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◆ AUGUST 13, 2016 ◆

GOP Candidate Links Philippines to Terrorism

FILIPINO-AMERICANS BLAST TRUMP

COVER STORY PAGE 4



HEALTH & FAMILY

DELAY AGING WITH SUPPLEMENTS

8



LEGAL NOTES

SENATORS URGE OBAMA TO STOP DEPORTATIONS

13



PHILIPPINE NEWS

WAR ON DRUGS: UPSCALE NIGHTCLUBS, BARS NEXT

15



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EDITORIAL

Filipino Voters Need to Dump Trump

The American people have heard the rhetoric from Republican presidential candidate Donald Trump that targeted Muslims, Latinos, immigrants, women and veterans. His comments have angered anyone and everyone imaginable. Most recently, he infuriated the Filipino-American community by naming the Philippines among the short of list of countries with ties to terrorist groups and alleging that terrorists are sneaking into the U.S. as immigrants and therefore should be banned from entering.

While some have referred to Trump as a "loose cannon," Democratic opponent Hillary Clinton has gone a step further, calling him the most dangerous presidential candidate in U.S. history. Her comments are actually not far from the truth, given Trump's volatile temper, name-calling, penchant for fighting and other character traits he has exhibited while campaigning. Coupled with the fact that Trump has no experience in foreign policy or national security, he would indeed be dangerous as commander-in-chief of the United States.

Supporters hope Trump will better manage his comments but we can expect Trump's comments to become even nastier as Election Day nears. In his latest controversial remark, Trump suggested that if Hillary Clinton was elected president, the only way to stop her from choosing liberal Supreme Court justices would be to shoot her. Trump's remarks surprised even die-hard supporters and led more members from his own party to distance themselves from him. Even if meant as a joke, comments about assassinating the president or presidential candidates are not taken lightly by the Secret Service.

Filipino voters are slowly beginning to realize the ramifications of a Trump presidency. One thing is certain—the rights of minority groups will be targeted. It is relatively easy for a government to protect the majority but the true test of democracy is how minorities are treated. A society that protects the rights of all except the unpopular is not a truly open society. For voters who have not yet made up their mind come Election Day, remember this—the president is the face of America. If Trump's name calling, inflammatory remarks and other antics are not fit even for a middle school student body election, how much more for the Oval Office? Is Donald Trump the man you want speaking for you?

Preventing the Spread of Hepatitis A

Hepatitis A, a highly contagious liver infection, has made news headlines of late. The latest case involved Papa John's Pizza in Waipahu and New Lin Fong bakery in Chinatown, where food service workers were diagnosed with the disease. As of press time, the State Department of Health (DOH) has documented a total of 168 cases of Hepatitis A statewide—the worst outbreak in nearly two decades.

Employees at other food establishments have tested positive, including Tamashiro Market (Kalihi), Baskin-Robbins (Waikale), Chili's (Kapolei), Costco bakery (Hawaii Kai) and Taco Bell (Waipio). A Hawaiian Airlines flight attendant was also diagnosed. DOH officials have made it clear that none of the business establishments was the source of the outbreak. Officials from the U.S. Centers For Disease Control are also in town to assist with the investigation and to determine the source of the outbreak, which they suspect is a food product being brought in to Hawaii.

To help prevent the spread of Hepatitis A, we first need to learn as much as possible about the disease and its effects. Symptoms of Hepatitis A infection include fever, fatigue, loss of ap-

FROM THE PUBLISHER

Local shoppers were a bit concerned with news that Macy's is looking to close 100 stores or about 15 percent of its locations nationwide sometime in early 2017. Although Macy's officials have not yet determined which stores will be affected, local shoppers hope Hawaii's 13 Macy's stores are not on the list. Macy's has been a long time fixture in Hawaii's shopping mall scene. Many *kamaaina* still fondly remember when it was called Liberty House, its generous return policy and its fantastic sales. Stay tuned and keep your fingers crossed!

By now, you've most likely heard about Donald Trump's latest comments linking the Philippines with terrorism-sponsored activities and hinting at banning immigrants from countries with known safe havens for terrorists. The billionaire real estate mogul's comments not only angered the Filipino community but in all likelihood pushed those few Filipino voters who are still "on the fence" to think twice about voting for him. Although the General Election is still several months away, recent polls have indicated a decline in Trump's popularity. For a more in-depth analysis of Trump and terrorism in the Philippines, please turn to page 4 for our cover story.

If you've been watching the Rio Summer Olympics, you've seen U.S. swimmer Michael Phelps win his record-breaking 22nd gold medal. Equally impressive, as far as the Philippines is concerned, are the heroics of weightlifter Hidilyn Diaz, who won a silver medal in weightlifting in the 53kg (117 lbs.) division. A member of the Philippine armed forces, the 25-year-old Diaz made history as the first Filipina ever to win an Olympic medal. For those keeping score, Diaz's medal is the Philippines' first in 20 years, the last coming in 1996 when Mansueto Velasco won the silver in boxing in the 1996 Atlanta Olympics. Congratulations, Hidilyn! To find out more about the Philippines newest hero, see page 12.

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

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

Chona A. Montesines-Sonido

petite, abdominal discomfort, dark urine, diarrhea, and yellow skin and eyes. Hepatitis A is usually spread when a person ingests fecal matter—even in microscopic amounts—from contact with objects, food, or drinks contaminated by the feces, or stool, of an infected person. The disease varies in clinical severity from a mild illness lasting 1-2 weeks to a severely disabling disease lasting several months. Unlike some other forms of viral hepatitis, Hepatitis A does not cause long-term chronic damage and is usually not fatal.

The best protection against the disease is vaccination. More people are opting to get vaccinated despite the cost which ranges from \$62 to \$125 per dose. If you opt for vaccination, talk first with your healthcare provider. Health officials also recommend frequent hand washing with soap after using the bathroom or changing a diaper, and before preparing. If you are exhibiting symptoms of Hepatitis A, you should stay home and contact your healthcare provider immediately. While it's frustrating that health officials have yet to pinpoint the cause, let's do what we can in the meantime to protect ourselves and our loved ones.

ERRATA

The Philippine Women's Civic Club, not the Filipino Women's Civic Club, is sponsoring the First Filipiniana Ball set for August 13. We apologize for the error in our August 6th issue.



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CANDID PERSPECTIVES



By Emil Guillermo

To Win, Hillary Focused Not on Us So Much, But on Widening Democrats' Appeal

among registered voters. Those who care. Likely voters. Those aren't the typical Trump supporters.

The Trump voters are democracy's wild card. They're the ones who are mad as hell and willing to vote against their best interest. It's the monkey wrench vote.

They are the voters who don't normally participate in elections. They think government is crap. And Hillary's a liar. They love all the off-the-cuff scuds Trump throws into the political air.

Trump voters are the people democracy has forgotten. Generally speaking, they are the non-college educated who haven't registered, haven't voted. But they are just mad enough to vote now.

That's the Trump revolution.

If pollsters are fishing for numbers among likely registered voters, sure, Trump is tanking. But it's the wrong fishing hole.

According to a New York Times estimate, there are 88 million eligible adults who do not vote at all.

Add to that another 73 million who didn't vote in the primaries, but may be attracted by the train wreck that is Trump to cast a "joke" vote.

Those are the potential voters who will make the difference in this cynical election year.

"Some of the appeal is xenophobic and racist and misogynist and offensive, we have to acknowledge that," Clinton said in a Q&A session after her NABJ/NAHJ talk.

"But let's not lose sight of the real pain that many Americans are feeling because the economy has left them behind."

Clinton continued: "I want to be the president for all Americans. I want to lift up and give everybody a chance to pursue their dreams, and that means people who are supporting him."

It doesn't mean she's taking people of color for granted, mind you. She said as much to a Latino journalist.

"I don't take any voter for granted," said Clinton.

But we'll see if Clinton shows up and speaks at the Asian American Journalists Association, which has a separate meeting coming up on Friday, Aug. 12 in Las Vegas.

In previous years, there was a journalism confab called Unity that brought all the different minority groups together every four years. No more. No one could agree on how to keep it afloat, and Unity died.

So it's odd that in 2016, here's Clinton talking about unity. But there's no Unity. And it's still unclear if she's coming to Vegas.

Like the black and Latino vote, Asian Americans may go with Clinton. In 2012, Obama won 73 percent of the Asian American vote.

What will happen in 2016?

A recent National Asian American Survey found shows the most conservative Asian Americans, Filipinos and Vietnamese, are distrustful of Clinton and aren't giving her a second look. They remain holdouts for Trump.

"Trump has said so many

stupid things during the primaries," one Filipino Republican told me this week, indicating a belief in Trump's immunity to stupidity. "I am unhappy with this Khan scenario," he added. "But it's still not enough for me to switch to Hillary."

That voter may ultimately switch, after Trump recently included the Philippines among the countries where he'd restrict immigration. But the Trump Asian Americans are small in number and aren't the problem

like the poll-spoilers--the non-voters who find themselves drawn by Trump, come out of nowhere and suddenly care.

They're the monkey wrench voters of 2016 Clinton needs to worry about.

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.

Recently Hillary Clinton was at a joint meeting of the National Association of Black Journalists/National Association of Hispanic Journalists and mentioned a South Asian American, Khizr Khan.

The Constitution-toting Khan has become democracy's "model minority supreme."

The South Asian immigrant, Harvard-trained lawyer, whose son was a Gold Star hero, may have singlehandedly changed the post-convention media climate with his DNC punchout of Trump. He provoked The Donald more than Hillary's acceptance speech.

At NABJ/NAHJ, Clinton mentioned Trump's reaction to Khan, but also reminded us she has broader concerns when it comes to beating Trump.

"I will stand up and call him out on that," Clinton told the D.C. audience. "But I will also keep reaching out to Americans of all races and ethnicities, wherever they live, to tell them I am not going to forget about them after this election. I am going to work my heart out to help every single person have a better job with a rising income, and make sure their kids get a good education and everything else I think they are owed in America."

Clinton knows she can't stop reaching out to Trump's mostly white supporters, even though the poll numbers for Trump are dropping.

Since the convention a Wall Street Journal/NBC poll of 800 registered voters had Clinton up 9 points over Trump, 47 percent to 38 percent. A McClatchy/Marist poll had Trump down by 15. A Fox poll had Trump down by 10.

But the poll is taken

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COVER STORY

Filipinos Denounce Trump for Linking Philippines to Terrorism

By Dennis Galolo

Republican presidential candidate Donald Trump infuriated many Filipinos when he suggested that the U.S. ban immigrants from a number of countries, including the Philippines. Trump's comments came during a campaign rally in Portland, Maine, where he made a veiled reference to the Philippines being listed among a number of countries that export terrorists.

"An immigrant from Afghanistan who later applied for and received U.S. citizenship, an illegal permanent resident from the Philippines were convicted from plotting to join Al Qaeda and the Taliban in order to kill as many Americans as possible," the real estate mogul told his supporters.

"We're letting people come in from terrorist nations that shouldn't be allowed because you can't vet them," he said. "There's no way of vetting them. You have no idea who they are. This could be the great Trojan horse of all time."

According to census data, over four million people of Filipino descent live in the

U.S., making them the second-largest Asian American group in the country.

U.S. Sen. Brian Schatz fired back at Trump's comments, calling it further proof that Trump is unfit to lead the country.

"Donald Trump's latest rant suggesting we ban immigration from countries like the Philippines that are helping us fight terrorism is another example of his reckless rhetoric that's based on fear and division," Schatz says.

"For generations, Filipinos have made the United States their home. It is their vibrant culture, hard work, and strong values that have enriched our communities and made this country great, not the ignorant,

racist bigotry of Donald Trump."

And it's not just local Filipinos. Filipinos across the mainland have also voiced their displeasure. In New Jersey, Jersey City Council President Rolando Lavarro chided Trump for his inflammatory comments and called him a "racist bully."

"There is simply no end to Trump's inanities," Lavarro said in a media statement. "Trump's temperament and bigotry is not befitting of a president. All good people should be outraged by Trump's hateful and divisive rhetoric."

Lavarro, who is the first Filipino to win election to the Jersey City Council, says Trump's latest comments are an insult to the nearly 18,000 Filipino Americans residing in Jersey City, 127,000 in New Jersey and millions more across the country.

In the Philippines, Congressman Joey Salceda filed a resolution to permanently ban Trump from entering the country. The Duterte administration also chided Trump for his remark, reminding him in a media statement that he once called the Philippines a "special place." Trump has a major real estate investment in the country—the 57-story luxury apartment Trump Tower in Makati.

Terrorism in the Philippines

The Philippines is widely-recognized as a key U.S. ally



in the fight against terrorism in Southeast Asia. According to the U.S. State Department's annual report on global terrorist activity, there are 12 "terrorist safe havens" around the world where terrorists are able to organize, plan, raise funds, communicate, recruit, train, transit and operate. These safe havens include Somalia, Mali, Libya, Egypt, Iraq, Lebanon, the Philippines, Indonesia, Malaysia, Afghanistan, Pakistan and Yemen.

In the Philippines, the Abu Sayyaf, which is responsible for multiple bombings and kidnappings throughout the southern region of the country, continues to remain active despite the loss of key leaders and strikes by the Philippine military. Some members have obtained safe haven in Mindanao in areas under the control of elements of the Moro Islamic Liberation Front (MILF) which has been tied to Jemmah Islamiya (JI), a Southeast Asian terrorist group.

The JI approached the MILF in the early 2000s and asked that the latter train their operatives. Dr. Patricio Abinales, chair of the Center For Philippine Studies at the University of Hawaii-Manoa and an expert on Mindanao affairs,

says the MILF initially acquiesced but later on kicked out the JI for several reasons.

First, JI began to lecture the MILF about how to "handle" their women.

"If you know Filipino Islam, this is one area you would not want to dip your fingers in," Abinales says. "Muslim women back home are often the stronger ones in their families and clans. If you look at who exactly is the power behind the (male) thrones in the Autonomous Region for Muslim Mindanao and cities, it is their wives and daughters.

"But such things you will not notice from afar; you have to be there to witness Moro women's power. The Jemmah Islamiya terrorists wanted this to change by putting women into their subordinate roles. That did not go well with both MILF men and women leaders.

MILF leaders then rejected JI's demands that Arabic be promoted among their rank and file, preferring instead Magindanao, Tausog and Maranao as the languages of Islam in Mindanao.

Lastly, although Islamic, the MILF is largely pro-American—a position that government officials in Manila find

(continued on page 5)

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COVER STORY

(from page 4, **FILIPINOS...**)

difficult to grasp. In January 2003, the late MILF chairman Salamat Hashim wrote to President George W. Bush, requesting that the U.S., together with Malaysia, help facilitate the peace talks between the rebel group and the Philippine government.

“In my field research back in the home island, I realized how much Filipino Muslims still have a high regard for the United States compared to how they see the Philippines,” Abinales says. “People talk about the Abu Sayyaf as a terrorist group with international connections. Close observers of the Abu Sayyaf see otherwise—it has no international connections and is nothing but a kidnapping enterprise masquerading its real intentions by mouthing an Islamic slogan or two.”

Abinales says the Philippine army is continuing to pursue the Abu Sayyaf and has been working closely with U.S. Special Forces (which provides intelligence support) to keep the Abu Sayyaf bottled in a couple of towns in southeastern Basilan.

“Friends back home who are familiar with Basilan politics say that Abu Sayyaf members gravitate around their own clans now,” Abinales says.

Trump's Anti-Immigrant Rhetoric

Filipinos aren't the only ethnic group Trump has alienated. He has proposed mass deportations, building a wall along the Mexican border to keep out illegal immigrants and



banning Muslim immigrants.

In announcing his presidential bid, Trump stated: “When Mexico sends its people, they're not sending their best, they're not sending you. They're sending people that have lots of problems and they're bringing those problems with us. They're bringing drugs, they're bringing crime, they're rapists and some I assume are good people.”

According to Dr. Belinda Aquino, founding director of the Center For Philippine Studies, Trump views immigrants as a threat and a drain to the U.S. economy.

“He worries that the nation might be taken over by immigrants,” Aquino says. “This is a nation of immigrants with an immigrant flavor. We need a president who understands immigrants' needs and doesn't neglect them.”

Trump further outraged Muslims and U.S. service members when berating the parents of decorated Army Capt. Humayun Kahn who was killed while stationed in Iraq. Kahn's parents attended

the Democratic National Convention where they spoke out against Trump's ban on Muslim immigrants.

Members of KAYA: Filipino Americans for Progress are working tirelessly to mobilize the Filipino Americans to vote against Trump's “smallness of mind.” They say his willingness to inflame hatred and violence is a danger to all Americans.

“The Republican nominee has made great efforts to insult anyone and everyone imaginable—from babies to women to parents of service members killed in action,” says Mary Tablante, spokesperson for KAYA, a nationwide grassroots organization founded to politically empower the Filipino-American community.

Several Republican Party leaders have distanced themselves from Trump, while other GOP candidates in close election races can't get away fast enough from his shadow. President Barack Obama also recently called on Republican leadership to withdraw its support and

stated that Trump is unfit to be president.

In Trump's defense, several well-known celebrities and athletes have thrown their support behind him, including Kirstie Alley, Pete Rose, Dennis Rodman, Mike Tyson, Loretta Lynn and Stephen Baldwin.

Filipino-American Republicans USA has a Facebook page that openly endorses Trump for president. A recent post by Heidilynn Mella Equina states: “Mr. Trump is (genuine), honest in his word...and no hypocrisy.”

However, Hawaii's Filipino community is realizing the consequences that immigrant families and minorities will face should Trump win the presidency. For Roland Casamina, president and CEO of House of Finance, it all boils down to trust.

“Even if I was Republican, I would not vote for him. I don't trust him,” he says. “I look at Trump as a hypocrite because his wife is an immigrant. It goes to show that he is a greedy man, who is all out for himself, and will not care for non-whites and immigrants. He will not care for me and my family.”

Waipahu resident Rachel Vitoria and her family, who are registered voters, have an unfavorable view of Trump.

“Definitely, no Trump supporters here,” she says.

“Trump's anti-immigration stance angers me. There are millions of immigrants who are contributing members of society. My family has worked hard to live the American dream and we hope to share that same opportunity for our relatives who we've petitioned to come to the United States, even if it takes years to do so.”

Dr. Amy Agbayani, community leader and University of Hawaii administrator says Trump is unqualified to be president.

“He shows no respect for women, persons with disabilities, Muslims, Mexicans and other groups, including Filipinos who fought together in World War II and the millions of Filipino immigrants who are working to keep the U.S. economy strong,” she says. “As a Filipino immigrant woman educator, I will not vote for Mr. Trump because I value civil rights and competence.”

Abinales says a Trump administration would be bad for the Filipino-American community and immigrants.

“It will be a disaster,” Abinales says. “Imagine being tagged as a possible conduit of terrorists coming from the old country. This is not only totally false, but it also opens Filipinos to attacks by racists all over the country.”

HEALTH & FAMILY NEWS

Zika Vaccines Work in Monkeys, Boosting Hopes for People

By Malcolm Ritter
(Associated Press)

NEW YORK — Three experimental Zika vaccines protected monkeys against infection from the virus, an encouraging sign as research moves into studies in people.

The experiment involved a traditional vaccine and two

more cutting-edge ones. The traditional vaccine is expected to enter preliminary human studies this year. At least two other experimental Zika vaccines are in human studies already.

Researchers reported the success in monkey studies Thursday in a paper released by the journal Science. The

traditional vaccine used a dead virus, while the other two used a single gene of the Zika virus to prime the monkeys' immune systems to fight off the germ.

Efforts to develop a vaccine began after a massive Zika outbreak last year in Brazil. (www.philstar.com)



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Modus Vivendi

SKETCHES by Ana Marie Pamintuan

The killings will continue, but martial law is not in the picture – that’s my reading of President Duterte’s speech directed at Chief Justice Ma. Lourdes Sereno.

This administration doesn’t need martial law, although it might declare a state of emergency in Sulu to crush the Abu Sayyaf. If the ongoing nationwide killing spree is sustained at its current rate, it may even surpass the body count of victims during martial law. Ferdinand Marcos at least tried to coat his authoritarian acts with legal niceties.

In a country where public officials often abuse power, the tiff between President Duterte and Sereno may prove healthy for the system of checks and balances.

It’s the job of the nation’s chief magistrate to remind everyone – the president included – about the rule of law and constitutional guarantees on due process and presumption of innocence.

On the other hand, the weakness of the rule of law is precisely the reason why there is such overwhelming public support for the ongoing short-cuts in law enforcement. There are Filipinos who now seem to



President Rody Duterte and Chief Justice Lourdes Sereno

believe unruly behavior in a traffic accident merits being beaten by police and then being shot dead. Such attitude stems from the failure of law enforcement and the criminal justice system.

Both the President and Chief Justice have laudable objectives in performing their jobs. They should be able to reach a modus vivendi as they go about achieving their objectives without compromising each other’s independence or precipitating a constitutional crisis.

President Rody has shown no sign of letting up in his vicious war on drugs. He has amply made his point, to the surprise of many: the drug problem has become so pervasive, with politicians, police and military officers corrupted by drug money or directly en-

gaged in the illegal drug trade. If his intel is accurate, even judges and prosecutors have been bought.

* * *

As bodies of drug suspects pile up by the hundreds, the President’s ruthless war still seems to be enjoying wide public support, to the dismay of human rights advocates.

Certain people living in underprivileged communities in Mindanao sent word to our paper that several of those on the drug list from the south are not only drug dealers but also kidnappers and extortionists who kill victims who refuse to pay up.

Ordinary people have few choices for local government positions, our sources said, because drug dealers and kidnappers are fighting among themselves for political control, using dirty money to finance their election campaigns. Several names are not yet on the drug list, the sources said.

Yesterday, a professional driver from Caloocan, where many of the recent drug

killings have taken place, told me about a couple shot dead by a barber they were feuding with as they all emerged from a barangay hall in San Jose del Monte, Bulacan. The woman was pregnant with twins and lost both babies. The barber is at large. In Makati, the driver told me, a young woman was also shot dead by a mugger who fled with her P1,000 cash. The mugger also escaped.

If the two killers are caught and shot dead by police, the driver told me, there would be a howl about their human rights. But what about the rights of the crime victims, particularly the woman with unborn twins?

It’s not the first time that I’ve heard such sentiments from people from underprivileged communities since Rodrigo Duterte won the presidency. They haven’t heard of the admonition to be careful what you wish for. Those people simply believe this President is moving decisively – never mind brutally – to keep them safe.

* * *

Even the President’s pique at Sereno has struck a sympathetic chord among people (perhaps 99.9 percent of the population) frustrated with the snail-paced, inefficient and often corrupted criminal justice system.

The President was being kind when he said it would take at least two to three months before an arrest warrant could be issued for drug suspects – an estimated 600,000 people, he said – and 10 years to finish adjudication.

During his meeting with The STAR last week, the President also explained the problems in trying to pin down even notorious drug traffickers. Even if cops know that a person is a top drug dealer, unless he is actually caught selling the prohibited substance, or if workers caught in a shabu laboratory point to the drug lord as the operator, it’s possible that the charge against him may be downgraded to possession.

A corrupt judge can then find an excuse to free the drug lord on bail. If the drug lord finds a corrupt immigration

officer who will allow him to leave the country, then he’s home free.

Left unsaid was whether President Rody and his shock troops found it simpler to just shoot the drug lord dead, and strew evidence to justify the kill.

Even presence in a shabu lab is no guarantee of pinning down drug suspects. Consider the case of Marine Lt. Col. Ferdinand Marcelino and Chinese national Yan Yi Shou, who were cleared of drug raps by a government prosecutor recently. The two were caught in a raid on a shabu laboratory in Parañaque earlier this year by the Philippine Drug Enforcement Agency. The government is appealing the dismissal of the case.

Prosecutors and judges, however, also have a point when they say certain drug cases have to be dismissed by the courts because of the sloppy conduct of police raids, handling of evidence or arrest of suspects.

The Philippine National Police should thoroughly brief its members on the rules in carrying out raids, arrests and seizure of evidence to ensure that drug cases will stand in court. Never mind if judges or prosecutors are vulnerable to corruption with drug money; if they are given no technical loopholes for dismissing a case, they may think twice about selling justice.

More lists of “narco-officials” will reportedly be released. President Rody also told us that they have to validate the exact participation of each official in the drug trade.

There’s a difference, he told us, between an official who intercedes with the police on behalf of a drug personality by saying the suspect is his man – “huwag mong galawin, bata ko yan” – and the official who says the suspect’s illegal activities have his blessings – “huwag mong galawin, cleared sa akin yan.”

Both the President and the Chief Justice have national interest at heart. There must be a way of reconciling their means for achieving the same end. (www.philstar.com)

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WHAT'S UP, ATTORNEY?



By Atty. Emmanuel
Samonte Tipon

Cancellation of Removal for Lawful Permanent Residents

permanent residence”.

The term “any status” includes admission as a temporary resident. Continuous physical presence is deemed terminated when the alien: is served with a notice to appear under section 239(a), or commits an offense referred to in section 212(a)(2) that renders the alien inadmissible under section 212(a)(2) or removable under section 237(a)(2) or 237(a)(4), whichever is earliest.

ALIENS INELIGIBLE FOR CANCELLATION OF REMOVAL

Cancellation of removal is not available to the following aliens:

(1) An alien who entered the United States as a crewman subsequent to June 30, 1964.

(2) An alien who was admitted to the United States as a nonimmigrant exchange alien as defined in section 101(a)(15)(J), or has acquired the status of such a nonimmigrant exchange alien after admission, in order to receive graduate medical education or training, regardless of whether or not the alien is subject to or has fulfilled the two-year foreign residence requirement of section 212(e).

(3) An alien who- (A) was admitted to the United States as a nonimmigrant exchange alien as defined in section 101(a)(15)(J) or has acquired the status of such a nonimmigrant exchange alien after admission other than to receive graduate medical education or training, (B) is subject to the two-year foreign residence requirement of section 212(e), and (C) has not fulfilled that requirement or received a waiver thereof.

(4) An alien who is inadmissible under section 212(a)(3) [security and related grounds] or deportable under of section 237(a)(4) [security and related grounds].

(5) An alien who is described in section 241(b)(3)(B)(i) [persecuted others].

(6) An alien whose removal has previously been canceled under this section [240A] or whose deportation was suspended under section 244(a) or who has been granted relief under section 212(c), as such sections were in effect before the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

FACTORS CONSIDERED IN EXERCISING DISCRETION

The alien must also establish that he/she warrants a favorable exercise of discretion by the Attorney General, represented by the Immigration Judge. That discretion is not absolute. In *Matter of Mendez*, 21 I&N Dec. 296, 300-301 (BIA 1996), citing *Matter of Marin*, 16 I&N Dec. 581 (BIA 1978), the Board of Immigration Appeals, which is the administrative agency tasked with reviewing decisions of immigration judges and which is also under the Attorney General, must balance the positive equities and adverse factors with the social and humane considerations presented on the alien's behalf to determine whether the grant of relief in the exercise of discretion appears to be in the best interests of this country.

In *Matter of Mendez*, 21 I&N Dec. 296, 300-301 (BIA 1996), citing *Matter of Marin*, 16 I&N Dec. 581 (BIA 1978), the Board set out the factors used in weighing the positive factors or equities and negative factors of an alien seeking cancellation of removal.

Positive Factors or Equities: (1) Family ties within the United States; (2) residency of long duration in this country; (3) evidence of hardship to the alien and family if the alien is excluded and deported; (4) service in the Armed Forces; (5) history of stable employment; (6) existence of property or business ties; (7) existence of value and service to the community; (8) evidence of genuine rehabilitation if a criminal record exists; and (9) other evidence attesting to the alien's

good character.

Negative Factors: (1) Nature and underlying circumstances of exclusion ground at issue; (2) additional significant violations of this country's immigration laws; (3) existence of criminal record, and if so its nature, recency, and seriousness, and (4) the presence of other evidence indicative of the alien's bad character or undesirability as a permanent resident of this country.

The Immigration Judge may also consider other factors not in the list, such as, country conditions in the alien's home country, likelihood of persecution in the alien's home country, pregnancy of the alien or the alien's spouse.

PRACTICE TIP: The alien should hire an experienced, competent, and hardworking (not hardly working) attorney who must establish one by one the statutory and eligibility requirements with testimonial and documentary evidence, and who must successfully answer the ultimate question to be resolved: is it in the “best interests of this country” to grant cancellation of removal?

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: 900 Fort Street, Suite 1110, 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.

Lawful permanent residents placed in removal (aka deportation) proceedings are eligible for relief known as cancellation of removal if they meet the requirements prescribed by the Immigration and Nationality Act and case law.

STATUTORY ELIGIBILITY

INA § 240A [8 USC § 1229b] provides:

“The Attorney General may cancel removal in the case of an alien who is inadmissible or deportable from the United States if the alien-

(1) has been an alien lawfully admitted for permanent residence for not less than 5 years,

(2) has resided in the United States continuously for 7 years after having been admitted in any status, and

(3) has not been convicted of any aggravated felony.”

Aliens who obtained lawful permanent by fraud or mistake are deemed not to have been “lawfully admitted for

PHILIPPINE NEWS

Miss Universe Events to Feature Top Philippine Destinations

by Azer N. Parrocha
Friday, July 29, 2016

MANILA, Philippines (Philippines News Agency) — Two destinations each from the three main geographical divisions of the Philippines will be featured at the 65th Miss Universe pageant.

The development was learned after the Department of Tourism (DOT) confirmed that the country will host the pageant on Jan. 30, 2017 at the SM Mall of Asia Arena.

Two of the destinations are



the home provinces of the Philippines's Mindanaoan prides: Davao City of President Rodrigo Duterte and Cagayan de Oro of Miss Universe 2016 Pia Wurtzbach.

The other destinations are Boracay and Cebu, which are

in Visayas, and Vigan and Palawan, which are in Luzon.

“We have a president [who] comes from Mindanao and our Miss Universe is from Mindanao, so I think it is the best time for us to do Miss Universe in the Philippines,” said Tourism Secretary Wanda Corazon Teo.

She also assured the public that the government would not shoulder any amount from the \$11-million budget for the pageant. Teo said it will be shouldered by private sectors which they will name at another time. (www.philstar.com)



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DELAY AGING WITH SUPPLEMENTS

SAVOIR FAIRE by Mayenne Carmona

Everytime I am in New York City, I go to all the pharmacies and drug stores and out of curiosity, I inquire about their latest anti-aging supplements. Then I make comparisons and narrow down the list so I don't seem like an excited kid in a candy store wanting to buy everything that promises the fountain of youth till we get to the pearly gates. In this age of advance laser technology, we can avail ourselves of treatments that result in a wrinkle-free face and tight skin, but we still have to take supplements to retard the aging process on the cellular level.

Buying supplements is not similar to buying off-the-rack dresses. We have to make sure that we buy good brands and we have to know our body so we know what we really need.

Speaking for myself, after going through food poisoning five times in my life, I have to aid my digestive system with probiotics and enzymes. I have had some sports injuries when I was active in sports (when I was a fledgling equestrienne, I fell off a horse when he tripped over something and threw me off his back) so I sometimes experience back and neck pains. For that, I take collagen and turmeric, which seem to work for me. Make sure you study your body so you can determine the supplements that you need.

I notice that as we age, our cognitive functions decline. Our memory is no longer as sharp as when we were young. I read in a health journal I subscribe to that vitamin B12 made of methyl cobalamin (take note and don't get B12 that is made of cyano-cobalamin as it is a low form of



B12) is beneficial in improving the memory and alleviating sleep dysfunction. I found it at Healthy Options in Rustan's and bought it for a friend who needed to improve her memory and normalize her sleep time. After taking it for a month, she claims her memory has improved a hundred-fold and she has normal sleeping habits now.

It really is important to get the right brand of supplement as not all brands are created

equal. During a visit to Whole Foods Supermarket on 2nd Avenue, a lady saw me trying to choose the right kind of extra virgin olive oil to buy. She couldn't help herself recommending the brand she thought was the best on that rack: Bragg organic extra virgin olive oil! And she ventured further: If I was getting apple cider vinegar, it has to be Bragg, too!

Health Source Pharmacy on First Ave. recommends Na-

tures Plus products. GNC, CVS, Duane Reade, Windsor Pharmacy recommend their own brands, but then again, I recommend you know what you think you need for your own well-being before buying any of their products.

I went to the site of StopAgingNow.com and reviewed their products. I tried some of their products and I am quite satisfied with them.

Here is a short list of supplements that anti-aging pharmacies recommend, some of which I plan to take myself:

1. CoQ10 — improves cardiovascular function, boosts energy and stamina, supports cognitive function (keeps brain cells healthy and supports mental energy and clarity), fights free radical damage (it is a powerful antioxidant that helps reduce oxidative stress to fight harmful free radicals), supports healthy vision and hearing, improves oral health.

(continued on page 10)

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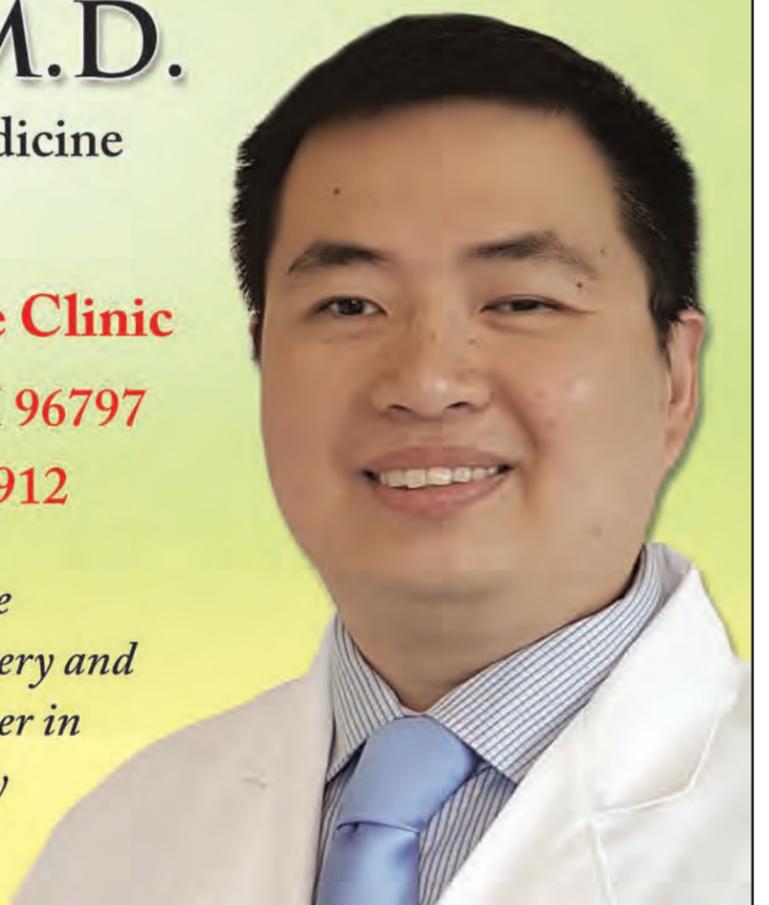
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Dr. Jon Avery Go is a Magna Cum Laude graduate of the University of Santo Tomas Faculty of Medicine and Surgery and underwent training at the Roger Williams Medical Center in Providence, RI which is affiliated with Boston University School of Medicine.



FOOD & LEISURE

Tita Night Alert!

Basic Tips on Throwing Your Wine and Cheese Party

by Alixandra Caole Vila

MANILA, Philippines — With the damp evenings and cold weather, all you probably want to do is to be under your sheets with your face mask on, and read your favorite magazine. But wouldn't it be better to spend the night with your fellow titas instead?

Rainy nights mean throwing the best laid-back parties. Gather those invites, get those wines and cheese platter, here are some tips to make the most out of those rainy evenings.

WINE

You may serve only a few reds and white, as long as they're versatile to the palate:
Dry and fruity reds: Mer-

lot, Pinot Noir, Rose

Dry and sweet whites: Sauvignon Blanc, Pinot Grigio, Chardonnay

Put the reds in the fridge and hour before your guests arrive. Take whites out a few minutes before serving.

CHEESE

Don't let the wine stand alone. Be a little adventurous and pair it with sumptuous cheese. The most important thing about serving cheese is serving a good balance of taste and texture. Make sure to give your guests a variety so they can have something to choose from:

- **Intense** – Gorgonzola, Stilton, Cambozola, Roquefort
- **Subtle but rich** – Manchego, Fontina

- **Sharp and aged** – Aged Gouda, Aged Gruyère
- **Pungent** – Taleggio, Livarot
- **Soft and creamy** – Goat Cheese, Brie

Buy the cheese the day before. Go to specialty stores for the tastiest cheese.

Take the cheese out of the refrigerator few hours before your guests arrive. It has the fullest flavor at room temperature.

There are two ways to do wine and cheese pairing—complementary or contrasting flavors. As you begin to experiment, taste the cheese first by itself, to get the real taste of it then put some wine in your mouth to see if they work well.



Cheese and charcuterie platter as seen at the Poco Deli event on Wednesday, Aug. 3, 2016.

OTHER TIPS

1. Add some crackers, grapes and olives to your platter.
2. You may opt for the fanciest cheeseboard or stick to slate tiles from the hardware store.
3. Don't forget to label the cheese so your guests would know what they are having in their mouths.
4. Set out a separate cheese/butter knife for each cheese to prevent mixing flavors.
5. Throw in some board

games to your party.

6. Add some cured meat to add substance to the cheese platter.

Delicatessens like Polo Deli, for one, offer handmade food served in small batches using ingredients from all over the world such as pork belly from France, lamb from New Zealand and beef from the United States. These products are available at the nearest delis around or supermarkets with their own deli section. (www.philstar.com)

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BOOK REVIEW

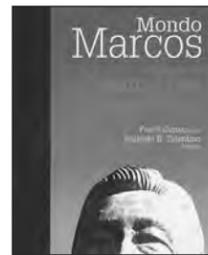
Mondo Marcos: Writings on Martial Law and the Marcos Babies and Mondo Marcos: Mga Panulat sa Batas Militar at ng Marcos Babies

Frank Cimatú & Rolando B. Tolentino, editors. Manila. Anvil Publishing, 2009. 198p. softcover

by Rose Churma

These are two separate anthologies—one in English the other in Tagalog. For the first time, some of the best Filipino writers recall life under Martial Law. These books are especially significant in view of the controversy that is now on-going in the Philippines since the current president, Rodrigo Duterte announced that he will allow the burial of Ferdinand Marcos in the Libingan ng mga Bayani (Heroes Cemetery).

Among those vehemently opposed are the family and friends of those who were brutalized and murdered during the Martial Law days when Ferdinand Mar-



cos and his allies reigned with impunity. Some survived the terror and sense of despair and helplessness during that era and attempted to evoke the ambience of those years in narrative form, poetry or fiction. Others, like local writer R. Zamora Linmark, contributed an excerpt from his novel, *Leche*, which served as a comic relief to the collection. The excerpt is a rollicking commentary on the misadventures of Dovie Beams, who described in great detail -- after she was dumped at the insistence of Imelda -- her 18-month stint as Marcos' paramour. Each book is \$15 and may be bought separately. For inquiries, send an email to <kalamansi-books@gmail.com>.

HEALTH & FAMILY from page 8, DELAY)

2. Turmeric or curcumin (a compound found in turmeric) — supports joint and muscle health, fights body inflammation, supports healthy brain cells and improves the memory, promotes healthy mood balance, promotes youthful radiant skin, and supports cardiovascular function.

3. Vitamin B12 — you may have a vitamin B-12 deficiency if you have the following symptoms: irritability and mood swings, confusion or “fuzziness,” low energy and weakness, persistent sleep problems, hearing and vision loss, digestive problems, memory problems, weak immunity.

4. Astaxanthin — promotes healthy cholesterol balance, supports eye health, boosts cognitive function, makes skin look younger, revs energy and mobility, keeps joints flexible and healthy.

5. Resveratrol — found in red wine, it's good for the heart and the entire cardiovascular system. But taking it in pill form is better as it does not have the alcohol in red wine. Resveratrol also helps balance cholesterol.

6. Green tea — loaded with antioxidants, it promotes fat burning so it is good for weight loss. However, taking it in pill form is better for some as one capsule equals the antioxidants found in three cups of brewed green tea, which could have a lot of caffeine and affect your sleep. The capsules are de-cafeinated and naturally increase energy

levels, rev metabolism, and help regulate stress hormones.

7. Cinnamon extract — clinically proven to support healthy glucose metabolism and blood sugar levels, acts as a powerful heart-protecting antioxidant, and promotes weight loss.

8. Probiotics — good for a healthy digestive system. As we age, the digestive system encounters some difficulty in the digestion of food and probiotics nourish the friendly bacteria in our digestive tract to ensure healthy digestive function.

9. Green foods — a blend of spirulina, chlorella, organic wheat grass, barley grass, and aloe vera supports detoxification and boosts energy. We need to detoxify our body of toxins that we get from food, medicines, and chemicals that we put into our body.

10. Alpha lipoic acid — called the universal antioxidant because of its ability to penetrate into virtually every cell in your body, including brain tissue.

Aside from the usual vitamins that we all know are good for us (vitamins A, B-complex, C, calcium, D, E, etc.), the above list could work well for our specific needs and I believe could retard the aging process. But what is good for the goose may not be good for the gander, so I suggest that you get to know what is deficient in your system by having a blood test and consulting your doctor, holistic or mainstream.

(www.philstar.com)

TRAVEL & TOURISM

Surfing

Eyed as Major Tourism Product

by Mary Grace Padin

MANILA, Philippines - Surfing may soon become a major tourism product of the Philippines with the help of the Department of Tourism's (DOT) drive to promote the activity by improving facilities and capacitating surfing coaches in the country.

The DOT said it is implementing two programs to develop surfing into a major activity which will attract more tourists to visit the country's surfing hotspots.

The first program calls for the classification and accredi-

tation of surfing camps, resorts and other facilities that offer surfing lessons to clients.

To be accredited, such camps will be required to have the essential teaching equipment and gear such as soft training surfboards and rash guards, and facilities like lockers, toilets and showers.

"Very important, they must have emergency rescue and crisis response capabilities, including first aid kits and communications equipment for handling urgent conditions," the DOT added.

The accreditation also requires the camps to hire certified surfing instructors.

The DOT said it has already crafted a national criteria for the certification and classi-

fication of surf training facilities. The criteria will soon be subjected to public consultation.

Another component of the DOT's product development program is upgrading the skills of local coaches for them to be at par with internationally certified professional surfing instructors.

"This program aims to professionalize the local surf industry and provide more job opportunities to the coastal and surfing communities," the DOT said.

Under this component, instructors will be required to un-



dergo an intensive Surfing Instructors Certification course.

JC Jan Cueto, assistant project officer, said the cost of the training will be covered by the DOT.

Cueto said 78 instructors from provinces such as Siargao, Catanduanes, Sorsogon and Davao Oriental have already received training, while 60 more from Baler, Aurora, La Union, Samar and Pilar, Siargao are in the pipeline.

The DOT said it has part-

nered with Australia's Academy of Surfing Instructors (ASI) and its local chapter, the Academy of Surfing Instructors Philippines (ASIP) for the initiative.

ASI is the world's leading professional education, certification and accreditation standard for surfing. ASIP's role is to execute all ASI functions, such as conducting instructor certification courses in the Philippines under strict ASI supervision. (www.philstar.com)

PHILIPPINE NEWS

Palace: Emergency Powers Limited to Traffic Problems

by Marvin Sy
Friday, August 12, 2016

MANILA, Philippines - The public can trust President Duterte with emergency powers that the administration is asking from Congress because these are not absolute and limited only to solving traffic problems in the country, Malacañang said yesterday.

Sen. Grace Poe, chairperson of the Senate committee on public services hearing the various resolutions on the issue, also thinks there is nothing to fear with the grant of emergency powers to the President to address traffic congestion.

Some sectors expressed fear that Duterte would abuse the emergency powers, if granted by Congress, as the President earlier floated the idea of declaring martial law in the country to solve the illegal drug problem.

Duterte made the remark

as he scored Chief Justice Maria Lourdes Sereno for her instruction to judges in the President's list of personalities with alleged links to the illegal drug trade not to surrender unless a warrant of arrest was issued against them.

"We can trust that the President will (not) go beyond (this)," presidential spokesman Ernesto Abella said, adding that Duterte had always espoused transparency in governance and even issued an executive order on freedom of information to allow people to take a look at government records and transactions.

Abella added that, at the moment, there was really no basis for the President to declare martial law.

Poe said that she was looking at coming out with the decision on emergency powers by December or before the adjournment of Congress for its Christmas break.

Transportation Secretary

Arthur Tugade pleaded for emergency powers to deal with the many obstacles in coming up with a solution to the country's traffic woes, both on the roads and in the air.

Poe, for her part, said sufficient safeguards would be in place to ensure that the emergency powers would not be abused.

Apart from limiting the emergency powers to a period of two to three years, Poe said that the implementation of the various programs and projects by the executive branch would be under the watchful eye of Congress.

"We can put also other conditions, like there will be an oversight committee composed of some members from the House and some members from the Senate to make sure all the deliverables are complied with," Poe said.

"I am supportive but we are not abdicating our role in also checking on the executive.

That is really important. We have to tread a fine line between being supportive and being permissive, and being cautious and being obstructionist. That is why there are three

branches of government and not just one, so that we can support each other but we can also police each other," she added.

(continued on page 12)



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PHILIPPINE NEWS

Olympian Hidilyn to Be Promoted in PAF

by Rudy Santos
Friday, August 10, 2016

MANILA, Philippines – A promotion awaits weightlifter Hidilyn Diaz, the military airwoman second class who won a silver medal in the Olympic Games in Rio de Janeiro, Brazil.

The commanding general of the Philippine Air Force (PAF) and its review board are discussing the promotion of Diaz, assigned to the 710th Special Operations Wing, when she comes back this Saturday.

“The PAF said there is a promotion for Diaz, but the promotion is still secret and it will be announced on the day she arrives,” an official said yesterday.

President Duterte also expressed excitement over the weightlifter’s achievement in the Rio Olympics early Monday (Sunday evening in Brazil).

“As president of this country, I’m overjoyed. Silver is silver kahit anong sabihin mo (whatever you say),” Duterte said Monday night in a press briefing in Davao City.

Duterte said he would wait for Diaz in Malacañang to accord her the honor for bringing home the silver medal following the country’s 20-year Olympic medal drought.

The last time the country got an Olympic medal was in Atlanta 1996 when boxer Mansueto “Onyok” Velasco also won silver. Diaz however is the first Filipina to bag an Olympic medal.

“Bilib na ako sa iyo. I’d



Weightlifter Hidilyn Diaz shows off her Olympic silver medal in a special wooden case. She called on other Filipino athletes in the Games to keep fighting for medals. ABAC CORDERO

like to wait for you and see you in the people’s Palace in Malacañang. Salamat for your effort. Saludo po ako sa iyo. Salamat,” Duterte said.

Duterte said Malacañang would give Diaz a special welcome when she returns from the Rio Olympics.

“I would like to congratulate Ms. Diaz for the honor that she has given us, the country, and I’m praying that you would be successful in your many quests in life, and in the Olympics to come,” the President further said.

“I am happy that she was encouraged by my words because not everybody, Filipino is selected to represent our country in the Olympics,” Duterte said.

He said it’s not in the winning but in your drive to strive to win.

Diaz, who is set to receive a P5-million cash incentive, likewise acknowledged the inspiration the President gave when he personally sent off last month the athletes to the Olympic games in Brazil.

A private corporation 8990

Deca Homes will give a house and lot to Diaz who is also expected to get an additional cash incentive from world boxing champion Sen. Manny Pacquiao.

Pacquiao told Senate reporters that he would give an undisclosed amount to Diaz out of his own pocket when she returns to the country.

“Iniisip ko na yan. Wag na natin announce kasi di naman government money yan,” Pacquiao said.

The P5 million that Diaz will receive is part of the benefits provided under Republic Act 10699 or the National Athletes and Coaches Benefits and Incentives law, which was authored by Sen. Juan Edgardo Angara in the 16th Congress.

Angara said that Diaz’s triumph was “truly momentous” and that she became the first athlete to benefit from the law.

Angara also filed a Senate resolution congratulating and commending Diaz for her historic achievement.

“Being first of many triumphs in Philippine history, Diaz’s silver medal is truly mo-

mentous,” Angara said.

Diaz is also the first Olympic medalist to benefit from RA 10699, which also provides scholarship and retirement benefits equivalent to 25 percent of all her winnings throughout her career.

“These incentives and benefits shall be over and above the standard national athlete benefits that include discounts in lodging, transportation, medicine, sports equipment, amusement, free medical and dental consultation, PhilHealth and SSS coverage, priority in housing programs and loans, and the use of living quarters,” Angara said.

Senate Minority Leader Ralph Recto said coaches of national athletes would also re-

ceive cash incentives if they have personally trained and rendered service to the athletes or teams who win in international competitions at least six months prior to the international competition.

The incentives for the coaches shall be equivalent to half of the cash incentives for gold, silver and bronze medalists. In case of more than one coach, the cash incentives shall be divided among themselves.

Meanwhile, Pacquiao said that he would initiate an inquiry, as chairman of the Senate committee on sports, on the alleged anomalies taking place within the PSC.

He lamented the plight of his fellow boxer Onyok Velasco, who allegedly was not able to receive cash incentives for winning the silver medal in the 1996 Atlanta games (www.philstar.com)

PHILIPPINE NEWS (from page 11, PALACE....)

Poe’s committee conducted a hearing on the proposed emergency powers the other day, after which the senators aired their support for the initiative.

Poe earlier said government transactions must be transparent and compliant with the freedom of information – a non-negotiable principle.

Conditions such as ensuring the track record of the supplier, enough capitalization of suppliers and no conflict of interest are among the details that senators wanted to see in the final form of the emergency measure.

“I would like to see this administration succeed but I am not going to give up on my role to make sure that they actually do it according to the processes that are laid out to become a law,” Poe said.

According to Poe, the people should only be afraid of Duterte having emergency powers if Congress does not have the power to withdraw them.

“And I think for as long as (the executive) is complying with the restrictions and the provisions that (Congress) set forth: the bidding or the procurement process is aboveboard (and) they’re delivering on schedule,” Poe said.

“If they need those emer-

gency powers to be able to acquire right of way, properties or to be able to facilitate faster relations with the local government units, why not? Again, there’s that particular provision where Congress can take it back anytime if we feel that it’s not needed anymore,” she added.

In appealing for emergency powers, Tugade made various recommendations to the senators and said the traffic problems were so complex they could not promise to wipe them out but only ease the situation.

Aside from legal obstacles like temporary restraining orders stopping government projects, Tugade said they would need special powers to speed up procurement and other measures to deal with the traffic problem.

Tugade likewise asked that one person or body be designated to direct the traffic and be accountable for its management, citing scenarios where the secondary roads were closed because of a barangay basketball game and authorities could not seem to do anything about it.

Tugade said the problem could not be solved overnight and asked the public for at least two years from the time emergency power was given to see some improvements. (www.philstar.com)

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LEGAL NOTES



By Reuben S. Seguritan

Senators Urge Obama to Stop Deportations

raids conducted since the start of the year targeting mothers, children and unaccompanied minors who have fled the violence in Central America.

The group of senators sent a letter to Pres. Obama urging his administration "not to focus its scarce resources on deporting vulnerable individuals who have no criminal record and were not represented by counsel during their removal proceedings." Instead, they want the administration to start working on solutions to address the root causes of the problem.

Their letter states, "Deploying immigration raids upon this vulnerable population for the purpose of deterrence is an ineffective and unacceptable strategy. Immigration raids create fear and in-

security among immigrant communities in the United States. They will deter students from attending school and parents from seeking medical care, but they will not deter terrified mothers and children from fleeing life-threatening violence in their homelands."

Data shows that although undocumented immigrants from Mexico account for the majority of undocumented immigrants in the country, immigrants from Guatemala, El Salvador and Honduras have surged and is touted to compare to what happened back in 2014. High murder rates and gang violence happening in these countries, called the Northern Triangle, have driven many families to flee.

Based on figures from the United Nations High Commis-

sioner for Refugees (UNHCR), impunity and inadequate government capacity to address the violence have exacerbated in the region in recent years. Homicides in these countries remain unresolved. From 2010 to 2013, 95 percent of murders in the Northern Triangle were unsolved or unprosecuted.

This situation has prompted many families to flee in droves to seek refuge here in the United States. However, for the past two years, the Obama administration has sent them back. In January this year, the Obama administration conducted the first large-scale effort to deport Central American families and rounded up 121 individuals. ICE agents reportedly rounded them up at wee hours in the morning, only giving about five minutes

for fathers, mothers and children to gather their belongings before they were made to board ICE vehicles.

Although it has received a lot of criticisms, ICE sources say the raids will continue and target illegal alien adults and minors whose asylum cases were denied and have been ordered removed from the country.

Apart from deportation, the government has also sent those families into detention centers while they plead their asylum cases. Even infants and small children are locked up in these detention facilities set up all over the country. Usually, it takes weeks before they are interviewed and they cannot leave the detention until they have passed their interviews.

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

As the November presidential election looms and as his term's end draws closer, President Barack Obama faces a growing clamor to address immigration problems. The latest call for immigration reforms came from Senate Democrats that are pushing his administration to stop the deportations of asylum seekers.

Senators Edward J. Markey joined Senator Dick Durbin (D-IL) and Senator Patrick Leahy (D-VT) and 22 Senate Democrats in calling for an end to the deportation

NEWS FEATURE

1987 Constitution Explained: Can Duterte Declare Martial Law?

by Jonathan de Santos
Wednesday, August 10, 2016

MANILA, Philippines — On Tuesday night, a visibly angry President Rodrigo Duterte warned Chief Justice Maria Lourdes Sereno against what he called as her meddling in the executive branch's war on drugs.

"Would you rather I declare martial law?" Duterte said in response to Sereno's advice to judges who were included in a list of government officials allegedly involved in the illegal drug trade to wait for duly issued warrants of arrest before surrendering to police.

There are specific requirements, however, before a president can declare martial law, and this has to be done with the concurrence of Congress.

According to Article VII, Section 8 of the 1987 Constitution, this, and the suspension of the writ of habeas corpus, can only be done "in case of invasion or rebellion, when the public safety requires it."

The president must also submit a report to Congress, whether in person or in writing, within 48 hours of the declaration. If Congress does not agree that martial law should be declared or the writ of habeas corpus suspended, it can "voting jointly, by a vote of at least a majority of all its members in regular or special session" revoke the proclamation or suspension.

No declaration of martial law or the suspension of the writ of habeas corpus can last for more than 60 days unless a majority in Congress, again voting jointly, votes to extend it "if the invasion or rebellion shall persist and public safety requires it."

The proclamation of martial law or the suspension of the writ may be reviewed by the Supreme Court "for the sufficiency of the factual basis" of the proclamation or suspension if a citizen petitions it to. It has 30 days to decide on whether the declaration or suspension has a basis.

"A state of martial law does not suspend the operation of the Constitution, nor supplant the

functioning of the civil courts or legislative assemblies, nor authorize the conferment of jurisdiction on military courts and agencies over civilians where civil courts are able to function, nor automatically suspend the privilege of the writ," the constitution also says.

The writ of habeas corpus may only be suspended for people charged for rebellion or for offense connected to the invasion while those arrested while the writ is suspended should be charged within three days or must be released.

Martial law in Maguindanao

The last Philippine president to declare martial law was Gloria Macapagal-Arroyo, who did so in Maguindanao on Dec. 4, 2009 in the aftermath of the Ampatuan massacre.

To justify the declaration, she said in Proclamation 1959 that "heavily armed groups in the province of Maguindanao have established positions to resist government troops, thereby depriving the Executive of its powers and prerogatives to enforce the laws of the

land and to maintain public order and safety."

She also said that "the condition of peace and order in the province of Maguindanao has deteriorated to the extent that the local judicial system and other government mechanisms in the province are not functioning, thus endangering pub-

lic safety."

Martial law in Mindanao was lifted on Dec. 12, 2009. An earlier proclamation declaring a state of emergency in Maguindanao and Sultan Kudarat and the City of Cotabato after the Ampatuan massacre has yet to be lifted.

(www.philstar.com)

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PHILIPPINE NEWS

China May Be Sued for Destroying Marine Life

by Pia Lee-Brago
Friday, August 12, 2016

MANILA, Philippines -- The Philippines can file a new case against China before the Permanent Court of Arbitration for damages in destroying the marine environment in the West Philippine Sea, Supreme Court Senior Associate Justice Antonio Carpio said yesterday.

Carpio pointed out the July 12 decision by the United Nations tribunal does not include granting of monetary award to the Philippines by China for destroying its marine environment.

The Philippines submitted evidence to the tribunal and raised six major issues, accusing China of causing severe harm to the marine environment in building its artificial islands within the Philippines' exclusive economic zone (EEZ) in the Spratlys.

Manila, however, did not

ask for monetary award from Beijing.

The tribunal ruled China violated its obligation under the UN Convention on the Law of the Sea (UNCLOS) to protect and preserve the marine environment when it dredged and built islands on the seven reefs within the Philippines' EEZ.

The tribunal also pointed out China failed to prevent its fishermen from harvesting endangered species in the Spratlys and Panatag (Scarborough) Shoal.

"We did not pray for monetary award and none was granted, but we can file because we said China severely damaged the marine environment and the tribunal agreed and even expanded on that. We can file a new case," Carpio said at a symposium at De La Salle University in Manila.

Carpio cited the Nicaragua vs United States in the International Court of Justice (ICJ).

The ICJ said the US vio-



The Philippines submitted evidence to the United Nations tribunal and raised six major issues, accusing China of causing severe harm to the marine environment in building its artificial islands within the Philippines' exclusive economic zone (EEZ) in the Spratlys. Google Earth

lated the territorial integrity of Nicaragua and ordered it to negotiate the amount of damage with the Central American nation.

Nicaragua went back to the tribunal saying they had to continue the processing and quantify the amount.

The US offered a way out through economic aid provided to Nicaragua in exchange for

withdrawing the case it filed before the ICJ.

"We can do the same," Carpio said. "We can file a case to quantify damages. That has not been resolved but we can file a new case."

Carpio said China should comply with the ruling and cease all its artificial island building activities destroying the marine environment.

"There is no world policeman who will enforce it. Countries voluntarily agree with ruling. The tribunal said you can't do that. You can't destroy marine environment. It's the legal obligation of China to comply under UNCLOS," Carpio said.

He proposed that the Spratlys be declared a marine protected area. Carpio cited an agreement between Israel and Jordan to address the overlapping claim in Red Sea by declaring Red Sea Marine Park that the two countries now jointly manage.

"This is very successful. This happened already," he said.

Carpio said an agreement is a "win-win" solution for all claimant states if they suspend claims and declare Spratlys a marine protected area.

The tribunal ruling settled the maritime issue but the territorial issue as to who owns the reefs and islands was not settled, having no jurisdiction over sovereignty issue. (www.philstar.com)

Piñol: 2 PNP Generals Tagged in Smuggling of Sugar, Agri Products

by Louise Maureen Simeon | Friday, August 12, 2016

MANILA, Philippines -- Three boats loaded with smuggled white sugar were intercepted in Zamboanga City and are now in the custody of the Bureau of Customs, Agriculture Secretary Emmanuel Piñol said.

Based on initial reports from Customs, one of the vessels, M/B Sitti Aini was loaded with 584 bags of refined sugar.

The two other vessels are still under inspection and authorities have yet to come up with an estimated value of the seized sugar.

Piñol said police generals - chief superintendent up to director general are star ranks in the Philippine National Police - are allegedly involved in the smuggling of sugar and other agricultural commodities.

"My sources identified a certain Superintendent Ariel Huesca and SPO4 Estino, reportedly members of the intelligence group of the PNP in Zamboanga City as the point men of two police generals who are involved in the smuggling of agricultural commodities through the Zamboanga City's small ports," he said.

"They also implicated the

Zamboanga City Customs Collector [Benhur] Arabani in the smuggling activities," Piñol added.

Reports said members of the Bantay Dagat in Barangay Taluksangay, Zamboanga City intercepted the three vessels suspected to be loaded with smuggled sugar.

"Zamboanga City is notorious for being the drop-off point of smuggled agricultural goods, especially rice and sugar," Piñol said.

Customs chief Nicanor Faeldon will inspect and complete the report on the smuggling attempt over the weekend.

Piñol also asked PNP Director General Ronald dela Rosa to make sure that the vessels are held and that the smugglers are arrested and charged with violating the law on smuggling, which has now been elevated to the level of economic sabotage.

Smugglers and their accomplices face life imprisonment and a fine of twice the fair value of the smuggled agricultural product and the aggregate amount of the taxes, duties and other charges avoided.

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COMMUNITY CALENDAR OF EVENTS

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

RE-AFFIRMATION AND INSTALLATION OF ILOCOS SURIAN ASSOCIATION OF HAWAII [ISAH] OFFICERS AND DIRECTORS FOR 2016-2018 | August 14, 2016, Saturday | HONOLULU COUNTRY CLUB | For more info, contact Amado Yoro, co-organizer and adviser of ISAH @ 364-5258

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. 23, 2016 | Contact: JP Orias @ 387-8297 for further information

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PHILIPPINE NEWS

War on Drugs: Upscale Nightclubs, Bars Next

by Cecille Suerte Felipe
Friday, August 12, 2016

MANILA, Philippines - From underprivileged communities, police are taking their intensified campaign against illegal drugs to upscale bars and nightclubs.

But Philippine National Police (PNP) chief Director General Ronald dela Rosa made it clear he is not about to wage war with owners and operators of leisure establishments frequented by the rich, saying he only intends to get their cooperation.

"First of all, I would like to initiate dialogue with them for a peaceful approach," he said.

The glitzy clubs and bars, he said, are mostly located in Makati and in Bonifacio Global City in Taguig.

"It's in those high-end bars where people take party drugs," he said.

Dela Rosa said the dialogue would help the PNP get information, consensus and commitment from establishment owners to cooperate with the government in its campaign against illegal drugs.

Last May, five people collapsed and died during an outdoor concert-party in Pasay City, apparently after taking designer drugs.

Based on intelligence information, other illegal drugs reportedly available in the market are fly-high, green apple, green amore, superman, Dr. death and pink death, all classified as amphetamines.

Police said the illegal drugs have the components of Ecstasy, shabu and Cialis or sex enhancement drugs like Viagra.

Dela Rosa expressed belief own-



PNP Chief Bato dela Rosa

ers and management of the upscale bars could help in the intensified campaign against illegal drugs.

"If I'll be able to get their support and cooperation then mas maganda para hindi na hahantong sa kahiyaan, magkakasuhan, magkapatroblema (the better, so there will be no humiliation, filing of cases and other problems)," he said.

The PNP chief said he would welcome any form of cooperation from bar owners and management so that he could help President Duterte fulfill his campaign promise of stamping out the drug problem in six months.

"If they cooperate then why not? If they don't cooperate, then we will be forced to do our job our own way - our own way, not their way," he said.

As of Aug. 9, a total of 513 drug personalities or an average of almost 13 persons a day have been killed.

About 116 PNP personnel are facing summary dismissal proceedings after they tested positive for illegal drugs as part of the internal cleansing of the police organization.

PNP spokesman Senior Supt. Dionardo Carlos said 513 people were killed in 18 regions in the country from July 1 to Aug. 9, based on a report from the PNP National Operation Center (NOC).

Carlos said there were 7,325 drug pushers and users arrested while 543,416 others surrendered to police authorities. Of the surrenderees, 33,527 were pushers and

509,889 users.

He noted that there were 4,715 operations conducted and 265,610 houses visited as part of Project Tokhang.

Dela Rosa is implementing what he called a double-barrel strategy, meaning the PNP is attacking drug lords and street-level drug dealing simultaneously.

The double-barrel strategy is apparently Dela Rosa's response to criticism that only small time pushers are arrested or neutralized.

Cops fail drug test

But as the PNP is stepping up its anti-drug campaign, 116 of its personnel are facing summary dismissal proceedings after testing positive for illegal drugs.

Chief Senior Supt. Fausto Mansanilla Jr. of the Directorate for

Investigation and Detection Management (DIDM) said the 116 were among the 75,964 members of the PNP who have undergone drug test since July 1.

Mansanilla said the erring personnel are facing further investigation by the Internal Affairs Service (IAS) and have been reassigned to the Police Holding and Accounting Unit (PHAU).

The DIDM official said 35 other PNP personnel are facing investigation after they were named by President Duterte as among government officials involved in illegal drug operations. The policemen reported to IAS on Dela Rosa's instructions.

He said surrenderees have also taken drug test, but they are still waiting for results of the test.

Mansanilla clarified the policemen who tested positive would be given due process prior to further sanction like termination. (www.philstar.com)

Rody Apologizes to Sereno: Harsh Words Unintended

MANILA, Philippines - Despite his tough stance on illegal drugs, President Duterte apologized last night to Chief Justice Maria Lourdes Sereno for his "harsh words" that he said were unintended.

In a late night press conference in Davao City, Duterte said his tough talk was his way of addressing the drug menace.

"I would apologize to the Chief Justice for the harsh words, which were never intended," Duterte said. "Because of the magnitude of the problem, it was my way of solving the problem within the ambit of my powers as president."

He said it is his job to inform people of their surroundings so they can avoid harm and danger.

Duterte confirmed that he is not yet done revealing the names of public officials who are believed to be involved in the illegal drug trade.

"I have another round of exposé," he said, adding it was not meant to defame those named. "Who wants to defame people? Is it the duty of the President to ruin people's reputation? That's stupid."

Despite the apology, Duterte continued to have tough words for critics of his human rights record, and said he was aware that he was the "favorite whipping boy" of human rights advocates.

"One day I will destroy her," he vowed, without saying who he was referring to. (www.philstar.com)

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