

HAWAII FILIPINO CHRONICLE

HAWAII'S #1 FILIPINO NEWSPAPER

◆ WEEKLY ◆ JULY 3, 2010 ◆

A TALE OF FRIENDSHIP: CELEBRATING PHILIPPINE-US RELATIONS

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EDITORIAL

In Observance of Philippine-American Friendship Day

M

any Filipinos grew up celebrating July 4 as Philippine Independence Day—a day in 1946 when the U.S. government officially recognized the Philippines as a republic. The previous year, American and Filipino troops defeated Japan and brought an end to World War II.

Some 16 years later, former Philippine President Diosdado P. Macapagal moved Philippine Independence Day (Araw ng Kalayaan) from July 4 to June 12. He believed that the Philippines should celebrate its independence not in the U.S. granted it, but when former President Emilio Aguinaldo first proclaimed the country's independence from Spain in 1898. President Macapagal then designated July 4 as Philippine-American Friendship Day. July 4th also coincides with the U.S. Independence Day.

While small minority of left wing activists and revolutionaries regard the U.S. as imperialists, there's no denying that the Philippines has benefited greatly from a friendly relationship with its longtime ally. For centuries, the Philippines was under the rule of its Spanish, Japanese and American colonizers. But it was under American influence that the Philippines began to progress. In fact, Filipinos most readily embraced the American way of democracy, free enterprise and a high regard for individual rights and freedom. The Philippines also modeled much of its public education, as well as health, government and public services after the Americans.

Today, U.S.-Philippine relations today are based not only on shared history and a commitment to democratic principles, but also on economic ties, as well as historical and cultural links. At the most fundamental level of bilateral relations, human links continue to form a strong bridge between the two countries. There are an estimated four million Americans of Philippine ancestry residing in the U.S., and more than 250,000 American citizens in the Philippines.

We can only hope that the new president of the Philippines will continue to stress a close relationship with the U.S. and to further expand bilateral ties. Both governments need to continue to revitalize and strengthen their partnership by working toward greater security, prosperity and service to Filipinos and Americans alike.

Shipping Homeless to Mainland Makes Good Sense

A

controversial proposal by State Reps. John Mizuno and Rida Cabanilla to purchase one-way tickets to the mainland for Oahu's homeless has raised eyebrows. Some say that doing so could very well reduce the growing numbers of Oahu's homeless population.

The issue centers around Gregory Reese, a Seattle native who moved to Hawaii earlier this year with hopes of landing a job. The job never materialized and he ended up living on the streets. There are many others like Reese whom come to Hawaii seeking a better life but then discover how expensive it is to live here. Reese wants to return home, but neither he nor his elderly father, who is willing to take his son back, can afford the airfare. Enter Mizuno and Cabanilla, who are asking the public's help in paying for Reese's ticket.

Critics say the proposal is a ploy to simply ship the homeless out instead of dealing directly with the problem. Supporters, on the other hand, say it would help ease state expenses in the current economic crunch. We tend to agree with the latter. A one-way ticket to the mainland costs \$300-\$400—which is a bargain compared to the thousands each month for stamps, general assistance, medical costs and shelter costs for a single homeless person.

We wouldn't be the first jurisdiction to send homeless back to their home states—New York City already spends about \$500,000

FROM THE PUBLISHER

A

loha and welcome to yet another issue of Hawaii's leading Filipino community newspaper—the Hawaii Filipino Chronicle! Despite the hot, humid weather, we hope you are enjoying your summer. As temperatures rise, so does our tendency to use water. But with rainfall totals lag-



ging for this year, we encourage you to please do what you can to help conserve water. Simply look at the way your household uses water and find ways to conserve. It just makes financial sense to do so, especially in today's tough economy. If you need help with water conservation tips and suggestions, please visit the Board of Water Supply's website at www.hbws.org.

If you're a bus rider, please be aware that beginning, July 1, 2010, the City will raise its fares. An adult monthly bus pass will cost \$60 and a youth monthly bus pass will cost \$30. If you're paying for a one-way bus ride, adult and youth cash fares are \$2.50 and \$1.25, respectively. Fortunately, fares for senior citizens and disabled individuals will not be increased. City transportation officials say the increase is needed to help offset fuel and maintenance costs. If you have questions, please contact the Bus information office at 848-5555 or go online to: www.thebus.org.

For this issue's cover story, contributing writer Danny de Gracia, II enlightens us on the history of Filipino-American Friendship Day, which is celebrated in the Philippines every July 4. Both countries are kindred spirits and have mutually-benefited from a close relationship since the post-World War II era. Many Filipinos have embraced the U.S. culture with its many holidays and way of life. In return, the U.S. has in the Philippines a key ally in the Asia-Pacific region. We hope you will read more on page 4 about this very significant day.

Our Open Forum article for this issue was written by City Councilmember Donovan Dela Cruz who discusses the importance of a fully-operational emergency warning system for all areas of Oahu. Unfortunately, rural communities on Oahu, particularly those in his district, have suffered from less-than-adequate warning systems. To his credit, Councilmember Dela Cruz has urged government officials to improve Oahu's warning system, which includes properly-functioning emergency sirens. His advice is quite timely now that the state is moving into the hurricane season. Please read more on page 6.

In closing, we hope you will enjoy reading these and other articles of interest in this issue, such as Legislative Connection (page 3), Legal Matters (page 7), Family Corner (page 12) and Legal Notes (page 13). Thank you for faithfully supporting the Hawaii Filipino Chronicle. Please feel free to contact us at: filipinochronicle@gmail.com if you have concerns or questions regarding Hawaii's Filipino community.

Until next time... *aloha and mabuhay!*

Chona A. Montesinos-Sonido

a year and uses a travel agency to book one-way tickets. If we do follow New York City's blueprint, our state officials need to ensure that the homeless who do agree to return have a family or means to be cared for—or else they may end up flying back to Hawaii.

With our moderate climate, aloha spirit and generous welfare system, it's no wonder that we're looked at as a convenient receptacle for the homeless from the mainland. But no more, if Mizuno and Cabanilla have their way. Both lawmakers were unsuccessful this year in passing a bill that would have provided \$100,000 to send some homeless back to the mainland. They promise to introduce a similar bill at next year's Legislature.

The bottom line is that we should not be shouldering the brunt of other states' homeless problems when we can barely take care of our own. There's no easy solution to our homeless problem, but at least Mizuno and Cabanilla have the political courage to offer such a bold suggestion. Kudos to both of them.

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LEGISLATIVE CONNECTION



By Senator Will Espero

Public Safety Updates

of illegal fireworks into our state. I have been working to tighten the gaps which allow illegal fireworks to enter.

This legislative session I introduced SB 1059, the fireworks bill, to create a task force to deal with the problem and give counties the authority to enact stringent ordinances to restrict fireworks in their islands. Governor Lingle signed the bill into law. During this interim season, my counterpart in the House, Representative Faye Hanohano and I will co-chair a task force to further investigate the issue of illegal fireworks in Hawaii. The task force report will be presented to the Legislature by next session. The City and County of Honolulu is considering an ordinance to ban consumer fireworks.

Statewide Communications Interoperability Coordinator

Last year I attended a Homeland Security Conference in San Diego. One important topic was the critical aspect of interagency communications to prompt, effective response in emergency management. Arising from the data and recommendations presented at the conference, I introduced SB 2054, which creates the position of Statewide Communications Interoperability

Coordinator. Governor Lingle agreed on how vital this is to Hawaii, and signed the bill into law shortly after the Legislature ended, as Act 118 on May 18, 2010.

The coordinator will be a part of the state civil defense agency. She will be the point of contact on statewide interoperable communications and act as the liaison among the federal, state, and county emergency response agencies, officials, and communities. She will formulate and implement the statewide plan. Funding for the position comes from homeland security grant program.

Law Enforcement Memorial

I will have the honor of being a member of a new working group involved in developing a law enforcement memorial. HCR 139, the impetus for the memorial, creates the working group for this purpose. Since the first recorded police death in the U.S. in 1792, more than 18,200 law enforcement officers have been killed in the line of duty. Hawaii has lost 50 of its officers.

The working group will bring together the Department of Public Safety, the county police departments, United States Marshall, State of Hawaii Organization of Police Officers (SHOPO), the Concerns of

Police Survivors Incorporated, and the Department of Accounting and General Services, which oversees state property. California, Florida, Kentucky, Michigan, Missouri, Oklahoma, and Oregon have already erected memorials honoring law enforcement personnel who have died while protecting the public. The perpetual memorial to honor fallen officers will call attention to the bravery and everyday public service that law enforcement officers demonstrate in the line of duty.

Next Generation 911

The 911 system was designed and built 40 years ago, when land-line phones were the only ones in use. Calling for emergency services from a land-line phone immediately connects the call to a public safety answering point (PSAP) where the 911 operator can see the caller's phone number and address. This critical information enables police, paramedics, and firefighters to be quickly sent to the correct location.

With the introduction of mobile phones, the 911 system has become out-of-date. Contributing factors are the wide variety and rapidly evolving cell phone technology, and the lack of coordination among technology vendors, equipment

manufacturers, wireless carriers, land-line phone carriers, and public safety agencies. Adding to this are the differences within states on how emergency services budgets are funded. Some states leave 911 funding to municipalities and townships; others have centralized statewide oversight.

The 911 system's 40-year-old technology will require massive overhaul to accommodate the more than 255 million wireless phones now in use. Nationwide, almost 300,000 cell phone calls are made to the 911 system. Some callers mistakenly believe that text messages, photographs, or videos can be sent to 911. The land-line based system, however, cannot receive this information.

The National Emergency Number Association is working to establish a nationwide system that can be accessed at any time, from anywhere, with any technology. The effort to achieve a national emergency communications network is a paramount project for the public good. Upgrading the system will enable 911 operators to locate all callers, whether from land-line or cell phone; respond to emergency text messages; and to receive text messages, videos and photos. Essential government services, by definition, includes fire, police, and ambulance services, a "public good" that benefits all citizens, even if most will not need to call 911.

Fireworks Bill Becomes Law

The last two years' New Year's Eve celebrations saw an increase in the amount of illegal fireworks exploding on Oahu. My office received many phone calls complaining about the loud bombs and aerials that go off not just on authorized holidays but also throughout the year. Last year my Public Safety Committee held a hearing to gather information on the entrance

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Commemorating Victory: Filipino-American Friendship Day

By Danny de Gracia, II

As Japanese carrier-based fighters delivered airstrikes against American forces in Hawaii on the morning of December 7, 1941, there was another battle raging half a world and a day away in the Philippines. Japanese pilots caught American and Filipino forces completely by surprise and took out key airbases and facilities as a coordinated air, sea and land invasion of the Philippines had begun. provides for the family and influences society at the most basic level.

Japanese troops landed on Bataan Island, Camjuin Island, Vigan, Aparri and Gonzaga, catching defenders completely off guard. By December 24, U.S. forces, unable to repel the invasion, activated War Plan Orange 3 (WPO-3)—the Army's last ditch plan in the event of an all out attack on the Philippines—and withdrew into Bataan. Philippine forces fighting for their homeland fought bravely alongside American soldiers, some resisting despite their numbers being annihilated but the battle had already been drawn and won

on paper by the Japanese.

General MacArthur, who had in the pre-war period demanded that the Philippines be defended by the most advanced and powerful weapons in the U.S. arsenal, had many inexperienced troops who were unfamiliar or untrained in their effective use. Japanese likewise exploited WPO-3 and sealed off Bataan with their forces, leaving Americans and Filipinos cut off from reinforcements. By April 9, 1942, emaciated, exhausted and shell shocked Americans and Filipinos surrendered to the Japan-

ese in what remains to this day as the largest surrender of U.S. military forces since the Revolutionary War.

While General MacArthur had two months earlier safely evacuated the Philippines in time to escape capture, the 75,000 American and Filipino defenders now in the hands of the Japanese would face some of the worst brutalities and horrors known to man in the occupation that followed. Japanese soldiers forced their prisoners to march some 60 miles to makeshift prison camps, during which some 20,000 Americans and Filipinos died in what would later be called the Bataan Death March. But while the official resistance to the Japanese had ended with the American surrender, a new war for independence had just begun—Filipino civilians would begin an underground insurgency against the Japanese.

Fighting against an enemy with superior firepower, razor-sharp discipline and elite train-



General MacArthur landing ashore in the Philippines



A Filipino USAFFE (United States Armed Forces in the Far East) during a flag-raising ceremony

ing, the Philippine guerilla forces fought many battles and lost many more, but did not relent in their crusade for total liberation. Hunger, low ammunition and the fear of being overrun by Japanese forces were perpetual stalkers of the Philippine guerillas.

Occasionally, U.S. submarines operating in secret would drop off small loads of supplies to the guerillas, but throughout the Japanese occupation, they largely fought alone and with only the untamed jungles and mountains as their allies. Resisting with ancient warfare tactics and a spirit which hearkened back to the days of the insurrections against the Spanish, the Philippine guerillas eventually developed a powerful underground organization which played a critical role in sapping the strength of Japan's forces and setting the stage for MacArthur's return to the Philippines.

Almost three years after the surrender, American forces returned to the Philippines with a counter-invasion on January 19, 1945 at Lingayen. By April 13, Japanese forces who had once been masters over the Philippines were on the run and hiding in re-

inforced strongholds such as Fort Drum, where allied combat engineers pumped some 3,000 gallons of diesel fuel as a makeshift bomb and vaporized the Japanese defenders.

On September 2, 1945 in Tokyo Bay aboard the Battleship Missouri, MacArthur would watch the Japanese government surrendered to Admiral Chester Nimitz. At last, the defeat at Bataan had been avenged. Later, on July 4, 1946—a day that many Filipinos never thought would come dawned—the Philippines achieved total independence from an outside colonial power and was at last, after centuries of control by others, an independent and free nation.

Decades later, under the leadership of President Diosdado Macapagal—father of Gloria Macapagal-Arroyo—July 4 was declared a day to honor the sacrifices of both American and Filipino alike who had fought and died in defense of the Philippines, and was named "Filipino American Friendship Day."

To this day, Filipinos and Americans all around the world continue to solemnly celebrate Filipino American Friendship

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COVER STORY



The Japanese government formally surrendered to the Allies aboard the Battleship Missouri on September 2, 1945

Day by attending survivor conferences and making trips to the Philippines to visit the graves of the fallen.

Despite the independence of the Philippines and the tender bond of comradeship that exists between many Filipinos and their American brothers, a grave injustice still plagues the memory of the Second World War—the repeal of service benefits promised to Filipinos who served in the U.S. military by the U.S. Congress. Many Filipinos joined the American military on the

promise of citizenship and retirement benefits, but the revocation of those rights after the Philippines was granted independence dashed those hopes and stained the honor of those who served and endured under the worst abuses of the Japanese occupiers.

Since 1993, every Congress has seen a version of the Filipino Veterans Fairness Act to reinstate the benefits to Filipino veterans, but as yet, no significant progress aside from a small payout included in the TARP stimulus bill has been made towards

equity.

As we look towards another year of “friendship” between the two nations, the best way for us to honor the legacy of those who fought and died is not merely to celebrate Filipino American Friendship Day, but to restore the fallen tent of trust between the two countries by honoring their veterans with full rights and rewards.

(Editor's note: DANNY DE GRACIA's family fought in the guerrilla campaign and liberation of the Philippines against the Japanese Army).

HAWAII-FILIPINO NEWS

OFCC Hosts Annual Convention

The Oahu Filipino Community Council (OFCC) held its annual convention at the Philippine Consulate on June 27, 2010.

In attendance were 102 registered delegates. Speakers during the convention included Paul Billington, director of admissions at Heald College who talked about education and the various courses offered at Heald; Deputy Consul Paul Cortez from the Philippine Consulate who dis-

cussed the plight of Filipino fishermen; and Marivic Dar, financial planner/manager from Prudential Life Insurance Co. who made a presentation on the advantages of having an insurance policy.

Highlighting the convention was the election of the new set of officers who include: Maria Etrata—president; Mario Palma—1st vice president; Leo Gozar—2nd vice president; Edna Alikpala—secretary; Faye Cudal—asst. secretary; Liza Ro-

mualdo—treasurer, Aurea Agas—asst. treasurer and Bernadette Fajardo—auditor.

Newly-elected directors are Larry Ramirez, Ilalo Parayno, Jean Jeremiah and Alma Caberto. Hold-over directors are Myrna Daguio, Gus Conception, Davelyn Quijano and Larry Fiesta. Consul General Paul Cortes was the installing officer.

The convention ended with the “Hawak Kamay” Fun night and cash prizes were awarded to



winner in Hawaiian Costume, Men and Women Attire, karaoke contest, hula and group Muslim dance contests.

Reigning Mrs. Hawaii Filipina, Kanani Sagucio Diaz, danced a hula as part of the en-

tertainment, as did Lydia Daquiaog, former Mrs. Laaogenaous of Hawaii. State Sen. Colcen Hanabusa and City Councilmember Donovan Dela Cruz were among the many guests at the convention.

The Ten Outstanding Filipino Students (TOPS) were recognized and awarded certificates, scholarship grants and gifts. The scholarships were made possible via a generous grant from the Renato and Maria A.F. Etrata Foundation. The TOPS included:

- **LOUISSA GAYLE F. AQUE**
Radford High School / Hawaii Pacific University
Major: Nursing
Parents: Rosano & Edward Arque
- **SAMANTHA DELEON**
Mililani High School / University of Hawaii-Manoa
Major: Food science and human nutrition
Parents: Elizabeth & Allan DeLeon
- **MATTHEW K. G. GUERRERO**
Hanalani School / Pacific University-Oregon
Major: Health field (Optometry)
Parents: Enrica & Mamre Guerrero
- **Jessica B. Ignacio**
Hawaii Baptist Academy / UH-Manoa
Major: Social work
Parents: Jocelyn & Inocencio Ignacio
- **FRANCESCA S. KOETHE**
Saint Francis School / UH-Manoa
Major: Marine Biology
Parents: Ruth & Terry Koethe
- **JOVELLE E. LANZADERAS**
Farrington High School / University of Portland
Major: Education
Parents: Delia & Joel Lanzaderas
- **JESSICA LYNN D. LOZANO**
Waipahu High School / Creighton University
Major: Biology/Pre-Dentistry
Parents: Junelyn & Ernesto Lozano
- **CHELSEA LEI S. RABANAL**
Sacred Hearts Academy / Loyola Marymount University
Major: Biology
Parents: Ofelia & Ernesto Rabanal
- **MELODY M. K. RIGNEY**
Waianae High School / Hawaii Pacific University
Major: English
Parents: Marilyn & Anthony Rigney
- **ALDRIC JAMES B. ULEP**
Pearl City High School / Stanford University
Major: Environmental Engineering
Parents: Julia & Constance Ulep

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OPEN FORUM

Emergency Sirens a Top Public Safety Issue

By Donovan Dela Cruz
Honolulu Councilmember,
District II

Oahu has been able to weather its fair share of natural disasters. Fortunately, we have been able to do so without the loss of life. In order to continue to ensure public safety, our warning system must be operational in all areas of Oahu.

During the last tsunami warning on February 27, 2010, the media reported that several communities were unable to hear the sirens or the sirens malfunctioned. This is unacceptable.

Since the 40 days and nights of rain in 2005, I have continued to advocate for the City and State to improve public awareness of evacuation plans and warning systems for communities in the event of flooding or any other natural disaster. The rural communities that I represent are at greater risk of being affected by natural disasters and government has been slow to make necessary improvements to our warning system.

There have been several Council committee meetings and discussions to address this issue and several resolutions asking the City administration to both expedite the installation of new sirens and upgrade existing sirens in partnership with the State Civil Defense.

I introduced Resolution 10-59 following the tsunami scare to once again address the issue of government installation, repair and updating of civil defense sirens. I am pleased to report that at the last Public Safety & Services Committee meeting, officials from the State Civil Defense and the City Department of Emergency Management identified the need to upgrade 71 existing sirens and install 53 additional sirens on Oahu, for a total of 143 of the 267 sirens needed statewide.

Both agencies expressed the need for the Council's support on the Memorandum of Agreement between the City and State. This mandates outdoor warning coverage in all public and private developments and exempts outdoor warning sirens from all special permitting, such as build-

ing permits.

In addition to the civil defense sirens, the City should be utilizing new technology such as voice or text messaging or an email alert system similar to the program used by Hawaii County.

I will be working with the both State Civil Defense, City

Department of Emergency Management and other city agencies to provide the necessary legislative support needed to ensure the health and safety of our residents.

We can't anticipate when the next natural disaster will affect us, which is why we must do everything we can to have an in-

tegrated and reliable emergency response system, which includes sirens. These sirens can provide valuable minutes for people to seek safe ground and prepare for a disaster situation. Our safety depends on the reliability of the warning system, so it's imperative that it is operational in all areas.

HAWAII-FILIPINO NEWS

Kanani Diaz Crowned Mrs. Hawaii Filipina 2011

The 51st Annual Mrs. Hawaii Filipina Pageant was held on June 20, 2010 at the Hawaii Prince Hotel, Maunakea Ballroom.

There were three beautiful women vying for the title of Mrs. Hawaii Filipina 2011. Each of the contestants shared her own unique talents and personalities. Catherine Reformado danced a muslim dance clothed with a rich muslim princess attire. Jossie Barron sang the very popular love song "Dahil sa Iyo" accompanied by the famous pianist and entertainer, Keith Samson. Kanani Diaz demonstrated her favorite Tahitian number.

After totaling all the points from the talent, tero speech and popularity phases, the second runner-up was Reformado, first runner-up was Barron and Diaz garnered the crown and title of Mrs. Hawaii Filipina 2011.



From left to right: Lynne Gutierrez, UFCH Secretary, 1st runner up Jossie Barron, Carlotu Hufana Ader, Event Chair, the newly crowned Mrs. Hawaii Filipina 2011, Kanani Diaz, Eddie Agas, Sr. UFCH President and 2nd Runner up, Catherine Reformado

The 200-plus guests at the pageant included Honolulu Mayor Mufi Hanneman, who gave an inspirational speech together with Consul General Leoncio Cardenas. State Sen. Robert Bunda and his wife Gayle assisted the outgoing Mrs. Hawaii Filipina Jema Geronimo in crowning the new queen.

Other guests include State Sen. Norman Sakamoto, State Reps. Lyla Berg, Henry Aquino and his wife, Atty. Franklin Pacarro Jr., Miss Hawaii Filipina Celina Macadangang Hayashi,

Mrs. Oahu Filipina Rachel Pacarro and several United Filipino Council of Hawaii (UFCH) board members from the neighbor islands.

Deputy Consul Paul Cortez hosted the event and rendered a song to serenade the new Mrs. Hawaii Filipina court. UFCH president Eddie Agas, Sr. announced the upcoming UFCH Convention on Maui from July 24-25, 2010. The event was chaired by Carlotu Hufana Ader and co-chaired by Cleo Balacasin.

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Rotary Club of Kapolei Names New President

The Rotary Club of Kapolei has selected Marietta Bustamante, a native of the Philippines, as its new president.

Beginning July 1, 2010, Bustamante, a senior manager at Standard Parking Corporation in Honolulu, will lead the 43-member club for the next year.

"I consider it an honor to step in as president and continue our efforts to make communities stronger and better," says Bustamante, a 1968 graduate of the University of the Philippines and 30-year resident of Honokai Hale in West Oahu. "I look forward to working with our members to dedicate our time, talents and energy to mak-

ing a difference in the lives of others."

Bustamante was born and raised in Tagudin, Ilocos Sur, where she attended St. Augustine School, which was established by Belgian missionaries 100 years ago in the Philippines.

She has been with Rotary Club since 2004, leading humanitarian missions abroad in places such as the Philippines, where she brought new resources and energy to a program designed to provide homes for about 250 homeless



Marietta Bustamante

families at Legacy Village, a community about eight miles south of Manila.

Bustamante has also played a key role in promoting international goodwill and understanding via an exchange program that introduces American culture to nations where the U.S. is trying to build better relationships.

The Rotary Club of Kapolei is part of a global network of about 1.2 million volunteers from more than 30,000 clubs in at least 160 countries. Hawaii is home to 48 Rotary clubs with more than 2,000 members.

For more information about the Rotary Club of Kapolei, visit www.kapoleirotary.com

IMMIGRATION GUIDE

Visa Petition Does Not Automatically Die with Petitioner's Death



By Atty. Emmanuel Samonte Tipon

Some people will tell you that when the petitioner dies before the beneficiary gets a visa, the visa petition automatically dies with the petitioner.

They have not read the case of *Pierno v. INS*, 397 F.2d 949 (2nd Cir. 1968), which held that the law granting the Attorney General authority to revoke the approval of a visa petition is permissive and should not be interpreted to authorize the Attorney General's wooden application of rules for automatic revocation upon the death of the petitioner, and a surviving spouse may have the petition continued in its normal course. Neither have they read *Sanchez-Trujillo v. I.N.S.*, 632 F. Supp. 1546 (W.D.N.C. 1986), holding that the automatic revocation regulations do not preclude approval of a visa petition filed for a daughter by an LPR parent who died six years after the filing, and pointed out that if the INS had properly processed the petition, the daughter would have obtained a decision on her application for adjustment of status before her father died.

There are several statutes that have breathed the breath of life to a dead petitioner's petition. One is the so-called "humanitarian nonrevocation" or "humanitarian reinstatement" Another is "posthumous benefits for surviving spouse of a U.S. citizen." Still another is "surviving relative consideration for certain petitions and applications".

HUMANITARIAN NONREVOCATION

The "Family Sponsor Immigration Act of 2002" (P.L. 107-150) enacted on March 13, 2002, INA § 213A(f)(5)(B)(ii)

[8 U.S.C. § 1183a(f)(5)(B)(ii)] provided for humanitarian nonrevocation. The law requires that the beneficiary: (1) submit an Affidavit of Support signed by an eligible substitute sponsor who is a U. S. citizen or lawful permanent resident, who meets the minimum income requirements set forth in the current Poverty Guidelines, and (2) convince the Attorney General (should now be Secretary of Homeland Security or its agency USCIS) that for humanitarian reasons revocation of the petition under INA § 205 [8 U.S.C. § 1155] would be inappropriate.

INA § 205 [8 U.S.C. § 1155] provides that the Secretary of Homeland Security may, at any time, for what he deems to be good and sufficient cause, revoke the approval of any petition approved by him under INA § 204 [8 U.S.C. § 1154].

It is thus clear that revocation of a dead petitioner's petition is not automatic. The Secretary of Homeland Security may revoke only if there is "good and sufficient cause".

For the requirements of humanitarian nonrevocation, read my article "10 COMMANDMENTS ON HOW TO RESURRECT A DEAD PETITIONER'S PETITION" at www.ImmigrationServiceUSA.com

Although the requirements of the law are simple, USCIS has made compliance difficult by imposing, among other requirements, an almost impossible 7-point requirement.

POSTHUMOUS BENEFITS FOR SURVIVING SPOUSE OF USC

The Appropriations Act for the fiscal year ending Sept. 30, 2010 for the Department of Homeland Security (P.L. 111-83), enacted on October 28, 2009, Sec. 568(c) extended posthumous benefits to an alien surviving spouse of a U.S. citizen and each child under 21 of the alien by treating them as

"immediate relatives". They must file a petition under INA § 204(a)(1)(A) [8 U.S.C. § 1154(a)(1)(A)] within two years after the enactment of the Act.

SURVIVING RELATIVE CONSIDERATION FOR CERTAIN PETITIONS AND APPLICATIONS

The Appropriations Act for the fiscal year ending Sept. 30, 2010 for the Department of Homeland Security (P.L. 111-83), enacted on October 28, 2009, Sec. 568(d), added INA § 204(i) [8 U.S.C. § 1154(i)], Surviving Relative Consideration for Certain Petitions and Applications.

INA § 204(i)(1) [8 U.S.C. § 1154(i)(1)] provides: "(1) IN GENERAL- An alien described in paragraph (2) who resided in the United States at the time of the death of the qualifying relative and who continues to reside in the United States shall have such petition described in paragraph (2), or an application for adjustment of status to that of a person admitted for lawful permanent residence based upon the family relationship described in paragraph (2), and any related applications, adjudicated notwithstanding the death of the qualifying relative, unless the Secretary of Homeland Security determines, in the unreviewable discretion of the Secretary, that approval would not be in the public interest."

INA § 204(i)(2) [8 U.S.C. § 1154(i)(2)] provides: "(2) ALIEN DESCRIBED- An alien described in this paragraph is an alien who, immediately prior to the death of his or her qualifying relative, was-

- (A) the beneficiary of a pending or approved petition for classification as an immediate relative (as described in section 201(b)(2)(A)(i));
- (B) the beneficiary of a pending or approved petition for classification under section 203 (a) or (d);
- (C) a derivative beneficiary of a pending or approved pe-

tion for classification under section 203(b) (as described in section 203(d));

(D) the beneficiary of a pending or approved refugee/asylee relative petition under section 207 or 208;

(E) an alien admitted in 'T' nonimmigrant status as described in section 101(a)(15)(T)(ii) or in 'U' nonimmigrant status as described in section 101(a)(15)(U)(ii); or

(F) an asylee (as described in section 208(b)(3))."

STRATEGIES TO PREVENT VISA REVOCATION

When a beneficiary informs USCIS that the petitioner is dead, the notification should be accompanied with a request for humanitarian nonrevocation and proof that for humanitarian reasons revocation of the petition would be inappropriate together with a new Affidavit of Support.

If USCIS denies the request, consider suing the USCIS. Allege and prove that you are entitled to humanitarian nonrevocation and that the requirements USCIS has imposed to prevent revocation (which you probably could not meet) are ultra vires, and that they are contrary to the intent and spirit of the law which favors family reunification.

Surviving spouses and

minor children seeking posthumous benefits under 204(a)(1)(A) must file a petition within two years after the enactment of the Act (October 28, 2009).

Surviving relatives seeking benefits under INA § 204(i)(1) and (2) should seek to have their visa petition or application for adjustment of status adjudicated notwithstanding the death of the qualifying relative.

(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 practices in Hawaii, specializing in immigration law and criminal defense. Tel. (808) 225-2645. E-Mail: filamlaw@yahoo.com. Website: www.ImmigrationServicesUSA.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. Listen to the most funny, witty, and useful radio program in Hawaii on KNDI at 1270, AM dial every Tuesday at 7:30 a.m. and on KHCB at 1060, AM dial every Thursday at 8 p.m. This article is a general overview of the subject matter discussed and is not intended as legal advice. No warranty is made by the writer or publisher as to its completeness or correctness at the time of publication.)



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PHILIPPINE NEWS

Noynoy Takes DILG Post

By Aurea Calica /
Wednesday, June 30, 2010

MANILA, Philippines - President-elect Benigno Aquino III will take charge of the Department of the Interior and Local Government (DILG) as he looks for people to fill the remaining vacancies in his Cabinet.

Aquino announced yesterday the names of most of the members of his Cabinet. He has chosen Northern Luzon Command chief Lt. Gen. Ricardo David as his Armed Forces chief.

Aside from the DILG secretary, Aquino has yet to name the Customs commissioner who will be part of his economic team, as well as a permanent secretary of the Department of Environment and Natural Resources.

DENR Undersecretary Ramon Paje will take over as officer-in-charge of the department.

Aquino said outgoing Naga City Mayor Jesse Robredo was still a candidate for the DILG post. He did not confirm whether former Customs chief Guillermo Parayno was being considered for the Bureau of Customs as earlier reported.

"Pending the choice, I will take the portfolio of DILG and hopefully I can relinquish it to one of the two candidates in the very near future, hopefully by next week," Aquino said. He later said there were actually three names in the shortlist.



ALL THE PRESIDENT'S MEN AND WOMEN: President-elect Benigno Aquino III poses with his official family at a press conference in Quezon City yesterday. Seated, from left: Teresita Quintos Deles (peace process); Alberto Romulo (foreign affairs); President Aquino; Julia Abad (Presidential Management Staff), and Laila de Lima (justice). Standing, from left: Cayetano Paderanga (NEDA); Jose Rene Almendras (energy); Ramon Paje (environment); Proceso Alcalá (agriculture); Executive Secretary Paquillo Ochoa; Cesar Purisima (finance); Alberto Lim (tourism); Enrique Ona (health); Rogelio Singson (public works and highways); Jose de Jesus (transportation and communications); Virgilio de los Reyes (agrarian reform); Voltaire Gazmin (defense), and Florencio Abad (budget).

He said the three candidates - as local officials - got "particular set of pluses and minuses."

"We are also trying, some of them have multiple roles that they can fill. And it's my fault, I still have to make a decision, I didn't talk to them until after I got proclaimed. We're still not that confident of choosing which of the three," Aquino said.

Aquino said he would want someone he could trust completely to head the DILG but stressed that his statement should not be misconstrued as lack of trust in vice president-elect Jejomar Binay, who wanted the post.

Aquino did not offer the

DILG position to Binay but gave him other options. "We don't have any fight," Aquino said.

For the Department of Energy, Aquino named Manila Water Corp. president Jose Rene Almendras as secretary. Almendras was Aquino's former classmate at the Ateneo de Manila University.

SM Investments Corp. executive director Gregory Domingo will be the Department of Trade and Industry secretary. He was formerly trade and industry undersecretary and Board of Investments chief when Sen. Manuel Roxas II was the DTI

secretary.

Maynilad Water Services Inc. president and chief executive officer Rogelio "Babes" Singson was named secretary of the Department of Public Works and Highways.

Singson, who was the chairman and president of the Bases Conversion Development Authority (BCDA), joined Maynilad after its re-privatization in 2007 under new owners, DMCI-Metro Pacific Consortium, the country's largest water concessionaire.

Current Manila Electric Co. president Jose "Ping" de Jesus

was named secretary of the Department of Transportation and Communications.

Aquino praised De Jesus for his accomplishments when he was secretary of the DPWH during the time of his mother but said past associations should not be the sole basis in choosing Cabinet members.

"The buck stops with me if they do not perform," he said deferring his appointments.

He said the person he was eyeing for the Department of Science and Technology has backed out.

"There may be five who will praise but 10 will criticize. It takes time to vet," the incoming president said.

'Little president'

As Aquino announced earlier, lawyer Paquillo "Jojo" Ochoa Jr. will be the executive secretary.

"Jojo has been helping me out. I'm not a lawyer, he has helped me out in understanding the law and the intricacies of the law ever since I started in public office," he said of Ochoa.

"Our relationship stretches back on a second-generation basis already. Both our parents were allies in the LP (Liberal Party), we have been consistent allies all throughout our lives. He has given me the most sound advice on so many matters pertaining to my work as legislator. Therefore I'm very confident his role as the guardian of my back, he's more than qualified," Aquino said. (www.philstar.com)

P-Noy to Pinoys: You Are My Boss

THE START OF HIS CALVARY: Benigno Aquino III is sworn in as the 15th president by Supreme Court Associate Justice Conchita Carpio-Morales at the Quirino Grandstand in Manila yesterday. Among those looking on are former Presidents Fidel Ramos and Joseph Estrada and the President's sisters Kris, Viel and Pinky. Fr. Catalino Arevalo is holding the Bible.



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Handa na Ang Huling Pahayag Tungkol sa Epekto sa Kapaligiran ang Proyekto ng Tren sa Honolulu

pinahayag ng Siyudad at mga lugar sa labas ng Honolulu at ang U.S. Federal Transit Administration na nakahanda na para sa publiko ang Huling Pahayag Tungkol sa Epekto sa Kapaligiran (Final EIS) ng Sasakyang Malaking Masalanan ng Proyekto ng Honolulu (Honolulu High Capacity Transit Corridor Project). Binanggit ng Final EIS ang mga maaring masamang bunga ng proyekto ng tren. Kasali na rin sa dokumentong ito ang mga sagot sa mga pintas at mga isyu na lumabas noong nasa pagplano pa lamang ang EIS.

Ang mga isinaling isyu ay:

- Ang mga dadamaan ng tren at pagbabawas ng trapik dahil sa Proyekto
- Halaga at kung saan manggagalang ang pondo para sa proyekto
- Mga trabaho/ekonomiya
- Ingay at iba pang mga masamang ibubunga nito sa kapaligiran
- Ang mga masamang ibubunga nito habang ginagawa ang Proyekto

Sa ngayon, kailangan ng pag-aproba sa Huling EIS ng federal at estado upang masimulan ang paggawa sa Proyekto.

"Ang huling tatlong taon ay masipag naming ginawa ang pamamaraan ng EIS, na kinakailangan bago masimulan ang paggawa sa proyekto ng tren, pahayag ni Mayor Mufi Hanneman. "Alam namin na masasagot ng dokumentong ito ang anumang nakakaabalang isyung may kinalaman sa proyektong ito."

Ang Huling Dokumentong ng EIS ay maaaring makita sa mga sumusunod na lugar:

- Sa lahat ng mga Hawaii State Public Libraries
- City Municipal Reference Library, 558 South King Street, City Hall Annex
- City Department of Transportation (DTS) Office, 650 South King Street, Fasi Municipal Building, pangatlong palapag

Sa mga may kompyuter, Puwedeng makita ang dokumento sa website www.honolulurailtransit.org. Maaaring makahingi rin ang kopya nito na nakalagay sa DVD sa pamamagitan ng pagtawag sa telepono ng proyekto sa 566-2299.



Ang Honolulu Rail Transit Project na 20-milya na dadaan sa itaas ay pagdudugtongin ang Kanlurang Oahu (West Oahu) at Downtown Honolulu, at Ala Moana Center at makararating ito sa loob ng 42 minuto.

Araw-araw, ang tren ay tatakbo mula alas kuatro ng umaga hanggang alas dose ng gabi, at darating ang tren tuwing tatlong minuto, anim na minuto o sampung minuto depende kung anong oras ng araw.

Pagdating ng taong 2030, inaasahan na may mga 116,000 na pasahero ang tren. Magkakaroon ng mga bus na patungo sa mga estasyon ng tren

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or email: dwhitelaw@lesea.com**PHILIPPINE NEWS****Foreign Debt Climbs 5.6% to \$55.4 Billion in First Quarter**By Lawrence Agcaoli /
Wednesday, June 30, 2010

MANILA, Philippines - The country's external debt went up by 5.6 percent as of the first quarter of the year due to higher borrowings by private enterprises and the National Government, the Bangko Sentral ng Pilipinas (BSP) reported yesterday.

BSP officer-in-charge Diwa Guinungdo said the country's outstanding external debt reached \$55.4 billion or 33.2 percent of the country's gross domestic product (GDP) as of end-March this year.

Guinungdo said the amount was also \$2.2 billion or 4.1 percent higher than the end 2009 level of \$53.3 billion or 33 percent of GDP.

"Major external debt indicators remained at prudent levels by the end of the first quarter," the BSP deputy governor stressed.

He pointed out that the growth resulted from net borrowings of the private sector amounting to \$1.5 billion and the public sector with \$925 million.

External debt refers to all types of borrowings by the Philippine residents from non-residents that were approved or registered by the central bank.

Last year, the country's outstanding external debt slipped by 1.1 percent to \$53.3 billion or 33.1 percent of GDP in 2009 from \$53.9 billion or 32.1 percent of GDP registered in 2008.

The country's external debt to GDP ratio peaked in 1986 at 97.7 percent of GDP but has generally been on a downward trend since 2003 when it reached 72.1 percent down to 32.3 percent in 2008 before picking up slightly to 33 percent in 2009.

The country's GDP zoomed to its fastest level in almost two years after expanding by 7.3 percent in the first quarter of the year from 0.5 percent in the same quarter last year. The Philippines escaped recession last year after its GDP grew by 0.9 percent last year from 3.8 percent in 2008.

Total public sector external debt went up by \$769 million to \$42.6 billion as of end-March from the end-2009 level of \$41.8 billion due to the net new borrowings of \$925 million to finance development projects and other requirements of the National Government.

The debt stock of the private sector increased by \$1.4 billion to \$12.8 billion due to net loan availments of \$1.5 billion.

Guinungdo said the external debt service ratio (DSR) was estimated at 10.3 percent as of the first quarter of the year from 10.4 percent in 2009 and well below the 20 percent to 25 percent international benchmark indicating that the Philippines has sufficient foreign exchange earnings to service maturing principal and interest payments.

The DSR is the percentage of total principal and interest payments to total exports of goods and receipts from services and income. It is a measure of the adequacy of the country's foreign exchange earnings to meet maturing principal and interest payments.

The BSP official explained that the external debt profile remained predominantly medium to long-term in nature accounting for about 90.6 percent of the country's total external debt. The weighted average maturity of medium to long-term debt was 20 years. (www.philstar.com)

DOT Reports 5.37% Tourist GrowthBy Mayen Jaymalin /
Wednesday, June 30, 2010

MANILA, Philippines - Close to four million tourists visited various tourism destinations nationwide in the first five months of 2010, the Department of Tourism (DOT) reported.

Tourism Secretary Joseph Ace Durano said that from January to May, the country's major destinations recorded a total of 3.65 million visitors or a 5.37 percent growth from the same period last year.

"The movement of foreign tourists in key tourist areas expanded by 12.81 percent compared to the travel of domestic tourists, which posted 2.12 percent increase," Durano said.

Based on DOT data, Durano said, Metro Manila posted the biggest number of tourists — 848,518 — most of them coming from China, Hong Kong, Japan, Korea and Taiwan.

The number of tourists in Cebu, on the other hand, reached 734,531, thus making the Queen City of South the second favorite destination among foreign and local travelers.

Cebu visitors accounted for 20 percent share of the total tourist volume during the five-month period. Korea and Japan were the leading source markets for Cebu with a share of 30 percent and 21 percent, respectively.

The DOT further reported that visitors to Boracay Island from January to May 2010 increased by 12.15 percent with foreign visitors staying in hotels and resorts growing faster at 26 percent than domestic tourists, whose number increased by six percent.

In terms of employment, Durano said Cebu has the most number of regular personnel at 11,400, while Metro Manila has the biggest count of seasonal employees at 4,931. By the end of 2010, 80 new accommodation facilities are expected, increasing the available number of rooms in select destinations by 3,743. (www.philstar.com)

PHILIPPINE NEWS

OFW Remittances Seen Flattening in Future

By Lawrence Agcaoili /
Wednesday, June 30, 2010

MANILA, Philippines - Monetary authorities believe that the Philippines should not depend exclusively on the money sent home by Filipinos abroad to fuel the domestic economy as the growth in remittances is seen flattening after reaching a critical level of about \$20 billion to \$21 billion in the near future.

Bangko Sentral ng Pilipinas

(BSP) Deputy Governor Diwa Guinigundo told reporters that the Philippines has already breached a very large base of remittances but would continue to have steady inflows of money sent home by overseas Filipino workers (OFWs).

"I think since we breached a very large base of remittances we're now in the situation we're seeing the stabilization of flows at mid-single digit levels of between five percent and six percent. In other words we're seeing some

normalization or stabilization of remittances," Guinigundo explained.

Latest data showed that remittances went up by 6.6 percent to \$5.859 billion in the first four months of the year from \$5.36 billion in the same period last year on the back of strong demand for professional and skilled Filipino workers as well as improving global employment opportunities.

The BSP recently upgraded its growth forecast for the amount of money sent home by overseas

Filipinos to eight percent instead of six percent to a new record high of close to \$19 billion due to the strong demand for Filipino skilled workers after growing by 5.6 percent to a record level \$17.348 billion last year.

Guinigundo pointed out that the growth of remittances would flatten after reaching a critical number.

"We are seeing perhaps a base effect but I think at this point when you have close to \$15 billion to \$17 billion and is now going to about \$19 billion to \$20 billion. I think we have reached some critical number which we will have some plateauing or flattening of the growth of remittances," Guinigundo stressed.

According to him, OFW remittances of about \$21 billion or \$22 billion would still be a large number relative to the domestic output as these would represent about 11 percent to 12 percent of gross domestic product (GDP).

The BSP official said the Philippines should not depend on OFW remittances alone but should pursue other reforms that would boost market confidence.

"The economy should not

depend exclusively on OFW remittances, but at this point that the economy is not able to provide jobs to more than six million Filipinos. I think the best policy option is precisely to maximize whatever we can in terms of our overseas workers providing remittances from abroad," Guinigundo said.

He explained that the most important reforms undertaken by the government included the reformed value added tax law that boosted market confidence as well as the deregulation of both the oil and power sectors that provided resiliency in the economy.

Guinigundo said OFW remittances remained very resilient through the three years of the global financial crisis that resulted in a worldwide economic slump.

"Everybody thought remittances will decline by close to 20 percent or 30 percent but they did not. Remittances actually went up through the worst of the global financial crisis, in fact if one were to look at economic growth, the sources of economic growth for the first quarter, you will see that gross domestic capital formation was the main driver," he said.

(www.philstar.com)

Bayan to Aquino: Make Good on Vow to Prosecute GMA

By Dennis Carcamo /
Thursday, July 1, 2010

MANILA, Philippines - Militant group Bayan has called on President-elect Benigno "Noyonoy" Aquino III to make good on his promise to conduct an inquiry into the controversies and anomalies allegedly involving outgoing President Arroyo.

"Gross corruption, human rights abuses, election fraud, economic plunder and puppetry to foreign dictates cannot sim-

ply be swept under the rug. We cannot pretend that the scandals of the last nine years never happened. There has to be accountability," Bayan secretary general Renato Reyes Jr. said in a statement.

Reyes said the investigation into the irregularities involving Mrs. Arroyo and her underlings should be included in the first 100 days of the incoming President.

"Much can be done during the first 100 days. Mr. Aquino will not lack evidence. There is

plenty of evidence, especially those that were suppressed during the failed impeachment raps," he added.

Bayan and other militant and people's organizations gave send-off "gifts" to Mrs. Arroyo, including a 30x12-foot mural that was unveiled at the footbridge near the Malacañang Palace.

The mural was a collaborative effort of artist groups Ugat Lahi, Karatula and the Concerned Artists of the Philippines. (www.philstar.com)

Pacquiao Makes it to Forbes' List of Most Powerful Celebrities

By Dino Maragay /
Thursday, July 1, 2010

MANILA, Philippines - Filipino boxing icon Manny Pacquiao has been included in Forbes magazine's list of most powerful celebrities in the world.

Pacquiao, who has recently been proclaimed congressman of Sarangani province, ranked 55th in Forbes' The Celebrity 100, finishing ahead of Hollywood stars Tom Cruise, George Clooney and Julia Roberts.

Forbes cited Pacquiao's ring earnings and successful entry into Philippine politics as primary reasons for his inclusion in the list. It estimated Pacquiao's earnings from June 2009 to June 2010 at \$42 million.

"While still regarded by many as the best boxer in the sport right now, Pac-Man is also busy outside the ring. He was elected a member of Congress of the Philippines in May," Forbes said in a brief write-up.

"Pacquiao spent a reported \$7 mil-



Cong. Manny Pacquiao

lion on the campaign. He earned \$35 million for his two fights against Joshua Clottey and Miguel Cotto. The boxing world awaits a potential mega-fight against Floyd Mayweather," it added.

Mayweather, Pacquiao's closest rival to the pound-for-pound throne, ranked higher than

the Filipino at 31st with estimated earnings of \$65 million.

US television host and media queen Oprah Winfrey topped the Forbes list, followed by R&B star Beyonce Knowles and "Avatar" director James Cameron.

Other sports personalities who made it to the list include golf legend Tiger Woods at fifth place, basketball stars Kobe Bryant (14th place), Michael Jordan (20th place) and LeBron James (28th place), tennis star Roger Federer (29th place) and soccer heartrob David Beckham (36th place). (www.philstar.com)

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By Grace Fong, Ed.D. and Sylvia Yuen, Ph.D.

Helping Children Cope With Loss



Most children will experience loss at some time in their lives. A loss can be as simple as losing a favorite toy or as complex as losing a parent through death or divorce. Sometimes losses can be very subtle, for example, losing self-esteem when one is hit, teased, or ignored. It's important for parents to pay attention to what children are going through. Whatever the loss is, children need to grieve that loss before they can learn to cope with it.

Young children don't understand loss the way adults do. For example, children under age 5 think that a dead person is just sleeping or will come back eventually. Between ages 5 and 9, children begin to understand that certain changes result in the loss of something familiar.

A young child's understanding of language is also different from an adult's. So statements such as "We lost Auntie" may make the child wonder why we're not out looking for Auntie. To reduce confusion, it's important that parents use simple language that young children can understand. Children's Reaction to Loss

Children between the ages of 18 months and 7 years tend to believe that everything that happens to them is a result of their actions. They may believe that it's their fault if someone dies or if their parents get divorced. Or they may blame one or both parents.

Because young children can't always put their feelings into words, it's important to pay attention to their behavior to see how they are handling the loss. Children may react differently to loss and may show it in different ways. The same child may react differently at different ages. Some symptoms children might exhibit when they are experiencing loss are:

- anger, behavior changes, hitting, or biting
- shame, guilt, loyalty conflicts
- depression, loneliness, feelings of emptiness
- sadness, tears, deep crying
- fear, anxiety about present and future
- fatigue, increased or decreased time sleeping
- nightmares, night sweats
- appetite increase or loss
- change in bowel or bladder habits
- unwanted visions, images, thoughts, or ideas

- worry, confusing feelings
- listlessness, slowness in movement
- sickness, stomach-ache

strong feelings may return. It is normal for children to need support and to feel sad as they get older. They may require additional information to help them understand the loss.

Recovering from Loss

Children learn about loss and recovery by watching others, especially parents and other important people in their lives. Children experiencing loss need lots of comfort and reassurance. You can help them in these ways:

- Tell your children as soon as possible when a loss has occurred. Provide simple, direct, accurate, and prompt information to avoid misunderstandings.
- Establish routines, such as regular times for meals, naps, bath, and bedtime, to help children feel safe and secure.
- Encourage children to express their feelings, and acknowledge them. Let them know that they may have many feelings about a loss—anger, depression, helplessness, loneliness, and exhaustion—and that they may feel worse before they feel better.
- Let them grieve. They need to grieve before they can let go of the loss. Deep crying is normal. Children may not grieve all the time. But just when they think they are over their grief, the

so they can understand possible changes in your child's behavior and provide support during this time.

- Protect children from well-meaning but inappropriate adult behavior. Some people try to rush children through a loss. Or they may try to make substitutions and act as though the loss has not occurred or is not important. These are all harmful for grieving children.

Sharing the Loss

It may be hard for you to comfort your children when you are grieving. This is a time to slow down, reflect, and respect your need to grieve. Sharing your feelings with your children can be helpful to all of you. You may want to seek help from family, friends, and community, or you might find it helpful to talk to a therapist or to join a support group.

Dealing with loss requires adjustment, time, patience, and gentleness for all members of the family. It's normal for grief to come and go and return again. If you allow yourselves to move through the grieving process, life will gradually get a little easier. You can then go on to develop new relationships and find new activities or environments. Over time, the pain may be felt less often and it may not last as long, but it won't be forgotten. It's important to normalize that long-term grief is normal. What seems to help the most is sharing.

* "Health care provider" means any health professional that you and your child visit, such as a doctor, nurse practitioner, medical assistant, clinic staff, etc.

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LEGAL NOTES



By Reuben S. Seguritan

Changing Jobs While Adjustment Application is Pending

The request to change employment must be communicated by the beneficiary or his/her representative to the USCIS by submitting a letter from the new employer stating the job title and duties, the minimum requirements of the job, the date the alien began or will begin employment and the offered salary.

In determining whether the old and the new jobs are the same or similar, the USCIS will consider the description of the job duties. A difference in the wages is not a ground for denying the adjustment application as long as the discrepancy is not substantial. Geographic location of the new employment is not relevant in the determination.

The alien applicant may change or port to self employment provided the new employment is the same or similar. But

the intent of the alien and the employer is a relevant factor.

The employer must have had the intent to employ the beneficiary at the time of the filing of the I-140 and I-485 and the alien must have intended to work for the employer upon his/her adjustment of status.

Multinational managers or executives may also port even to an unrelated company provided the job duties of the old and new jobs are the same or similar.

It is not required that the alien has been working for the petitioner while the I-140 and I-485 are pending. If he/she is working for the petitioner, he/she is not prohibited from leaving before the I-485 has been pending for 180 days.

Porting may be requested even if the I-140 which was concurrently filed with the I-

485 is still pending. But the I-140 must have been approvable when it was filed. This means that there was a valid job offer and that the alien was eligible for the employment preference classification. The I-140 petition must be approved before portability is granted.

If the I-140 petition is withdrawn before the 180-day period, porting is not allowed. The I-140 is also not valid for porting if it is denied or revoked at any time except when the revocation is due to the withdrawal of the petitioner after the 180-day period.

But in a recent case, porting was not allowed even though the withdrawal of the I-140 petition occurred after the I-485 application was pending for more than 180 days. The applicant in this case was the beneficiary of a labor certification

which became the basis for the filing and approval of the I-140 petition. Before the applicant could adjust status, the petitioner withdrew the I-140 petition and requested to substitute a new alien into the proffered position using the applicant's original labor certification.

On the basis of the withdrawal, the USCIS automatically revoked the I-140 petition, approved the I-140 petition of the substituted alien as well as the adjustment of status. The District Director held that although the adjustment application had been pending for more than 180 days the applicant was ineligible to adjust as there was no longer a valid labor certification. This denial was affirmed by the Administrative Appeals Office.

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G concerns about backlogs in the processing of adjustment of status applications (I-485) led Congress to enact the American Competitiveness in the 21st Century Act of 2000 (AC21).

This law provides that an I-485 application based on first preference (EB-1), second preference (EB-2) or third preference (EB-3) employment-based petition (I-140) that has been filed and remain adjudicated for 180 days or more shall remain valid even if the applicant changes jobs or employers.

The new job must be in the same or similar occupational classification as the job for which the petition was filed.

MAINLAND NEWS

Inaugural 1971 Far West Convention Delegates to Hold Reunion in Seattle

Nearly 40 years ago, several hundred teenagers and young professionals involved in Filipino community advocacy met in Seattle, Washington to carve their place in the turbulent civil rights movement of the 1970s and 1980s.

They came from more than two dozen cities from up and down the Pacific coast, including several from Hawaii, to determine how the Filipino community, lost in the shadows of the American mainstream, was to achieve its "Quest for Emergence," the

theme of the first Young Filipino People's Far West Convention.

"This convention was undoubtedly a watershed event in the history of Filipino Americans as it awakened the identity, needs and aspirations of young Filipinos, who were for the most part, spectators of the efforts and progress being made by other minority groups striving for equality," says A. Barretto Ogilvie, the convention coordinator.

The 1971 Far West Convention, sponsored by the Filipino Youth Activities of



Seattle, was the first of eight such events, each drawing several hundreds to sustain the initiatives adopted at each of them. The convention ended

with the memorable snake dance with hundreds chanting "Makibaka Huvag Matakot," at the Filipino Community Center. At the time it was a converted bowling alley. Today, after a \$2.5 million dollar renovation and expansion, it is the nation's second largest Filipino Community Center.

As part of the Filipino American National Historical Society's (FANHS) 2010 national conference in Seattle, the delegates at this 1971 historical event are convening once again, to get re-acquainted and to share their memories and perceptions of what took place during the four days in August 1971.

The re-union will consist of a social reception and dinner on July 21 at the Filipino Community Center as well as various plenary and workshops sessions that will focus on the impact

and subsequent events that took place in the Filipino community.

The 2010 FANHS Conference, July 21-24, 2010 at Seattle University has for its theme: "Quest for Emergence: A Retrospective."

According to Dorothy Cordova, FANHS Executive Director and this year's conference planner, the FANHS bi-annual conferences regularly draw nearly 600-800 participants from its 27 chapter cities and other locales to share research, research methods, publications, recent events and to enjoy the conference's several social events.

For information about the 1971 Far West Re-union and the 2010 FANHS conference, please contact Ms. Cordova at (206 322-0203) or go online at: farwestreunion.org or <http://fanhs25.blogspot.com/>.

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MAINLAND NEWS

Pinoy Teen Shines in World Brazilian Jiu-jitsu Tourney

MANILA, Philippines - A 17-year-old Parañaqueño brought honors to the city as he won the gold medal in his bracket and the championship title at the 2010 World Brazilian Jiu-jitsu Championship held recently in Long Beach, California, USA.

Eros Baluyot of the Atos Brazilian Jiu-jitsu Club, a resident of Brgy. Vitalizez, Parañaque, fought a tough match in the White Belt Adult Division against Gracie Barra Jiu-jitsu team member Alexander Alvarez, a very strong and highly technical opponent who was the undefeated champion to win the

gold and championship title.

He admitted that at first, he was intimidated by the size of the crowd and the caliber of the competitors, many of whom were the best practitioners of Brazilian Jiu-jitsu. But despite the superb fighting skills of his opponent, Baluyot dominated the bout and managed to force his opponent into submission in a little over four minutes via triangle choke.

"It is always great news that our athletes are making great strides in their respective fields. The fact that he triumphed over a previously undefeated opponent in a prestigious international



Eros Baluyot of the Atos Brazilian Jiu-jitsu Club wins the gold medal in his bracket and the championship title at the 2010 World Brazilian Jiu-jitsu Championship held recently in Long Beach, California, USA

competition makes his win even more remarkable. We congratulate

him on his victory and hope that he continues his winning streak," says Mayor Bernabe.

The mayor adds that the city gives full support to its local athletes and encourages athletic programs among the city's youth, to build not only physical fitness but also discipline and a healthy lifestyle, away from drugs, bad company, and vices.

Brazilian Jiu-jitsu is a hybrid of the traditional Jiu-jitsu and other grappling fighting styles. It

was popularized in the early '90s by the Gracie family during the early development of mixed martial arts. It is also one of the foundations for mixed martial arts (MMA). Many of its practitioners move on to the MMA competitions such as the Ultimate Fighting Championships (UFC), Strikeforce, World Extreme Cagefighting (WEC), DREAM, Sengoku, Bellator, and other MMA organizations.

(www.philstar.com)

MoneyGram Intl Reaches Key Milestone

MoneyGram International has successfully expanded its global network to 200,000 agent locations, including 2,500 new locations throughout France.

"With more than 200 million people living outside their country of birth, MoneyGram understands that the ability to send money home to loved ones is crucial for our consumers," says Pamela H. Patsley, MoneyGram chairman and

chief executive officer. "At every one of its locations, MoneyGram provides convenient and reliable money transfer services to people across the globe."

This significant milestone reflects MoneyGram's balanced growth in many regions of the world, including the addition of more than 2,000 agent locations in the Philippines last year.

In a similar move, MoneyGram joined forces with M. Lhuillier last year, greatly expanding its reach and services in the Philippines to 1,200 new

locations. M. Lhuillier was the first MoneyGram agent to offer U.S. dollar services and provided the first MoneyGram locations open 24-hours-a-day in most major cities to meet the needs in the Philippines.

Also last year, MoneyGram announced several programs to aid recovery in the Philippines following the devastating typhoons, providing more than \$200,000 in community support with temporary fee reductions and grants for emergency aid and rebuilding.



Filipina Nurse Receives NYC Leadership Award

It's common knowledge that Filipina nurses who work abroad are well-liked by patients because of their efficient performance. Most of all, they have a gentle touch and innate kindness.

One of these nurses is Belina Diaz-Perez, nurse manager of the Coronary Care Unit of Mt. Sinai Hospital in New York City. She recently received the prestigious Nurse Leadership Award 2010 during Nurses Week Celebration on May 9-13, 2010.

Diaz-Perez was cited for her significant contributions to nursing practice at Mt. Sinai Hospital. A graduate of St. Paul School of Nursing of Iloilo and St. Paul College of Manila, Perez has

worked with Mt. Sinai for over 30 years.

She is also an active officer of the Capiceno Circle U.S. She lives in Teaneck, New Jersey with her husband Ricardo Perez where they've raised two daughters—lawyer Anabelle Perez-Gray and Dr. Rosalyn Perez.

Perez is the sister of Father Ermo Diaz, who has been assigned to the Church of the Epiphany on East 22nd and Second Avenue in the Archdiocese of New York starting July 1, 2010. She supports the propagation of the devotion to San Lorenzo Ruiz among Filipinos living in the U.S. (Good News Philippines)

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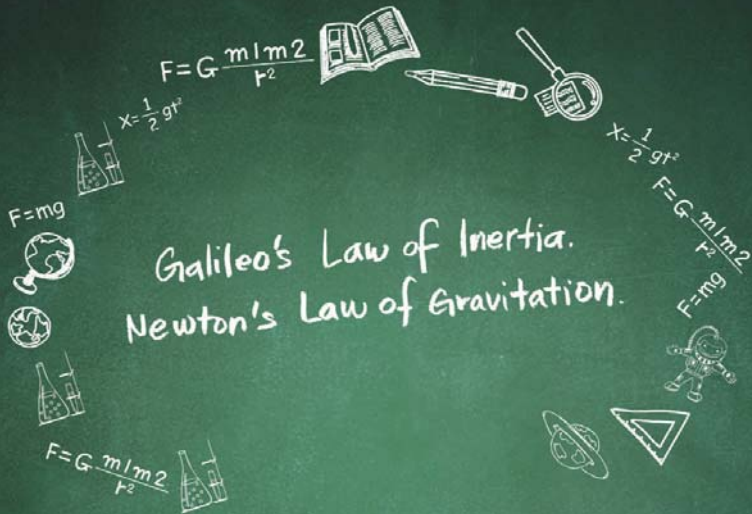
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