

NOT FOR SALE



Mabuhay!!

God Bless America!!

Hafa Adai!!

# Hundreds of millions of taxes remain uncollected



Ready for All Souls' Day. - Masses are said in Catholic and public cemeteries all over Guam, November 2.

Cash-strapped Guam? There's a way of out it. Collect taxes - properly and efficiently.

Democrat Senator Mike San Nicolas is exasperated that taxpayers, mostly senior citizens are receiving notices of unpaid real property taxes, and the only way to clear them of it is to show their tax receipts, some dating back to as far as 30 years. San Nicolas lamented that it is not fair that the administration is running after the individual taxpayers, instead of going after business taxes.

Long lines at the Real Property Tax Division of the Rev & Tax is a daily scene, mostly relating having inaccurately received a notice of unpaid real property tax.

San Nicolas said one of his first acts in office was to study

the collections procedure at the Rev & Tax, wherein it was found out that as of March 13, 2013, a whopping \$179 million remain uncollected. Gross Receipt Tax accounts for over \$100 million, 21.5 million in corporate taxes (1120), \$33.9 in personal income tax. It is also surprising that some employers were not remitting withholding taxes (\$21.5 million).

## Abated interest and penalties

Aside from uncollected taxes, what is more disconcerting is San Nicolas's discovery of tens of millions of penalties and interest on delinquent taxes that were abated from

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Dr. Aurelio Espinola  
One of a kind

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### The Truth Matters

- Don't want to pay taxes?
  - Democrat, Republican what's the difference?
  - GMHA rate increases - sky high
- By: Rolando Zabala

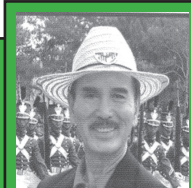


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### Fighting for a Cause & More

One's Narrow Perception

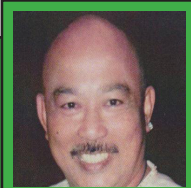
By: Pat Duque



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GMHA proposed rates mean 20-28% insurance premium hike - on p.2

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# GMHA proposed rates mean 20-28% insurance premium hike

“A 26-28% increase in insurance premiums which is a very significant increase for working families. That is about \$1,000 per individual and in between 3,000 and 4,000 per family annually just for this (GMH rates) increase,” Jeff Larsen of Take Care Insurance said during a public for GMHA rates increase, October 22.

Senator Dennis Rodriguez, Jr. called for a public hearing to discuss the island's lone government civilian hospital proposed rates increase that is from a low of 12% to as high as 2,449%. The increase is well above the 5% yearly increase that GMHA is allowed for under the law, thus the need for legislature action.

During the public hearing, GMHA's CFO Benita Manglona states that the hospital already had an across the board 5% increase in fees last April. This had a “very nominal impact based on the utilization that is about \$3 million up to August,” she said. Aside from the April raise, the last time the hospital had an increase in rates was way back 2010, she added.

For his part, Jeff Larsen states that “The rate increases that are being proposed are significant, and in our analysis it shows a more substantial increase. Healthcare trends generally are increasing between 5 and 7%. So an annual increase of 5% is pretty much in line with what most hospitals and healthcare providers suggest annually. That is also mostly in line with what health insurers provide us in terms of their healthcare trends as well.

“GMHA frequently adds new services to their charge master and when they add those new services those are at current market rates. As they add new fees they are keeping pace with market rates.

“There are some fees that are increasing by a staggering 500% to 2,500%, and clearly, something more should be done about either the increases all at once or having those ginormous increases' impact rates for insurance customers which will primarily be the impact, because the 3Ms (Medicare, Medicaid, and MIP) pay a set amount, so the rates are going to impact the private commercial insurance companies.

“Of the fees that are increasing, a substantial number of those fees are provided by a third party. Radiology and nuclear medicine are not provided directly by the hospital. Nuclear medicine is provided by Guam Medical Imaging Consultants.”

“Effectually, those people that can't pay those premiums will become Medicaid payers and those are the people that, quite frankly aren't paying the bills now,” Larsen added.

Take Care has 35,000 members in over 300 businesses on Guam.

Anthony Mendiola of Stay Well Insurance on the other hand GMHA should be “creative in coming up with rates, packages, or arrangements so that the impact of the price would be controlled or mitigated. What this increase will do, will raise the out-of-pocket as well.”

Mendiola said they are “not opposed to increases, we are just proposing something gradual so that the impact will not be as much.”

## Improved collection versus increased rates

The senators present during the hearing did not take the proposed rates increase sitting down. Vice Speaker BJ Cruz grilled Manglona on improved collection vis-à-vis increased rates which would redound to wider billing and collection ratio.

Manglona said that for last year, the hospital has a total billing of \$160 million and was able to collect \$80 million (part of that is receivables from the past).

So, “you're collecting 50% of what you're billing,” Cruz said, to which Manglona retorted “We are working on trying to beef up on our collection.” We are working on an RFP (request for proposals) for a call center so there will be people dedicated just calling for patients to pay their bills,” she added.

Cruz went on to ask of the hospital has any certified billers,

plane to either Los Angeles or to Manila.

“If you're collecting 100% of your billable and you're still short, then I would say yes, we will increase the rates. But if you're not collecting it, what's the point?” Cruz said.

Senator Mike San Nicolas echoes Cruz's ideas saying to the hospital representatives to “work on billings and collection to at least up to 80% versus the 50% before we begin something like this. This is the way too high, I think it's in the wrong area.”

## Effect on cancer patients

San Nicolas further laments that the rates increase affects mostly the services for cancer patients. Not being able to hold back his exasperation, he said he lost his grandmother from cancer. “It is the megacatastrophic treatments that drive up the cost of everybody else's premiums. So yes, insurance rates will go up. And if you have cancer and if you don't have insurance, you're going to have to pick between getting your biopsy or paying your mortgage. We are looking more on the bottom line versus on the patient. Whole domino effect on the community,” San Nicolas



to which Manglona answered, “We are working on that. It does not happen overnight.” She said there are people training for it, but they haven't passed the test yet. She added they tried getting certified billers from the states but it did not work the way they expected it to, and the hospital staff had to redo the billing themselves.

Cruz is concerned that not all employees have health insurance.

“I don't want the end of my career to be book ended by having to buy a hospital because you completely priced yourself out, and the other hospital, both of you trying to outdo each other in charging and having the insurance companies decide it's cheaper to just send all of us on a

said.

## Who bears the brunt?

As it is, the self-paying patients bear the brunt. They have no means to negotiate for the fees and just have to take it. The privately insured patients will also have to pay higher premiums and will have to pay higher out-of-pockets. It will not have an effect however on Medicaid, Medicare, and MIP patients, nor does it affect these 3M's.

Rodriguez's committee has 45 days to work on the bill, otherwise, it will lapse into law. Concerned lawmakers said that this bill should at least go into voting./The Junction News team

## Tiyan Campus Purchase: The Untold Story (First Part)

How did the Tiyan Campus (Tiyan High and GDOE Central Office) become what it is now? How did it end up costing \$260.3 million by FY 2041?

### It all started with a need.

On June 9, 2008, John F. Kennedy (JFK) High School was shut down due to disrepair, old age, poor maintenance, and lack of upkeep. This has displaced its students, teachers, and staff.

Temporarily, JFK shared campuses with George Washington (GW) High School in a double-session schedule.

While measures were in place to rebuild and rehabilitate JFK, the situation in GW High was not at all conducive for the students and teachers alike. October 2008, an emergency measure was enacted authorizing the construction of a new JFK. However, there was no assurance that the permanent JFK campus will be ready for school year 2010-2011. And while the permanent JFK is under construction, the two high schools will have to continue to share GW campus.

JFK needs to temporarily relocated elsewhere so as to decongest GW. But Guam is cash strapped. There is no money for the purpose. Thus, on January 5, 2009, Senator Judith Won Pat (an educator herself) introduced Bill No. 1 (LS) (An Act to authorize tax credit to the Lessors of the

temporary location of the John F. Kennedy High School campus). Under the Won Pat's Bill, GEDCA (Guam Economic Development and Commerce Authority) shall promulgate the rules and regulations to implement the Act. The Bill was simple and straightforward.

On March 17, 2009, J. George Bamba who was then the Chief of Staff of Governor Felix Camacho made a written testimony acknowledging the need of Won Pat's Bill, further adding that even if JFK will be completed, there will still be overcrowding in all secondary public schools serving Northern and Central Guam. Thus, he said, “The bottom line is we need an interim campus not only to serve the JFK community while JFK is being rebuilt, but also to have a campus that will relieve the overcrowding situation.”

Bamba said with the limited funds the government has, it is necessary to authorize the Executive Branch to execute alternative financing methods that would include authority for tax rebates and tax credits as forms of payment for a lease agreement.

And while Won Pat's Bill is only seeking for temporary relief for JFK and GW, Bamba was not only looking at leasing an interim campus but eventual acquisition of facilities for the Guam Public School System. Bamba would then want the Won Pat's Bill revised to suit the administration's proposal.

And this is where it all began.

(-to be continued-)



## So the public may know:

# The Calvo Businesses: Were They Issued Tax Credits? (part 1)

It is most unfortunate that the Department of Revenue and Taxation had cited "Internal Revenue Code at 26 U.S.C. & 6103 (a) and 6103 (b) (2) (A)", (refer to this section quoted hereunder) as their reason for non disclosure of our simple inquiry, refer to our letter inquiry dated October 22, 2015 and the Rev & Tax letter reply dated October 28, 2015.

Whether or not the refusal of the Rev & Tax is with valid legal basis is for the lawyers and/or courts to determine, and while we have not yet secured the available legal remedies at our disposal in order to secure the documents, we believe that the Department of Revenue and Taxation, should it consider that there may be private information that may be subject to FOIA exemptions, could simply redact and/or delete such specific private information.

While our letter request did not indicate that it is a FOIA request, nevertheless the request is for media information and dissemination purposes which is for and in behalf of the public interest and transparency, which is the very essence intent and spirit of the FOIA.

We will send a FOIA request (re-word our letter) to the Rev & Tax and we will keep you posted on the developments.

In the meantime, quoted hereunder are salient provisions on the FOIA exemptions from (<http://www.foia.gov/faq.html#exemptions>, IRS : [https://www.irs.gov/pub/irs-utl/irs\\_foia\\_guide.pdf](https://www.irs.gov/pub/irs-utl/irs_foia_guide.pdf) and <https://www.law.cornell.edu/uscode/text/26/6103>)

### 26 U.S. Code § 6103 - Confidentiality and disclosure of returns and return information

#### (a) General rule

Returns and return information shall be confidential, and except as authorized by this title—

- (1) no officer or employee of the United States,
- (2) no officer or employee of any State, any local law enforcement agency receiving information under subsection (i)(7)(A), any local child support enforcement agency, or any local agency administering a program listed in subsection (l)(7)(D) who has or had access to returns or return information under this section or section 6104 (c), and

(3) no other person (or officer or employee thereof) who has or had access to returns or return information under subsection (e)(1)(D)(iii), subsection (k)(10), paragraph (6), (10), (12), (16), (19), (20), or (21) of subsection (l), paragraph (2) or (4)(B) of subsection (m), or subsection (n),

shall disclose any return or return information obtained by him in any manner in connection with his service as such an officer or an employee or otherwise or under the provisions of this section. For purposes of this subsection, the term "officer or employee" includes a former officer or employee.

#### (2) Return information

The term "return information" means—

(A) a taxpayer's identity, the nature, source, or amount of his income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability, tax withheld, deficiencies, over assessments, or tax payments, whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing, or any other data, received by, recorded by, prepared by, furnished to, or collected by the Secretary with respect to a return or with respect to the determination of the existence, or possible existence, of liability (or the amount thereof) of any person under this title for any tax, penalty, interest, fine, forfeiture, or other imposition, or offense,

### What is the FOIA?

Since 1967, the Freedom of Information Act (FOIA) has provided the public the right to request access to records from any federal agency. It is often described as the law that keeps citizens in the know about their government. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of nine exemptions which protect interests such as personal privacy, national security, and law enforcement.

The FOIA also requires agencies to proactively post online certain categories of information, including frequently requested records. As Congress, the President, and the Supreme Court have all recognized, the FOIA is a vital part of our democracy.

### Who can make a FOIA request?

Generally any person – United States citizen or not – can make a FOIA request.

### What can I ask for under the FOIA?

A FOIA request can be made for any agency record. You can also specify the format in which you wish to receive the records (for example, printed or electronic form). The FOIA does not require agencies to create new records or to conduct research, analyze data, or answer questions when responding to requests.

### How is a FOIA request processed?

After an agency receives your FOIA request, you will usually receive a letter acknowledging the request with an assigned tracking number. If the agency requires additional information before it can begin to process your request, it will contact you. The agency will typically search for records in response to your request and then review those records to determine which – and what parts of each – can be released. The agency will redact, or black out, any information protected from disclosure by one of the FOIA's nine exemptions. The releasable records will then be sent to you.

### What are FOIA exemptions?

Not all records can be released under the FOIA. Congress established certain categories of information that are not required to be released in response to a FOIA request because release would be harmful to a government or private interest. These categories are called "exemptions" from disclosures. Still, even if an exemption applies, agencies may use their discretion to release information when there is no foreseeable harm in doing so and disclosure is not otherwise prohibited by law. There are nine categories of exempt information and each is described below.

Exemption 1: Information that is classified to protect national security.

Exemption 2: Information related solely to the internal personnel rules and practices of an agency.

Exemption 3: Information that is prohibited from disclosure by another federal law.

Exemption 4: Trade secrets or commercial or financial information that is confidential or privileged.

Exemption 5: Privileged communications within or between agencies, including:

1. Deliberative Process Privilege
2. Attorney-Work Product Privilege
3. Attorney-Client Privilege


Exemption 6: Information that, if disclosed, would invade another individual's personal privacy.

Exemption 7: Information compiled for law enforcement purposes that:

- 7(A). Could reasonably be expected to interfere with enforcement proceedings
- 7(B). Would deprive a person of a right to a fair trial or an impartial adjudication
- 7(C). Could reasonably be expected to constitute an unwarranted invasion of personal privacy
- 7(D). Could reasonably be expected to disclose the identity of a confidential source
- 7(E). Would disclose techniques and procedures for law enforcement investigations or prosecutions
- 7(F). Could reasonably be expected to endanger the life or physical safety of any individual

Exemption 8: Information that concerns the supervision of financial institutions.

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October 22, 2015 Backed by 19 years of newspapering experience.

**MR. JOHN CAMACHO**  
Director  
Department of Revenue and Tax  
Barrigada, Guam

**Subject: Request for information on Tax Credits issued (if any) to Calvo businesses**

**Hafa Adai Director Camacho:**

With all due respect, we would like to request for information on the Tax Credits issued (if any) to the following companies beginning year 2010 to present.

1. CALVO ENTERPRISES
2. CALVO'S INSURANCE
3. PEPSI BOTTLING CO.
4. MID-PACIFIC LIQUOR DISTRIBUTORS
5. CALVO'S REALTY
6. PAYLESS SUPERMARKETS
7. PACIFIC TELESTATIONS
8. PACIFIC TRADING COMPANY, LTD.
9. ROYAL MANAGEMENT
10. TITLE GUARNTY
11. HAWAIIAN LIFE

This request is for research and verification purposes for and in behalf of public interest.

Should the requested information and/or your reply be ready for pick-up, kindly call 858-5974 or email [junctionguam@yahoo.com](mailto:junctionguam@yahoo.com) so that we can send over our representative to pick up the requested documents.


**Si Yu'us Ma'ase.**

Sincerely,  
Benigna Dawang-Farres  
Publisher

## OUR LETTER

414 West Soledad Ave.  
GCIC Bldg., Ste 500W  
Hagatna, GU 96910

Tel.: 471.477.1389 ext. 118  
Mobile: 671.858.5974 / 671.788.1373  
ed\_gu@junctionnews.com  
junctionguam@yahoo.com  
635-1779 Pat



Dipattamenton Kontribusion yan Adu'ana  
DEPARTMENT OF  
**REVENUE AND TAXATION**  
GOVERNMENT OF GUAM Gubetnamenton Guåhan

October 28, 2015

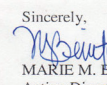
Benigna Dawang-Farres  
Publisher  
The Weekly Junction  
414 W. Soledad Ave, Suite 500W  
Hagatna, GU 96910

**Re: Request for Information on Tax Credits**

*Hafa adai Ms. Dawang-Farres:*

This letter is in reference to your letter dated October 22, 2015, which seeks information relating to tax credits that may have been issued to certain business companies beginning year 2010 to present.

Guam law and the Internal Revenue Code do not permit the public disclosure of taxpayer or tax return information, including information related to tax credits. See, Internal Revenue Code at 26 U.S.C. § 6103(a) and § 6103(b)(2)(A).

Sincerely,  
  
MARIE M. BENITO,  
Acting Director

## THEIR REPLY

Post Office Box 23607, Guam Main Facility, Guam 96921 • Tel./Telfoni: (671) 635-1817 • Fax / Faks: (671) 633-2643



## Encouraging response

This paper is now on its sixth (6th) issue. At the onset, we were telling ourselves that we should get some idea by the fourth (4th) issue on how the community will receive us. Numerous questions had beset us, earlier among which are, how will the community respond to our style of presenting the news which some say is on the hard-hitting side. We would often ask ourselves if we should instead just tone things down and simply churn out run-of-the-mil stories, the contents of which would be based mostly on the concerned

## Editorial

government office press releases and for us to not bother to go the so called extra mile, delve deeper and ask the hard questions.

If we constantly write stories that may appear to be critical on the powers that be, we might be looked at as the paper of the Democrat party. So many other considerations and questions, the answers to some of these questions, only time will tell.

The powers that be have taken offense on this newspaper. Even before our launching, we have been telling everyone that we would want to be considered as the alternative paper for which there should and must be an alternative paper in the community and those who disagree that there should be one that can write about other angles preferably in an extensive manner should have their heads checked.

Unfortunately, there are those that do not want our blunt and candid style. Those persons opposing us and engaged in underground black propaganda are those that the good Guamanians should watch out for, and as far as we know, the Good Guamanians are the majority in the island that comprise at least 99.5% of the population. There is in fact a shortlist we have already compiled of those both in government holding political office and in private business, and we hope that eventually the community will be informed accordingly as to who these persons are, their shady and greedy corrupt practices should be exposed and denounced. Regardless of who is concerned whether it is the gods at Adelup, regardless of what their political party affiliation should not matter for this newspaper. It is the silent majority in the community, the 99.5% that matters. We will eventually owe our existence to them.

Our distribution to the different government and private offices has confirmed to us that we are welcome and looked forward to be read.

With your indulgence, allow us to share some of the most commonly heard comments we get: "Junction, this is the paper I like to read", "Junction I have

been waiting for you the whole week, why only now", "we need a paper like this", "keep up the good work", "it's about time", "let's have coffee once, you need to write about .....", and many other encouraging remarks.

Truth to tell, given our lean staff and meager resources, we are far from satisfied on the content we come out with. We believe that given a little more liberal resources we can do a much better job which is to write more extensively in detail on the issues that need to be exposed and written about.

THE WEEKLY JUNCTION

The Free Weekly Newspaper  
Published Sundays by Junction Guam

### Address:

414 West Soledad Ave.  
GCIC Bldg., Ste 500W  
Hagatna, GU 96910

### Contact:

(671) 477.1389 ext 118  
(671) 858.5974

Editorial: ed\_gu@junctionnews.com  
Advertising: advert\_gu@junctionnews.com  
General Info: info@junctionnews.com  
Alternate e-mail: junctionguam@yahoo.com

### Publisher

Benigna A. Dawang-Farres

### Editorial Board

Rolly Zabala Leo Macaraeg

Printed in the Philippines by

Farco Trimedia Ventures, Inc.

[www.junctionnews.com](http://www.junctionnews.com)

**Disclaimer:** Views expressed by opinion writers are their own and do not necessarily reflect the views of the Junction Guam.



### The Truth Matters

- Don't want to pay taxes?
- Democrat, Republican what's the difference?
- GMHA rate increases will be sky high

By: Rolando Zabala



**A** BIG, BIG thanks to Senator Mike San Nicolas for bringing to the public the uncollected taxes. My Good God, the amounts have reached millions of dollars. While the head of the Department of Revenue and Taxation is Director John Camacho, we must understand that his boss is actually the Governor who happens to also be the Tax Commissioner. What are these uncollected taxes? These are in land/property taxes, personal income taxes, and corporate income taxes. As I understand it, the amount has already reached millions. The thing with these unpaid taxes is that, there is a prescriptive period. For example, when we talk of land/property taxes, the prescriptive period is 30 damn long years, meaning at any time within the 30-year period, the rev-tax guys can run after you. If you happen not to have kept a receipt or some other proof of payment then you're done, you have to pay up, no ifs no buts. Can you imagine how STUPID this regulation can be? Tell me, who the f\_&\* keeps receipts for 30 years?

I understand that Sen. San Nicolas filed a bill to reduce the time period to a more reasonable one, 10 years at that, but the bill did not pass as it was vetoed by the good Governor and Tax Commissioner Calvo.

The thing with the personal income taxes and corporate taxes, the prescriptive period is just ten (10) years.

Now ask yourself, why the huge difference between land/property taxes at 30 years, and for income and corporate taxes at 10 years? I have been trying to figure this out, but somehow cannot think of a sensible reason for such. I can only speculate that most small land/property tax payers are conscientious tax payers and if you happen to be a senior citizen by then and even retired, the last thing you would want is to be hassled by your alleged back taxes. Of course since you no longer have kept the receipt, you will have no choice but to pay up.

As for some corporate/companies, well that's where a lot of sleazing and wheel dealing can come in.

Imagine this scenario - if you happen to be chummy -chummy with the Tax Commissioner and you don't pay taxes for the next ten (10) years, then you're off the hook. Let me make it clear, I am not suggesting nor even implying that this is currently being done. Hell, I haven't even seen the detailed records yet, as I said "imagine this scenario." Or imagine another scenario, if you're not chummy-chummy with the current Tax Commissioner, so you don't pay your taxes for two (2) or four (4) years and you get to become chummy-chummy with the next Tax Commissioner, Bingo! Another 6 to 8 more years of non-payment and you're off the hook. GREAT DEAL, NE!

The question now is, assuming mine is a sensible and valid question, has this scenario I have mentioned already happened? If it has, who were the lucky ones? Will the Director of Rev & Tax and/or the Tax Commissioner be transparent to identify the VERY LUCKY FEW COMPANIES AND INDIVIDUALS who have been blessed with such GREAT DEALS? If you ask me, no way will this information become public. The day this becomes public is the day it will snow in Guam.

So you small, no nonsense and no contacts Tax Payers, keep on paying your taxes and forget what you read in this column and forget that there is a Good Senator Mike San Nicolas who is bringing these things out in the open.

Senator Mike San Nicolas -MABUHAY KA AT ANG IYONG PAMILYA, PAG-PALAIN NAWA KAYO NG DIYOS!!!

\*\*\*\*\*

I heard from the grapevine that there will be forthcoming increases at the GMHA.

I am not referring to the earlier banner story of this paper. What I mean is this rate increases that will be around or over a thousand percent and will focus on cancer treatment.

Can you imagine this scenario, should it come to pass, can mean that a cancer patient would rather not seek treatment as the sky-high rates would kill him sooner than the cancer will.

And what are the implications on the health insurance providers? They will just certainly have to pass this rate increase to the insured or perhaps the GMHA will just be bumped off as a healthcare provider.

Wait a minute, why do I somehow smell something fishy in all this? What the f\_&\* is cooking???

I can only hope that after the public hearing that will be conducted, the Good Senators

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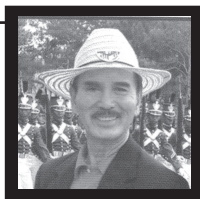
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## Fighting for a Cause &amp; More

## One's Narrow Perception

By: Pat Duque



Published last week in my column was: Dealing with Uncle Sam Leaves Guam Few Options.

Here is a flashback of the latter part of it:

*"If Uncle pays the \$150,000 we'll purchase his friends one-way airline tickets to stay at his house instead. Oh, they'll be a lot happier there than here. And if our house continues to deteriorate because Uncle doesn't pay, we'll also follow suit and stay too at his big house, his compliments. Many of our tribes are already there and more are leaving. It's cool and modern over there!"*

*"What will finally happen to our house, our ancestral home?" I asked in a worried tone.*

*"Well, Uncle will ultimately have it anyway and use it for his military," and my kids added: "Subsequently, the Chinese, Russians, and perhaps the North Koreans shall be happy using it."*

*Since tourism business is my sideline, I became alive, wide-eyed, and then optimistically interrupted: "As a tourist vacation spot?"*

*"No, Tata, for their target practice!"*

This article was first published 13 years ago and lifted from by book. Current events are leading to the realization of this scenario – Guam will not only be used as a target practice, but, sad to say, a potential real target, so Uncle Sam must deploy the anti missile defense shield or system.

Herewith is the interesting reply of Mr. Dan Afleje also published in my book with his permission:

*Pat Duque enlightened us with his thoughts about what a conversation between Uncle Sam and his nephew, Juan, would be like concerning the current situation with the economy and compact impact. However, he neglected to let Uncle Sam relate his perspective:*

*"Juan, I am not totally unfeeling. I hear what you are saying but I am disappointed with your tunnel vision. You fail to acknowledge the considerable contributions that I have given you roads, power, water, airport and harbor facilities, and much more. I have provided you great assistance after natural disasters, while not requiring your fair contribution.*

*"Juan, consider the millions that you have wasted paving private driveways, on computer systems that have failed to work, extravagant statues, outlandish travel expenses, frivolous overtime, an extravagant 20-year retirement program, early retirement and so much more. Your waste far outweighs the 'burden' of my guests that you refer to.*

*"How can I take you seriously and help you when you do not take yourself seriously and do little to help yourself? You cry for help only after you have wasted your years of bounty, destroying the chance of helping yourself.*

*"You also complain about not having enough freedom to make your own decisions. Well, look at the quagmire you've gotten yourself in. Recognize how you got there and you will see you do not have the maturity to take charge.*

*"Juan, as others and I have given you more, you have found more ways to waste it. Will this time be any different?"*

*"Although we have situations we need to discuss, I am not the cause of your suffering. You, Juan, are the cause.*

*"Grow up and understand that!"*

Dan Afleje, Mangilao, 2002

\*\*\*\*\*

Patrocel Duque is the author of four (4) books and a musical drama: *Mathematical Proofs that God Exists*, *Fighting for a Cause*, *Manning the Maritime Industry*, *Guam in War & Peace* (poetry) and *Our Life is Your Life* (musicale).

Available worldwide: Amazon.com, National Office Supplies, bookstores in Guam & Philippines.

## The Truth Matters

## ...from page 4

will thumb down this intended increases.

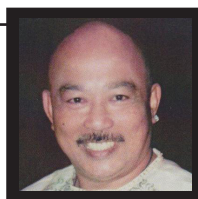
\*\*\*\*\*

With the kind indulgence of my readers, just a brief personal note. When yours truly on the 2010 elections was caught on cam endorsing the Calvo-Tenorio team, it did not matter to me that they were Republicans as I was a Democrat then. I endorsed the Calvo-Tenorio on the humble belief that they were the better team. I endorsed the Calvo-Tenorio team

## Diretsahan Tayo

- Nananaginip ng Gising!
- PDN -20K daw circulation?!
- Kolorum na taxi!

By: Dan "The Man" Romulo



Hoy Gising ang dapat na isigaw kay Senator Michael San Nicolas. Bakit ka ninyo? Nabasa ko sa nakaraang isyu ng pahayagang ito na may sulat itong si Sen San Nicolas kay Gobernador Calvo kung saan kanyang hinihingi niya na kung maari ay atasan ni Gob Calvo ang Attorney General (AG) na maging isang independent investigator para silipin ang mga anomalyang nagaganap sa Department of Revenue and Taxation (REV&TAX) sapagkat si Gob Calvo bilang tax commissioner lamang ang may autoridad na mag appoint ng isang independent body katulad ng opisina ng AG. Ano ba namang klaseng request ito Sen Nicolas? Maganda at 100% akong sang-ayon sa iyong panukala ngunit malabong payagan at gawin ni Gob ito. Eh kung gawin ni Gob ito eh di nasilip na ang lahat ng katarantaduhang nagaganap sa Rev&Tax! At kapag yaan ay nabunyag ng detalyado ay magkakabukingan ang mga milyun-milyong napapalusot at kung sinu-sino ang mga anak ng diyos na nabibiyayaan (istayl Pinas ano?!). At kung mangyari ito ay si Gob calvo rin ang tatamaan. Ay-yay-yay, mga kabayan na walang magawa o diskarte sa kanilang patuloy at relihiyosong pagbayad ng buwis, pasensyahan na lang at malayo kayo sa kalan ika nga!

\*\*\*\*\*

Bente Mil o 20,000 copies ang circulation daw ng PDN from Monday to Saturday at kinse mil o 15,000 daw ang circulation tuwing linggo. Wow ha, ang tindi pala. Sabi nila ang populasyon ng Guam ay 180,000. Samakatwid, lumalabas na 20,000 is 11.1% ng buong populasyon ay bumibili ng PDN. Ilan naman kaya ang circulation ng Daily Post? Nasa 10,000 daw, daw??? Ano ba naman itong mga pigura na ito, kapani-paniwala ba ito sa isang taong may average na pag-iisip? Para sa akin, base sa nakita ko at alam ko sa Pilipinas, madalas na gawain ng mga publishers ang mag-exaggerate ng kanilang circulation. Katulad ko, pwede kong sabihin sa inyo na dalawampo ang fleet ng taxi ko ngunit ang katotohanan ay hindi dalawampo. Diretsahan tayong mga kaibigan, ang mga parehas at honest na pahayagan ay gumagamit ng sinasabing mga independent and credible audit firms para patunayan at i-certify ang circulation ng isang pahayagan, katulad halimbawa ng Certified Audit of Circulations a subsidiary of Alliance for Audited Media or Circulation Verification Audit (CVC), Media Rating Council at marami pang iba. Ang mga grupo na ito ang siyang magsasabi at magpapatunay kung ilan ang totoong circulation (paid, subscribed, and complimentary) sapagkat madali namang mag sabi-sabi. Ngunit mas nakatataka na ang maraming ubod ang gagaling na mga advertisers sa lugar na ito ay nag-papaniwala agad sa sabi-sabi. O sya-sya. Sige na nga, gawin na lang kaya natin 50,000 ang circulation ng PDN kung ikasasaya ng inyong mga isipan. Basta't kami sa pahayagang ito, ang sinasabi natin na circulation that is transparently published sa pahayagan natin at ipinamimigay ng libre ay kayang kaya namin tayuan at patunayan at hindi kami basta-basta lang pwedeng magsabi na kami ay nagsi-circulate ng ganito o

with the hope and intent that when they come out, they can at least extend some employment assistance to some of our kababayans. Unfortunately, that was not the case, and a lot of Pinoy supporters were equally frustrated then.

However, one thing is crystal clear and that is, I endorsed unconditionally, without any expectation of any personal gain and/or benefit to yours truly.

Come 2014, the video showing me endorsing the Calvo-Tenorio team was rehashed and shown to make it appear that I have now turncoated (nag-balimbing na daw ako) as another video was shown that I was denouncing this time the Calvo-Tenorio tandem. But how could I not do so, having seen the dismal and highly questionable mediocre administration of the Calvo-Tenorio team and here comes the Gutierrez-Gumataotao team which certainly would have been better executives, as I am certainly being proven right at this point in time.

As far as I am concerned, Democrat-Republican, what matters is the person running. Party affiliation is secondary.

Now my question is, how many of you A-H\_ \_ \_ licking, hypocrite, back stabbing kababayans (or imagined kababayans, kababayan only when convenient for you \*%\$#@&+)

continued on page 6

ganoon sapagkat madali kami mabuking. Mayroon kaming records at patunay kung ilang ang ipinararating namin galing sa aming imprenta sa Pinas sapagkat mayroon itong paper trail through the shipper and customs' office. Diretsahan tayong kaya kung parehas at walang tinatago, mag pa audit sa isang independent and credible auditing firm, para ma alis ang anumang duda. Hay nako! Kung bakit naman kasi ang laki-laki at ang yaman na pahayagan na katulad ng PDN ay walang independent audit at ang mga magagaling na advertisers ay hindi rin naghahanap ng audit at kaming small time na gumagawa ng tama at nais lamang na makapagsabi at mag-sulat ng katotohanan ay ginigipit pa! Mabuhay ang mga nang-gigipit!

\*\*\*\*\*

Hinggil sa aking mga ibinunyag sa mga kolorum taxi na Miki, base sa aking pagsisiyasat, ang may-ari nito ay isang Mr. Kim. Alam niyo naman, matindi ang Korean connection dito sa Guam. Malalakas ang mga Koreano sa kasalukuyang administrasyon. Ayon sa aking impormante ang isa pang matinding sideline ng mga ito ay kapag nag-hatid ng customer ang mga taxi na ito sa mga massage parlors, pabaryl, strip clubs, restaurants, at iba pa ay meron daw commission itong si Mr. Kim na \$5, sa mga resto per head ng pasahero, kinokolekta ito sa mga kolorum na Miki na taxi weekly o monthly. Ang sarap maging kolorum na may protector, everything and anything goes para sa kanila. Kaya ang mga kinaukulang autoiridad ay dapat ng kumilos!

## Editorial

## ...from page 4

*To our detractors, feel free to denounce and criticize us, as you have the media and other avenues at your full disposal. In fact as early as the second week's issue of this paper, some forces have already engaged in overdrive black ops against us. We have this information from good authority, which would now explain the lukewarm response of major advertisers, and on numerous occasions having our marketing guys listen to some marketing executives of major advertisers ludicrous cacophony of discourse.*

*Given this obvious lack of resources to effectively come out with a paper, the first order of business for the paper is to convert to a being non-profit. Another concern is how we can print double or triple our printing volume. A suggestion is for us to come out on a monthly basis but with definitely more extensive stories and an increased printing and circulation volume. You can just imagine what 15,000 copies (honest to goodness printed and given out for free) strategically spread throughout the island can do. This idea is seriously being considered.*

*Whatever avenue we take from hereon, we will let you, our valuable readers, know.*

*We are now on the conclusion based on our earlier inquiring editorials on whether or not Guam is ready for an alternative paper.*

*Yes, indeed. Guam is ready. The 99.5% silent (for now) majority is what matters. We have faith and we believe that majority of the Guamanians truly like and adhere to honest, efficient and corrupt(-less) governance where the essence of equal opportunities in employment, commerce, and industry can be appreciated and available to all based on meritocracy, talent, and ability. The operative words should be what you know and not whom you know, regardless of whether or not one has substantial contacts in politics and government or none at all, as they say the sunshine should be spread and not just confined to a few greedy corrupt dirty politicians and their business cronies.*



## So the public may know from page 3

Exemption 9: Geological information on wells.  
Source: <http://www.foia.gov/faq.html#exemptions>

The IRS may withhold an IRS record that falls under one of the FOIA's nine statutory exemptions or by one of three exclusions.

### FOIA Exemptions

The exemptions protect against the disclosure of information that would harm: national security, the privacy of individuals, the proprietary interests of business, the functioning of the government, and other important recognized interests.

An entire record is not necessarily exempt when a record contains some information that qualifies as exempt. Instead, the FOIA specifically provides that any reasonably segregable portions of a record must be provided to a requester after exempt portions are deleted. FOIA requires the IRS to identify the location of deletions in the released portion of the record and, where technologically feasible, to show the deletion at the place on the record where the deletion was made, unless including that indication would harm an interest protected by an exemption.

### Exemption 6. Personal Privacy

Exemption 6 applies to personnel, medical, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. This exemption protects the privacy interests of individuals by allowing IRS to withhold personal data kept in its files where there is an expectation of privacy. Only individuals have privacy interests. Corporations and business associations have no privacy rights under the sixth exemption, with the exception of closely held corporations or similar business entities. Once it has been determined that a personal privacy interest is threatened by a requested disclosure, the exemption requires agencies to strike a balance between an individual's privacy interest and the public's interest in disclosure. The Privacy Act of 1974 also regulates the disclosure of personal information about an individual. The IRS will automatically consider a request for personal information under both the FOIA and the Privacy Act and will rely on the statute that provides the greater access.

Source: [https://www.irs.gov/pub/irs-utl/irs\\_foia\\_guide.pdf](https://www.irs.gov/pub/irs-utl/irs_foia_guide.pdf)

## Hundreds of Millions... from page 1

1993 to 2013. Sadly, San Nicolas's office has been denied of the details of the abatements, as Rev & Tax Director John Camacho states this is tantamount to unauthorized disclosure of taxpayer information. San Nicolas wants to know the integrity of the abatement process, who, and what qualifies some businesses and individuals of the abatement. Interest and penalties are meant to deter people from not paying on time, but what are they being waived to some and not on others? Those questions remain unanswered, and the lack of transparency breeds corruption. The documents relating to the abatements (form 4571) are available only to some Rev & Tax people and the Governor (who is by law, the Guam Tax Commissioner) or his designee.

### The need for an independent investigator

It is at this juncture that San Nicolas, on October 20 wrote Governor Eddie Baza Calvo requesting him to authorize the Attorney General to act as a special investigator and prosecutor to look into the collections and enforcement at the Rev & Tax. Having a credible independent inves-



## LOCAL NEWS

November 1-7, 2015

# Bills to be funded by FY 2015 savings voted down

As the legislative session concluded this week, the five bills penned by Senator Frank Aguon, Jr. appropriating part of the \$1.57 realized savings from FY 2015 which he pushed to at least go into voting was finally voted down.

On Tuesday, as expected, Bills 153-33 (LS), 154-33 (LS), 155-33 (LS), 156-33 (LS), and 157-33 (LS) all got nay votes. These bills could have appropriated some money to fund the fallen heroes monument, repair Yona gym facilities, repair and upgrade Talafofo baseball field, repair the Umatac Bridge, and completion of Sinajana open air gymnasium and building of a playground.

But there is no money for those grassroots project, because as the administration put it, they used the intended fund to pay tax refunds.

Last week, two other bills filed by Senator Nerissa Underwood were sent back to the committee because of the same reason, no funds available. Underwood's bills would have appropriated part of the realized savings for UOG and to pay GDOE's vendors. Underwood said, "That is not just payroll, that's about them not being able to save for the contractors for the air conditioning service contract. That's about them not

being able to pay the vendors who provide the supplies and materials so that our kids have their crayons to color with, so that kids the books to read with, so that our students have the pencil to write with."

And while she appealed to the Governor to "please, for goodness' sake, let's walk our talk about putting education first," she realized the bill won't go anywhere so she decided to just bring it back to the committee.

But where did this "putting education first" come from? It is recalled that last year, Governor Eddie Baza Calvo vetoed Bill No. 362-32 (COR) authored by Senator Mike San Nicolas which was meant to (among others), reduce the statute of limitations on the collection of real property tax to 10 years instead of the current 30 years. Calvo in his memo said that he vetoed the bill because "approximately \$22.5 million would be wiped off the books and become legally uncollectable." Under the law, real property tax revenues are deposited into the TEFF (Territorial Education Facilities). Calvo further said, "It cannot be forgotten that one of the purposes of the TEFF is to construct and refurbish Guam's educational facilities. We should be doing everything possible to support and prioritize our schools." But Underwood said that UOG is short of \$4.5 M, DOE is short of \$6M, and GCC is yet to receive \$6.6M for 2015 fiscal year. This now puts into question Governor's sincerity in prioritizing our schools. *Junction News Team*

## Bordallo accepting applications for nominations to the U.S. Service academies

Congresswoman Madeleine Z. Bordallo announced that she is accepting applications for a Congressional nomination to the U.S. Service Academies. Students interested in attending the U.S. Naval Academy in Annapolis, Maryland; the U.S. Military Academy in West Point, New York; the U.S. Air Force Academy in Colorado Springs, Colorado; or the U.S. Merchant Marine Academy

in Kings Point, New York are encouraged to apply. Complete application packets must be received by Congresswoman Bordallo's Guam District Office by December 1, 2015.

A Congressional nomination is a requirement of the Service Academies' application process. Candidates interested in applying for a Congressional nomination are encouraged to contact the Guam District Office at (671) 477-4272, if they have any questions about the nomination process or need help in completing their application.

To download Congresswoman Bordallo's Service Academy Nomination Application Form, or to learn more about the nomination process, please visit the Congresswoman's website at [www.bordallo.house.gov](http://www.bordallo.house.gov). For more information on individual service academies, please visit the websites below:

- U.S. Air Force Academy – <http://www.usafa.af.mil>
- U.S. Military Academy - <http://www.usma.edu>
- U.S. Naval Academy - <http://www.usna.edu>
- U.S. Merchant Marine Academy - <http://www.usmma.edu>

**continued on page 7**

## The Truth Matters

...from page 5

) of mine do not have the balls to show their true colors but would instead prefer to engage in gutter type character assassination mudslinging gossip? Look at yourself in the mirror and tell yourself you are not one of them.

\*\*\*\*\*

I truly pity my colleague and former Junction columnist Mr. Leo Macaraeg. Apparently, it appears that the bigwigs over at the Pangasinanse Bingo gave him an undeserved tongue lashing or kung sabihin sa tagalog ay sinabon si Leo (nagbanlaw ka na ba Leo???). According to Leo, he was called up by at least ten (10) members of the Pangasinanse Bingo and he was berated and even threatened. Of course, assuming that he was indeed berated or threatened or maybe he was threatened, let me say for the record that I could not see anything wrong with Leo's column and I support and agree with it one-hundred and one percent (101%). Since when has asking sensible questions for and in behalf of my fellow seniors and for the public interest become a sin and/or become libelous?! Perhaps, what those misguided and misinformed persons should watch out and be careful is not to intimidate and threaten a bonafide member of a media organization. Let us all not forget our rights under the first amendment, and for as long we are working within the bounds of law, all I can say is God Bless America!

that succeeding one will still be in the bag. This immense power of the governor, can also be used to make the big businesses do the wishes of the administration.

Now, who wants to go against the governor? *The Junction News Team*



# GPA Now Really Hurting Residents and Businesses

The netizens of the Guam community are now really angered and “throwing stones” at Guam Power Authority (GPA) for having an intermittent electric power service saying that the power company is already hurting them. Residents and Business owners alike are now taking their sentiments and rage on the social media, as the Guam Power Authority continuously announces local power outage notices.

## The Residents' Outburst

However, residents and business owners said that the maintenance and repair have been on-going for the longest time and the electric power service has not improved a bit.

GPA is now faced with problems after problem as complaints from the angry mob are piling.

The fire and explosion at Cabras 3 and 4 last August 31 and the recent boiler leak that brought Cabras 2 and MEC 8 unit down, had just made it even worse for GPA as they experienced another 100 megawatts shortage heading the previous weekend.

According to GPA spokesman Art Perez as earlier reported, the MEC No. 8 unit has been brought down to work on liners and the Cabras No. 2 unit has also

been brought down to work on a boiler tube leak. GPA is asking the community to conserve electricity as much as possible announcing load shedding on top of scheduled power outage that was announced earlier.

Perez said that MEC No. 9 was already scheduled for maintenance repairs on October 23. “Typically the demand for power is lower on the weekends; as such, the unit is scheduled for this type of work. Unfortunately, Cabras 2 experienced a boiler tube leak during the early hours of the following day. Work on a steam engine (Cabras 2) takes longer to repair as it involves a period of cooling down to allow for workers to enter the boiler (confined space) to make repairs. This was done by October 25 (Sunday) to bring the unit up to its current output of 45 megawatts.”

This is where the netizens of the island pour their steam on the GPA's unofficial social media page. “Raising prices due to issues caused by incompetence and could have all been prevented by preventive maintenance and upkeep,” a resident was quoted saying to GPA's incompetency and referring to its increased of service rate that was put to effect, October 1st.

GPA is also being blamed

for electronic appliances that broke down due to fluctuating electricity. According to a Talafofo netizen's post on the social media page “It is Just Ridiculous!” experiencing electric power that had been turning on and off on five occasions last October 24. The residents are saying that GPA personnel of all people should know how to keep the power going since their service had been paid well.

## Effects of Outages to Business

The business sector on the other hand has a different and more serious take about the outages and load shedding since almost all businesses whether big or small, rely so on electricity to power up their commerce.

Business owners can only do so much by using back up generators which is of course is less efficient and more expensive.

This evidence is clear that small businesses that do not have back up generators to use during power outages, will take the biggest hit. It will definitely have a negative impact on anybody's business and cash flow resulting to reduced income.

According to the US Emergency Management in Virginia, power companies like the GPA use power outage intentionally especially during times of high demand in electricity or what is commonly known as “Peak Hours.”

This is to prevent any other power plant on the same grid to reach its maximum power supply and prevent it from shutting down that may lead to a blackout. The US Emergency Management also added that Brownouts or Power outages can have adverse effects on computers

# Ben Carson Supports Guam role in TPP

Republican Presidential Candidate Benjamin “Ben” Carson has told Senator Frank Blas Jr. that he wants Guam to profit from the Trans-Pacific Partnership (TPP).

The United States, Japan and 10 other Pacific Rim nations have reached a final agreement on the largest regional trade accord in history. The Trans-Pacific Partnership would set new terms for trade and business investment among the United States and 11 other Pacific Rim nations.

“It is my sincere hope that Guam, America Samoa, and the Commonwealth of the Northern Mariana Islands are treated as true

partners integrated within the framework of the agreement to ensure that their economies are able to share in the benefits of free and open trade,” Carson said in a letter written to Blas on October 23, 2015. “Particularly given their close proximity to Asia, the Territories and Commonwealth provide a sensible and important link to our friends and allies in the region.”

Blas wrote to Carson as well as another Republican 2016 Presidential candidate, Ted Cruz, after their campaigns sent representatives to Guam earlier this year. While Blas is still awaiting a response from Cruz, he said he is pleased

with the answer he has received from Carson.

“I am encouraged by his response and his insistence that Guam be included in the economic activities in this region,” Blas said. “I reached out to these candidates with the intent to find out how they think Guam can have a role in their economic expansion efforts so as to ensure that our island and other territories become a part of their campaign discussions and commitment.”

Senator Blas has been working closely with the Guam Chamber, shipping industry and other entities to establish a plan that will bring jobs and revenue to Guam based on the recently negotiated TPP

hardware, software, and electrical equipment.

This is just what happened a small business owner in Dededo. She said that she is facing a great loss in terms her income that went down 60% for this year from what she earned from the previous years of the same month.

She added that on top of her monthly rent for the store, she has to earn extra cash as her register (cash register) and computer are currently not working. There were even times that she had to call her staff to take the day-off because of the scheduled power interruption in the area where her business is located.

Somehow, she recounted, that day the power didn't go off as scheduled, instead it went off the next day when she already declared business as usual to her employees. She paid the employees salary for that day as the result.

We've asked Mr. Perez just recently through email on how GPA will address the business owners whose businesses have been hurt badly by the effect of the current power crisis, for which he said “We cannot speak for business sector, however,

GPA issues the outage schedules for everyone including business organizations as part of our outreach efforts. We do so in advance as much as possible to aid in their planning for business interruption or their operations to deploy their back up generators.

## What Experts Say

Michael Bruch, Risk Consultant at Allianz Global Corporate and Specialty (AGCS), said on his earliest interviews with the press, that power companies need to check their vulnerability to power outage and what contingency they have in place. “Controlling the risk should not just be limited to having emergency back-up generators” he added.

In addition, he said that many companies are not really prepared for any business disruptions that caused by power outages, and most of these companies are fully unaware of the true cost and impact that it can have to their daily operations.

Residents and business owners would like to know if GPA is capable to handle the power crisis, which is according to them did not

happen if they are guided by proper maintenance of the power plant.

## Long wait

When asked for a timetable for Guam's power to be stabilized, Perez said “We are very confident in the stability of our power system. It is prepared to weather major storms and has received the confidence of the world financial markets as indicated by our bond ratings (stable and investment grade). We do have problems at this moment, however, we have plans in place and being acted upon to resolve them. Our most instable period is between now and January. Thereafter, stability will steadily increase. We expect stability in service within a 8 to 12 month period. He added that “GPA is working hard to deploy our generation capacity alternatives solutions to bring online backup generation as well as deploy initiatives to help minimize the impact any outage has on our ratepayers; we are taking this very seriously.”/The Junction News Team

## Bordallo Accepting...

*from page 6*

edu

“The U.S. Service Academies have a long tradition of developing our nation's next generation of military leaders. They provide young adults with an exceptional education and the training needed to be commissioned as officers in our armed forces. I encourage interested students to consider the U.S. Service Academies as an avenue to military service. I look forward to nominating exceptional candidates for appointment to the Service Academies.”

# Lawmaker Meets with Economic Advisors

To explore a plan that will bring jobs and revenue to Guam based on the economic surge in the Asia Pacific region, Senator Frank Blas, Jr. joined business executives in a meeting, October 13.

With Blas were Guam Chamber of Commerce Chairman Jeffrey B. Jones, Chamber Special Executive Committee Member Joe Arnett, David J. John Vice

Chairman of the Guam Economic Development Authority Board of Directors, former Senator Chris Duenas and GEDA representatives former Senator Mana Silva-Taijeon, Ed Camacho and Tina Garcia.

“Our meeting focused on the shift in the global economy from Europe to Asia as well as President Obama's Pacific Pivot

initiative that addresses the need for military and economic buildup in Asia-Pacific region,” Blas said.

Blas added that the changing world economy as well as the recently signed Trans-Pacific Partnership presents an amazing opportunity for Guam since our island is the closest American soil to Asia. This gives Guam

the potential to be at the forefront of expansion for companies wanting to do business in our region.

The lawmaker has been working closely with the Guam Chamber of Commerce as well as the Guam Economic Development Authority on ways Guam can benefit from this movement.

Blas said that they “discussed how Guam can benefit from current world economic activity to create

a third economic source for our island. We need to partner with all our stakeholders to create Guam as a hub for business activity between the U.S. and the Asia-Pacific region.” The Senator added that this plan to create Guam as a business hub will bring new jobs and opportunities to our community.

As a result of the meeting, GEDA officials will prepare a point paper on this plan to discuss at

their next board meeting and the Executive Branch of the government will begin senior cabinet discussions on this matter and how to ensure our island fully benefits from the plan.

Meanwhile, Senator Blas is researching current laws to determine what changes need to be made to further entice global businesses to establish their regional offices on Guam.



# Madilyn Grace Salazar Christening Party (daughter of Ben & Marvilyn Salazar)

The Westin Hotel, Oct.18, 2015



Tres Marias: Marvilyn Salazar, Marilyn Tablante, and Baby Madilyn



Pamela Villaneuva, Ron Fernandez, Marilyn Tablante with Baby Madilyn, Ofelia and Peter Villanueva



Mr. and Mrs. Efren Santos, Fr. Lito (Tumon Parish Church), Cora Salazar



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Sat: 9:30 AM-5:30 PM

Sun: CLOSED

## "ACTIVE SHOOTER AWARENESS"

A TRAINING ON SAFETY AND PREPARATION

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**8:30AM REGISTRATION**

**9:00AM - 12:00 NOON**

**UO LEON GUERRERO SCHOOL OF BUSINESS & PUBLIC ADMIN. BLDG. ROOM 5-129**

**FREE OF CHARGE**

**PRESENTED BY: SGT. JOHN C. AGUON**

Sgt. Aguon is currently assigned as the Officer in Charge of the Criminal Investigation Section with the Guam Police Department and has been a police officer for 25 years. He has been conducting Active Shooter Awareness training for 3 years.

Active Shooter Awareness Training's purpose is to establish awareness and what to do during a deadly "Active Shooter" incident, or any incident where an individual(s) arrives at a business or any location with large groups of people with the intention of killing, or are actively engaged in killing or seriously injuring innocent people usually with firearms, explosives, or any other deadly weapon. The training will also help you develop strategies that may aid in law enforcement efforts to quickly gain control of active shooter situations which in return helps save as many innocent lives as possible.

**TO REGISTER** log onto <http://psibdcn.eccenterdirect.com>

Click on "Training Events" on the left-hand menu.

Scroll down to find the workshop & then click the Sign-Up button.

For more information, please visit our website at [www.pacificsbdc.com](http://www.pacificsbdc.com) or call the Guam SBDC Office at 735-2590.

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# Dr. Aurelio Espinola - One of a kind

If I will be asked by someone to describe a man at the age of 70 years and above, I'd probably say white-haired, wrinkle-faced grandpa with thick reading glasses, sitting on his fave chair or the like, or maybe someone walking with a cane.

A typical old man who talks-slow and walks slow. Someone who has spent many years of working, enjoying his retirement fishing along the coast and caps the night with a warm glass of milk. An old man pretty much like your typical dad who happens to be a grandfather to your kids also.

In this generation where I belong, where everything moves seems pretty fast where food is served in an instant with the emergence of technology that lessens interaction amongst people, it is at some point surprising to see an old aged-man living up to his profession up to this day....a well-experienced, respected and still practicing doctor at the age of 76.

On this issue, not only that it is timed on the Halloween season, we are taking it also in the different perspective as another "Pinoy" will treat us with a little humor, chilling,

and yet inspiring experience as we enter his office as the doctor is now in.

## Meet the Doctor

Dr. Aurelio Espinola is one of many Filipinos who have been working on Guam for almost 25 years. In fact, he's the only Filipino here in Guam that has the stomach to really dig deep into the truth, examine dead bodies and ultimately give justice to the family of the victim. How's that for being bold and brave? Guam is indeed so lucky to have him as the one and only medical examiner on Guam and the entire Micronesia, and very hardworking at that.

In fact it was very difficult for me to obtain an interview with this man who seems to have tons of things to do. But I do not regret taking him as a subject as he turned out to be one of the most interesting one I had in years.

At a very young age, due to lack of money, two of his brothers died yielding to sicknesses that could have been resolved if only his family had the money for medical treatment. This served as his motivation to one day become a doctor and be of help to those who

are sick and don't have a single penny in their pocket. That's what he basically did when he became an OB/Gyne back in the Philippines. He attended to women who cannot afford to pay. He by the way is an Anesthesiologist as well.

But the one field that he really thrived in and was greatly needed was being the only forensic pathologist on Guam and other islands for the past 22 years. I am sure that none of you my dear readers would want to ever meet and have an appointment with him in your lifetime. Just imagine dealing an average 500 dead bodies a year, half of which you need to open up in order to give the much needed info to lawyers, policemen, and the family.

As he mostly deals with crimes, he has developed his abilities to analyze crime scenes, think like a criminal and unravel questions leading to the solution of a crime. His job seems like one of those you see in Criminal Investigation (CI) Channel, but the truth is that it requires so much time, critical thinking and patience just to solve cases and chase the truth.

He has gone on retirement two years ago but was called back to service as it was difficult to find a replacement for him. So now, he's back in his office all too willing to work for as long as he can.

At his age, Guam is fortunate enough to have a man who'd readily do anything to give justice and closure

to untimely deaths with the hope of bringing peace to the family that will help them move over a loss.

Dr. Espinola hails from Isabela in the Philippines (an Ilocano). He obtained his Doctor of Medicine degree from Manila Central University and postgraduate trainings at Detroit-Macomb Hospital Association (Detroit, MI) as a Straight Pathology Intern, Wayne State University (Detroit, MI) as a Pathology Resident, and was Fellow in Forensic Pathology also in Detroit. After his postgraduate training in Detroit, he worked as a pathologist and medical examiner at various institutions in Texas before moving to Guam.

He is Board Certified by American Board of Pathology as Anatomic pathologist, clinical pathologist, and forensic pathologist. He has licensure in the Philippines, Michigan, Texas, Guam, Palau, and CNMI.

The Island is really proud of having you Sir! And I am more proud because you are a Filipino.

**Galing Pinoy!**



At left is the actor Jack Klugman the lead star in the famous TV series Quincy M.E. (Medical Examiner) as a Los Angeles County Medical Examiner. The TV series was a hit during the late 70's to the early 80's. Jack Klugman actually took some coaching lessons from Dr. Espinola on how it is to become a medical examiner.

## Kabayan Pinoy

- Sino ang inyong Presidente at Bise Presidente?
- Pang se-set up sa NAI!

By: Ben Tufo

E-mail: bentufo\_guam@yahoo.com



Mar Roxas (LP), Grace Poe (NPC), Jojo Binay (UNA), Miriam Santiago (Independent) and soon to announce at mukhang hahabol si DU30 (Laban).

Sa limang ito na tatakbo para pangulo, malinaw na magiging mainit ang bakabakan ngayong May 2016 elections. Malinaw rin na magkakaroon ng minority votes ang elected president.

Ang magandang bantayan diyan ay kung paano palulusutin ng administrasyon itong si Roxas sapagkat tunay na napaka-unpopular niya sa tao at wala siyang karisma, di katulad ng mga ibang tumatakbo. Bantayan daw ang hokuspikos at duon mag-uugat ang matinding pandaraya.

Ayon sa aking source sa Comelec (Main Office) ay naka-kasa na raw ang oplan RO2016, ngunit ang mga hokuspokus machines na kargado na ng sistema na papabor kay Roxas ay nasa ilang mga baluarte ng administrasyon, kung saan medyo malakas ang administrasyon. Kaya sa kadahilang ito ang pangalawang sinusuportahan ng kasalukuyang administrasyon ay walang iba kung hindi si Grace Poe na siyang sususuportahan ng uncle ni Penoy na si Don Eduardo "Danding" Cojuangco.

Malupit ang magiging eksena ngayon para kay Penoy. Kung makalusot si Miriam o si Binay o si DU30 ay malaki ang tsansa na siya at si Sec. Butch Abad ay makalaboso, kaya asahan ninyo na gagawin ng kasalukuyang administrasyon ang lahat ng dirty tricks na kanilang makakaya ng huwag palusutin ang kahit sino sa tatlong ito - Defensor, Binay, at DU30, at kung hindi ay SIBAT NA PINOY AT ABAD.

Sa aking palagay o fearless forecast kung hindi tatakbo si DU30, it's either Defensor o Binay ang lulusot. Malabo na yang sina Roxas at Poe, ngunit kung tatakbo si DU30, siguradong swak na swak na sya.

\*\*\*\*\*

Para Bise Presidente, anjan si Bongbong Marcos, Alan Peter Cayetano, Chiz Escudero, Leni Robredo, Gringo Honasan at sabit na Antonio Trillanes. Sa ngayon ay alisin na muna natin si Trillanes sapagkat malabo na siya sa eksena. NO WAY TRILLANES.

Sa nakikita ko, ang seseryosohin ng sambayanan ay itong si Chiz Escudero at si Bongbong Marcos. Ang dalawang ito ang magkakaroon ng matinding bakbakan. Pumapangalawa sa dalawang ito ay sina Gringo at Cayetano at pangatlo o huli sa karera ay itong si Leni Robredo. Tunay akong nanghihinayang kay Madam Leni Robredo kung bakit kasi sya pumayag na tumakbo sa partido ng administrasyon sapagkat malinis ang kanyang record. Ayan tuloy madadamay siya sa negative na imahe ng administrasyon. Kung sabagay, para lamang siyang magbabakasyon ng tatlong taon at muli siyang posibleng mahalal para sa ibang posisyon.

Ang isang magiging bentahe ni Chiz ay siguradong sususuportahan siya ni Penoy maliban sa suporta ng NPC na sususuportahan rin si Bongbong. Hindi isusugal ni Penoy na makalusot si Bongbong, you can expect that by hook or by crook ika nga na gagawin ni Penoy ang lahat ng na sa kanilang kapangyarihan na ma-demolish si Bongbong.

\*\*\*\*\*

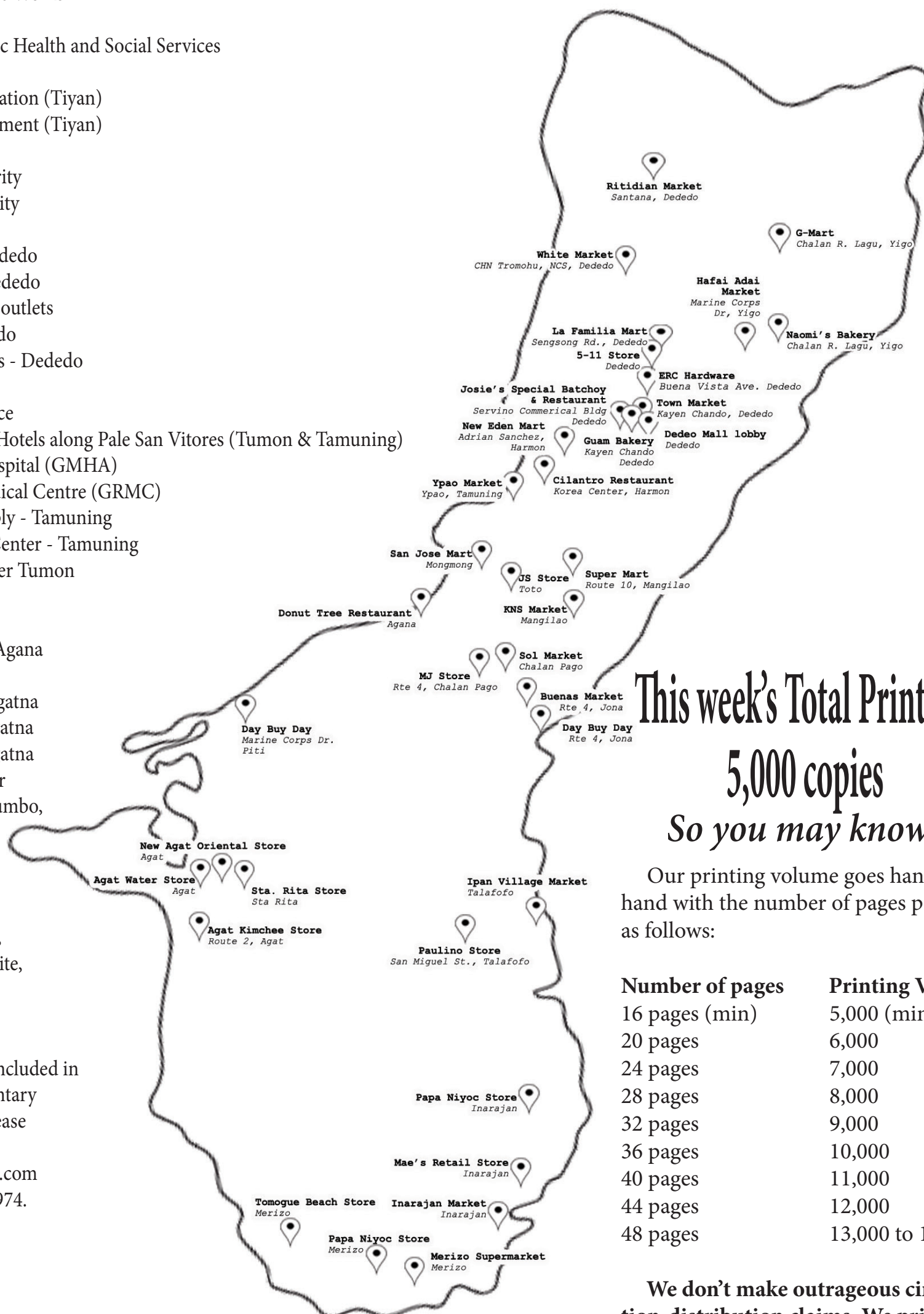
Tayong mga biyahero patungong PI na lalapag sa NAI 1 ay dapat na mag-ingat at nagkakaroon ng salisihan kung saan ang mga inosenteng biyahero ay tinataniman ng bala. Isipin naman ninyo, mga inosenteng OFW na paparating tinataniman ng bala, isang bala lang at kung minsan bente dos (22 caliber) lang at kapag foreigner ay 45 cal. Masyado ng walang hiyaan ang ganitong sistemang pang-ngikil, at kapag hindi ka umayos ay tutuluyan ka nila for illegal possession of armaments/explosives. Secretary Mar Roxas at Pangulong Penoy ano na ang nangyayari sa inyong panunungkulan at kampanya lang kayo ng kampanya habang wina-walanghiya ng inyong mga bataang buong sambayanan! PWEEEE....



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UOG Research: Rhino Beetles Breeding  
in the Crowns of Coconut Palms

The Guam coconut rhinoceros beetle research team at the University of Guam has documented some disturbing and unusual behavior of Oryctes rhinoceros (coconut rhinoceros beetle CRB), which has been published in the September issue of the Florida Entomologist journal.

The coconut rhinoceros beetle was first discovered on Guam in the tourist area of Tumon Bay in 2007, and since that time has spread throughout the entire island. In an attempt to eradicate the beetle, the CRB research team focused on sanitation to clean up possible breeding sites of decaying matter located in the many vacant lots in the area. Once sanitation was accomplished the team noticed there was no significant decrease in beetles found in traps around the area. This was puzzling.

“Although we had found CRB eggs and larvae in the crowns of coconut trees, we thought this rarely happened.” said University of Guam extension entomologist Dr.

Aubrey Moore.

Moore and the Guam Coconut Rhinoceros Eradication Project team decided to systematically investigate what was happening in the crowns of coconut trees in Tumon. The results of their study showed that all life stages of the beetle from egg, larva, pupa, and adult were found in the crowns of 10 out of 26 coconut trees that were felled.

“Although arboreal breeding of CRB larvae has been reported in the literature, the occurrence of this phenomenon on Guam is much higher than elsewhere” stated CRB Eradication Project director Roland Quitugua. The research team attributes this behavior to the loss of birds and rats through predation by the brown treesnake that was accidentally introduced to Guam after World War II. On other islands, rats and birds feed on larvae found in the crowns of trees.

The discovery of how widespread the breeding of coconut rhinoceros beetles in treetops is on Guam has lead to new sanitation recommendations for the control



of the beetles. Palm trees that are manicured to remove dead fronds and other detritus are much less likely to harbor breeding coconut rhinoceros beetle populations.

For more information about CRB research, please visit: <http://cnas-re.uog.edu/crb/>.



# Promoting PH Economic Credentials from City of Steel to City of Innovation

WASHINGTON, D.C. — From Pittsburgh, the city of steel, to Seattle, the city of innovation, a private sector business delegation from Manila showcased the Philippines as Asia's new emerging tiger.

On 19-23 October 2015, Ambassador Jose L. Cuisia, Jr. and prominent Filipino economist Dr. Bernardo Villegas led the Fourth Private Sector Delegation to the United States in business forums held in Pittsburgh (19 October), Dallas/Fort Worth (21 October), and Seattle (23 October).

The other members of the topnotch business delegation were Mr. Engelbert Camasura, Partner at Ward Howell International Consulting Firm; Mr. Ronaldo Elepaño, 1st Vice President for Business Development International at DM Consunji, Inc.; Mr. Jose Mari Mercado, President and CEO of the Information Technology & Business Process Association of the Philippines; and Mr. Juan Olondriz Peña, President of RAJI INC.

Writing about the First delegation in 2012, Dr Villegas explained that the “apparent reticence of US investors to invest more heavily in the Philippines motivated me and a handful of top executives from the private sector to offer our services to Ambassador Jose Cuisia to organize a non-deal investment roadshow to three key cities in the US, i.e. Washington, D.C., New York City and San Francisco City. The results exceeded our expectations.” That first roadshow has since been followed by visits to Los Angeles, Chicago, and Boston in 2013; and then Houston, Atlanta and Philadelphia last year.

“The Philippines and the US are natural business partners because of our shared values,” said Ambassador Cuisia in opening this year’s roadshow in Pittsburgh. And in a subsequent statement, the envoy also noted that “since our flagship private sector-led investment roadshow in the U.S. in 2012, I have experienced first-hand that the wave of optimism and business confidence in the Philippines continues today. Through these annual events, we are connecting not only prominent Filipino businessmen, but also great Filipino minds, with American partners in promoting the Philippines’ improving business image in the United States.”

Dr. Villegas, who is also a Visiting Professor at IESE Business School, led off the presentations with an overview of the Philippine economy, and focused on the positive trends in growth and development. He also spoke on the weaknesses and challenges of the economy, while identifying the key industries for investments.

In his presentation, Dr Villegas identified “a stable democracy, improved governance, strong macroeconomic fundamentals, an educated, young and English-speaking labor force, and OFW remittances as positive trends contributing to the Philippines becoming one of the emerging markets.” He also added that “the Philippines is in a demographic sweet spot with the young and growing population being the main source of our competitive advantage.”

Throughout the roadshow, the delegates extolled the Filipino worker as a “global resource,” in the words of one, describing the talent pool as highly trainable, proficient in English, having an affinity with Western culture, having good customer service orientation, and having a high level of commitment and loyalty.

There was much interest in the Philippine IT-BPM industry that has steadily grown to become an US\$18.9 billion dollar industry, showing the continued and growing interest of international companies to invest and put up operations in the country. It is projected that 1.3 million people will be directly employed in IT-BPM by 2016, with the industry generating US\$25 billion in revenue.

Even after nearly four years since the first roadshow, infrastructure and public-private partnerships continued to be important topics for American business. The delegation informed participants at the various forums that the Philippine government is allocating increased resources to infrastructure improvement and expansion, opening up numerous opportunities for investment in the Philippines. In emphasizing the importance of infrastructure, Dr. Villegas expressed the hope that the next President in 2016 will be an “infrastructure President.”

In the discussions following the presentations, whether with US businessmen or Filipino-Americans, a recurring theme was the leadership transition in 2016. Recalling his visit to Harvard in 2014, as part of the third roadshow, Dr. Villegas, said that “the questions were more penetrating about how sustainable will be the present high growth of 6 to 8% in GDP once a new leader takes over in 2016. What if the next President is not as committed to fighting corruption as President Benigno Aquino III?”

Dr Villegas argues that “President Aquino himself acknowledges that the strong recovery of the Philippines under his watch can be attributed to a series of reforms that spanned at least the last 27 years since the Administration of his mother. Gradually through more than a quarter of a century, the Philippines has been undergoing reforms towards more inclusive political and economic institutions.”

In a statement, Ambassador Cuisia also says, “I am confident that the Filipinos will choose wisely. And I am confident that no matter who succeeds President Aquino in June of 2016, the pace and the substance of reforms, of good governance, can no longer be reversed.”

## THIS WEEK IN PHILIPPINE HISTORY



### Katipuneras

FROM THE PRESIDENTIAL MUSEUM AND LIBRARY

On October 27, 1950, Marina Dizon, one of the first women recruited into the Katipunan, and who presided over initiation rites for Katipunan women, died at the age of 75. She was Emilio Jacinto's cousin.

(Photo courtesy of the National Historical Commission of the Philippines)

This year's roadshow is the fourth and last in a series of a non-deal investment roadshows that Dr. Villegas and leading business executives in Philippine growth industries have organized during the Aquino Administration in partnership with the Philippine Foreign Service Posts in the United States, led by the Philippine Embassy in Washington DC.

“Perhaps, it was only right that we started in Pittsburgh, the city of steel, and ended in Seattle, the city of innovation. Such a journey seems to parallel that of the Philippines, a developing country that built much of its economic development in the past on the shoulders of manufacturing, but has over the last few years ridden the succeeding waves of innovation and information technology,” Ambassador Cuisia commented on the itinerary of the recently concluded roadshow.

“The year 2015 is a fitting end to these investment roadshows under the Aquino Administration because hundreds of world leaders will congregate in key cities of the country for the APEC Summit and at the same time, the end of the year will see the launching of the final phase of the ASEAN Economic Community,” observed Dr. Villegas.

ASEAN has a combined nominal GDP of US\$2.4 trillion, and would collectively rank as the world's seventh largest economy. GDP growth for 2015 is forecast by the Asian Development Bank at 5.1 percent. And with a combined population of some 625 million people, its transformation into a single market will unlock a massive amount of economic opportunities.

As early as the first roadshow in 2012, Dr. Villegas's message has been that the Philippines is part of the large free market of the ASEAN Free Trade Area (AFTA) and is a most strategic gateway to a total population of close to 700 million consumers.

“Since our geographic location also puts us at the center of the most dynamic region for the next 50-100 years, we can be the gateway of the Pacific to South East Asia, and to greater Asia,” said Ambassador Cuisia, marking the end of a four-year run of the private sector led investment roadshows, and perhaps also heralding new beginnings. /Philippine Embassy, WDC

## More than enough food for Lando-hit areas

Department of Social Welfare and Development (DSWD) Secretary Corazon Juliano-Soliman disclosed that there is still P500-million in the quick response fund that can be used to support disaster operations for Lando

and for other calamities that may occur within the year.

Likewise, a total of P1-billion is readily available under the calamity fund of the president.

“Food is still the priority of the affected families, along with non-food items like clothes and blankets,” Sec. Soliman added.

In Casiguran, Sec. Soliman said that the food packs that were delivered to the province were distributed and received by the barangay captains in the municipal hall. The barangay captains distributed the food packs to their respective constituent who were affected by Lando.

Lando has affected a total of 361,924 families or 1,656,241 persons.

Of this number, 24,179 families or 111,236 persons are inside 408 evacuation centers managed by LGUs and 96,527 families or 434,358 persons are outside evacuation centers staying in their relatives' or friends' houses.

A total of P28,275,278.98 worth of assistance has been provided from the combined resources of DSWD (P19,483,132.48), LGUs (P8,754,346.50), and NGOs (P37,800).

Sec. Soliman also said that the rapid assessment teams were deployed to Aurora and Nueva Ecija.

The result of the assessment will then be processed and will become the basis for the provision of appropriate programs and services to enable the affected families regain normalcy. /DSWD

### Baguio, Benguet, Ifugao, Bontoc, Apayao, and Kalinga (BBIBAK)

The Baguio, Benguet, Ifugao, Bontoc, Apayao, and Kalinga (BBIBAK) of Guam is in the process of organizing. Those from the Cordillera Region (CAR) including Baguio City who wish to help out or join the group are encouraged to please send an email to [bbibak\\_guam@yahoo.com](mailto:bbibak_guam@yahoo.com) with your contact details



## EducationUSA Offers Free Educational Advising Services

Manila, Philip'pines — EducationUSA, the U.S. government's official source on U.S. higher education, is now offering walk-in educational advising services in the Philippines. The advising services will take place at the Embassy from 2:00 pm to 4:00 pm on the first Tuesday of every month and at the American Corner at De La Salle University from 10:00 am to noon on the first Saturday of every month. The next sessions will take place on Tuesday, November 3 and Saturday, November 7, respectively.

EducationUSA has also kicked off a monthly Enrichment Series offering workshops and interactive sessions on topics and skills related to the U.S. college admissions process. To learn more about our educational advising services, avail of our walk-in services, or attend one of our enrichment workshops, please contact us at EducationUSAPH@state.gov or message us on [www.facebook.com/educationusa.philippines](http://www.facebook.com/educationusa.philippines).

All EducationUSA services are free.

EducationUSA provides free advising services to prospective international students in over 170 countries who want to study in the United States. EducationUSA helps students navigate the five steps to U.S. study—research, financing, completing the application, obtaining a student visa, and preparing for departure—and offers resources and tools for each part of the process. There are more than 4500 accredited higher education institutions in the United States and an adviser can assist students as they narrow their options, define their priorities, and plan their college careers. The program does not offer scholarships, but can assist students in locating scholarship opportunities as they consider their options for funding a degree./US Embassy, Manila

## PHL-Sweden Social Security Agreement Captures the Attention of Filipinos in Sweden

Filipinos living in Sweden applaud the good news of the forging of a social security agreement between the Philippines and Sweden on October 15 in Stockholm. At an informal forum held the following day, Social Security System (SSS) President and CEO Emilio S. de Quiros, Jr. and Philippine non-resident Ambassador to Sweden Bayani S. Mercado welcomed Filipino community attendees, hailing the benefits that said agreement would provide to Filipinos living in Sweden. The SSS President and CEO provided an overview of the national pension system, while SSS Senior Vice President and Philippine negotiator Judy Frances A. See presented an update on the main features and services of the Philippine social security service and answered questions by Filipino community participants on the new bilateral agreement. Ms. See also presented the SSS Flexifund for overseas Filipino workers (OFWs), a provident fund-type of investment product that is already serving the financial dreams of many Filipinos abroad.

Following ratification by the Philippines and by Sweden, the social security agreement is expected to benefit nationals of both countries in terms of securing their respective long-term and pension benefits, guaranteeing equality of treatment of nationals in accessing applicable benefits; the portability of benefits when nationals of one Party reside in the other Party; the totalization of insurance periods, and the exchange of information and mutual assistance between the competent authorities./DFA



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9am-12nn Midday Request Xpress with Tass  
12nn-3pm PnP: The Afternoon Shift with Arnold  
3pm-6pm Flipside Happy Hapon Show with Migz  
6pm-9pm Radio On Demand with DJ Cure  
9pm-12mn (M-Th) The Late Night Show with Raffy  
9pm-12mn (F) im radio with Johnny Z

### Saturday:

8am-10am Damdaming Pinoy with Ate Sam, Ate Beth and Kuya Roy  
10am-2pm Saturdays with Rolly M.  
2pm-6pm Showtime Saturdays with Initial V

### Sunday:

8am-10am Sunday Inspirations  
10am-2pm Dear Heart with Gloria Diaz  
5:30pm-7pm Kumusta, Kabayan with Mr. Z  
7pm-12mn Retro OPM

## PHL Con-Gen in Sydney Assists Filipino Seafarers Rescued by Chinese Vessel

Twenty one (21) Filipino seafarers of Philippine vessel MV Foxhound led by Captain Jonathan Montel were rescued on October 17 by UK-registered and Chinese-owned vessel MV COSCO Shanghai after MV Foxhound sank along Vitiaz Strait in Northern New Guinea.

After experiencing inclement weather which led to the sinking of MV Foxhound, Captain Montel and his crew sent a distress signal and later boarded a lifeboat. MV COSCO Shanghai of the China Ocean Shipping Company Group or COSCO Group came to rescue the Filipino seafarers and was able to retrieve all of them from the lifeboat.

On October 22, MV COSCO Shanghai arrived in Port Botany, Sydney, Australia, and the Filipino seamen were met onboard the ship by Consul Marford Angeles and Assistance-to-Nationals (ATN) Officer Erlinda Albay of the Philippine Consulate General in Sydney to

ascertain their condition. In coordination with HWL Ebsworths, the insurance agent in Sydney of MV Foxhound, the Consulate made arrangements for a team of Filipino-Australian doctors and a psychologist to conduct medical and psychological examination of the 21 Filipino seafarers.

Consul Angeles conveyed to Captain Shen Xiao Xing, Master of MV COSCO Shanghai the Consulate General's appreciation and gratitude for his action which resulted into the safety and well-being of the 21 Filipino seafarers. Captain Shen graciously responded by saying that he just did his duty to save lives at sea.

According to Captain Montel, all his crew members' needs were attended to by Captain Shen and his crew, who treated them with kindness. Captain Montel related that Captain Shen even asked them if the food given to them onboard his ship was to their liking as he wanted to ensure that they were satisfied and com-

fortable.

The team of Filipino-Australian doctors and psychologist that assessed the Filipino seamen onboard MV COSCO Shanghai comprised Dr. Corazon Francisco, Dr. Teofista de Vera, Dr. Roger Fabian, and Ms. Fe Limjap. The team also extended financial assistance to the Filipino seafarers.

HWL Ebsworth made arrangements for the return flight of the 21 seafarers to the Philippines on October 24. They were assisted upon their departure at the airport by representatives of HWL Ebsworths and Ms. Albay. The Consulate coordinated with the Philippine Overseas Labor Office (POLO) in Canberra on assistance to the 21 Filipino seafarers upon their arrival in Manila. Prior to their departure, Captain Montel conveyed to Philippine Consul General Anne Jalando-on Louis his thanks for the assistance provided to him and the members of his crew during their transit in Sydney.



Consul Angeles confers with Filipino-Australian doctor, Dr. Corazon Francisco, while she is examining Capt. Montel during the medical check-up conducted for all the seamen

## Sen. Marcos deplores "tanim-bala" on OFW bound for HK

Senator Ferdinand "Bongbong" R. Marcos, Jr. today deplored another incident of alleged "tanim bala" (bullet planting) last October 25 at the Ninoy Aquino International Airport involving an OFW (Overseas Filipino Worker) bound for Hong Kong.

Gloria Ortinez, 56, was

arrested and detained after airport authorities claimed they found a bullet of carbine rifle in her hand carry bag at the NAIA Terminal 2, where she transferred from her connecting flight after arriving from the Laoag International Airport.

However, Ortinez denied that the bullet belongs to

her. Having travelled in and out of HK where she worked as an OFW for 20 years, Ortinez said she is well aware that such item is strictly prohibited there.

"We have heard of similar incidents before on this modus operandi to extort money from hapless victims and we all thought that

**continued on  
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## Transportation office reforms issuance of driver's licenses

The revised rules governing the issuance of driver's licenses aim to ensure the capability of the driver as well as streamline the application process. The reformed process is expected to take effect within the first half of November 2015, and will cover all four types of licenses.

As part of its agency-wide reform program, the Land Transportation Office (LTO) is set to implement the revised rules governing the issuance of driver's licenses in the coming days, with the publication of five Administrative Orders (AOs) next week.

"The revised rules will serve two purposes: first, they will better ensure the fitness and capability of license card holders to drive on our streets; and second, they will streamline the application process and make it more convenient for the public," said Department of Transportation and Communications (DOTC) Secretary Jun Abaya.

The AOs will take effect 15 days after publication, or within the first half of November. They will cover all four types of licenses issued by the LTO, namely:

professional driver's licenses (PDLs); non-professional driver's licenses (NPDLs); student's permits (SPs); and conductor's licenses (CLs).

Higher Standards, Stricter Rules for PDLs

The LTO is imposing higher standards and requirements for professional driver's license (PDL) applicants:

Applicants for PDLs to operate light vehicles must have had a valid SP for at least 6 months prior to the application.

In cases of heavy vehicles, the PDL applicant must have either a valid NPDL for at least 1 year prior to the

application, or a valid PDL to operate light vehicles for at least 6 months prior to the same.

Currently, a 5-month holder of an SP or a 4-month holder of an NPDL may apply for a PDL.

At the same time, the agency is tightening its eligibility criteria by disqualifying PDL applicants who have had two or more citations for reckless driving during the validity period of their existing license. This is meant to incentivize disciplined, law-abiding, and orderly driving among would-be PDL applicants.

These restrictions will apply to the four types of PDL examinations: those for tricycles, for light vehicles, for heavy vehicles, as well as for conductors.

More Convenient Rules on Medical Certificates

For the convenience of applicants, the LTO will begin accepting medical certificates issued by any duly-licensed and practicing physician, instead of restricting these to accredited doctors stationed at LTO offices.

This will allow applicants to have themselves examined by a doctor of their own choosing, at a time and place convenient to them. However, the revised rules require that a medical certificate submitted during application should have been issued no more than 15 days prior. The LTO will not accept medical certificates which are over 15 days old.

For uniformity, the LTO will provide a Medical Certificate form which will be free of charge and will be available for downloading from the DOTC and LTO websites. The form must state that the applicant is physically and mentally fit to drive, as well as the condition of their hearing and eyesight.

Merit System for License

### Renewals

The LTO will also implement a merit system to incentivize good behavior and disciplined driving among license holders. Currently, licenses have a 3-year validity period based on the license holder's date of birth.

Under this new system, a PDL or NPDL holder who has not committed any violation during the 3-year validity period will be entitled to a 5-year validity period for their next license upon renewal. For those who have committed a violation, they will be eligible for the regular 3-year validity period only upon renewal.

### Changes in the Application Process

Lectures or seminars prior to the written and practical examinations will no longer be conducted by the agency. Instead, the LTO will release reviewers containing all possible questions to the public. The reviewers will be given to those who are issued SPs, and will be made available to anyone at LTO offices and on the websites of the DOTC and the LTO.

Applicants who fail the Basic Driving Theory Test and/or the Practical Driving Test twice shall not be allowed to apply for the same within a period of 1 year. An applicant who fails either of the tests for the third time will not be allowed to apply for a period of 2 years.

Lastly, the minimum age requirement for SPs will be raised from the current 16 years old to 17 years old. In the same vein, the minimum age for NPDL applicants will be raised from 17 years old to 18 years old./ DOTC

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Since 2007, Elissa Hillary has served as the Executive Director of Local First, an entrepreneurial nonprofit working to build a sustainable West Michigan economy. Elissa is a 2011 Business Alliance for Local Living Economies (BALLE) Founding Fellow. She was named one of Grand Rapids Business Journal's "Top 40 under 40" business leaders in 2010 and 2012. "Nonprofit Newsmaker of the Year" in 2014, and a 2014 BCorp Measure What Matters Champion.



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## Sen. Marcos...

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with the media attention and investigations conducted this won't happen again. That is why this latest incident is disturbing to say the least," Marcos said.

In response to her earlier plea for assistance the senator sent a member of his legal staff

to look into the situation of Ortinez and provide assistance that she needs.

Marcos stressed that strict implementation of security protocols in our airports is necessary.

However, Marcos warned that authorities should take care against the hasty filing of criminal charges in similar instances when there are also indications the suspect may actually be a victim of a frame up.

"Because of the allegation against her, Mrs. Ortinez was not able to leave the country and she could lose her job. Worse, she now bears the additional burden of having to defend herself in court and the possibility of spending time in jail. This means she is still on the losing end even if she is eventually cleared of the charges against her," Marcos said.

"We call our OFWs our modern heroes and this is what they get in return?" he added.

Marcos said he will await the report to find out if there is a need to call for a Senate investigation on the

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# Game changer: America vs China in the West Philippine Sea

Manila, Philippines - America's deployment of destroyers means that China's leadership is bound to come under tremendous pressure to respond accordingly. This is a battle for leadership in Asia.

After hesitating for years, the United States has finally decided to openly challenge China in the West Philippine Sea, deploying destroyers into the 12 nautical miles radius of Chinese-occupied land features in the area. Throughout the last two years, China has frantically built a sprawling "great wall of sand" across the Spratly (Kalayaan) islands, changing the facts on the ground without confronting any significant resistance.

Utilizing state-of-the-art technology, China has artificially reclaimed 20 times more land than all other claimant countries combined in the last four decades. China hopes that these construction activities will bolster its sovereignty claims (see Art.7 and 47, Paragraph 4 of UNCLOS) in the area and allow it to better project power against other claimant states. There is no moral, legal, and technological equivalence between China's reclamation activities and that of other claimant states in the area.

Given the massive power asymmetry between China and its smaller neighbors, only the United States has the wherewithal to challenge Beijing's unrelenting quest for maritime dominance in East Asia. And to the delight of its Asian allies, particularly the Philippines and Japan, the Obama administration is finally drawing a line in the sand, challenging China's great wall of sand in one of the most vital Sea Lines of Communications (SLOCs) on earth.

On the surface, the US is simply engaging in routine operations to ensure freedom of navigation in the West Philippine Sea and beyond. It is easy to dismiss America's latest move as calibrated saber-rattling to calm the nerves of anxious allies.

A closer look, however, reveals the dramatic nature of America's latest maneuver aimed at reining in Chinese maritime assertiveness. Like never before, America is directly challenging China's sovereignty claims in the area, even if this carries the risk of heightened Sino-American tensions ahead of the APEC and ASEAN summits next month, if not potential clashes between American and Chinese armed forces. No less than the future of the Asian order hangs in the balance.

## Maritime Commons

Despite all the advancements in technology and land-based infrastructure, about 90% of global trade is still carried through maritime routes.

The South China Sea is an artery of global trade, facilitating \$5 trillion in international trade, \$1.2 trillion of which is bound for the United States. It also serves as a key transit route for the bulk of the energy imports of major Asian economies such as Japan, South Korea, and China. Unlike the Persian Gulf, which is also a major transit point for hydrocarbon trade, the South China Sea is vital to the global food supply, accounting for as much 10% of world fisheries supply. Hundreds of millions of people across the region depend on the West Philippine Sea for their daily diet.

During his intimate retreat with President Barack Obama back in 2013, Chinese President Xi Jinping boldly claimed, "The vast Pacific Ocean has enough space for two large countries like the United States and China." Reinforcing lingering suspicions that he was perhaps calling for a Sino-American co-dominion in the Pacific theater, the Chinese leader proposed a "new model of great power relations," where Washington and Beijing will effectively treat each other as peers with respective zones of influence in the area.

To be fair, Xi's proposal for a new regional order – what I have called Pax Chimerica – was based on an earlier joint statement between the Hu Jintao administration in China and the newly-installed Obama administration, which has framed Sino-American relations as "the most important bilateral relationship in the world."

The November 2009 joint statement between the two powers quite controversially stated,

"The two sides agreed that respecting each other's core interests is extremely important to ensure steady progress in US-China relations." For Beijing, one of those "core interests" is safeguarding China's territorial integrity and sovereignty claims, which have progressively expanded from peripheral restive regions such as Tibet and Xinjiang to Taiwan and, in more recent years, much of the South China Sea.

Unlike other maritime superpowers throughout history, from Netherlands and Britain in early modernity to the United States today, China, however, is treating adjacent waters as an extension of its continental territory, its national "blue soil." This is nothing short of a strategic coup against modern maritime international law, which, based on the works of the legendary Dutch legal philosopher Hugo Grotius, strives to ensure 'open seas' for the purpose of international commerce and peace.

## Law and disorder

Refusing to acknowledge China's sovereignty claims over artificially-created islands in the area, the United States Navy's (USN) guided-missile destroyer (USS Lassen) has pierced into the 12 nautical miles radius of Beijing-occupied land features on a regular basis. It is a move that is both urgent and risky, simultaneously carrying the promise of reining in Chinese maritime assertiveness and provoking a confrontation with Asia's superpower.

Though Washington has not ratified the United Nations Convention on the Law of the Sea (UNCLOS), thanks to the intransigence of some members of the U.S. Senate, the USN observes the relevant provisions of the UNCLOS as a matter of customary international law. No wonder then, Washington has allowed Chinese military vessels to pass through its EEZ in the Pacific as well as 12 nautical miles territorial sea off the coast of its Alaskan territories. Together with its allies, Washington has undergirded freedom of navigation across the globe, securing the foundations of unimpeded international trade and maritime security.

Although China is a signatory to the UNCLOS, it has repeatedly sought to impose restrictions on the entry and movement of foreign military vessels and aircrafts well beyond its territorial sea. And in clear contravention of UNCLOS (see Article 60), it has engaged in a sweeping reclamation activity across the Spratly chain of islands, permanently altering the nature of disputed features well beyond its EEZ and continental shelf.

Against the backdrop of the glaring gap between China's actions and its legal obligations, the United States (a non-signatory to the UNCLOS) is, quite ironically, invoking UNCLOS as a basis to challenge China's sovereignty claims in the area.

On paper, the United States professes neutrality on the sovereignty claims of competing claimant states in the South China Sea. But its recent decision to conduct freedom of navigation operations – deploying surveillance vessels and possibly even reconnaissance aircrafts – within the 12 nautical miles radius of China's artificially-created islands represents a de facto rebuke of China's territorial claims in the area.

## The showdown

The UNCLOS (Art. 18, Sec. 3, Part II) provides "continuous and expeditious" right for innocent passage for foreign vessels within the territorial sea of a coastal state. But this principle doesn't apply to activities that are "prejudicial to the peace, good order or security of the coastal State," including "any act aimed at collecting information to the prejudice of the defense or security of the coastal State."

In short, the UNCLOS doesn't provide American military vessels the right to engage in surveillance operations within the 12 nautical miles of Chinese-occupied islands. China considers such activities as prejudicial to its interests.

"There is no way for us to condone infringement of China's territorial sea and airspace by any country under the pretext of maintaining the freedom of navigation and overflight," the Chinese Foreign Ministry warned in response to America's decision to conduct freedom of navigation operations within the 12 nautical miles radius of Chinese-held features. This means the United States is essentially challenging China's sovereignty claims to these islands.

China has been engaged in reclamation activities practically across all the features (Fiery Cross, Hughes, Cuarteron, Gaven, Subi, Johnson, and Mischief Reefs), under its control in the Spratly chain of islands. None of them are considered by legal experts as naturally-formed "islands" (see Art. 121 of UNCLOS), with at least three of them (Gaven, Subi and Mischief reefs) considered as low-tide elevations, which are not entitled to any territorial sea of their own (see Art. 60, Part V and Art. 13, Sect. 2, Part II of UNCLOS).

Deploying freedom of navigation operations within the 12 nautical miles radius of these features doesn't violate international law, since they were originally low-tide elevations. (This is why it is important to watch whether American will also challenge China in the Fiery Cross, the command-and-control center of China's activities in the area, which is widely considered as a rock that can generate its own territorial sea.)

The duration, frequency, and depth of these operations will also determine China's counter-measures. Beijing has a wide range of options to respond to America's challenge. It could buzz American vessels with jetfighters, or/and deploy an armada of para-military forces backed up by conventional naval forces. The two powers have a wide range of sticks to stare down each other without triggering all out conflict.

Historically, the USN conducts freedom of navigation operations away from the limelight. But this time is different, especially with the world carefully watching America's next action. This also means that China's leadership is bound to come under tremendous pressure to respond accordingly. This is a battle for leadership in Asia. / Rappler.com



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# Philippines wins round 1 in historic case vs China

**M**ANILA, Philippines – In a round one victory for the Philippines, a United Nations-backed arbitral tribunal at The Hague, in the Netherlands, unanimously decided it has the right to hear Manila's historic case against Beijing over the West Philippine Sea (South China Sea).

The tribunal effectively rejected China's strongest argument against the Philippines: that the tribunal at the Permanent Court of Arbitration (PCA) in The Hague has no right to hear the Philippines' case. This initial victory means the tribunal can hear the merits of the Philippines' case – and issue a definitive ruling by 2016.

In a news release late Thursday evening, October 29, the PCA said the tribunal “has held that both the Philippines and China are parties” to the United Nations Convention on the Law of the Sea, and therefore “bound by its provisions on the settlement of disputes.”

“The tribunal has also held that China's decision not to participate in these proceedings does not deprive the tribunal of jurisdiction and that the Philippines' decision to commence arbitration unilaterally was not an abuse of the Convention's dispute settlement procedures,” it said.

“In light of the foregoing, the tribunal has concluded that it is presently able to decide that it does have jurisdiction with respect to the matters raised in 7 of the Philippines' Submissions. The tribunal has concluded, however, that its jurisdiction with respect to 7 other Submissions by the Philippines will need to be considered in conjunction with the merits. The tribunal has requested the Philippines to clarify and narrow one of its Submissions,” the PCA added.

While issuing this award, the PCA clarified: “The tribunal's award of today's date is unanimous and concerns only whether the Tribunal has jurisdiction to consider the Philippines' claims and whether such claims are admissible. The award does not decide any aspect of the merits of the parties' dispute.”

## Merits of the case

The Philippine Department of Foreign Affairs had previously explained that settling the jurisdiction question would pave the way for an evaluation of the merits of Manila's legal assertions against Beijing. The Philippines wants the tribunal to declare China's 9-dash line illegal.



*SILENT WITNESS. The venue of the arbitration proceedings is the 100-year-old Peace Palace in The Hague, which also houses the International Court of Justice./PCA Photo*

The 9-dash line is China's demarcation to claim virtually the entire South China Sea. China says the 9-dash line has historical basis.

In an earlier interview, too, Senior Associate Justice Carpio of the Philippine Supreme Court explained, “Once the jurisdiction is won by the Philippines, and the tribunal says it has jurisdiction, then we practically know the tribunal will strike down the 9-dash line.”

The tribunal will soon convene a hearing on the merits of Manila's case against Beijing. The Philippines' lead counsel in its case against China is Paul Reichler, an American lawyer who once defeated his country, the United States, in a landmark international case.

Called a “giant slayer,” Reichler is known for “representing small countries against big ones.”/Rappler.com



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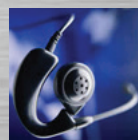
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