

HAWAII

FILIPINO CHRONICLE

Happy Valentine's Day

HAWAII'S #1 FILIPINO NEWSPAPER

◆ FEBRUARY 9, 2019 ◆

HEARTFELT LESSONS ON LOVE IN THE MONTH OF LOVE

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EDITORIALS

Love is Responsibility; There's No Separating the Two

The month of love is here. Valentine's day is just a few weeks away and lovers are already preparing for the special day. High on the list of things to do: order flowers, make reservations to a restaurant, buy chocolates or jewelry.

The creative romantic might choose to bare his soul, write and recite a poem to his wife. Maybe at the very spot that they met for a first time.

The adventurous romantic (with a half-way decent voice) might choose to sing a song for his significant other. Thousands of extra points if he dares to do it in public. Or, maybe recreate a love scene like in "The Mirror Has Two Faces" when Barbara Streisand and Nick Nolte proclaim their love for each other on a public street then hire a professional to sing Puccini's *Nessun Dorma* aria like in the movie as you move in for a wet kiss.

Love is responsibility

The sentimental expression of Valentine's day – whatever it might be grand or simple – is a nice thoughtful showing that makes a significant other feel special. That is the point and certainly a part of love.

But in real life love is far from what's portrayed in the movies. It's definitely not perfect. It's not always wanting to be right. It's not insisting you have your way all the time.

And some might say it's not even a feeling.

A professor of philosophy gave a poignant and apt definition: "Love is responsibility." Responsibility in that action is far more meaningful than words or feelings.

We demonstrate love to our romantic partners by being responsible in showing fidelity, showing interest by listening and giving attention. We show responsibility by committing to work on our relationships through all the changes.

We demonstrate love to our children by being providers and many times sacrificing our own interests for their benefit. Sometimes, it could mean taking on extra work hours to be able to tuck aside more money for our children's education.

We show love and responsibility for our elderly parents by caring for them as they've done for us when we needed their care. There's nothing more frightening than an elderly who feels alone when he is not able to care for himself.

We show love for our property when we are on the freeway and realize we're uncertain if we turned off the stove. We do the responsible thing, drive back home to check.

One of the greatest myths is that love is simply a feeling, something that quickens our heart, makes us feel excited and alive for someone. That kind of love is best explained by biology when the brain floods euphoria-inducing chemicals like oxytocin and dopamine. That is passion, not love.

Love and responsibility as one inseparable "action" is meaningful because it is the foundation of building something that lasts. Feelings fade.

It's said that love is more like a verb, not a noun, because it requires adaptation.

Love is arguably everywhere and also not necessarily directed at individuals.

Putting love in politics

A well-known local and soon-to-be better known politician on the national level has made love as a central theme

FROM THE PUBLISHER

Ot's always a pleasure when we in the media have an opportunity to take a break from reporting on hard issues and present stories more uplifting.

February is known as the month of love. Instead of doing a typical article on Valentine's Day we've decided to take on a different approach. For our cover story this issue, associate editor Edwin Quinabo explores the concept of love – what is it? Clearly there are many expressions of love. But one commonality found in most expressions of love is responsibility, an action that goes beyond just "feelings."

We've found people in our community who shared their personal stories of love – adult children caring for their elderly parents; a woman who gave up her career to care for her children; a grandmother helping her single-parent daughter; women who've left their countries, families, and friends to be with their husbands; and even a teacher who decided to become a donor to a non-blood relative child in need of a healthy kidney. These stories of love are truly worth reading.

Also this issue, HFC's Seneca Moraleda-Puguan writes an interesting feature on Apollo Exconde, a senior Magnetic Resonance Imaging (MRI) Radiographer with Inhealth-Croydon MRI Unit in the United Kingdom. Exconde came up with the idea of creating Lego Open MRI to help claustrophobic patients. He says some patients, particularly children, suffer from anxiety when getting an MRI. His soon-to-be completed creation, Lego Open MRI, will help to reduce anxiety. First, it's "kids-friendly" because Lego Open MRI is made of the popular children's toy Lego; also it's spacious and does not have an unobstructed view as in conventional MRI.

HFC columnist Emil Guillermo contributes yet again another evocative piece. This one called: "The Trump Reality Show Presidency." The longest ever partial government shutdown has concluded. But agreement on funding for a border wall is still in limbo. Will the president shutdown the government again as he threatened to do? Will he declare a national emergency? Government workers and their families anxiously await.

In our HFN section, read about the Filipino American League of Engineers and Architects (FALEA) 25th Anniversary celebration. FALEA has been a invaluable support and network organization for local professional engineers and architects since 1993. In other news, proposals (SB1248, SB789, and HB1191 HD1) to raise the minimum wage will be a hot topic at the State Legislature. HB1191 had already passed the House Committee on Labor & Public Employment and now sits at the House Committee on Finance for further action. Get the details and read why some people support it; while others like the Chamber of Commerce of Hawaii oppose it.

Also on legislative matters, veteran politician Rep. Romy Cachola submitted "Focusing on Healthcare, Well-Being and Our Pocketbooks," an article highlighting a few of his priorities for this session.

Lastly, I'd like to wish you all a very Happy Valentine's Day. Celebrate and share the love. Until next issue, warmest *Aloha* and *Mabuhay!*

Chona A. Montesines-Sonido

to approaching politics. She has recently adopted a slogan to "Lead with Love."

Who this politician is at this stage is not as important to mention than her message that what the country needs is more leadership with love. She is exactly correct.

Politics has become a turn off, rife with all things negative: skepticism, anger, betrayal, bigotry.

It has become this way in large part because governance lacks action. It lacks love with responsibility.



Publisher & Executive Editor
Charlie Y. Sonido, M.D.

Publisher & Executive Editor
Chona A. Montesines-Sonido

Associate Editors
Edwin Quinabo | Dennis Galolo

Contributing Editor
Belinda Aquino, Ph.D.

Art Director
Junggoi Peralta

Photography
Tim Llana

Administrative Assistant
Lilia Capalad
Shalimar Pagulayan

Columnists

Carlota Hufana Ader

Emil Guillermo

Ron Menor

J.P. Orias

Pacita Saludes

Reuben S. Seguritan, Esq.

Charlie Sonido, M.D.

Emmanuel S. Tison, Esq.

Felino S. Tubera

Contributing Writers

Clement Bautista

Edna Bautista, Ed.D.

Teresita Bernales, Ed.D.

Sheryll Bonilla, Esq.

Rose Churma

Serafin Colmenares Jr., Ph.D.

Linda Dela Cruz

Fiedes Doctor

Carolyn Weygan-Hildebrand

Amelia Jacang, M.D.

Caroline Julian

Raymond Ll. Liongson, Ph.D.

Federico Magdalena, Ph.D.

Matthew Mettias

Maita Milallos

Paul Melvin Palalay, M.D.

Renelaine Bontol-Pfister

Seneca Moraleda-Puguan

Jay Valdez, Psy.D.

Glenn Wakai

Amado Yoro

Philippine Correspondent:

Greg Garcia

Neighbor Island Correspondents:

Big Island (Hilo and Kona)

Grace Larson | Ditas Udani

Kauai

Millicent Washington

Maui

Christine Sabado

Big Island Distributors

Grace Larson | Ditas Udani

Kauai Distributors

Amylou Aguinaldo

Nestor Aguinaldo

Maui Distributor

Cecile Piro

Molokai Distributor

Maria Watanabe

Oahu Distributors

Yoshimasa Kaneko

Jonathan Pagulayan

Advertising / Marketing Director

China A. Montesines-Sonido

Account Executives

Carlota Hufana Ader

J.P. Orias

The Hawaii Filipino Chronicle is published semi-monthly (twice a month) by The Hawaii Filipino Chronicle Inc. and is located at 94-356 Waipahu Depot, Waipahu, HI 96797. Telephone (808) 678-8930 Facsimile (808) 678-1829. E-mail filipinochronicle@gmail.com. Website: www.thefilipinochronicle.com. Opinions expressed by the columnists and contributors do not necessarily reflect those of the Hawaii Filipino Chronicle management. Reproduction of the contents in whole or in part is prohibited without written permission from the management. All rights reserved. Printed in the U.S.A.

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EDITORIALS

Support PACT, A Federal Anti-Animal Cruelty Act

Laws have always been the codified values of the community. History shows most often there is a painfully slow lag time to get laws passed that match the majority's values at any given time. In part, because it's difficult to reach a majority consensus on what's deemed significant enough to be codified. In other situations, there is a clear consensus we can all agree on that something should become law, but politicians for some reason or another have just failed to get the wheels spinning.

The perfect example: finally, lawmakers are at the cusp of getting the nation's first-ever federal animal anti-cruelty statute passed.

Preventing Animal Cruelty and Torture (PACT) Act, S. 654 of 2019

Recently, the U.S. Senate passed the PACT, a first-ever general federal cruelty bill that prohibits extreme acts of animal cruelty and strengthens federal protections for animals. People who engage in acts of violence towards animals, such as burning, drowning, suffocating, or impaling would face imprisonment and a fine. The PACT Act would impose up to a 7-year prison sentence for those who knowingly create, advertise, distribute, or sell "animal crush videos." These are videos that are being circulated showing the torture and killing of animals. The measure also makes bestiality a federal crime.

PACT was able to pass the Senate through biparti-

san efforts, led by Sens. Pat Toomey (R-Pa) and Richard Blumenthal (D-Conn). It goes to the House for action and already has bipartisan support with 262 cosponsors. Only a few bills in the Congress have this level of bipartisan support. The House version of the bill is introduced by Reps. Lamar Smith (R-Texas) and Ted Deutch (D-Fla).

Sen. Blumenthal said: "This bipartisan measure finally prohibits a heinous, inhumane practice – stating emphatically once and for all that there is no place in a civilized society for the maiming and torturing of animals. Thanks to the long overdue action of the Senate, the barbaric individuals who commit these crimes will no longer walk free. I call on the House to pass this important legislation immediately."

Congressman Eliot L. Engel, a member of the Animal Protection Caucus, said: I am deeply concerned about the welfare of domesticated and wild animals, and I am committed to ensuring that we fulfill our obligations to protect them from indignity, pain and suffering. There is never an excuse for the mistreatment or abuse towards animals, and it is our responsibility to ensure that all animals are approached with the dignity and respect they deserve."

PACT has received endorsements from more than 200 law enforcement agencies and animal rights groups.

Importance of having a federal statute

It's long overdue that a federal statute will help to

strengthen animal abuse felonies in states. There are animal abuse laws in all 50 states but penalties and punishment vary from class 1 misdemeanor to class 6 felony. Some states have laws against dogfighting, cockfighting, and other organized animal cruelty. Some states only apply anti-cruelty laws involving cruelty to companion animals. Some states only apply felony charges to subsequent offenses.

In the state of Hawaii, there is a first-degree animal cruelty offense with the possibility of prosecution as a felony; and there is a second-degree misdemeanor offense.

A first-degree offense constitutes that the offender intentionally and knowingly tortures, mutilates, or poisons any animal resulting in serious bodily injury or death. A second-degree misdemeanor is when an offender intentionally, knowingly, or recklessly tortures, torments, starves, deprives an animal of necessary sustenance. The difference between the two is level of harm done unto the animal.

PACT, being a federal law, will help to close any loopholes that exist when interstate animal cruelty

laws are broken. Under legislation currently before the US Congress, federal jurisdiction will extend to certain heinous and unspeakable acts of animal abuse. With a possible penalty up to 7 years imprisonment for violators, PACT sends a very strong message to abusers that cruelty will not be tolerated.

In animal crush videos, it's often difficult to determine the location where animal cruelty takes place so states have had problems prosecuting such cases. PACT will change that because crush video crimes will fall under federal jurisdiction.

It will also be easier to prosecute crimes that take place in puppy mills where some breeders have been found to drown, burn, and kill unwanted puppies they can't sell.

Exceptions to PACT include normal veterinary or

husbandry practices, hunting, trapping, fishing, predator or pest control, medical or scientific research, actions to protect human life or property from serious threat.

Let Congress know you support PACT

At a time when Congress is deadlocked on so many issues, the passage of PACT is much welcomed. To ensure that Congress successfully walks that last mile to finally get PACT passed, it's important that Americans contact their congressional representatives.

Wayne Pacelle, president and CEO of the Humane Society of the United States, said: "It's past due for the federal government to enact a strong anti-cruelty law, to complement the state laws against malicious mistreatment of animals. We know that there is a correlation between vicious cruelty to animals and violence against humans."

No animal deserves to be subjected to abuse.

wind
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(LOVE IS RESPONSIBILITY....from page 2)

When politicians choose to adopt policies that benefit special interests over people, how is this showing love and responsibility? Yet, it happens over and over again.

2019 is the start of presidential campaigning when major candidates begin to set the tone and agenda for the country leading into election year. What better way is there than to get the nation loving – love

as a motivation to get things done, and not fear.

Valentine's Day

The day of love is a wonderful tradition. Imagine how much more wonderful it would be if we took that one day and expanded it to the rest of the year and lifetime. Love like there's no tomorrow, as the saying goes. Happy Valentine's Day to all.

Lessons on Love in the Month of Love

By Edwin Quinabo

Love – what is it? It's an age-old question, the meaning and mystery of love. All of us have experienced it, tasted it, and felt its awesome power as some force warmer than the sun and beyond the beauty of rainbows.

Some of us have become masterful in the art of love, basking in its glorious rays; while others, still feel its bittersweet sting over a love lost.

Love is the heart in poetry, music, cinema, dance, the arts. It is everywhere. People who have it, guard it as treasure; people without it, become treasure hunters in pursuit of it until their very last breath.

The Joshua Tree is said to point in the direction of heaven or where love can be found. The paradox is the Joshua Tree's multi-pronged branches twist, turn, and point to every way possible. The wisdom to be taken is that love can be found in almost anywhere; and that we are all in fact forests upon never-ending forests of Joshua Trees.

While February is known as the month of love because of Valentine's day and usually associated with romantic love, there are many other expressions of love worth celebrating.

Love Is Responsibility

A philosophy professor told his students what he believed love is. He said, "love is responsibility." The cylinders of students' brains revved trying to process what he said. Certainly, his definition of love doesn't match the convention-

al romantic ideal. It seemed dry, lackluster, and boring. These are college students whose experience of love were just beginning.

For much older, nontraditional students taking his class, their heads nodded in agreement. They knew exactly what he meant with love as being beyond a "feeling" triggered by euphoric brain chemicals. It comes with responsible action.

"Love and responsibility," the professor said, "are inseparable."

Stories of Love And Sacrifice

Caring for elderly parents.

Beth Hoban shows her love for her mom by caring for her. "It takes organization skills and patience mixed with unconditional love to care for your own parents," she said.

Hoban described her mom as a survivor of domestic abuse,

woman entrepreneur, innovator and single parent who raised four daughters. She says her mom was always independent and a world traveler.

But things changed when her mom suffered congestive heart failure at 90 years old, then fractured her right arm at age 93.

"She cannot feed herself or bathe without help. Fortunately, she can walk with help to use the bathroom or from the bedroom to the living room with short stops to catch her breath."

Hoban shares how a simple task as taking her mom out takes planning and preparation.

"We have to make sure she is able to get out of bed and washed up before getting her dressed. Besides her heart condition, mom has arthritis, which causes joint pains, so joints need to warm up before she gets up. It takes a few minutes of stretching and warming up of the knees prior to getting out of bed. We have to plan for a 2- hour prep time vs 30 minutes, if we want to make an appointment on time."

Hoban works full-time time as owner of a small home healthcare organization that cares for the elderly, so she knows what caregiving involves.

"I hired a loving caregiver who takes care of mom most days of the week. My youngest sister shares the task on the caregiver's days off," said Hoban.

She advises: be prepared and have financial resources to cover expenses for care when your parents will need it.

Hoban says caring for her mom has taught her a lot about herself.



"I learned that I can be flexible and patient. I also learned that it is important to take care of yourself, so you are able to be an effective caregiver. When you are tired and have less than normal sleep, you have to reach down deep to get that extra energy it takes to be the 'super hero' for your parent. Yes, Spiderman has nothing on the caregiver for a parent.

"We treat every day as our last day. Every moment counts. We make the best of what we can to offer love, respect and joy to all who are part of our lives, especially our parents. To us, it is mom, our only living parent."

Lea Santiago of Pearl City has been a nurse for over 20 years. Her mother Hermina passed away six years ago and her father Pablo now is in his early nineties living in his Foster Village home with a grandson. Pablo had been hospitalized twice for a heart condition and is weak. But Lea said he insists on living in his own home but has difficulty caring for himself.

"Every day after work I visit my dad. My other two siblings also visit on a rotating schedule so he is never really alone for a long time. My nephew is there at nights so no one else needs to stay overnight. On the weekends, I bring dad over to my house where we can keep an eye on him.

"When I visit him on the weekdays, I keep everything

clean, make sure dad is clean and feed him. We watch TV together and try to keep him in good spirit and talk about the good old days. Most of the times he is alert and can carry on a conversation.

"It's very sad to see him so physically weak. His mind is still very functional. I'll do anything I can to make his last days, comfortable days," said Santiago.

Pablo recently qualified for hospice care and the family continues to give him all the love they can.

Amelia Asperin of Waipahu and her husband are both retired seniors but still have enough strength and love to care for their 92 years old mother.

"My mother-in-law has dementia. She has a hard time communicating. Sometimes we don't know what she wants or what she needs, or feels," said Asperin.

Fortunately, Amelia has greater insight and experience than the average person in caring for people. For many years she worked as a caregiver to the elderly with disabilities.

"My husband and I care for our mom because we are what she needs. We want to give back to her the love, care, and sacrifices she has made for us.

"I love caring for her because without her, my husband would not be here. I thank her for our family.

"We could have brought

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COVER STORY

(from page 4)

her to a care home, but we know that she would be lonely there. Caring for an elderly person is really hard. It needs 24/7 attention. You must feed them, bath them, and do everything for them. But in our case for our mom, we do all these things with all our heart, even though it is challenging.

“Loving and caring for my mom with dementia is rewarding when I see her smile,” said Asperin.

Rosalinda Antonio is another senior who takes care of her parents in their mid-90s. “It is physically and emotionally stressful. I am the only one taking care of my parents because my siblings all live in the mainland.

“My father has Alzheimer’s disease and must use a wheelchair. My mother had a hip replacement but is healthy. My mother is not able to help with care for my father much. But she insists that dad stay at home and not be sent to a care home.”

Antonio says she cares for them because they took care of her. “It’s time to repay what they did for me. They might not live much longer so I give all my support to make them happy. I give them unconditional love.”

Antonio still works and gives around-the-clock care as best possible. She wakes up early to do chores, goes home every lunch break to check on

her parents, and watches over them after work.

Giving up career to care for children.

Eva Soriano grew up in Honolulu and moved to California after graduating from the University of Hawaii. She majored in marketing and got her first job at a business college in Irvine. A few years went by and she eventually became Director of Admissions and Marketing at the college.

“I loved my job and career and couldn’t imagine back then that I would give it all up to raise my children full-time,” said Soriano.

“When I had my first child, I still worked. My husband and I got some help with a nanny. When we had our second child just three years later, my husband and I decided it would be best for me to stay home and care for them. They were 5 and 2 when I left my career.

“Many years later, my oldest is now at UC Berkeley majoring in Biology with hopes of becoming a doctor. My other daughter is a senior at a private Catholic school.

“While I loved my career and doubted my decision back then, I felt like my children really needed me to be with them. I have no regrets and would do it again.

“Giving up a career to raise a child might not be the right path for everyone, but it

was right for me. I did it all for love,” said Soriano.

Eva is now in her early fifties and says she realizes her prime working years have passed. But she is not ruling out entering the job force at some capacity.

Helping her single-parent daughter.

Mercy Agustin of Waipahu is a grandmother who is helping her daughter, a single mom. “My daughter is having a hard time financially. It’s difficult to see my daughter suffering from anxiety and stress. I worked for a care home but decided to quit my job so that I can help my daughter by caring for my grandson full-time.

“This allows my daughter to work full-time and fix her life. Now, my daughter, my grandson, and I are living together in an apartment my daughter purchased.”

Agustin’s grandson is now in kindergarten and she still watches over him.

“You will do everything for your children, no matter what it takes,” said Agustin. “I have no regrets quitting my job because of all the good times I had the chance to spend with my grandson since he was three months old. These are precious moments. No amount of money can replace that.”

Leaving country, family, and friends to be with husband.

Mylene Corpuz of Waipahu remembers how love brought her to a new world.

“Back home in the Philippines when I was single I had a good job, good family and friends. I left it all to be with my husband in the U.S. Every Filipino’s dream is to come to

America. When my husband petitioned for me to join him and start a family, I did not hesitate,” said Corpuz.

“Leaving my loved ones back home, especially my parents was one of the hardest moments in my life. I have very close family ties with all of them. I think of them every day since the day I left to come to America.

“But it was worth it. I have my dream of building a happy family. I found a good job here. My husband and my in-laws are all nice and supportive. I am able to support my families back in the Philippines, even helping some of my cousins go to college and have a better life.”

Rosario Guillermo of Honolulu also recalls the time when she left the Philippines to join her husband. “My son was very young when my husband left to go to Germany. He started to grow up knowing him only in the pictures. I wanted to leave to be with my husband to keep our family together. At the time I was offered a scholarship to pursue my Master’s degree but I didn’t take it.

“It was hard adjusting to a different environment and way of life. But it was all worth it. My son bonded with his dad. We had great experiences being in a foreign country. Eventually, we all moved to the U.S.

“Challenges in life are bearable when you are with your loved ones. Being together helps us get through ups and downs. Being together makes a big difference,” said Guillermo.

Teaching love to kids, Castillo became a donor.

Music teacher **Christopher Castillo** changed the life of Cyehna Lasconia in a remarkable act of selflessness.

Cyehna contracted E.coli, a day after being born. The infection left her with a dysfunctional kidney and she was on a transplant list awaiting a match for a replacement kidney. She suffered from seizures and without a healthy kidney, she would have been on dialysis for a lifetime.

Castillo met the Lasconias at a family party. At the time, he was just coming off a disappointing experience of attempting to donate bone marrow to a child. But that child passed away. Castillo offered to help Cyehna and donate his kidney.

“I teach my kids to make the world a better place. What better way to show that commitment, than to do this?” said Castillo.

Soon after meeting for a first time at the party, they underwent a successful surgery. Since then, the two share a deep bond and enjoy a wonderful “uncle-niece” type relationship even though they are not blood relatives. Cyehna was given a gift to live out a healthy life; Castillo taught his students how love can make a difference in bettering the world.

Happy Valentine’s Day

Love shows itself in a myriad of ways, most usually in relationships that require work and responsibility. Rekindling the “passion” in a loving relationship is what many couples do for Valentine’s Day. But the month of love could also be a celebration of all loving relationships. Happy Valentine’s Day!

HAWAII-FILIPINO NEWS

Helpful Tax Filing Tips

Tax season officially started and the Hawaii Department of Taxation released helpful tips. “The Department encourages taxpayers to electronically file (e-file) tax returns and take precautions to protect themselves from fraud,” said Linda Chu Takayama, Director of Taxation. “We have provided these tax filing tips to help avoid delays and frustration this tax season.”

File early

Start gathering your tax records so that you have enough time to obtain all forms and documents needed to accurately file your income tax return by the filing deadline, April 22, 2019.

Filing early is the best way to prevent cybercriminals from stealing your refund. If you have been a victim of identity theft, you may enroll in the Department’s ID Theft Protection Program by visiting Hawaii Tax Online at <https://hitax.hawaii.gov>. Those enrolled in the program will be notified when an income tax return is filed with your name and social security number, and you will be asked to

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By Rep. Romy M. Cachola

Focusing on Healthcare, Well-Being and Our Pocketbooks

lated issues, I've introduced the following bills that we would be wise to take action on during this session:

House Bill 1463 - Exempts health care providers from liability in cases of patients receiving injury or worsening of a health condition while awaiting insurer preauthorization for medical services or treatment. Currently, certain physician-ordered treatments or services must be approved in advance by the insurer or by a medical review service contracted by the insurer before the insurer will provide final reimbursement or payment.

However, obtaining preauthorization for medical services may hamper the ability of health care providers to provide the necessary treatments to their patients and may be a contributing factor to the Hawaii's acute physician shortage.

House Bill 1464 - Requires the State Insurance Commissioner to conduct a study on capitated payment rates in Hawaii that compares Hawaii's reimbursement model for physicians with other

states. Primary care physicians mostly receive their reimbursement under certain insurance plans at a capitated rate of \$24 per-member-per-month which does not change regardless of how many times a physician treats a member per month.

Based on this rate, a solo practitioner must work over 200 hours per month and care for over 1,500 patients to receive a fair and reasonable income, not including costs for overhead, staff, or supplies. Additionally, more insurance companies are moving away from a fee-for-service model of reimbursement and towards capitated payments. This may negatively impact patient care by encouraging doctors to see fewer patients, discouraging them from accepting sickly patients, or causing them to leave for other states with a lower cost of living and a higher capitated payment rate.

HB 1463 and HB 1464 both go a long way towards addressing our doctor shortage, which according to some estimates, could amount to between 800 to 1,500 physicians

within the next decade.

House Bill 1089 - Appropriates funds to the State Department of Health for a Pilot Program to pay for Hawaii residents to attend medical school in the Philippines in exchange for a commitment to practice medicine in Hawaii after graduation and licensure, particularly in rural and underserved areas on the neighbor islands.

It's imperative to think "outside of the box" for ways to reduce our physician shortfall. The State could simply hire more faculty or expand the facilities at the University of Hawaii's John A. Burns School of Medicine. However, HB1089 is a much less expensive alternative that financially assists Hawaii residents to attend medical school in a foreign nation like the Philippines where the cost of education and living are lower than in Hawaii.

House Bill 1462 - Addresses the \$12 billion unfunded liability of the Hawaii Employer-Union Health Benefits Trust Fund. HB1462 requires the State auditor to study the feasibility of providing health benefits to state and county

employees using a self-insured model. It also establishes a Rate Stabilization Reserve Fund within the Hawaii Employer-Union Health Benefits Trust Fund to help subsidize the costs of providing health and other benefit plans for active employees, retirees and beneficiaries.

Based on my research, 29 other states have converted to a self-insured model which resulted in significant cost savings. Similarly, if HB1462 is passed, the State will save approximately \$500 million per year—an amount that could not only ease the financial burden for taxpayers but also help fund much needed state and county projects such as the Aloha Stadium development and OCCC relocation. Nor will we have to lay off workers, raise taxes, reduce benefits for state and county employees or increase employee contributions.

It's time to get serious about addressing our massive health unfunded liability to ease the burden on our taxpayers. If we do not act now, our young people and future generations will end up being burdened with this obligation.

Despite the old saying "Health is Wealth," healthcare all too often takes a back seat to rail, education, crime, the economy and other hot button topics at the State Legislature. While issues such as Hawaii's physician shortage are cause for concern, the sense of urgency to address our lack of doctors may not be as great as say, balancing the budget—so any legislation to alleviate the shortage is usually tabled for future discussion.

But perhaps not anymore. The time is now to address Hawaii's physician shortage, which continues to worsen as more doctors reach retirement age or leave Hawaii for other states where the cost of living and running a business are much lower.

To address this shortage and other important health-re-

HAWAII-FILIPINO NEWS

FALEA Celebrates 25th Anniversary

The Filipino American League of Engineers and Architects (FALEA) held its 25th Anniversary celebration at the Pomaikai Ballrooms at Dole Cannery late last year. Eleven scholarships were handed out and the new officers and directors installed during the celebration.

Gov. David Ige was honored as an "Outstanding Pub-

lic Official" and inducted as a honorary member of FALEA.

FALEA was established in 1993 by Juny Laputt, Paul Lucero and Vergel Del Rosario. They are three Filipino engineers who felt the need to organize a group that would give Filipinos a better chance at success in the professional licensing process and promote its member's image and

reputation.

Since its inception, it has evolved into a very active tightly knit group with focus on providing programs for continuing education and training needed to meet the requirements to practice in Hawaii.

FALEA is a group of professionals with an extensive network of engineers, architects, surveyors, contractors



and allied professions from Oahu and the neighbor islands. Although its membership is composed mainly of Filipinos, it is open to professionals of other ethnic backgrounds.

It has more than 300

members and keeps growing. FALEA is a member of the Hawaii Council of Engineering Societies. It is a non-profit organization. Visit www.falea.org for information on the group's activities or to become a member.

HELPFUL TAX FILING TIPS...from page 5)

verify that you filed the tax return.

File electronically

Compared to paper filing, e-filing improves accuracy, provides verification that your tax return was filed and processes faster so that tax refunds are delivered to you quicker. There are now more ways than ever to conveniently e-file your return. In addition

to the many fee-based commercial tax preparation software, taxpayers can also file for free directly with the Department using Hawaii Tax Online at <https://hitax.hawaii.gov>.

Use direct deposit

Using direct deposit is the quickest and safest way to receive your refund. Processing times are longer for taxpayers who choose to re-

ceive their refunds by check.

Check for accuracy and errors

Avoid processing delays, adjustments to your return and additional correspondence from the Department by making sure all social security numbers are correct, the appropriate filing status is selected, attaching required forms and your employee earning statements

(HW-2s and W2s), and signing your return.

Check Your Refund Status

You may check the status of your refund online 9-12 weeks after you filed your tax return. Visit the Department's website at <http://tax.hawaii.gov> and click on "Check Your Income Tax Refund Status." You will need your Social Security Number or Indi-

vidual Taxpayer Identification Number and the exact refund amount claimed as shown on your tax return.

For More Help

If you unable to resolve an issue after reading form instructions and searching the Department website, Taxpayer Services agents are available by phone at (808) 587-4242 Monday – Friday, 7:45am to 4:00pm.

WHAT'S UP, ATTORNEY?



By Atty. Emmanuel S. Tipon

Giving False Testimony to Obtain Immigration Benefits Bars Naturalization

An immigration officer, hell-bent in denying an application for naturalization, will always find something in the applicant's distant past to nail down the applicant. For instance, the applicant might have said at the U.S. Consulate in Manila that he studied at U.P. [giving the impression that it is the University of the Philippines]. Later when the applicant applies for naturalization, the officer might say: "Aha, We found out you did not go to the University of the Philippines but to the University of Pinatubo. You gave false testimony. You have not established that you are a person of good moral character, therefore, you are ineligible for naturalization at this time."

THE LAW

INA Section 316(a)(3) provides: "No person . . . shall be naturalized, unless such applicant, . . . (3) during all the periods referred to in this subsection has been and still is a person of good moral character. . . ."

INA Section 101(f)(6) provides: "For the purposes of this Act - No person shall be regarded as, or found to be, a person of good moral character who, during the period for which good moral character is required to be established, is or was—

(6) one who has given false testimony for the purpose of obtaining any benefits under this Act; . . .

The Code of Federal Regulations (CFR) at 8 CFR 316.10(a)(2)(b)(2)(vi) provides:

"(2) An applicant shall be found to lack good moral character if during the statutory period the applicant: . . .

(vi) Has given false testimony to obtain any benefit from the Act, if the testimony was made under oath or affirmation and with an intent to obtain an immigration benefit;"

BURDEN AND STANDARD OF PROOF

The Applicant has the

burden of proof to establish good moral character. See INA Section 316; 8 CFR Section 316.2(1).

The U.S. Citizenship and Immigration Services has the burden of proof to establish that the Applicant has given false testimony to obtain an immigration benefit. "The burden of proof is upon him who affirms – not on him who denies," ("Affirmatio non neganti incumbit probatio."). <https://definitions.uslegal.com/a/affirmati-non-neganti-incumbit-probatio/>

According to the Adjudicator's Field Manual (AFM), discussing INA Section 212(a)(6)(C)(i) [making misrepresentation to obtain a benefit is inadmissible]:

"There must be some evidentiary basis for a USCIS conclusion that an alien is inadmissible under section 212(a)(6)(C)(i) of the Act. See *INS v. Elias-Zacarias*, 502 U.S. 478 (1992) (Agency factfinding must be accepted, if the evidence would permit a reasonable factfinder to make the findings ["preponderance of the evidence" – standard])."

It is "the government's burden to prove the fraud charge with clear and convincing evidence that [the alien] willfully concealed or misrepresented a material fact and that her misrepresentation resulted in her obtaining her visa." *Atunnise v. Mukasey*, 523 F.3d 830 (7th Cir. 2008).

ELEMENTS OF GIVING FALSE TESTIMONY

The following are the elements of giving false testimony:

(1) The "testimony" must be oral. False statements in a written application and falsified documents do not constitute "testimony".

(2) The oral statement must be made under oath.

(3) The testimony given must be false.

(4) The testimony must be made with knowledge of its falsity. The term "knowingly" means "in full awareness or consciousness; deliberately." <https://www.google.com/search?client=firefox-b-l&q=knowingly>

(5) The falsehood was willfully made. The term "willfully" means "with the intention of causing harm; deliberately" and "with a stubborn and determined intention to do as one wants, regardless of the consequences." <https://www.google.com/search?client=firefox-b-l&q=willfully>

(6) The falsehood was made with intent to deceive.

(7) The giving of the false testimony must have been made to induce the official to act. "We do not believe that there has been a willful misrepresentation of a material fact, because we fail to find that the misrepresentation was made for the purpose of inducing the consul to issue a visa." *Matter of G-G*, 7 I&N Dec. 161 (BIA 1956).

(8) The falsehood must have been believed and acted upon by the officer or party deceived to his disadvantage.

(9) There must be a subjective intent on the part of the applicant that in providing the false testimony it was for the purpose of obtaining an immigration benefit. False testimony for any other reason does not preclude an applicant from establishing good moral character.

(10) The falsehood must be of a material fact. Section 101(f)(6) "applies only to false testimony concerning material facts." *United States v. Sheshtawy*, 714 F.2d 1038 (10th Cir. 1983).

The test of materiality was set forth by the Supreme Court in *Maslenjak v. United States*, No. 16-309, June 22, 2017, 582 U.S. ____ (2017):

The question was "whether "a naturalized American citizen

can be stripped of her citizenship in a criminal proceeding based on an immaterial false statement." *Pet. for Cert. i*. The answer to that question is "no." Although the relevant criminal statute, 18 U. S. C. §1425(a), does not expressly refer to the concept of materiality, the critical statutory language effectively requires proof of materiality in a case involving false statements. The statute makes it a crime for a person to "procure" naturalization "contrary to law." In false statement cases, then, the statute essentially imposes the familiar materiality requirement that applies in other contexts. That is, a person violates the statute by procuring naturalization through an illegal false statement which has a "natural tendency to influence" the outcome—that is, the obtaining of naturalization. *Kungys v. United States*, 485 U. S. 759, 772 (1988)."

"For a fact to be "material," the government must "show by 'clear, unequivocal, and convincing' evidence either (1) that facts were suppressed which, if known, would have warranted denial of citizenship or (2) that their disclosure might have been useful in an investigation possibly leading to the discovery of other facts warranting denial of citizenship." See *United States v. Sheshtawy*, 714 F.2d 1038 (10th Cir. 1983).

Thus, if the applicant had fully disclosed that he went to the University of Pinatubo instead of simply stating "U.P." would the consul have denied him an immigrant visa? No because where an applicant studied is not material in deter-

mining whether the applicant is eligible for an immigrant visa.

All of the above-mentioned elements must be established.

See USCIS Policy Manual Vol 12, Part F Good Moral Character, Chapter 5;

Adjudicator's Field Manual (AFM), Section 212(a)(6)(C); *Matter of G-G*, 7 I&N Dec. 161 (BIA 1956); *United States v. Sheshtawy*, 714 F.2d 1038 (10th Cir. 1983); *Parlak v. Holder*, 578 F.3d 457, 464-65 (6th Cir. 2009).

ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. His current practice focuses on immigration law and appellate criminal defense. He writes law books for the world's largest law book publishing company and writes legal articles for newspapers. Listen to *The Tipon Report* which he co-hosts with son Noel, the senior partner of the *Bilecki & Tipon Law Firm*. It is the most witty, interesting, and useful radio program in Hawaii. *KNDI 1270 AM* band every Thursday at 7:30 a.m. *Atty. Tipon served as a U.S. Immigration Officer. He co-authored the best-seller "Immigration Law Service, 1st ed.," an 8-volume practice guide for immigration officers and lawyers. Atty. Tipon has personally experienced the entire immigration process. He first came to the United States on a student/ exchange visitor visa to study at Yale. He returned to the Philippines to resume practicing law. He came again to the United States on a non-immigrant work visa to write law books, adjusted his status to that of a lawful permanent resident, and became a naturalized citizen. Atty. Tipon was born in Laoag City, Philippines. Tel. (808) 800-7856. Cell Phone (808) 225-2645. E-Mail: filamlaw@yahoo.com. Websites: <https://www.hawaiiimmigrationattorney.com>, <https://www.hawaiiimmigrationattorney.com>, www.bileckilawgroup.com. This article is a general overview of the subject matter discussed and is not intended as legal advice. No attorney-client relationship is established between the writer and readers relying upon the contents of this article.*



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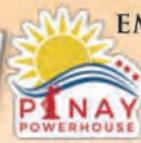


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PERSONAL REFLECTIONS

LEGO OPEN MRI: A Filipino's Dream to Make It A Reality

By Seneca Moraleda-Puguan

Robert F. Kennedy once said, “The purpose of life is to contribute in some way to making things better.” This is what a Filipino radiographer in the United Kingdom is trying to accomplish.

Apollo Exconde, who grew up in a family of doctors, was inspired to become a medical practitioner. The field of Radiography and the vast opportunities that came with it was introduced to him by his late mother, Lily Exconde. He has now been working in the UK for nearly five years as a Senior Magnetic Resonance Imaging (MRI) Radiographer with Inhealth-Croydon MRI Unit.

MRI is a test, a scanning technique that uses powerful magnets and radio waves to capture detailed images of the human body. It is a very important technology in diagnosing diseases. Important and helpful as it is, not everyone has the courage to go through it.

“Seeing how the kids, claustrophobic and scanxious (scan anxious) patients struggle. If patients don’t succeed getting through the MRI scan, it’s such a devastating sight that makes me sad. Some of my patients even tell me: ‘I cannot do this, this is just impossible, I was not informed!’ -- which always crushes my heart, leaving me disturbed even after work.

“It is from these patients’ comments, I started asking myself, what can I do to help them? If I could create, add, or change something that might help them to allay their worries,” said Exconde.

His compassion for his patients inspired him to create something that would help those afraid to go through conventional MRI.

Exconde thought of a brilliant idea: the Lego Open MRI. Yes, MRI made of Lego.

“InHealth – Croydon MRI unit houses 3 MRI machines and one of which is the open

MRI. The site boasts unparalleled high rates of success helping claustrophobic patients get through their scan.

“In addition to our holistic approach techniques, my initial aim was to show the Lego open MRI while I am explaining what will happen during the procedure. Positioning and how far the head will go inside is imperative information to the patient.”

What is the long-term benefit of the Lego Open MRI?

According to Exconde, “a patient will usually be referred



Apollo Exconde (extreme right)

to open MRI after they’ve refused to go to the conventional type. The presence of Lego open MRI once it becomes a reality and widely available

will lessen the anxiety of patients from the point of referral to the day of appointment as it will reassure them that the machine that they will be using will be spacious and have an unobstructed view.

“This will also be used in conjunction with the current holistic technique radiographers use to provide each patient a better and unique experience far from what they have had.”

But how will this excellent concept become a reality? The Lego Open MRI will only be produced once it gets the 10k support and has passed the Lego Review. He has been giv-

en one year to get 1k support, then an extended 6 months to reach 5k and 6 months more until reaching the required 10k.

The challenge he is facing right now is how to get this concept across to everyone around the globe. He is trying to reach and ask as many people he can, starting from social media, friends, colleagues’ relatives and family. But he is hopeful that the Lego Open MRI will not just remain a concept but will become a reality.

Here are the steps to give our support to Mr. Apollo Ex-

(continue on page 10)



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By Elpidio R. Estioko

Are There Words Between the Lines?

the lines!”

Technically, yes, there are no words between the lines but somehow there are hidden meanings in the sentence or expression. We need to educate our students, or everyone, to understand the intent of the sender/author of the message. This early method of transmitting written coded messages, to my knowledge, has evolved and has come to contemporary times to be associated with finding meaning or evaluating meaning in a text or oral discussion that is not obvious in a superficially done manner. Well, I think this idiom applies to both written and oral or verbal communications where one must read between the lines or expression to better understand what's being relayed to the receiver of the message that is coming from the sender.

In my Language Arts/Reading class, I always remind students we need to try to understand someone's

real feelings or intentions from what they say or write. In short, we need to infer or figure out the real or hidden meaning behind the shallow surface of the word. We need to understand what is meant by something that is not written or said clearly or openly. After listening/evaluating to what she or he said, you can begin to see what she or he really intends to convey. Don't believe everything you read literally, hook and sinker! Learn to read between the lines!

There are many ways or methods how to read between the lines, according to Wikihow.com. The most important thing, however, is that in analyzing what people say or write, you need to listen carefully. Listening closely to what people say or write is essential to reading between the lines, the website emphasized. Some good listening techniques include smiling and nodding to show you are

paying attention; using neutral statements to encourage the person to keep talking, such as “yes,” “I see,” and “go on”; or rephrasing what the person has just said to ensure that you have understood them.

Another technique which most reporters do, is take notes so that you can analyze them later. This might be time-consuming but taking notes on what someone says will allow you to return to the information later and analyze it. Write down anything that seems important or that you'd like to come back to.

This is important: Notice what the person does not say! What the person leaves out may be important as what they include. After the conversation, consider whether they left out anything that you think is important. For example, if a co-worker avoided talking about their progress on a special project, then they

might be struggling with the project.

Don't forget to ask for clarity. After the conversation, it is fine to ask the person about anything that was unclear to you. Be honest if you don't understand something or if you want more information about something they said.

Same thing in written language: you need to analyze the wordings and figure out what the writer wants to convey based on the facts or details of the story. Try to connect the sentences and check on possible meanings in between. You need to read carefully and understand the verbiage in order to read between the lines.

Also, find out what the writer does not include and exclude in the sentences. There are things in between the author would like to say.

So, whether it is written or verbal, we need to understand how to read between

(continue on page 11)

There is a popular idiomatic expression which says: “Read between the lines!”

They may not have words in between... literally, but the phrase may suggest that there are missing words or ideas that were actually hidden in vanishing ink or otherwise concealed between obvious oral discourse.

In one of my classes in investigative reporting and also in creative writing, I always mention to my students that they need to be creative, innovative, analytic, and must know “how to read between the lines”. Then one of my students stood up and said: “But sir, there are no words between

HAWAII-FILIPINO NEWS

Raising Minimum Wage to be Taken up at the Legislature

Bills to raise the minimum wage will be taken up at the Hawaii State Legislature this session, SB1248, SB789, and HB1191 HD1.

The House Committee on Labor & Public Employment passed HB1191 HD1 to increase Hawaii's minimum wage on a gradual basis beginning on January 1, 2020 through 2024, with smaller wage increases for employees

receiving employer-sponsored health insurance to incentivize employers to continue to provide that benefit. The bill advances to the House Committee on Finance.

“The bill balances the real need of lower-wage workers to keep up with Hawaii's high cost of living and small businesses' ability to continue doing business amidst the significant burdens imposed on them by the state,” said Represent-

tative Aaron Ling Johanson, Chair of the Committee on Labor & Public Employment. “The bill improves the wages of those who are most vulnerable with less risk of compromising those same employees' health insurance currently paid for by the employer.”

SB1248 aims to increase the minimum wage to \$15 by 2024; SB789 increases it to \$12 by 2022. The first hearings took place in the Senate

Labor Committee led by Chair Brian Taniguchi.

The state's current minimum wage is \$10.10. At this rate, a full-time employees is estimated to take home \$21,000 a year. The last step the Legislature had taken on raising the minimum wage was in 2014.

Supporters of the bills say \$10.10 is not a living wage in Hawaii where the state consistently ranks in the top five among the states with the highest cost of living.

According to data from the Hawaii Department of Business, Economic Development & Tourism, the self-sufficiency income standard for a single adult with no children in 2016 was nearly \$33,000 per year, or \$15.84 per year.

The self-sufficiency wage for that same adult rises to \$27.00 per hours with the addition of one child.

Opposition

The Chamber of Commerce of Hawaii submitted

testimony against increasing the minimum wage and asked lawmakers to consider the impact these bills would have on local businesses' ability to continue to create jobs, survive in a high cost of living state and pay for benefits currently offered to employees.

The testimony read, “The passage of these bills would seriously harm local businesses, the state economy, job creation and, potentially, the very employees it is trying to help.

“As a direct result of the significant proposed increase in the minimum wage, some businesses may have to cut back hours, reduce benefits or limit the hiring of new employees. Increasing the minimum wage will also greatly affect job opportunities, especially for new, unskilled workers. In addition to traditional adult workers changing industries, young adult workers also often receive their initial work experience by starting at unskilled jobs.”

PERSONAL REFLECTIONS: LEGO OPEN MRI...from page 9)

conde so he can see the fulfillment of his dream of a Lego Open MRI.

1. Google Lego open MRI
2. Click the link & click support
3. Click sign in & click don't have a Lego account?
4. Type your details. Tick 'accept terms and conditions', click next
5. Check your email for code
6. Enter the code, click next & close
8. Tick I hereby accept &

- agree
 9. Refresh email look for “Lego Ideas – Confirm your activation,” open it & click activate your account
 10. Lego.com needs YOUR help! Click NO another time or YES
 11. Click magnifying glass & type OPEN MRI
 12. Click OPEN MRI and click support
- He appeals, “By sharing

the link, my posts or hashtags then it gets spread sporadically as for every cast of support, gets us closer to helping by building confidence, one Lego brick at a time, and it also raises the awareness of claustrophobia and scan related anxiety. I hope that the world will help me to help those who cannot.”

Let's cast our support for the Lego Open MRI and invite our friends to do the same. Together with Apollo Exconde, let's make things better.

CANDID PERSPECTIVES

The Trump Reality Show Presidency



By Emil Guillermo

As I write, the State of the Union Address is about to be given.

And though I have a list of things I want Trump to address, I would be happy with the truth.

Something like, “I screwed up on the government shutdown. Sorry, all you families who rely on government paychecks. But guess what, if I don’t declare a national emergency, I might have to shut down the government again.”

This is why it almost doesn’t matter what the president says in the State of the Union Address.

Chances are it will be laden with misstatements about duct taped women in the trunks of cars being driven across the southern border. Or by any number of recycled lies among the 8,000 misstatements Trump has unleashed on the public since his presidency began, according to the Washington Post.

I would just like to hear him recognize people like my furloughed Filipino friend, the DC worker who has missed a month of paychecks due to the temporary government shutdown.

My friend is skeptical about the temporary nature of the shutdown’s end, not to mention Donald Trump, and the possibility that the worst president in U.S. history could use it again as a bargaining tool.

I’ve kept him anonymous to both protect him and allow for candor.

He’s bitter about the misuse of a shutdown.

“The House should pass new rules to fix the appropriations process,” my friend who left a tenured position in higher ed to join a federal agency. He said automatic continuing resolutions would put an end to government shutdowns as a negotiating tool.

Agreed. Shutdowns only seem to be useful if you like shooting yourself in the foot. They should be banned from the political tool kit.

During the shutdown, my friend was prohibited by law from calling fellow furloughed workers to talk about the work that’s piling up. He couldn’t use his government-issued laptop or phone. Nor could he stop by his office.

But when Trump held his Rose Garden news conference alone, my friend was only mildly elated to see Trump blink.

“We have reached a deal to end the shutdown and reopen the federal government,” Trump said to his staff’s applause, perhaps the only ones in Washington compelled to celebrate.

What were they celebrating? Trump got nothing. No money for a wall. Nothing.

The Democrats got what they wanted: a re-opened government, and continued talks.

And the 800,000 furloughed workers will get back pay “quickly,” as Trump promised.

But my friend was still wary.

The announced agreement only keeps the government



open until Feb. 15, a window of time to try to make a new deal.

Essentially, the shutdown may be over, but Trump’s eyes remain shut.

He’s still dreaming about his wall.

“So let me be very clear, we really have no choice but to build a powerful wall or steel barrier,” Trump said in closing. “If we don’t get a fair deal from Congress, the government will either shut down on Feb. 15 again or I will use the powers afforded me under the laws and the Constitution of the United States to address this emergency.”

There’s the threat. After the longest shutdown in history could come Shutdown: The Sequel. And if not a shutdown, Trump’s still thinking of bypassing Congress and getting his wall money by his own regal signature.

“This was an (effing) waste of time,” my friend told me. “Imagine all the stress (of all us federal workers) of not being able to provide for your family. It’s all on Trump.”

What about all those people cheering at the Rose Garden?

“Even in defeat, you got

government. All that and the poll results showing that the public was blaming him for the shutdown.

Add it all up and you get the Rose Garden performance, when Trump caved toward the left.

“Trump is weak,” my friend said. “He has no idea how to govern. If Democrats can’t beat him in 2020, this country will deserve his second term.”

It’s true. Trump blinked. Both eyes. And his eyes are still shut. It’s like he’s bird-boxing the presidency. It is when he relies on Fox News as his “intel.”

But can the Democrats and Pelosi lead the way and unite the country? We need real leadership now.

A sense of bi-partisan unity wouldn’t hurt either.

But I doubt we’ll get that from the State of the Union Address.

Because the State of the Union is in disarray, almost every day.

That’s the state of the Trump reality show presidency.

EMIL GUILLERMO is a veteran journalist and commentator. He was on the editorial board of the Honolulu Advertiser, and a columnist for the Starr-Bulletin. Twitter @emilamo

(AS I SEE IT: ARE THERE WORDS...from page 10)

the lines by utilizing the suggestions we just mentioned. Somehow, this will help [you in getting what the sender of the message would really want to convey.

This reminds me of author Shannon L. Alder who said: “Intelligence is not expecting people to under-

stand what your intent is; it is anticipating how it will be perceived.” So with Joyce Rachelle who expounded on this by saying: “There is more to hear in what is not said.”

I won’t also forget what Laurie Buchanan, PhD. once said: “One of the benchmarks of great communica-

tors is their ability to listen not just to what’s being said, but to what’s not being said as well. They listen between the lines.”

So, are there words between the lines? You bet!

For feedbacks, comments... please email the author @ estikoelpidio@gmail.com.

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FEATURE

(Editor's Note: This is the third of a three-part series.)

WHAT YOU NEED TO KNOW ABOUT DIVORCE

By Sheryll Bonilla, Esq.

Part Three – The Spouses

PIn an uncontested divorce, both parties come to an agreement as to all the issues and how they will fashion the complete and final split between them. In a contested divorce, the easiest matter is what name a spouse will use after the divorce. Other ones are not so easy.

Name Change

A spouse can choose to keep a married name or go back to being known by the name used before marriage.

Spousal Support (Alimony)

Alimony is taxable as income to the receiving spouse and deductible by the paying spouse. While many spouses seek alimony from the other spouse, Hawaii law imposes a duty of self-sufficiency on spouses to bring the marriage to a true end. Spousal support is sometimes awarded in cases where the parties are very wealthy and one can afford to give alimony to the other to maintain the marital living standard. It has also been awarded where the couple was married a very long time with

the expectation of support for the non-working or lower-income spouse – such as a couple in their 60s who have been married since they were in their 20s, with the wife staying home to raise their children or help her husband in his career.

There are four types of alimony. Temporary alimony is support received while the divorce is pending before the court. Transitional alimony is given for a limited period to the lower-income spouse to adjust to a lower standard of living after the divorce. Rehabilitative alimony provides the lower-income spouse with money for living expenses while he or she acquires skills to re-enter the job market or qualify for higher paying work. Permanent alimony is given for the rest of the life of a less-advantaged spouse. The Family Court does not have rules or guidelines governing the amount or duration of alimony. It will make its determination based on the evidence of the circumstances and abilities of the parties.

Taxes

The spouses can agree to what to do with the tax refunds and liabilities, either sharing it equally or divvying up who gets what and who pays for what. Generally, in the year after the decree, each person



is responsible for any tax liabilities and entitled to refunds based on his or her income and deductions. For three years after a divorce, the parties are generally under the obligation to keep each other informed of any tax-related communications he or she receives from the IRS or the State or Coun-

ty Tax Departments. They are also obligated to cooperate with each other with any audits relating to marital returns.

Division of Assets and Debts

Divorcing couples file two financial statements: the Asset and Debt Statement (ADS), and the Income and Expense Statement (IES). Each person files his or her own IES. They can file the ADS separately or jointly.

The Asset & Debt shows the values of all the assets and debts the couple has at the time of divorce. Couples can agree on the division of property and the division of debt. If they cannot agree, Hawaii has a marital

partnership model that guides and limits the property division the Family Court can decide. In this model, the non-economic contributions are also deemed valuable. For example, a stay at home parent who takes care of the children enables the working parent to be in the workforce and preserves family finances that would otherwise be spent on child care. Hawaii also recognizes and enforces agreements made by the spouses before and during the marriage. The marital estate is broadly defined and includes trusts, intellectual property, retirement benefits, as well as the more tangible assets such as the

(continue on page 13)

CROSSWORD No. 2

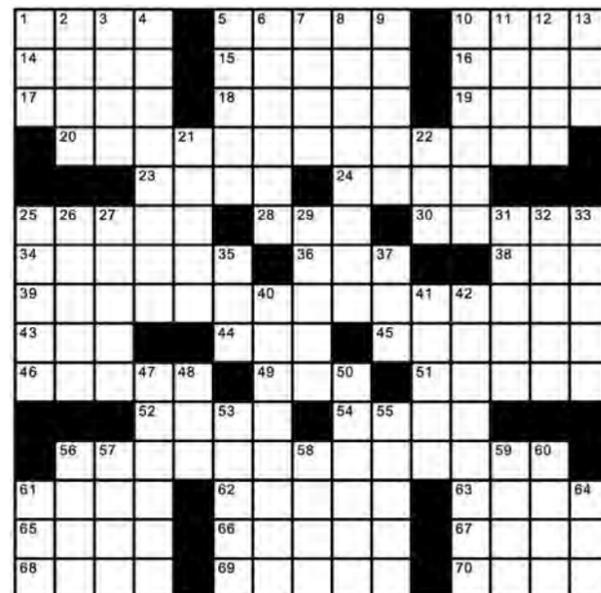
by Carlito Lalicon

ACROSS

1. Kiss
5. Athletics
10. Function
14. Killer whale
15. Pole horse
16. Redact
17. Food thickener
18. Bind
19. Leafless East Indian vine
20. Former Senator from Quezon
23. Add to the pot
24. Romantic interlude
25. Limestone landscape
28. Managed
30. Intended
34. Vomiting
36. Grassland
38. Card game with forfeits
39. Use of both eyes
43. Epoch
44. And not
45. Enclose in a case
46. Shady spot
49. Little troublemaker
51. Kind of beam
52. In order

DOWN

1. Constrictor
2. Advocate
3. Large amount
4. Gulfweed
5. Gush
6. Think over
7. Miscellany
8. Dental appliance
9. Fashion
10. Selling of something purchased
11. Aroma
12. Capital of Peru
13. NAIA info
21. Prank
22. Physical education
25. Kabob
26. Mexican friend
27. Extend, in a way
29. Warning device



54. Cambodian currency
56. Something that completes the whole
61. Head of hair
62. Dried plum
63. Make high-pitched, whiney noises
65. Piece of music
- 66.irate
67. Palm fruit
68. Entanglement
69. Highly skilled
70. Lady's man

31. Assumed name
32. Snare
33. Laser printer powder
35. Juliet, to Romeo
37. Hail, to Caesar
40. Hung around
41. Arm of the sea
42. Rascal
47. Catch in a net
48. Sales person
50. Prenuptial agreement
53. Beginning
55. Tactless
56. Mantle
57. Burden
58. Quiet
59. Run
60. Chinese dollar
61. Dad's lover
64. Lighted

(Solution will be on the next issue of the Chronicle)

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VILMA D. FUENTES, Doctor of Physical Therapy

LEGAL NOTES



By Atty. Reuben S. Seguritan

Dealing with the NVC When Processing Visa Abroad

The National Visa Center (NVC) was created in 1994 to centralize the immigration visa process and allow the US consular offices around the world to concentrate on adjudicating visa applications. A visa applicant submits all of the required documents to the NVC and the NVC will check the completeness of the documents and schedule the interview. The NVC does not adjudicate cases nor will it answer legal questions on eligibility of the applicants. All legal questions must be referred to the legal team at the Department of State (DOS) Visa Office in Washington, DC.

Once the NVC receives an approved petition from the US Citizenship and Immigration Services (USCIS), it will enter the case into its system. If visa numbers are not yet available for the case or not yet "current", the NVC will store the file of the case and monitor the prior-

ity dates. When visa numbers will foreseeably become available for particular cases within a reasonable time or the case is current, the NVC will proceed with the following steps.

First, the NVC will send a notice to the applicant to choose an agent and pay the required fees online or by mail. Second, the applicant must pay for the required fees online and allow up to five days for the NVC to process the payments made online. If the payment was made by mail, the NVC will send notice when it has received the payment. After processing of the payments, then the application can proceed. Third, the applicant must complete and submit the visa application form DS-260 online. Fourth, the original I-864 Affidavit of Support and other financial documents must be submitted. If the NVC determines that the documents are complete, then the case will proceed. If not, the NVC will not move the case forward and send a notice to the applicant that certain documents are missing. It is important to note that if the applicant changes his address at any time

and especially during the visa application process, he must inform the NVC immediately by mail or online.

Fifth, the applicant will then submit photocopies of all of the civil documents. The applicant will bring the originals during the scheduled interview. Examples of civil documents are birth and marriage certificates and police clearance documents. Sixth, the applicant must send all of the forms, financial documents and photocopies of the civil documents in one package only to the NVC. If the documents are not submitted in one package, this may cause delays in the processing. If the applicant decides to choose e-mail processing, then everything must be sent electronically and not by mail anymore. When the NVC determines that the case is complete and all of the steps have been complied with, then it will send the case to Post. If it is not complete, the NVC will not forward the case to Post. However, for cases of K-1 fiance(e) visas, orphans and refugee cases where the NVC does not collect docu-

ments, it will send the case to Post after basic data entry within three business days. If a visa is available for the applicant and his case involves a life or death medical emergency, processing of the case may be expedited. The NVC will forward the request to expedite the case to the Post and the Post will make the decision to grant or deny the request.

A visa petition may be terminated if the applicant or his attorney fails to communicate with the NVC for more than one year. If the case is terminated wrongfully, the applicant or his attorney must send an e-mail to NVCAttorney@state.gov and state why the case should not have been terminated. The dates of contact and submission of documents and other evidence of communication with the NVC or USCIS must be included to overturn the termination of the case.

If the visa becomes available but the applicant or his

children might age-out, the NVC will pull the case 120 days in advance of when the child will age-out and begin expedited processing.

If the applicant or his attorney has any questions for the NVC, they may contact the NVC via e-mail. If the NVC does not respond to the inquiry after 8 days or the reply of the NVC does not address the inquiry, then the applicant or his attorney should send a follow-up e-mail. If the NVC still does not respond or the response is again not pertinent to the inquiry, then a third e-mail should be sent with the subject line "Attention PI Supervisor". A supervisor should then respond to this e-mail within 5 to 7 business days. Another option is to call the NVC.

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

FEATURE: WHAT YOU NEED TO KNOW ABOUT DIVORCE...from page 16)

home the family lives in, vehicles, bank accounts, securities, life insurance policies, jewelry, and all other property owned by the spouses. While spouses sometimes keep property titled in their name only, if marital assets or income were used for the upkeep, maintenance (payment on loans, for example), or benefit of the property, the court may consider that property to be marital and subject to division.

The spouses can always agree on how to divide their debts. Generally, debts go with the property. If a person takes a car, he or she pays the loan on that car. Credit cards in that person's name usually are paid by that person. Student loans are paid by the student. Home loans are extinguished by the sale of the home, with the net proceeds being split between the spouses. If one spouse decides to buy the share of the house from the oth-

er spouse, the loan is refinanced to be in the acquiring spouse's name. Spouses are free to decide who pays for what, but if they cannot decide, the values of the assets and debts will be examined by the courts and an equitable division ordered. In some cases, the court may order an equalization payment if the assets and debts cannot be distributed equitably.

Part Four - Carrying Out the Decree

The marriage ends with the divorce, but the ex-spouses must still tie up loose ends by finalizing the end of their union with all the third parties that recognized their marriage. These are some of the matters that still have to be handled. Remember to ask for at least two or more certified copies of the decree since the certified copy is needed to carry out most of these tasks.

Name Change

A spouse changing his or her name must take the certified copy of the decree to get their driver's license changed or name changed with the Social Security Administration. Insurance policies (health, life, other) may also need to see the decree to change the policy holder's name.

Financial Accounts, Loans, and Credit Cards

Financial accounts should be changed according to the division of property in the decree so that each spouse is the sole owner of what was awarded to him or her, and the other no longer has access to the funds. This includes stocks, bonds, other investments, and checking and savings accounts. Make sure to close out all credit card and revolving accounts so that either spouse

(continue on page 15)

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DAYASADAS
By Pacita Saludes

Nagaget, Natakng Ken Mannakigayyem Ni Filipino

matagtagibassit a kas ti panangipagarup dagiti sabali a puli. Kasla matagtaginunomo gapu iti dayta a pagarup.

Ti pudno, addaan met ti kired ken bileg a makilangen ken umarang iti uray ania a puli. Naalumamay ken napakumbaba, ngem addaan met ti karit a di maartapan no mariknana a matagtagibassit wenno mairurumen ti kinataona. Ta ni Pinoy add tiaan met ti naitalimeng a di laen matagtagibaba

sabali. Ania dagidiay? Dagiti mangsintir ken managubserbar laeng ti makadlaw.

Sintiren dagiti aglawlaw a kulpulapol. Adda nadayaw, managparbeng, managtulong ken naanus, ken adu met ti galad a di maawatan no dadduma aglalo no madurong ta mariknana met ti pannakairurumen. Dagitoy a galad a saan a marikna manipud kadagiti sabali a puli ken no maminsan mangparegget ken mangpasaliwanwan ti panunot tay maysa a naiyaw-awan. Di kadi makalinnagentayo a napakumbaba ken mannakaawat ngem adu dagiti saan a maawatan no apay a gamdenda ti managindadakkel. Kayat kadi dagitoy ti mangidasar ti kinabileg tapno maartapanda ti sabali?

Adu dagiti wagas a panangipakita a nasinged ken napatpateg a panangiparikna ken naltalna a panangipakita a galad ti sabali. Wagas a pamkuatan met dagiti naayat a makikadua ken mannakigayyem. Ti rikna ken nasinged a kababalin ti mangiyasideg ti nasaysayaat a pannakikadua kadagiti kapulpulapol. Dagita a galad ti akuen ken aramiden tapno mapasinged ti nasaysayaat a panagkakadua ken panagkakabsat.

Kunada a mangserbi, managtulong, ken mannakigayyem ni Filipino. Napakumbaba ken saan a mangindadakkel. Pudno dayta a di laeng



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Makita kadagiti suli dagiti mata
Kasta met ti suli dagiti bibig
Punganay ti naalumamay a pagilasinan
Rumsua nga isem ti nainkabsatan a pannakilangen.

Ti panagtignay dagiti nasamek a kiday
Ti mangipakita ti aniaman nga iparangarang
Kadagiti kayat nga ibaga ken kayat nga aramiden
Uray awan rumkuas a balikas kadagiti bibig

Umdasen ti itataliaw wenno panagkuti ti mata
A mangsungbat kadagiti balikas ti dila
Ta ti panagtignayna agbalbalikas dagiti kiday
Uray awan rumkuas kadagiti em-ememan a bibig

No awan rumkuas wenno tignay ti bibig
Sandian ti panagtignay dagiti dua a kiday
No awan tignay ti dila nga igunay ti bibig
Agkakamakam a siputan dagiti kiday

Siputan laeng dagiti rumkuan a tignay
Utoben a siaalumamay dagiti maimatangan
Uray awan rumkuas a mangngegan
Agsiput laeng, umdasen a pagkikinnaawatan

Amuen a di lumbes dagitoy
No kalikaguman a sitatalged ti ulimek
Isemam ni Labista a kumitkita
Maawaatam ibagbagana a sitatalna.

(Sagot sa Krosword Blg. 1 | January 26, 2018)

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COMMUNITY CALENDAR

FILIPINO CHAMBER OF COMMERCE OF HAWAII (FCCH) FILIPINO ENTREPRENEUR OF THE YEAR | March 23, 2019; 6 PM | Ala Moana Hibiscus Ballroom | For more details call: Rose Galanto- 688-4458, Vanessa Tan Kop - 441-0509

OAHU FILIPINO COMMUNITY COUNCIL (OFCC) PRESENTS THE MISS OAHU FILIPINA 2019 | June 1, 2019; 6 PM | Marriot Waikiki Beach Resort | For more de-

tails call: Calvin Bagoisan- 266-4334, Maricelle Redona-295-5233, Raymond Sebastian - 799-6080

FILIPINO NURSES ORGANIZATION OF HAWAII (FNOH) EXCELLENCE IN NURSING AWARDS | August 10, 2019; 6 PM | Hilton Hawaiian Village Resorts Coral Ballroom | For more details call: Lolita Echaz Ching- 387-7635, Luanne Long- 754-0594

MAINLAND NEWS

Sen. Schatz Seeks to Protect Workers' Credit Scores Affected by Shutdown

U.S. Senator Brian Schatz and seven senators called on the three credit reporting agencies – Equifax, Experian, and TransUnion – to protect federal employees and contractors from any damage the Trump shutdown may have done to their credit.

“Workers’ credit reports and scores should not be ruined for reasons entirely outside of their control. We hope that your companies will take this opportunity to correct information related to the people impacted by the shutdown as soon as possible,” the senators wrote.

The senators underscored how negative information on these workers’ credit reports could hurt their credit scores, potentially making it more difficult for them to get loans, employment, or housing. At 35 days, the Trump shutdown was the longest in history and hurt more than 800,000 federal workers and thousands of federal contractors across the country.

FEATURE

(FEATURE: WHAT YOU NEED TO KNOW ABOUT DIVORCE....from page 17)

cannot add to the debt with post-divorce charges or borrowing. Make sure all loans are refinanced so that the spouse taking the debt is the only one responsible and the spouse who is not liable for the debt is removed from the loan or credit card.

want to make sure that his or her name is removed from business registrations and business bank accounts. In case the business takes an economic nosedive or is sued for any reason, the innocent spouse who is no longer involved in operating the business could find him- or herself named in a lawsuit or have their property attached to pay business debts. Extricating one’s self from a later lawsuit can be costly, so it is cheaper to handle the administrative tasks soon after the divorce for that clean break.

at the house because after a divorce, each spouse now owns one-half. Most divorce lawyers do not prepare deeds, and spouses must find another lawyer to do one if their divorce lawyers don’t.

Retirement Pay

Most people believe that the decree automatically divides the retirement pay. It does not because divorces are between the two spouses, and the retirement plan is not a party to the divorce, so is not subject to the decree. Separate orders have to be prepared to accomplish this. While there are divorce lawyers who prepare this separate division order, many lawyers do not. Retirement pay orders are called by different names depending on the type of retirement. Thrift Savings Plans are covered by Retirement Benefits Court Orders. Military and federal plans are covered by Court Orders Acceptable for Processing. Pensions and annuities are covered by Qualified Domestic Relations Orders. The language for each type is specific to the type of order and for private plans, even to the specific company’s plan administrator.

It is highly recommended that while the divorce is pending, the retirement orders be prepared so that these are signed concurrently with the decree. Private retirement plans must approve an order before a judge signs it. Having the orders drafted while the divorce is pending helps so that these are ready to be signed at the same time as the decree. While divorcing parties don’t want to spend

Transfers of Ownership

Make sure that all transfers of property, especially those relating to those debts are done: insurance policies, the Department of Motor Vehicles, financial institutions and stock brokerages, and so forth.

Estate Planning

A divorce nullifies any provision in a will or trust that relates to that spouse, so the gift of property has to be given to someone else. Most married couples name the other spouse as his or her personal representative or successor trustee. Wills and trusts must be updated with new persons designated as personal representative or successor trustee, and new beneficiaries named to receive the property.

Most married couples also name the other as their agent in a power of attorney or advance directive for health care. Couples having these documents should revoke them and replace them with updated ones designating new agents. If there are copies left at financial institutions or doctor’s offices, the old documents should be retrieved and replaced with updated documents.

Business Registration

If the spouses divide the business as part of their divorce, and one spouse is taken off the business, he or she may

Deed

Usually a marital residence is sold and the net sale proceeds are divided between the spouses. If a spouse wants to continue living in the house and can afford to buy out the other’s share, a deed conveying one’s share to the other has to be prepared, signed by both spouses, and recorded at the Bureau of Conveyances. Otherwise both remain as owners of the property. Husbands and wives usually own their homes as tenants by the entirety (TBE), which is a special category of ownership with special protections. Under tenants by the entirety ownership, the property is protected so that it is only subject to collection for debts in the names of both spouses, that is, the mortgage, home equity loans, and taxes. Divorce severs that tenancy and changes it to tenants in common status. The loss of TBE protection makes the property open to risk that creditors of one spouse now can sue that ex-spouse to collect on a debt and get

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even more money getting the order done, it is often harder to get the order signed after the divorce is over. It is cleaner and more efficient to simply get the order done at the same time as the decree.

Remarriage is a big reason to have the order signed at the same time as the decree. The next spouse acquires rights in the retirement benefits, so that even if the benefits were divided by the decree, the retirement plan administrator may require the next spouse to sign off of benefits for the former spouse. Death is another reason. A plan administrator may not honor benefits awarded to a former spouse if an order is not in place while the employee is still alive. Waiting a long time after the divorce also gives the spouses another chance to stick it to each other through non-cooperation in signing the order. If the order is signed at the same time as the decree, it gives the spouses a clean break and finality. It is more prudent to spend that extra money to get the order prepared and signed concurrent with the decree.

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