tapper: "But you say he can't do his job because of that."

Trump: "He's proud of his heritage. OK. I'm building a wall...He's a Mexican. We're building a wall between here and Mexico. The answer is, he's giving us very unfair rulings."

Trump was clearly blinded by race. Even a Mexican American was still a Mexican to Trump. He couldn't make a distinction. He makes all immigrants and sons and daughters of immigrants born on U.S. soil, all foreigners, not to be trusted.

That's some racist Pre-1964 thinking Trump is proudly displaying. And when Trump is in attack mode, he doesn't think clearly.

So he becomes racist when a Mexican American judge releases records in a lawsuit where Trump University is accused of fraudulently separating older, wealthier people from their money.

Trump University isn't like Ateneo or La Salle. Or even UP. It's a bloated seminar offering on wealth and real estate strategies to teach people to be just like the Donald. That may or may not include racism. But it apparently included predatory marketing, complete with a "playbook" where salesman would strong arm and sweet talk people out of tens of thou-

sands of dollars.

Felicitimo Limon was one such victim of Trump U., according to a CNN report. He's part of the class action against Trump U.

Limon, a retired Navy man in his 70s, only met salesman and lesser qualified "instructors."

And he noticed that much of what he learned was pretty basic and not even college level. The only thing college-like about the five-day seminar was the cost—nearly \$30,000.

The red flag came when Limon was shown a specific trick—paying the unpaid tax debts of the elderly so as to take over the property when the people eventually died.

"When I saw that they were teaching how to steal someone's house, this not right," Limon said on the CNN report. "That

moment I said babes (to his wife), let's go home."

Limon liked the idea of learning the skills of a tycoon like Trump. But he never met Trump. If he did, Trump would probably call him a "Mexican." Limon, of course, is an American Filipino.

When I lived in Hawaii, I knew a few Republicans and I can't imagine any Aloha Republicans supporting Trump in his castigation of Curiel. Because if the rhetoric works against Curiel, it can work against all of us other Spanish sounding surnames like the Garcias, the Delacruces, the Castros and the Guillermos.

EMIL GUILLERMO is an award-winning journalist and commentator who writes from Northern California. He recently won the 2015 Dr. Suzanne Ahn Award for Civil Rights and Social Justice from the Asian American Journalists Association. California.



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COVER STORY

Maui Volunteers Renew Valley Isle's Bahay Kubo

By Christine Sabado

In Maui, there is a sacred valley where a great battle was fought to determine which chief would rule the island. Nestled in this lush, quiet valley is a cultural garden called Kepaniwai, which is also known as The Maui Heritage Gardens.

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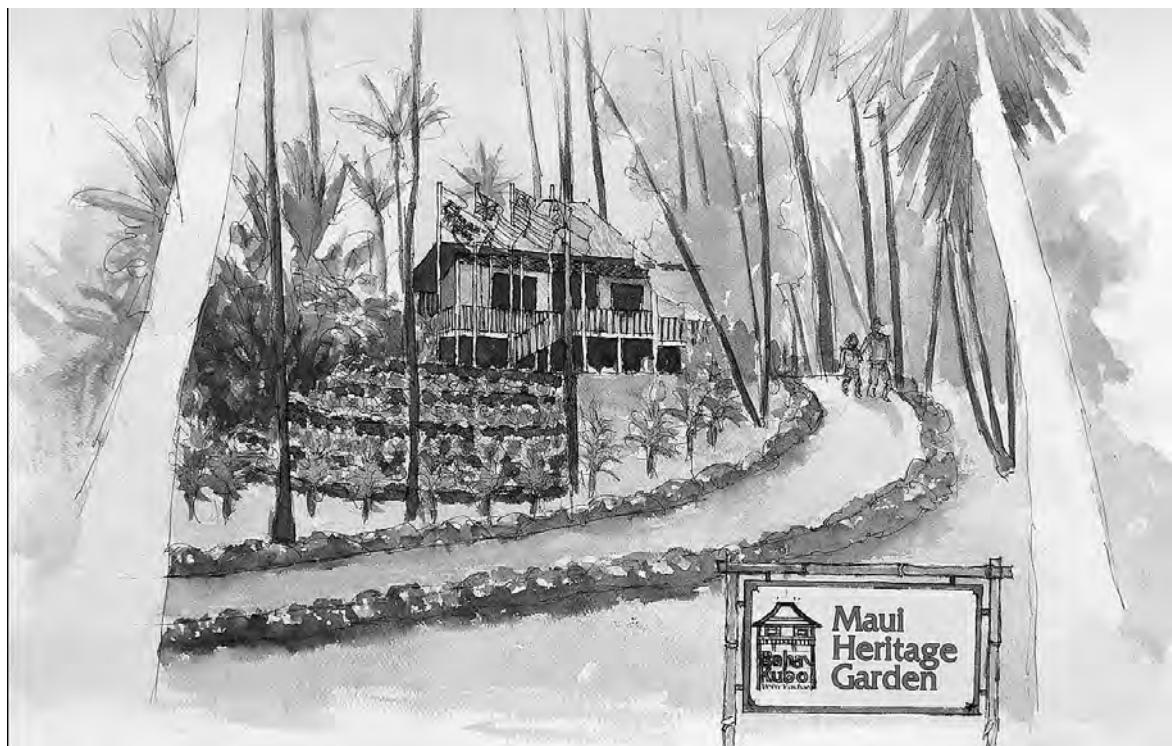
Since 1952, the Heritage Gardens have memorialized Maui's multi-cultural history. The beautiful park, which was fully restored in 1994, contains architecture, gardens and statues that honor the various cultures—Filipino, Chinese, Japanese, Portuguese, Native Hawaiian, Korean and Puerto Rican—that contributed to modern Maui.

The area's calm serenity belies its bloody past. In 1790, King Kamehameha the Great from the Island of Hawaii

waged a successful and bloody battle against Kahekili, the son of Maui's chief. An earlier battle at the site pitted Kahekili himself against Kalaniopuu, an older Hawaii Island chief. Kahekili prevailed but the carnage was so great that the nearby stream became known as *Wailuku* (water of destruction) and the place where fallen warriors choked the stream's flow was called *Kepaniwai* (damming of the waters).

Located about a mile from I'ao State Park, the Heritage Gardens attracts visitors and locals alike who flock to Kepaniwai to picnic and enjoy the tranquility.

Les Rose, a visitor from Washington, stopped by the area in November 2015 and wrote in an online review: "The gardens are so beautiful,



Artist Philip Sabado's water color rendition of the Bahay Kubo at the Maui Heritage Gardens.

with representations of many cultural styles. From housing to growing things, this little gem pays tribute to the migrant workers who came to work the cane fields."

Many Mauians believe these sacred waters of I'ao to be the most pure on Maui and come with their water jugs to fill and take home to enjoy. As you look to the valley's *pali*, you feel dwarfed by the sheer slopes that soar to the sky with a green razor edge. I'a Stream flows to either side of the valley with a constant roar. Here in these waters, *koi* and catfish add color to the connecting ponds.

A Filipino Presence

As you take the left turn into the Heritage Gardens, look to your right and you will think you are in the Philippines. You will first see blowing in the valley breeze the Philippine flag, hanging from the interior of a building that looks familiar. You will also see a newly completed pathway leading to Maui's very own "Bahay Kubo" or "Nipa Hut."

Maui's rendition is the only *bahay kubo* in the Hawaiian Islands. Many families use the area for family portraits. My family took wedding photos here in the past.

Back in 2013, Zalde Ugalino began the restoration project. In 2015, Rick Nava, Tante Urban, Victor Campos and other volunteers joined the

effort to see the project through to completion. The group officially formed a non-profit group called "The Bahay Kubo Heritage Foundation." There are currently nine members who work on their own time to refurbish and re-create its accuracy and authenticity. Some needed items were donated but most were paid for by the volunteers.

The collective vision amongst these extraordinary volunteers is simple, as the foundation director Rick Nava explained, "What we now have is an area to promote the education and history of the Filipino American community on Maui. This will be a gathering place for visitors, serving the community through art and helping our people while promoting our heritage, while we build a better community."

Every detail has been carefully thought through. The plants, fruit trees, *ti* and taro (*aba*) have been carefully planted by hand and maintained. The authenticity and the comfort of the visitors have been given the highest consideration.

As you proceed into the garden, several cultures are represented—the Portuguese Garden, the Korean and Chinese Temples and a Hawaiian village with a wetland *kalo lo'i*. A Japanese teahouse is set over a *koi* filled pond with an enchanting red traditional Japanese bridge. The Puerto Ricans

are represented by a structure with the crossed Puerto Rican, American and Hawaiian flags.

Near the Hawaiian *hale* is a simple "Missionary" home that is reminiscent of New England-style homes built when the missionaries arrived. This area is a destination and a "must see" for all who visit Maui.

As cars travel to I'ao State Park, they slow down to catch a glimpse of the work being done. Maui people love something new and are excited whenever a new shop or restaurant opens. Locals expect a line of cars just to see what's new in the valley.

On January 17, 1964, Manuel Molina introduced a resolution to the Maui Filipino Community Council that they "seriously consider the possibility of establishing a Filipino cultural area." Those individuals on the council at that time were: A.B. Sevilla, Richard Caldito, Cirilo Sinfuego, Bernard Barbero, Augustine Quinsaat and Tesero Mantilla. The cultural area would serve as a place that would remind Filipinos who came to Hawaii during the last 100 years of their rich heritage and also serve as a homage to the *sakadas*.

As you enter from the park side you will see a bust of Dr. Jose Rizal that the Sevilla family donated to the site. Currently, a new white

(continued on page 5)

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COVER STORY

(from page 4, MAUI VOLUNTEERS ...)

fence encircles the entire garden. The new pathway from the main road and the fish pond have been cleaned and removed of overgrown water lilies. Stairs were built on the back side of the *Bahay Kubo*. Red *ti* and variegated plants have also been added. The bridge over the fish pond has been re-roofed and braces for the bridge reconstructed to create a shaded sitting area.

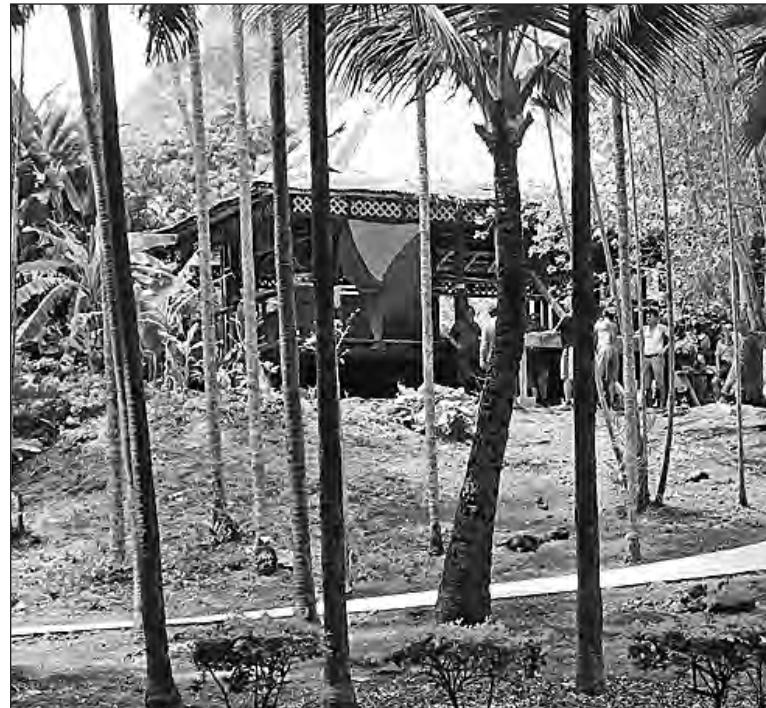
Four flagpoles will be raised on the structure—the flags of America, the Philippines, Hawaii and the *Bahay Kubo* Foundation (for those who saw this work to completion).

A small bridge was in place in the original setting that covered the stream. It was covered at one time by *nipa* leaves which are long gone. Now, the newly-built and freshly-painted rest station sports a new aluminum roof that glistens in the noonday sun. Seats on either side allow visitors and workers a moment to relax, have lunch, reflect and admire the beauty of the valley and the *Bahay Kubo*. Tourists who pass by are invited to sit and chat and there is always pride in the explanation of Filipinos' former homeland. Everyone is greeted with aloha and welcomed to sit awhile for "talk-story" time.

The main conversation amongst the volunteers focuses on future plans. All eyes look to the new white fence that is a buffer to the roadway. Red and green *ti* will be planted there and around the ponds.

As you see the *Bahay Kubo* from the road, you will notice a hillside at the left corner that descends to the pathway. Here, the foundation has planned terraces that are reminiscent of those in the Ilocos Norte region. Aba taro will be planted here and lava stones will be used to create the terraces. The I'ao stream will nurture the abas.

Another attraction will be along the pathway to the structure—over 60 "Sampaguita" (*pikake*) will be planted here. Already, numerous variegated and red *ti* plants line the new fence that skirts the highway. A recent addition to the building is a "landing" with stairways to



A closer look at the simple, yet elegant bahay kubo at the Maui Heritage Gardens.

either side, so the *Bahay Kubo* can be entered from both the front and back. Freshly-painted, the landing will provide a great photo opportunity.

The traditional *Bahay Kubo* (translated to mean "cube") is raised up on hardwood (*narra*) stilts, which serve as the main posts of the house. A *narra* tree grows and is now in the garden, as you look up into the I'ao Valley. *Narra* wood is one of the hardest woods in the world and will literally bend nails. Once sanded, the wood yields a golden color. For the flooring, solid Philippine mahogany was imported and will receive a good sanding and polish.

The renewal work is currently in full force. Over 1,000 *nipa* leaves will arrive from Batangas, already woven, plaited and ready to install. The *nipa* leaves will complete the slated roofing. Over this will be aluminum roofing for additional protection from the elements. Within the interior as you look to the ceiling, you will see the *nipa* leaves and appreciate the authentic quality they provide to the ambiance.

On a bright Saturday morning in April at Maui's *Bahay Kubo*, the sounds of hammers pounding and a leaf blower interrupt the serene setting. Spirits are high and the fun which the volunteers are having is very contagious and a true reflection of Maui's Filipino community. The goal is to pass the banner to our youth through the arts and education. The area will also serve as a

gathering place for locals and visitors alike.

Additional Structural Information

A *Bahay Kubo* is an icon of Philippine culture as it represents the Filipino value of "Bayanihan," which refers to a spirit of communal unity with an effort to achieve a particular objective.

This *Bahay Kubo* represents a Filipino "range house." It is here that the Filipino farmer lives and rests while his rice fields are being prepared for the planting and harvesting seasons. In the Philippines, the *Bahay Kubo* also offers a refuge from the hot sun and frequent passing tropical storms during the Monsoon Season.

The traditional *Bahay Kubo* is made of bamboo, with sturdy *narra* wood trees as posts and *nipa* leaves that create the roofing.

The traditional roof shape of the *Bahay Kubo* is tall and steeply pitched, ending in long eaves. The tall

roof creates a space above the living area. Here, warm air rises, giving the living area a cooling effect even during the hot summer months. The steep pitch allows water to flow down quickly at the height of the monsoon season while the long eaves give people a limited space to move about around the house's exterior whenever it rains. On more than one occasion, the sloped roofs have saved the structure from fires and volcanic ash.

The *Bahay Kubo* all have a *silong* (Tagalog word meaning "shadow") area under the living space for a number of reasons. It primarily serves as a buffer for rising waters during floods and to prevent pests, especially rodents, from getting into the living area. The main living area of the *Bahay Kubo* is designed to let in as much cool air and natural light as possible. Smaller *Bahay Kubo* will often have bamboo slat floors which allow cool air to flow into the living space from the *silong* below (in which case the *silong* is not usually used for items which produce

strong smells). The *Bahay Kubo* may also be built without a *kisame* (ceiling) so that hot air can rise straight into the large area just beneath the roof and out through strategically placed vents there.

The walls are always of light material such as wood, bamboo rods, or bamboo mats called "Saale." This provides some coolness to flow naturally through during hot times, as well as warmth during the cold and wet season. The distinct cube shape of the *Bahay Kubo* arises from the fact that it is easiest to pre-build the walls and then attach them to the wooden stilt-posts that serve as the corners of the house.

The construction of a *Bahay Kubo* is therefore usually modular, with the wooden stilts established first, a floor frame built next, then wall frames and finally the roof.

When the *Bahay Kubo* at the Maui Heritage Gardens is completed, volunteers say the entire community is welcomed to visit and enjoy the beautiful structure as well as the quiet surroundings.



SAFETY ALERT: HURRICANE SEASON

Hurricane season begins in June.

For your safety and the safety of your family, prepare for emergency conditions before they occur:

- Gather emergency supplies, such as a battery-powered radio, flashlights, lanterns, and batteries.
- Store enough water, non-perishable food, and medicine for your family members and pets to last seven days.
- Monitor Emergency Alert System broadcasts for information on an approaching hurricane and the shelters that will be opened. If you need to evacuate, shut off your home's incoming electricity at the main breaker or switch.
- Consider having a backup generator if you are dependent on an electrically powered life support system. Or, plan to go to a suitable location where electricity will be available. Take medical equipment and medications with you.

For more safety tips, refer to Hawaiian Electric's Information Handbook for Emergency Preparedness at www.hawaiianelectric.com, or call 543-7511.

OPINION

Why So Strange?

By Matthew Mettias

How many people do I walk past on a daily basis? Ten? Fifty? One-hundred? How many of these passersby do I make eye contact with? Do I ever acknowledge the existence of my fellow pedestrians or do I just walk past them, busy with my own agenda? I know for a fact that I am guilty of ignoring people around me who I am unfamiliar with. It is a part of my introverted human nature to isolate myself from uncertainty, but the more I ponder upon it, the stranger isolation becomes.

In the past, I automatically assumed that since I probably will never see a person walking alongside me ever again, there is no need to make an effort to interact with that person. However, nowadays I

have a different mindset. My belief today is that walking by a stranger is a perfect opportunity to act out of kindness. Why shouldn't I say hello to the stranger beside me and shatter the barrier of uncertainty and awkwardness between us? Besides, the comfort of keeping to myself is short-lived. In contrast, the experience and knowledge I obtain when talking with a stranger is long-lasting and memorable. If the conversation does not go so well, that is fine. It's not the end of the world. If the conversation is great, then that conversation as well as the person I had the conversation with becomes both meaningful and memorable. Regardless, the fact of the matter is that I will probably never see the stranger I talk to ever again.

Every human being who walks on this earth in this present moment has a unique story,

waiting to be told. I believe is my duty to destroy the barrier between me and a stranger and to listen to his or her story. Wasn't my closest friend once a stranger? It was just months ago on a bus to Waipahu that I complimented a man in his 60s of the whimsical flower design on his blue aloha shirt. Little did I know that that man was a Vietnam War veteran and that his tattered blue aloha shirt was his favorite; one he had kept for nearly 20 years and wore on the special occasion of seeing his son for the first time in months. It was just last week when I was back on the bus to Kaneohe when I asked a lady how her day was. Little did I know that that lady was an environmentalist who worked at UH-Manoa. I was excited to ask her about environmental science and by the end of our long meaningful conversation, I decided to take an environmental science course at my school. New conversations bring about new opportunities. In turn, new opportunities

bring forth an indescribable joy.

Truth being said, it was tough for me to step out of my introverted nature, but talking to strangers and getting to know them as well as their stories are definitely things I do not or ever will regret. The benefits I reaped from talking to strangers can apply to you as well. I am not the exception. I ask you to challenge yourself to step out of your comfort zone and talk to strangers. Doing so doesn't have to be a difficult task. In fact, you don't even have to talk to strangers. Simply interacting with strangers through a kind-hearted smile or a small nod of the head is enough. Whatever you choose to do, I ask one simple thing of you—that you may simply acknowledge the presence of other human beings around you every day, whether it is through an effortless warm smile or through a joy-filled conversation.

I vividly remember living one of the most stressful days

of my life when a young boy, about seven years of age with dark skin and thick black hair, directed a smile to me out of kindness. The boy's effortless smile made me reevaluate myself. The innocence and joy of this child helped me count my blessings and remember that life isn't so bad. Interacting with strangers is not so bad either. As a well-known speaker and author phrased it, "Smile at strangers and you just might change a life." I know that the innocent young boy who smiled at me definitely changed my life.

If you could take away one thing from reading this message, let it be this—if you make an effort to talk to strangers, the strangeness of being around a stranger or being the stranger loses its strangeness and does not become so strange anymore. Besides, it doesn't hurt to try.

MATTHEW METTIAS just completed his sophomore year at Punahoa School.

HAWAII-FILIPINO NEWS

Parole Program Announced for Filipino WW II Veterans

Beginning June 8, U.S. Citizenship and Immigration Services (USCIS) will allow certain Filipino World War II veteran family members who are beneficiaries of approved family-based immigrant visa petitions an opportunity to seek a discretionary grant of parole, on a case-by-case basis, to come to the U.S. before their visa becomes available.

In limited cases, certain eligible relatives will be able to seek parole on their own behalf if the veteran and his or

her spouse are both deceased. More information about the program, including guidance on eligibility, the application process and where to file, is available online at: <https://www.uscis.gov/fwvp>. Information will also be made available in Tagalog, Cebuano and Ilocano.

Applications under this policy will be accepted starting June 8. USCIS officials are encouraging eligible individuals interested in requesting parole under the FWVP Program do so within five years.

Officials estimate that 2,000 to 6,000 Filipino-American World War II veterans are living in the U.S. By law, the number of family-sponsored immigrant visas available by country of origin is limited, with the exception of immediate relatives of U.S. citizens. This results in long waiting periods. For some Filipino-American families, the wait can exceed 20 years.

The new program means many of these family members will be able to support and care for elderly veterans

or their surviving spouses, according to USCIS Director Leon Rodriguez.

"The Filipino World War II Veterans Parole Program honors the thousands of Filipinos who bravely enlisted to fight for the

United States during World War II," Rodriguez says. "This policy will allow certain Filipino-American family members awaiting immigrant-visa issuance to come to the U.S. and be with their loved ones."

Rats Responsible for Eating Endangered 'Akikiki Eggs

trying to save this native species from extinction on Kauai.

"We think rats are the likely predators because they leave eggs fragments behind," she says. "The nest was outside a rat trapping grid at Halepaakai, in an area just northwest of Mount Waialeale."

During a routine nest check at Halepaakai, a team from the Kauai Forest Bird Recovery Project discovered an empty nest, where previously there had been two 'akikiki eggs. The team had planned to harvest the eggs as part of their efforts to create a captive breeding population.

Dr. Lisa Crampton called the discovery a heartbreaking setback in the efforts of those

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WHAT'S UP ATTORNEY?



By Atty. Emmanuel Samonte Tipon

Did you hear about the alien in Kauai working as a cashier at a big department store who used a customer's credit card to "buy" clothing she sent home in a balikbayan box? During the deportation proceeding, she asked permission to go to the restroom. She walked out of the courtroom and vanished for several years but was eventually found and deported. You might have heard of the alien working in a Las Vegas chic clothing store who stole about \$300 in merchandise who claimed he was not deportable because he was a U.S. citizen since his parents were born in the Philippines before 1946 when it was still a U.S. colony. Both were deported for having committed crimes involving moral turpitude. Why did they not invoke the "petty offense exception" under the Immigration and Nationality Act? Did not their lawyers know about it?

The Immigration and Nationality Act provides in Section 212(a)(2)(A)(ii)(I) that an alien is inadmissible to the United States if such alien has been convicted of, or admits having committed, or admits committing acts which constitute the essential elements of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime. Pursuant to Section 237(a)(1), an alien in the United States may be removed if the alien is inadmissible at the time of entry under Section 212. Aliens who are in certain legally excludable classes at the time of their entry into the United States remain subject to deportation throughout their

Petty Offense Exception As A Defense in Deportation

stay. Among these classes, as defined by Section 212(a) of the Act, 8 U.S.C. § 1182(a), are those who have previously been convicted of a "crime involving moral turpitude." Squires v. INS, 689 F.2d 1276 (6th Cir. 1982). The crime may have been committed abroad or in the U.S.

A "crime involving moral turpitude" refers to conduct that is inherently base, vile, or depraved and contrary to the accepted rules of morality and the duties owed between persons or to society in general. See Matter of Tran, 21 I&N Dec. 291 (BIA 1996). Like beauty, it is in the eye of the beholder.

Section 212(a)(2)(A)(ii)(II) of the Act contains an exception to this inadmissibility ground for a "petty offense". The requirements are: (1) the alien has committed only one crime involving moral turpitude, (2) the maximum penalty possible for the crime did not exceed imprisonment for one year, and (3) if the alien was convicted of such crime, the alien was not sentenced to a term of imprisonment in excess of 6 months (regardless of the extent to which the sentence was ultimately executed).

Whether an offense comes within the "petty offense exception" is based on the status of the law at the time of entry of the alien rather than at the time of the commission of the criminal act. Squires v. INS, 689 F.2d 1276 (6th Cir. 1982).

If an alien is placed in removal proceedings because the alien has been convicted or admits committing a crime involving moral turpitude, the alien may raise the "petty offense exception" as a defense if such alien meets the conditions. That defense will be sustained because the alien in such a case is not subject to the grounds of inadmissibility under Section 212(a)(2) of the

Act. Matter of Deanda-Romo, 23 I&N Dec. 597 (BIA 2003).

The "petty offense exception" does not apply where the alien has committed more than one crime involving moral turpitude. Matter of Jurado, 24 I&N Dec. 29 (BIA 2006), Matter of Deanda-Romo, 23 I&N Dec. 597 (BIA 2003). If the alien committed one crime of moral turpitude and another crime not involving moral turpitude such as an infraction, the alien may still avail of the "petty offense exception" because the exception is unavailable only if the alien has committed more than one crime involving moral turpitude. Matter of Garcia-Hernandez, 22 I&N Dec. 590 (BIA 2003).

PRACTICE TIP. If the alien has committed more than one crime involving moral turpitude, the strategy is to prove that the other crime is not a crime involving moral turpitude. See Matter of Jurado, 24 I&N Dec. 29 (BIA 2006). An effective criminal defense lawyer representing a client charged with a crime which has the potential to be classifiable as a crime involving moral turpitude should either fight the case and make preparations to win or if the case is indefensible to bargain for a reduction of the charge to a nonturpitudinous offense in exchange for a guilty or no contest plea. Another strategy is to bargain for a sentence that does not exceed 6 months of imprisonment.

If the crime was committed abroad, the courts look not to the maximum penalty prescribed by foreign law, but rather to the maximum penalty for an analogous statutory offense under the laws of the United States. If an equivalent crime cannot be found in Title 18 of the United States Code, the reviewing authority must turn to the provisions of Title 22 of the District of Columbia Code. Squires v. INS, 689

F.2d 1276 (6th Cir. 1982).

If the petty offense exception applies to the crime committed by the alien, such alien can claim that he/she cannot be regarded as a person who is not of good moral character under Section 101(f)(3) of the Act. Thus, such an alien would not be ineligible for voluntary departure. Matter of Garcia-Hernandez, 22 I&N Dec. 590 (BIA 2003).

ATTY. TIPON has a Master of Laws degree from Yale Law School

and a Bachelor of Laws degree from the University of the Philippines. He specializes in immigration law and criminal defense. Office: American Savings Bank Tower, 1001 Bishop Street, Suite 2305, Honolulu, HI 96813. Tel. 808 225 2645 E-Mail: filamlaw@yahoo.com. Websites: www.MilitaryandCriminalLaw.com. He is from Laoag City and Magsingal, Ilocos Sur. He served as an Immigration Officer. He is co-author of "Immigration Law Service, 1st ed.", an 8-volume practice guide for immigration officers and lawyers. This article is a general overview of the subject matter discussed and is not intended as legal advice.



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PHILIPPINE NEWS

House's Richest: Pacman, Jules

by Paolo Romero
Thursday, June 9, 2016

MANILA, Philippines – There are now two billionaires in the House of Representatives in the outgoing 16th Congress: world boxing icon and senator-elect Manny Pacquiao and Negros Occidental Rep. Julio "Jules" Ledesma IV.

This is according to the 2015 summary of statements of assets, liabilities and net worth (SALN) released by the House.

Pacquiao is ending his term as Sarangani representa-



(L-R) Senator-elect Manny Pacquiao, Representatives Jules Ledesma, Sonny Belmonte, Fernando Hicap and Abigail Ferriols

tive on June 30 along with Ledesma. Both are also known for their poor attendance in plenary sessions.

Based on the summary released by the Office of the Secretary General, Pacquiao declared a net worth of P3,268,200,088, a huge jump

from the P1.69 billion he reported in 2014.

Second richest in the House in 2015 is Ledesma, who reported a net worth of P1,004,951,837.92. He was ranked fifth richest in 2014.

Third richest in the chamber is Speaker Feliciano Bel-

monte Jr., who reported a net worth of P941,648,636.42.

He was followed by Ilocos Norte Rep. Imelda Marcos, who has a net worth P917,800,000.

Fifth richest is Negros Occidental Rep. Alfredo Benitez, who has a net worth of

P880,017,206.

Outgoing Las Piñas Rep. Mark Villar and his wife, DIWA party-list Rep. Emme-line Aglipay, declared a net worth of P689,535,772.

Eighth richest is outgoing Leyte Rep. Martin Romualdez, who has a net worth of P475,619,805.59.

For the first time, former president and now Pampanga Rep. Gloria Macapagal-Arroyo is in the top 10 list, placing seventh with P393,915,603.71.

Former first gentleman Jose Miguel Arroyo explained that they sold their properties in Calamba and Cabuyao, Laguna in September 2015. They have paid all the necessary taxes in the sale.

Outgoing Rizal Rep. Joel Roy Duavit rounds out the list with P302,624,883.79 in net worth.

Poorest lawmakers

Meanwhile, nine out of the 10 poorest lawmakers come from party-list groups.

Anakpawis Rep. Fernando Hicap was the poorest lawmaker in 2015 with a net worth of only P43,239.14.

Other poorest lawmakers are Kalinga party-list Rep. Abigail Ferriols, who declared a net worth of P715,150; Bayan Muna Rep. Carlos Zarate, P1,124,626; Gabriela party-list Rep. Emmerenciana de Jesus, P1,395,000; Sulu Rep. Maryam Arbison, P1,400,000; Abakada Rep. Jonathan de la Cruz, P1,450,000; Abang Lingkod Rep. Joseph Paduano, P1,584,425.19; Akbayan Rep. Angelina Katoh, P1,790,000; Kabataan Rep. Terry Ridon, P1,939,193; and 1-Care party-list Rep. Edgardo Masongson, P2,524,350. (www.philstar.com)

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HAWAII-FILIPINO NEWS

City Relocating Offices to New Kapalama Hale

Several city departments and agencies are moving to the recently renovated Kapalama Hale, located at 925 Dillingham Boulevard formerly known as the Sprint Building.

During Phase I, the Department of Customer Services will move its driver licensing and Satellite City Hall operations from existing locations at City Square to the new facility. Additionally, the Department of Community Services, the Ethics Commission, the Equal Opportunity Office, the Neighborhood Commission Office the Honolulu Emergency Services Health Services Branch and a section of the Honolulu Police Department are also scheduled to move into the 55,000-square foot Kapalama Hale, with the first phase starting in mid-June, 2016.

The Kapalama Satellite City Hall is expected to open its doors to the public on June 21 and the Kapalama Driver Licensing Center is expected to open for business on June 28. The offices are moving from City Square, where the ex-

isting facilities will be closing. Motor vehicle registration operations currently located at Chinatown Gateway Plaza will also be moved to this location.

The last day of business at the Kalihi Satellite City Hall prior to its permanent closure will be Friday, June 17, and the last day for the Driver Licensing Center will be Friday, June 24. The move of the Satellite City Hall and Driver Licensing Center from City Square to Kapalama Hale will primarily take place during weekend time in an effort to minimize impact on the public. It is anticipated that the move will result in the offices being unavailable to the public for no more than one business day.

By consolidating city offices from multiple leased spaces into a single location at Kapalama Hale, the City expects to realize significant cost savings over time, while also providing an upgraded service location for customers. Planned enhancements include the implementation of self-service kiosks for some transactions and a push-notification queuing system designed to reduce the need for customers to wait in line for service.

Licensed Professionals Urged to Renew Licenses Online

Nursing home administrators, motor vehicle salespeople, security guards, licensed social workers and massage therapists are just some of the 30,000 Hawaii employees in various fields whose professional vocational licenses (PVL) are up for renewal this current cycle.

The State Department of Commerce & Consumer Affairs urges licensees to complete the renewal process online at MyPVL (pvl.ehawaii.gov/mypvl). Instructions for the online renewal have been mailed to each current license holder. Dispensing optician renewals will be accepted until midnight on July 1. All other online renewals for this cycle will be accepted until midnight on

June 30.

Implementation of the MyPVL system has facilitated the professional and vocational licensing processes. Earlier this year, more than 8,700 architects, landscape architects, land surveyors and professional engineers utilized the service to renew their licenses online.

MyPVL service enables 24/7 access to information and services from a single dashboard for all PVL licensees. It was created through a partnership with PVL and the state's internet portal manager, Hawaii Information Consortium, LLC. The service is one of many online services for citizens and businesses offered through the state's official website, ehawaii.gov.

New Requirements for Philippine Passports

The Philippine Consulate General is informing Philippine citizens in Hawaii, American Samoa and French Polynesia of new requirements for the renewal of Machine Readable-Ready (MRRP/Green) or Machine Ready Passport (MRP/Maroon) booklets.

Renewals will only be granted upon the submission of the following requirements:

- The actual Machine Readable-Ready (MRRP/Green) or Machine

Ready Passport (MRP/Maroon) booklets.

- Authenticated Philippine Statistics Authority-Issued Birth Certificate.
- At least one valid identification document.
- Other supporting documents deemed necessary such as authenticated Philippine Statistics Authority issued Marriage Contracts.

For more details, call the Consulate at (808) 595-6316 or send an email to: honolulupc@hawaii.twcbc.com.

PHILIPPINE NEWS

Duterte Foreign Policy to Put Peace, Filipinos First

by Jonathan de Santos
Thursday, June 9, 2016

MANILA, Philippines — Foreign policy in the incoming Duterte administration will focus on providing peace for Filipinos through multilateral and bilateral talks, lawyer and PDP-Laban spokesperson Paola Alvarez said Wednesday.

Speaking at a press forum

in Quezon City, Alvarez said that while the government will respect the country's international obligations, foreign policy will be "Filipino first" — meaning the welfare of Filipinos will be the primary consideration on foreign policy.

"[Whether we do] multilateral or bilateral talks, our main goal is to achieve peace," Alvarez, who will also be the spokesperson for Duterte's Department of Finance, said.

Alvarez credited Duterte's dialogue with Chinese Ambassador Zhao Jianhua, where she said the president-elect asked China "to be more kind to our fishermen" for reports that the Chinese Coast Guard no longer harasses Filipinos in traditional fishing grounds in Scarborough Shoal, or Bajo de Masinloc. "I think that is why [the harassment has stopped]."

She added that Duterte "does not want war, he will

provide for peace for Filipinos near these disputed sites," while also making clear that the president-elect's readiness to talk to China does not mean giving up the country's claim. An arbitration case over the part of the South China Sea that Manila calls the West Philippine Sea is still pending at an international court.

"I told you (China) that is ours, you have no right to be

there," he said in late May. "And I said whether you believe it or not, that (it) would be the predicate of any further discussions about that territory." He said that he expects China to abide by the arbitral court's ruling on the Philippines' case.

He also said during the campaign season, however, that the Philippines cannot insist on its ownership of the West Philippine Sea since it is militarily weak. (www.philstar.com)

Pacquiao's Tax Arrears Mounting – Henares

by Jess Diaz
Thursday, June 9, 2016

MANILA, Philippines - The tax arrears of outgoing Sarangani congressman and incoming senator Manny Pacquiao are mounting, Bureau of Internal Revenue (BIR) Commissioner Kim Henares said yesterday.

Henares told ABS-CBN News Channel that three years ago, the BIR assessed the Pacquiaos a tax deficiency of P3.2

billion, which included penalties, for income earned in 2008 and 2009.

"He sued us, we did not sue him. Since then, the penalties have been increasing," she said.

She said Pacquiao's resort to a court case did not freeze his tax liabilities.

She added that at some point, the boxing champion would have to settle those obligations.

Henares denied that Pac-

quiao negotiated for a compromise settlement.

"What he paid were taxes for succeeding years," she said.

Pacquiao is the only billionnaire member of the House of Representatives. He was worth P1.6 billion in 2014. He reportedly earned \$240 million from the \$600-million gross income his fight with Floyd Mayweather Jr. in May last year had generated.

Henares also denied that she gave a special treatment to Dunkin Donuts owners.

"They talked to me because they were contesting our

assessment. I asked them if they would agree to a second audit, and they agreed. I ordered a second audit by another team and a third audit by a different team. The second and third teams had the same findings, which were made the basis for the final assessment," she said.

She said she gave the same treatment to Dunkin Donuts as she would give to other taxpayers similarly situated.

"If you approach me to contest our assessment, I will ask you if you will accept another audit," she added.

On the issue of increasing the 12-percent value added tax, Henares said what the incoming administration should probably do is to review VAT exemptions.

"Under the present law, there are numerous exemptions. The alphabet has not been enough for the enumeration of such exemptions. So they used AA, double B, double C, and so on," she said.

She defended her boss, outgoing Finance Secretary Cesar Purisima, against the statement of incoming finance chief Carlos Dominguez III that Purisima had six years to work for comprehensive tax reform but did not do it. (www.philstar.com)

HAWAII-FILIPINO NEWS

World Day Against Trafficking is July 30th

The Philippine Consulate General in Honolulu is joining the Philippine Inter-Agency Council Against Trafficking (IACAT) in observing 2016 World Day Against Trafficking, which is aimed at raising awareness about this terrible crime against innocent victims.

Human trafficking is a crime that exploits women, children and men for numerous purposes including forced labor and sex. The International Labour Organization estimates that 21 million people are victims of forced labor globally. Every country in the world is affected by human trafficking, whether as a country of origin, transit or destination for victims.

In 2013, President Benigno Aquino III signed the Anti-Trafficking in Persons Act of 2012 which expanded the Philippines' existing law against human trafficking and increased funding for government agencies involved in the fight against human trafficking.

the criminals," says UN Secretary General Ban Ki-moon. "On the World Day Against Trafficking in Persons, let us resolve to act as one in the name of justice and dignity for all."

IACAT will hold various activities to enhance awareness of human trafficking. The agency provides emergency shelter, counseling, free legal services, medical and psychological services, livelihood and skills training and educational assistance to Philippine citizens, either domestic or abroad, who are victims of human trafficking.

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PHILIPPINE NEWS

Marcos Camp Alleges Comelec Use of Secret Server

The camp of Senator Ferdinand "Bong-bong" R. Marcos, Jr. on Tuesday, June 7 bared that it will file an election protest, alleging that the Commission on Elections (Comelec) used a fourth server to manipulate the national elections held last May.

Atty. Jose Amor Amorado, head of the BBM legal team and Abakada Rep. Jonathan Dela Cruz, political adviser of Marcos, told reporters that there was a "fourth server," kept secret from the public by Smartmatic and Comelec.

"This was never disclosed. This is the fourth server and therefore it should have been subjected to source code review also and everything else. But this was not disclosed to the public. This is in violation of the law," de la Cruz said.

Earlier on Tuesday, there was a preliminary investigation into the Marcos camp's complaint alleging that Comelec and Smartmatic personnel violated the Cyber Crime Law.

The Marcos camp now seeks to file the electoral protest just a few days before incoming President Rodrigo Duterte and Vice President Leni Robredo officially take office.

"The target date for the filing of the electoral protest is June 28—a day before the

June 29 deadline. Yes, definitely we will file an election protest. The truth has to come out – one way or another," Amorado said.

Amorado explained that the protest will seek a recount of the votes in some areas including the setting aside of the election results in areas where there are clear indications of election fraud and manipulation.

Dela Cruz asserted that they are filing the election protest because they owe it to those who voted for Marcos and to the entire Filipino people to find out what really happened in the May 2016 elections.

"We believe that we have enough evidence to show that there was massive rigging and manipulation of votes," he said.

Amorado and Dela Cruz cited that the results of their initial findings indicated that between 9:00 p.m. to 10:10 p.m. on May 9, the transmitted election results showed that Marcos lost in 1,689 precincts, many of which are considered bailiwicks of the senator, mostly in the provinces of Leyte, Samar, Pangasinan and other areas in Region II.

Amorado pointed out that instead of being transmitted directly to the Municipal Board of Canvassing servers,

the Comelec server and the Transparency server, the results were instead coursed through a "4th Server or the so-called "Queue Server."

This "4th server" was not divulged to the public and was never subjected to a source code review as what transpired with the other servers used in the elections, according to Dela Cruz. Amorado added that there were no watchers allowed in the so-called "4th Servers."

Amorado said they have already asked the Comelec to preserve and secure any and all servers, as well as other related IT equipment used in the elections.

Meanwhile, during the preliminary investigation, Smartmatic asked for ten more days to file their answer to the complaint filed.

Amorado explained that respondents charged for the violation of the Cybercrime Law now pending before the

Manila Prosecutors' Office face possible jail sentences of six to 12 years if found guilty.

Charged for the violation of Section 4(a) of the Cyber-crime Prevention Act of 2012 or R.A. 10175 were Smartmatic personnel Marlon Garcia, a Venezuelan national and head of the technical support team; Elie Moreno, an Israeli national and project director; Neil Banigued and Mauricio Herrera both members of the Technical Support Team and Comelec IT experts led by Rouie Peñalba, Nelson Herrera and Frances Mae Gonzalez who are all assigned at the Information Technology Department (ITD).

"Our main allegation is that in the night of May 9, 2016 during the time when the transmission was already in progress, they opened the system and introduced the new script without permission from the owner of the system, which is Comelec," said Amorado.

Earlier, the camp of Marcos said that shortly after the suspicious introduction of the new script the senator's lead over his closest rival, Leni Robredo, in the vice presidential race began dropping until he was eventually overtaken.

The Church-based election watchdog Parish Pastoral Council for Responsible Voting (PPCRV) also urged the Comelec to look into the allegations of poll fraud.

"For the credibility of the elections, all protests and claims accompanied by evidence should be looked into seriously," PPCRV Chairperson Henrietta de Villa said in a statement. "So Comelec must investigate. Claimants of cheating must have hard and strong evidence to back their claims. If proven guilty, cheaters must be punished heavily and swiftly. [The] PPCRV stands on the side of the truth and the law." (www.asianjournal.com)

GLOBAL NEWS

U.S., China Officials Discuss Territorial Disputes

OBAMA administration officials voiced concerns over territorial disputes between China and five other countries, restrictions to foreign investment in Chinese industries and overproduction from that country's industrial sector at the US-China Strategic and Economic Dialogue in Beijing.

On Monday, June 6, US Treasury Secretary Jacob Lew called on leaders in the People's Republic of China (PRC) to reduce its output of steel and other industrial goods. He said Chinese overcapacity is having a "distorting and damaging effect on global markets." A glut of supply has weakened the market value of steel, according to CNBC.

The US Department of Commerce has instituted tariffs on steel in response to ex-

cess global supply. Chinese Finance minister, Lou Jiwei, referred to concerns regarding China's overcapacity as "hype" and said his country was "confronting the issue squarely," the Wall Street Journal reported.

Lew also pushed for progress on a potential bilateral investment treaty between China and America, something which both countries have recognized as a goal, according to WSJ.

The deal is currently stalled on a "negative list," which names Chinese industries that would remain barred to foreign investors. There are currently 40 sectors identified on that list; American officials would like to see that number reduced.

US Secretary of State John Kerry restated the administration's preference for a peaceful resolution of tensions in the South China Sea.

The PRC has asserted sovereignty in the region and built artificial islands and military bases in areas claimed by the Philippines and four other southeast asian countries. Kerry urged officials in Beijing to avoid unilateral actions and submit to diplomacy and the rule of law on Monday at the S&ED, according to USA today.

Chinese military development and naval patrols at Scarborough Shoal and the Spratly Islands have pushed Filipinos off of fishing grounds, trade routes and untapped oil deposits. In 2013, the administration of Philippine President Benigno S. Aquino III filed complaint against China to the United Nations' Permanent Court of Arbitration. The Philippine government cited the United Nations Convention on the Law of the Sea (UNCLOS) in its arguments to the Hague. The UNCLOS

(continued on page 13)



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LEGAL NOTES



By Reuben S. Seguritan



Filipino nurse was recently awarded back wages for the period that he was not performing work due to lack of assigned work.

Vicente de Dios was petitioned by Medical Dynamic Systems, Inc., a health staffing company, to work as a fulltime nurse manager at a salary of \$37.06 per hour. He contended that his H-1B status began on January 28, 2010 but he only worked for 24 hours in March 2010. On May 21, 2010, he was asked by the Marketing Director of Medical Dynamic to look for another sponsor since the company was unable to provide him a job place-

Nurse Awarded Back Wages for Time He Didn't Work

ment. He was offered a plane ticket to go back home. However, after that, it kept communicating with him asking him to attend a few job interviews.

De Dios claimed that Medical Dynamic put him in a non-productive status and failed to perform its obligation under the H-1B petition. He was willing and able to perform his job as a nurse manager but Medical Dynamic attempted to employ him in positions other than what was in the petition. He also claimed that he paid the H-1B filing fees and attorney's fees to process his application, in violation of H-1B regulations.

According to the decision of the Administrative Law Judge (ALJ), the employer must pay the required wage even if the H-1B worker was in non-productive status. If the

non-immigrant worker was unable to perform work due to a decision by the employer like lack of assigned work, the worker was deemed to be "benched". "Benching" is the nonproductive time that can occur when a company brings H-1B workers to the US and contract them out to other entities instead of use them in their own business. By law, the employer is still required to pay the said worker his required wage rate.

The only time that employers need not pay is if the nonproductive status happened because of circumstances that are attributed to the worker himself and unrelated to his employment like touring the US, caring for ill relative, maternity leave, among others.

The ALJ highlighted that an employer's obligation to

pay the H-1B worker's back wages extends from the date the worker makes himself/herself available for work or comes under the control of the employer until the time that a bona fide termination of employment relationship was undertaken.

The ALJ ordered Medical Dynamic to pay De Dios for the period starting February 15, 2010, the date when De Dios made himself "available for work" or came "under the control of the employer" up through October 27, 2010, the date when the company made a bona fide termination of employment. It was liable to pay \$55,587.20 in back wages for 37 weeks and two days at a rate of \$37.06/hour, at 40 hours per week. It was also made liable to pay compound interest for the back wage assessment.

Furthermore, it was also held that the company violated the H-1B regulations when it made the worker pay for his H-1B filing fees and attorney's fees, therefore reducing his pay. When a worker is asked to pay for the expenses in the filing of his H-1B petition, the ALJ said that it is in effect a wage deduction which would reduce his salary below that required in the petition. In the said case, De Dios paid \$3,600 for his H-1B processing, which, according to the decision, was clearly in violation of the regulation. Medical Dynamic was then asked to remit the said amount to De Dios.

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

GLOBAL NEWS (from page 12, U.S., CHINA)

states that nations retain jurisdiction over open waters extending 12 nautical miles from their borders.

Chinese officials deny the Philippines' legal standing to make a complaint, and did not submit arguments to the UN. They say the issue of territorial sovereignty is beyond the scope of the UNCLOS, and say the Philippines' petition violates international law, according to China Daily. Chinese leaders say they will not honor a verdict issued by the Hague that does not honor their claims, RT news reported.

In May, two Chinese fighter jets provided unrequested escort of a US patrol plane flying in the region. According to USA Today, that incident suggests that China might consider imposing an air defense zone over the South China Sea, a move John Kerry said would be a "provocative and destabilizing act." The two countries are currently "developing rules of behavior," with re-

spect to ship to ship encounters in the sea, according to a statement from the US State Department.

At the close of the meeting Chinese and American officials had agreed to intensify dialogue on Asia-Pacific concerns and work to enhance cooperation at multilateral talks. Both sides said they would "promote international law, including the UN Charter," according to the state department's statement.

However, military leaders from the PRC have struck a defiant tone on the matter in the past.

"We do not make trouble, but we have no fear of trouble," said PRC Admiral Sun Jianguo at a major security summit held in Singapore on Sunday. He added "China will not ... allow any infringement on its sovereignty and security interest," and accused other countries of causing "chaos" in the South China Sea, according to CNBC.

Both the American and Chinese governments con-

demned nuclear weapons testing conducted by the Democratic People's Republic of Korea (DPRK), according to a statement issued by the US Department of State. The two major powers reaffirmed their cooperative commitments to combat the proliferation of nuclear testing, terrorism and cybercrime.

With only a few months remaining in the current administration's tenure, members of the president's cabinet are expected to focus on foreign investment, the glut of industrial goods, climate change and other matters in which compromises will be easier to negotiate, according to CNBC. The thornier topics of Chinese currency volatility and territorial claims in the South China Sea will likely be inherited by the next presidential administration. US officials were in Beijing from June 5 until June 7 before traveling to a similar event in Abu Dhabi, United Arab Emirates on June 8, and Jeddah Saudi Arabia on June 9. (www.asianjournal.com)

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DAYASADAS
By Pacita Saludes

arambak ti bulan ti Junio. Saan nga ammo ti turongen kadagiti pasken a maisagana manipud kadagiti kakailian. Isu ti adu a panagsagana dagiti agpagradaur kadagiti annakda. Maragsakan dagiti nagannak ti panaggraduar dagiti annakda a sumalpa ti nangatngato a pagadal. Tapno naragragsakda ken ad-adda a mainspiraranda a ngumatngato kadagiti panagdalda, sisasagana dagiti naganak a mangparag-o kadagiti annakda tapno agtuloyda kadagiti ti nangatngato a pagadal a sumaruno a serkanda. **HAPPY GRADUATION ANNAK!**

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Graduation Parties, Aldaw Dagiti Amma Ken lindipendensia Iti Bulan Ti Junio

Kasta met a daytoy a bulan isu met ti bulan a panangsegsegga dagiti AMMA ti aldaw a pannakapadayawda a kas Amma. "Happy Father's Day Daddy" ti kabelaaw a makaparagsak kadagiti kakaasi nga agtartrabaho nga a mangisak-sakad ti panagadal dagiti annakda. Anian a ragsak ni Tatangda ti surpresa a panangpadyaw dagiti annakna, adda pay sagut nga iyarakupda kenkuana. Nakalua pay ni kabsat Generoso iti pananglawlaw dagiti agsasaruno nga annakna a mangkablaaw kenkuana iti rabii ti Father's Day. Kunana a nali-patanna ti mariknana a bannog iti daytoy nga aldaw. Nakalua pay ni Andong iti nakitana a ragsak dagiti annakna. Sannan nga inuray ti parambakda ket isun ti nangikablaaw kadagiti annakna ti naragsak a pangrabii kadagiti annak ken gagayyemda. "Thank

you Daddy" ti inlaaw dagiti annakna! Ti arakup ti amma ti mangaron ti rikna dagiti annak. Nasamsamay ngem tay agsasaruno nga unget nga inda malak-am. Kuna dagiti masisirib a tattao nga ad-adda a nataltalugod dagiti annak a makangngeg ti nadungngo a balbalikas ngem tay unget ken nabantot a balikas para kadakuada.

Nagduduma ti wagas dagiti agbalin nga amma. Adda nadungngo, adda naunget, adda managliway, adda saan a mangikankano kadagiti annakna. No asino tay man kadagitoy, maibilang tayo latta nga AMA. **HAPPY FATHER'S DAY!**

Bulan ti Junio aw-awagan tayo nga Independence month. Isu ti pannakaitinnag ti Independencia ti bukodtayo a pagilinan. Bulan a naitinnag a panagwaywayas nga awan ti mangtengtengel kadagiti plano ken tarigagay nga aramiden ti pagilinan.

NARAGSAKA LAGIP TI INDEPENDENCIA!!!!

SILALAGIPAKA KANAYON TATANGKO

Nanipud pay ammon dilak ti agbalikas Sika, tatangko, ti kanayon nga aw-awagak Kunada napategka kano kaniak ta ipasimudaag dilak Tatang, Tatang ti kanayon nga aw-awagak Ammok a patpatgennak nupay agmalem dinak kataktakunaynay Sumangpetka manipud trabahom siakon ti aw-awagam Arakupennak iti nairut, agek pugpogennak pay Kunam mainanaanka no madatngannak, naragsak, nalang-ay Babassit nga imak yap-aprosko iti naileng a rupam Lupotmo nadaripespes iti ling-et awan alumium kaniak Kirsang dagiti barbasmo, isudat' mangpapintas 'ta rupam Gayam nakurang panawenmo, maliduam 'ta bagim gapu kaniak Ammok, tatangko, agbannogkat' agmalem gaput' masakbayak Kayatmo a naragsak, natalingennen sasaadek nga agbiag Rigatem a maibaludak kapatadak wенно aglak-amak iti rigat Sangkasaom, agadalka anakko, ta isut' tawidmo kaniak! No agin-inanaka iti rabii awagannak, awidennak sibaymo Pagpungpunganennak ita takiagmo sanak mulien kadagi a baliksmo.

Dakkelakon, Tatang, makaaddangakon bukodko a law-ang Matam sursurotennak, sarunkodmo itedmo a pagkapetak Makitam ngata, tatangko, nga agnguynguya-ak a kumalay-at Pilid ti biag inar-arapaapmo nga allinek tapno makaragpatak Tatangko, anian a nagdakkel, naghaknang daytay pusom Nagbalin a pagwadak, taklin, kibin, patawko a karayn Silawmo a nadarang agpaay kaniak napateg a daton Ladawam natibker a baton-lagip dinto pulos agkusnaw.

Tugotmo, tatangko, tintinepek, sapatosmo kayatko nga aramen Nabantot ngem napintasda kaniak, kayatko a tawiden Tatangko, tinudem 'toy daniwko nga agpaay kenka Pagyamanko kadagiti ballaigik ken laklak-amek a gin-awa Kanayon nga ikarkaragko iti Namarsua A kas koma kenka dagiti amin nga Amma!

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COMMUNITY CALENDAR OF EVENTS

PHILIPPINE INDEPENDENCE DAY GALA DINNER COMMEMORATING THE 118TH PHILIPPINE INDEPENDENCE DAY ANNIVERSARY | June 11, 2016, Saturday | MAUNAKEA BALLROOM, HAWAII PRINCE HOTEL | Contact: Allan Alvarez @ 392-8230

118TH ANNIVERSARY COMMEMORATION OF PHILIPPINE INDEPENDENCE | June 12, 2016, Sunday | 8:00-10:30 a.m | PHILIPPINE CONSULATE | For further info, call the Phil Consulate @ 595-6316-19, ext. 112

MAUI FILIPINO CHAMBER'S GINTONG PAMAMA'S LEADERSHIP AWARDS BANQUET | June 16, 2016 | MAUI BEACH HOTEL. | Contact: Jenna Gamboa at (808) 419-1617

SANTANIANS ASSOCIATION OF HAWAII-USA INSTALLATION OF OFFICERS AND BOARD OF DIRECTORS | July 16, 2016 | 6:00 - 11:00 PM | HIBISCUS BALLROOM, ALA MOANA HOTEL | Contact: Dr. Julius Soria (722-9958); Amy Quides (255-6380); Aurora Garcia (722-3150) or email santaniansofhiusa@gmail.com

FILIPINO CHAMBER OF COMMERCE OF HAWAII (FCCH) AND FOUNDATION, INSTALLATION OF OFFICERS | July 16, 2016, Saturday | 6:00 p.m | PTAPA BALLROOM, HILTON HAWAIIAN VILLAGE WAIKIKI BEACH RESORT | Contact: Bernadette Fajardo @ 342-8090 or Sam Acosta @ 306-1428

LA UNION CIRCLE OF HAWAII, 2016 MISS & MRS. LA UNION HAWAII USA | July 30, 2016, Thursday | 5:30 p.m Cost: \$65 | HIBISCUS BALLROOM, ALA MOANA HOTEL | Contact: Baybee Hufana Ablan @ 753-5616

PHILIPPINE WOMEN'S CIVIC CLUB (PWCC), FILIPINIANA BALL & INSTALLATION OF OFFICERS | August 13, 2016, Saturday | 6:00 p.m | HIBISCUS BALLROOM, ALA MOANA HOTEL | For more info, contact Letty Saban @ 255-9429, Edith Gudoy @ 457-0253 or Mimi Gozar @ 312-0778

UNIVERSITY OF THE PHILIPPINES ALUMNI ASSOCIATION OF HAWAII (UPAAH), GALA DINNER INSTALLATION OF OFFICERS | August 20, 2016, Saturday | 6:00 p.m | FILCOM CENTER | Contact: Bea Ramos Razon @ 778-6291, Melody Calisay @ 224-9535 or Jenny Normandy @ 286-4426

FILIPINO WOMEN'S CIVIC CLUB MARIA CLARA BALL | September 17, 2016, Saturday | 6:00 p.m | HIBISCUS BALLROOM, ALA MOANA HOTEL | Contact: Bernadette Fajardo @ 342-8090 or Cecilia Villafuerte @ 780-4985

FILCOM CENTER'S BAYANIHAN GALA DINNER 2016 | October 14, 2016 | 6:00 PM | SHERATON WAIKIKI HOTEL | Contact 808-80-0451 for more information

MAUI FIL-AM HERITAGE FESTIVAL BY THE MAUI FILIPINO CHAMBER OF COMMERCE | October 15, 2016, Saturday | 10:00 a.m - 3:00 p.m | MAUI MALL, KAHULUI, MAUI | Contact Kit Zulueta @ 808-291-9407

PASKO SA FILCOM | December 4, 2016 | FILCOM CENTER | Contact 808-680-0451 for details.

OHANA MEDICAL MISSION IN THE PHILIPPINES | December 14-Dec. 21, 2016 | Contact: JP Orias @ 387-8297 for further information

MAINLAND NEWS

US Senators Renew Call for Full Benefits for WWII FilVets



U.S. Senators Brian Schatz (D-Hawai'i) and Lisa Murkowski (R-Alaska), members of the Senate Appropriations Subcommittee on Military Construction and Veterans Affairs, introduced the Filipino Veterans Fairness Act of 2016. This legislation would ensure that surviving Filipino veterans are fully eligible for the benefits they earned while serving under the US flag during the Second World War.

"We have failed Filipino World War II veterans," said Senator Schatz. "These veterans and their families have waited for decades to receive the compensation that they deserve, and it is simply wrong for our country to deny them the benefits they were promised. Time is running out, and for some, it is already too late. We must act quickly to pass this legislation and fully

honor the men and women who served so bravely in a time of war."

"Filipino veterans put their lives on the line in the defense of US interests in the Pacific during World War II," said Senator Murkowski. "It's about time we treat the Filipino veterans of World War II with the respect their sacrifice entitles and eliminate the arbitrary distinctions in our veterans benefits laws."

More than 250,000 Filipinos served under the US flag in the Pacific during the Second World War. As citizens of a US commonwealth during the war, they were promised full veterans benefits for serving in the US Armed Forces. However, because of the Rescission Act of 1946, most Filipino World War II veterans did not receive benefits they were promised. Instead, these veterans have lived on quietly, often under-recognized and denied the

basic veterans recognition they earned. The Filipino Veterans Fairness Act of 2016 fulfills the moral obligation of the United States to take care of its veterans and their families.

The Filipino Veterans Fairness Act of 2016 eliminates the distinction between the Regular or "Old" Philippine Scouts and the other three groups of veterans — Commonwealth Army of the Philippines, Recognized Guerrilla Forces, and New Philippine Scouts. It also allows Filipino veterans' spouses and children to qualify for the same Dependency and Indemnity Compensation that current US veterans receive. Congresswoman Jackie Speier (D-Calif.) introduced companion legislation in the US House of Representatives with 37 co-sponsors and bipartisan support.

Beginning June 8, relatives of Filipino World War II veterans can apply to come to the United States under a parole program set up by the US Citizenship and Immigration Services (UCIS). Having family members in the US with the aging veterans would provide them with the necessary support and care.

Today, there are an estimated 17,000 living Filipino veterans of World War II, now in their 80s and 90s. (www.asianjournal.com)

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The Hawaii Filipino Chronicle joins the Filipino community in commemorating the 118th Anniversary of Philippine Independence.

To out-going President Noynoy Aquino, thank you for the good governance reforms you instituted. We wish you the very best.

To President-Elect Rodrigo Duterte, we will rally behind your efforts to eradicate corruption, crime and drugs; and enforce discipline, peace and order throughout the nation. We are confident that economic growth to benefit everyone, especially the poor, will soon follow.

The Filipino people pray that under your leadership, the country will unite together for a brighter future.

**GOD BLESS PRESIDENT-ELECT DUTERTE, THE FILIPINO PEOPLE
AND THE REPUBLIC OF THE PHILIPPINES!
HAPPY 118TH ANNIVERSARY OF PHILIPPINE INDEPENDENCE!**