



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 49**  
Wednesday, December 15, 2010

**FIFTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

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**SESSION NO. 49**  
Wednesday, December 15, 2010

**CALL TO ORDER**

At 3:43 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

**PRAYER**

The Body observed a minute of silent prayer.

**SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 3:44 p.m.*

**RESUMPTION OF SESSION**

At 3:45 p.m., the session was resumed with Senate President Pro Tempore Ejercito Estrada presiding.

**ROLL CALL**

Upon direction of the Chair, the Secretary of the Senate, Atty. Emma Lirio-Reyes, called the roll, to which the following senators responded:

Angara, E. J.	Escudero, F. J. G.
Arroyo, J. P.	Honasan, G. B.
Cayetano, A. P. C. S.	Legarda, L.
Cayetano, C. P. S.	Pangilinan, F. N.
Drilon, F. M.	Revilla Jr., R. B.
Ejercito Estrada, J.	Sotto III, V. C.
Enrile, J. P.	Zubiri, J. M. F.

With 14 senators present, the Chair declared the presence of a quorum.

Senators Marcos, Osmeña and Recto arrived after the roll call.

Senator Villar was on official mission.

Senator Defensor Santiago was on sick leave.

Senators Guingona, Lacson and Lapid were absent.

Senator Trillanes was unable to attend session as he was under detention.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 48 (December 14, 2010) and considered it approved.

**ACKNOWLEDGMENT  
OF THE PRESENCE OF GUESTS**

Senator Sotto acknowledged the presence in the gallery of the following guests:

- Former Gov. Sally Perez of Antique;
- Mayor Evelyn Rodriguez of Taytay, Palawan; and
- Dr. Erlinda Ganapin of the Palawan State University.

Senate President Pro Tempore Ejercito Estrada welcomed the guests to the Senate.

**REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

**MESSAGES FROM THE  
HOUSE OF REPRESENTATIVES**

Letter from the Secretary General of the House of Representatives informing the Senate that on 8 December 2010, it passed the following House bills in which it requested the concurrence of the Senate:

House Bill No. 540, entitled

AN ACT DECLARING JULY 7 OF EVERY YEAR A SPECIAL NONWORKING PUBLIC HOLIDAY IN THE CITY OF CARCAR, PROVINCE OF CEBU TO BE KNOWN AS THE CITY OF CARCAR CHARTER DAY

**To the Committee on Local Government**

House Bill No. 1863, entitled

AN ACT RATIONALIZING THE BOARD OF REGENTS OF THE PARTIDO STATE UNIVERSITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9029

**To the Committee on Education, Arts and Culture**

House Bill No. 2697, entitled

AN ACT CHANGING THE NAME OF LAZI NATIONAL AGRICULTURAL SCHOOL IN BARANGAY TIGBAWAN, MUNICIPALITY OF LAZI, PROVINCE OF SIQUIJOR INTO LAZI TECHNICAL INSTITUTE

**To the Committee on Education, Arts and Culture**

House Bill No. 3474, entitled

AN ACT REAPPORTIONING THE LONE LEGISLATIVE DISTRICT AND

**SANGGUNIANG PANLUNGSOD  
SEATS OF THE CITY OF ILOILO**

**To the Committees on Local Government;  
and Constitutional Amendments, Revision of  
Codes and Laws**

House Bill No. 3497, entitled

AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTY OF *ARRESTO MENOR*, AMENDING FOR THE PURPOSE CHAPTER FIVE, TITLE THREE, BOOK ONE OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

**To the Committees on Justice and Human  
Rights; and Constitutional Amendments, Revi-  
sion of Codes and Laws**

House Bill No. 3498, entitled

AN ACT DECLARING JUNE 23 OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN THE CITY OF TANDAG, PROVINCE OF SURIGAO DEL SUR TO BE KNOWN AS THE CHARTER DAY OF TANDAG CITY

**To the Committee on Local Government**

House Bill No. 3543, entitled

AN ACT PROVIDING FOR A LONGER PERIOD FOR THE RECTIFICATION OF SIMULATED BIRTHS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8552, OTHERWISE KNOWN AS THE DOMESTIC ADOPTION ACT OF 1998

**To the Committees on Constitutional  
Amendments, Revision of Codes and Laws;  
and Youth, Women and Family Relations**

House Bill No. 3546, entitled

AN ACT PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO

ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

**To the Committee on Education, Arts and Culture**

and House Bill No. 3692, entitled

AN ACT REAPPORTIONING THE LONE LEGISLATIVE DISTRICT AND SANGGUNIANG PANLUNGSOD SEATS OF THE CITY OF BACOLOD

**To the Committees on Local Government; and Constitutional Amendments, Revision of Codes and Laws**

Letter from the Secretary General of the House of Representatives informing the Senate that on 14 December 2010, it approved the Conference Committee Report on the disagreeing votes of House Bill No. 3101, entitled

AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY-ONE, TWO THOUSAND AND ELEVEN, AND FOR OTHER PURPOSES

**To the Archives**

**BILLS ON FIRST READING**

Senate Bill No. 2626, entitled

AN ACT PROMOTING EMPLOYMENT OPPORTUNITIES IN REAL ESTATE SERVICE IN THE PHILIPPINES, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9646, OTHERWISE KNOWN AS THE REAL ESTATE SERVICE ACT OF THE PHILIPPINES

Introduced by Senator Trillanes IV

**To the Committees on Civil Service and Government Reorganization; and Urban Planning, Housing and Resettlement**

Senate Bill No. 2627, entitled

AN ACT PROTECTING, PROMOTING AND PRIORITIZING BREASTFEEDING THROUGH CREATING A HOLISTIC FRAMEWORK FOR MOTHERS AS A MEANS OF ENSURING THE HEALTH AND WELL-BEING OF INFANTS

Introduced by Senator Legarda

**To the Committees on Health and Demography; and Youth, Women and Family Relations**

Senate Bill No. 2628, entitled

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8293, OTHERWISE KNOWN AS THE INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES AND FOR OTHER PURPOSES

Introduced by Senator Legarda

**To the Committees on Trade and Commerce; and Constitutional Amendments, Revision of Codes and Laws**

**RESOLUTIONS**

Proposed Senate Resolution No. 313, entitled

RESOLUTION COMMENDING THE ALTERNATIVE INDIGENOUS DEVELOPMENT FOUNDATION INC. FOR WINNING THE BBC WORLD CHALLENGE 2010

Introduced by Senator Legarda

**To the Committee on Rules**

Proposed Senate Resolution No. 314, entitled

RESOLUTION COMMENDING NASH ANGGAHAN FOR WINNING THE GRAND PRIZE IN THE SOUTHEAST ASIAN STUDENT DOCUMENTARY AWARD OF THE GOETHE INSTITUTE

Introduced by Senator Legarda

**To the Committee on Rules**

## Proposed Senate Resolution No. 315, entitled

RESOLUTION CONGRATULATING AND COMMENDING SENATOR ALAN PETER CAYETANO FOR BEING AWARDED AS ONE OF THE OUTSTANDING YOUNG MEN (TOYM) OF 2020 BY JUNIOR CHAMBER INTERNATIONAL PHILIPPINES (JCI PHILIPPINES) HELD IN MALACAÑANG ON DECEMBER 13, 2010

Introduced by Senator Guingona III

**To the Committee on Rules**

## Proposed senate Resolution No. 316, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON TRADE AND COMMERCE; LOCAL GOVERNMENT AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RISE OF LICENSE APPLICATIONS FROM FIRECRACKER MANUFACTURERS, DEALERS AND RETAILERS, WITH THE END IN VIEW OF ENFORCING STRICKER GUIDELINES TO REGULATE FIRECRACKER SALE AND ULTIMATELY MINIMIZE INJURIES DURING FESTIVITIES AND CELEBRATIONS

Introduced by Senator Villar

**To the Committee on Public Order and Dangerous Drugs**

## Proposed senate Resolution No. 317, entitled

RESOLUTION RECOMMENDING TO THE DEPARTMENT OF TOURISM THE RESTORATION, REHABILITATION AND REGREENING OF ALL MAJOR PARKS IN THE COUNTRY ENCOURAGING FOR THE PURPOSE PUBLIC-PRIVATE SECTOR PARTNERSHIP THROUGH THE INSTITUTIONALIZATION OF "ADOPT-A-PARK" PROGRAM

Introduced by Senator Villar

**To the Committees on Public Works; and Tourism**

## Proposed Senate Resolution No. 318, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON YOUTH, WOMEN AND FAMILY RELATIONS; AND COMMITTEE ON EDUCATION, ARTS AND CULTURE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF THE GOVERNMENT PROGRAMS AND POLICIES TO ENSURE THE PHILIPPINES' ADHERENCE AND COMMITMENT TO THE INTERNATIONAL CONVENTION ON THE RIGHTS OF THE CHILD

Introduced by Senator Villar

**To the Committees on Youth, Women and Family Relations; and Education, Arts and Culture**

**ADDITIONAL REFERENCE OF BUSINESS****MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

Letter from the Secretary General of the House of Representatives informing the Senate that on 13 December 2010, it elected Representatives Tupas Jr. (N.), Farinas (R.), Sarmiento (M.S.) on the part of the Majority and Representative Lagman (E.) on the part of the Minority as its conferees to the Bicameral Conference Committee on the disagreeing provisions of House Concurrent Resolution No. 8, entitled

CONCURRENT RESOLUTION CONCURRING WITH PROCLAMATION NO. 75 OF THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES DATED 24 NOVEMBER 2010, ENTITLED: GRANTING AMNESTY TO ACTIVE AND FORMER PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES, PHILIPPINE NATIONAL POLICE AND THEIR SUPPORTERS WHO MAY HAVE COMMITTED CRIMES PUNISHABLE UNDER THE REVISED PENAL CODE, THE ARTICLES OF WAR AND OTHER LAWS IN CONNECTION WITH THE OAKWOOD MUTINY, THE MARINES

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STAND-OFF AND THE PENINSULA  
MANILA HOTEL INCIDENT

and Senate Concurrent Resolution No. 4, entitled

CONCURRENT RESOLUTION CONCURRING IN PROCLAMATION NO. 75 OF THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES DATED NOVEMBER 24, 2010. ENTITLED: GRANTING AMNESTY TO ACTIVE AND FORMER PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES, PHILIPPINE NATIONAL POLICE AND THEIR SUPPORTERS WHO MAY HAVE COMMITTED CRIMES PUNISHABLE UNDER THE REVISED PENAL CODE, THE ARTICLES OF WAR AND OTHER LAWS IN CONNECTION WITH THE OAKWOOD MUTINY, THE MARINES STAND-OFF AND THE PENINSULA MANILA HOTEL INCIDENT

**To the Archives**

**BILLS ON FIRST READING**

Senate Bill No. 2629, entitled

AN ACT ESTABLISHING A RESPONSIVE HEALTH UNIT IN EACH CITY AND MUNICIPALITY TO ENSURE DELIVERY OF PRIMARY HEALTH SERVICES AND TO PROVIDE A MECHANISM TO ENSURE THE PLACEMENT OF REQUIRED HEALTH PERSONNEL IN THESE LOCAL HEALTH UNITS AND OTHER GOVERNMENT OPERATED HEALTH FACILITIES

Introduced by Senator Angara

**To the Committees on Health and Demography; Local Government; and Ways and Means**

**RESOLUTION**

Proposed Senate Resolution No. 319, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN

INQUIRY, IN AID OF LEGISLATION, ON THE EFFECTIVENESS OF THE CRITERIA FOR IDENTIFYING THE QUALIFIED WITNESSES AND DETERMINING IF ITS PURPOSE HAVE BEEN ATTAINED AT THE MOST REASONABLE COST TO THE GOVERNMENT

Introduced by Senator Sotto III

**To the Committee on Justice and Human Rights**

**PRIVILEGE SPEECH OF SENATOR LEGARDA**

Availing herself of the privilege hour, Senator Legarda spoke on the need to preserve the country's biodiversity that is being threatened by overexploitation, pollution and climate change, among others.

*The full text of her speech follows:*

**“BIODIVERSITY IS LIFE.  
BIODIVERSITY IS OUR LIFE.”**

“Biodiversity is life. Biodiversity is our life.” This is the slogan launched by the United Nations General Assembly when it proclaimed the year 2010 as the International Year of Biodiversity. As the year ends, it is imperative to understand and address the challenges in sustaining our biological diversity, which is the foundation of life on Earth.

The Philippines is very fortunate to be one of the 17 mega-biodiversity countries. It ranks fifth in the number of plant species, fourth in bird endemism, and maintains five percent (5%) of the world's flora.

However, our country is also one the world's top biodiversity hotspots, with a large number of species threatened by overexploitation, habitat loss, pollution and degradation of habitats. In fact, the country ranks third for threatened birds and eighth for threatened mammals. Furthermore, there are 695 plants and 223 animals in the Philippines that are considered as threatened species.

During a Senate hearing by the Committee on Environment and Natural Resources last week, the Department of Environment and Natural Resources stated that of the country's total land area of about 30 million hectares, only 7.2 million hectares are forest covered. The ideal should be at least 12 million hectares or 48% of the total land area.

The way we have lived in the past decades, our failure to protect our natural resources mainly due to lack of concern, and now the

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threat of climate change cause more stress in our biodiversity resources, which are already in danger of deterioration.

It has been forecasted that about 30% of species face a high risk of extinction if global mean temperatures exceed 1.5°-2.5°C above pre-industrial levels. Imagine if it goes up 1.5° to 2.5°C, at least one-third of the world's species of flora and fauna are at risk of extinction.

All of these cause alarm as our ecosystems supply priceless environmental services that we need for our existence.

We have the National Integrated Protected Areas System (NIPAS) Act, which was passed to ensure the continuous existence of all native plants and animals through the preservation, protection and management of the country's natural habitats

However, even if we have the legal mechanism to prevent biodiversity loss, our efforts would be wasted if people are unaware of the importance of conserving biodiversity and of the underlying threats to it. We are confronted with the task of protecting our country's unique but endangered biodiversity. Pursuing a kind of development that has genuine regard for the state of our natural wealth has never become more crucial than today

The ecological clock is ticking away. The challenge is for all of us to make our environment cleaner, greener and safer for future generations. If we do not act today, tomorrow may be too late.

At this juncture, I wish to inform the Body to support and tell all schools to go to the National Museum's exhibit on biodiversity which is just an appetizer for what we want to happen in the future to have a museum of natural history and to give more attention to the threats towards our biodiversity.

#### **MANIFESTATION OF SENATOR ZUBIRI**

Senator Zubiri stated that he gladly and fully supports Senator Legarda for taking the cudgels for biodiversity conservation. He informed the Body that Los Banos, Laguna is home to the ASEAN Center for Biodiversity, the headquarters for biodiversity conservation in Southeast Asia.

In reaction, Senator Legarda lamented that because government has been beset by too many problems, it has not given much attention to tackling crucial and relevant biodiversity issues, particularly in implementing laws aimed at preserving the habitats of diverse species of flora and fauna. She stressed

that a mere 1.5°C rise in temperature could lead to a one-third loss of biodiversity worldwide. She cautioned that the loss of habitat would continue if humanity did not do something to address the rise in temperature.

In relation thereto, Senator Zubiri said that, in fact, several amphibians and reptiles have become extinct because of global warming, and conservationists should heed the warning of experts that within ten years, the country might lose up to 10% of the flora and fauna endemic to the country.

#### **SUSPENSION OF SESSION**

With the permission of the Body, the Chair suspended the session.

*It was 4:01 p.m.*

#### **RESUMPTION OF SESSION**

At 4:01 p.m., the session was resumed.

#### **PRIVILEGE SPEECH OF SENATOR PANGILINAN**

Availing himself of the privilege hour, Senator Pangilinan focused attention to the rampant smuggling of agricultural products, specifically rice and sugar, into the Philippines.

*The full text of his speech follows:*

Because of 7,107 islands and 36,289 kilometers of coastline, one of the longest in the world, our coastline is both a boon and a bane to our country. While it may be our saving grace in fishing and tourism, among others, it has been taken advantage of by unscrupulous individuals who look to smuggle goods into the country

Many of us are aware that the phenomenon of smuggling in the country is pervasive. We think of any imported item or brand, we will be surprised to know that it has found its way into the kiosks or bazaars we find all over the country. The agricultural sector is not spared from the negative effects of smuggling. In fact, hundreds of millions of pesos is uncollected by way of taxes and duties and they are lost when agricultural products are illegally brought in. The money that could have been raised by way of taxes and duties could have been used by government to fund agricultural programs -- loans for our farmers, subsidies in terms of seeds, building of irrigation systems, and so forth and so on.

Last week, the Bureau of Customs in Cebu seized a shipment of 33 container vans filled with smuggled rice from Vietnam. The report reaching the office was that the shipment was consigned to five companies in Cebu, and that it was misdeclared as aluminum bars and raw metal rods. When Customs personnel opened 10 of the 33 vans, they found hundreds of sacks of imported rice. Each container van contained P600,000 worth of smuggled rice. The container vans were carried by *Kota Hening V.* in 24 vessels that arrived last Sunday from Vietnam.

Also two weeks ago, *Manila Bulletin* carried another rice smuggling story. Customs authorities seized P3 million worth of smuggled premium white rice, 1,600 sacks, again, from Vietnam onboard the vessel *MV Capella* of American President Lines. The sacks of smuggled rice entered the Mindanao Container Terminal in Misamis Oriental consigned to the Cagayan de Oro-based Deoden Enterprises. The rice shipment was misdeclared as fish meal to defraud the government and avoid other regulatory requirements from other government agencies.

In August this year, two Manila-based companies were charged for misdeclaring their white rice shipment as mung beans, defrauding the government of more than P10 million in taxes and duties. Charged then were Plum Blossom Import-Export Food Corporation and Full Story Source Marketing. The white rice passed through either the Port of Manila or the Manila International Container Port. Mung beans, for our information, is zero-rated in both customs duties and VAT under the ASEAN Free Trade Agreement.

That is some of the cases for rice. I am sure there are many more.

We also have reports of smuggling of sugar. Last week alone, 20 container vans loaded with refined sugar were seized by the Bureau of Customs. The 20 container vans contained refined sugar from Thailand that has a dutiable value of P16 million. The shipment arrived at the Port of Manila consigned to Unitrade Industrial Manufacturing Corporation. Two days after, another batch of refined sugar worth P51 million was seized at the Manila International Container Port. It had the same consignee, Unitrade Industrial Manufacturing Corporation.

These are just the reported and discovered incidents of attempts to smuggle. I shudder at the thought of how many have been able to go through.

There are many more stories for onion, garlic chicken, pork and other vegetable products. I joined the Bureau of Customs some two months ago or a month-and-a-half-ago in two operations that saw the opening of confiscated container vans containing loads of smuggled onions from China — the first one, last September, at the Manila South Harbor where P10 million worth of smuggled onions were seized. It was discovered because, even if it was declared by the shipment's consignee, Blueharbor Inc., as microphone and electronic accessories from China, the smell of onions could not hide the real contents of the van. *Hindi siya amoy microphone. Amoy sibuyas.* Then again in October, there were smuggled onions, this time in raids of over a dozen stalls in Divisoria.

It is estimated that our government loses billions of U.S. dollars in revenue due to smuggling. Small traders, local manufacturers and producers go bankrupt because while they pay taxes and are beset with rising costs of production, these smuggled goods come in with no duties paid.

Although data has been elusive in 2000, the Philippine trading partners reported that they had exported US\$45 billion worth of goods to our country, yet our record only registered US\$34 billion worth of imports — US\$10 billion worth of goods was unaccounted for.

The National Statistics Office declared that from 2002 to 2007, other countries reported an annual average of US\$45 billion in exports to the Philippines. The IMF concurs with this data. However, the Bureau of Customs reported annual imports that hover just above US\$32 billion, a disparity in the period of five years of some US\$14 billion annually. *Kung tama ang math ko, over a trillion pesos.*

Recently, the UN Commodity Trade Statistics released data of underreported import values for 2008 and 2009. Here it is revealed that from the top 24 exporting countries to the Philippines, underreporting came at an average of US\$15 billion. *Ganoon kalaki ang kinita po natin sa VAT. Ang estimate yata ay anywhere between P60 billion to P80 billion pero 12% ang hindi nakokolekta at 4% ng P15 billion. Napakalaki*

The Bureau of Customs has recently declared war against smuggling. Yet we know that unless this is sustained and unless we put smugglers behind bars, this battle will never be won. When smuggled goods like rice, sugar, chicken, pork, Peking duck, giant squid, shrimps,

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onions, garlic and other vegetables, and fish, find their way into our markets, *ang ating mga magsasaka ay talaga pong lalong naghihirap*. Also, our agribusiness enterprises suffer.

Clearly, smuggling is directly affecting the livelihood of our farmers, and because these goods do not go through the scrutiny of quality control, they likewise pose health hazard to our consumers. Worse, in the area of food sufficiency, because of the smuggled goods, our farmers are discouraged from planting vegetables or raising chickens and hogs, precisely because of the low profitability of their produce in competition with the smuggled agricultural products. This decision not to plant crops or raise livestock directly impacts on the nation's quest for sufficiency in food. Unless the government is able to defeat and thwart illegal smuggling, there is reason to believe that our farmers will remain unproductive.

*Smuggling undermines our efforts in ensuring food security for our people.* Today, more than ever, food security is fast becoming a matter of the highest national interest. We must address smuggling in general, and smuggling of agricultural products in particular. It is an act, if you ask me, of economic sabotage and we should never stand for it. It will ruin our agriculture and fishery sectors. It undermines, as I said earlier, our efforts to attain food security. And again, food security, I must say, is in a sense, national security. As earlier stressed, it is a public interest of the highest order. We must find solutions to stop illegal smuggling of agricultural products before we totally cripple our agricultural sector. And so long as smuggling is pervasive, we will not achieve our goal of having a progressive agriculture and fishery industry for our nation.

*Pinakamalapat sa bituka ang usapin ng smuggling ng produktong agrikultura. Pagkain po ito.* We need sustained and relentless efforts at going after these smugglers and it should not end with seizure of these smuggled goods. It must ultimately end in placing smugglers behind bars. With respect to the issues of how smuggling undermines our efforts at food security, our farmers' incomes, and affect the agriculture sector, I will request that this matter be referred to the Committee on Agriculture and Food.

#### **REFERRAL OF SPEECH TO COMMITTEE**

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of

Senator Pangilinan to the Committee on Agriculture and Food.

#### **PROPOSED SENATE RESOLUTION NO. 315**

Upon motion of Senator Sotto, there being no objection, the Body considered Proposed Senate Resolution No. 315, entitled

RESOLUTION CONGRATULATING AND COMMENDING SENATOR ALAN PETER CAYETANO FOR BEING AWARDED AS ONE OF THE OUTSTANDING YOUNG MEN (TOYM) OF 2010 BY THE JUNIOR CHAMBER INTERNATIONAL PHILIPPINES (JCI PHILIPPINES) HELD IN MALACAÑANG ON DECEMBER 13, 2010.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its text into the Record of the Senate.

#### **COAUTHORS**

Senator Sotto manifested that Senate President Enrile, and Senators Ejercito Estrada, Cayetano (P), Drilon, Honasan, Legarda, Pangilinan, Zubiri and himself were coauthors of Proposed Senator Resolution No. 315.

#### **ADOPTION OF PROPOSED SENATE RESOLUTION NO. 315**

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 315 was adopted by the Body.

#### **PROPOSED SENATE RESOLUTION NO. 303**

Upon motion of Senator Sotto, there being no objection, the Body considered Proposed Senate Resolution No. 303, entitled

A RESOLUTION COMMENDING NONITO "THE FILIPINO FLASH" DONAIRE JR. FOR WINNING THE WBA BANTAMWEIGHT CROWN AGAINST WLADIMIR SIDORENKO OF UKRAINE.

With the permission of the Body, only the title of

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the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

### SUSPENSION OF SESSION

Upon motion of Senator Cayetano (P), the session was suspended.

It was 4:15 p.m.

### RESUMPTION OF SESSION

At 4:23 p.m., the session was resumed.

### SPONSORSHIP SPEECH OF SENATOR CAYETANO (P)

At the outset, Senator Cayetano (P) manifested that she would be delivering her sponsorship speech on Proposed Senate Resolution No. 303 via i-Phone as part of the Body's advocacy to lessen carbon foot print to save the Earth.

*The following is the full text of her sponsorship speech:*

It is my honor to stand before you today to sponsor Senate Resolution No. 303 commending one of the best Filipino athletes of our time, my good friend and idol, Nonito "The Filipino Flash" Donaire, Jr., who is here with us today.

"The Filipino Flash" has once again made the country proud as he dominated the fight against Ukraine pugilist Wladimir Sidorenko last December 4, 2010, in Anaheim, California, earning the World Boxing Association (WBA) Bantamweight title. Nonito showed exemplary boxing skills and talent during his fight. He was able to put the Ukrainian down three times which resulted in a technical knockout decision in the fourth round of the fight. This is the first knockout loss in the career of Sidorenko.

At a young age of 28, Nonito is currently a two-division world champion and holds the WBC Continental Americas Bantamweight title. He is also the former WBA Super Flyweight Interim World Champion, IBF World Flyweight Champion and IBO World Flyweight Champion and boasts a record of 25 wins, 17 by knockouts.

Nonito is the number five pound-for-pound boxer in the world, with another countryman, Rep. Manny "Pacman" Pacquiao holding the first rank.

There is no doubt that "The Filipino Flash" has brought pride to our country through his achievements in the world of boxing. This is brought about by his discipline, perseverance, dedication, hard work and sportsmanship, and should be recognized to set a good example and serve as an inspiration for the Filipino people especially the youth.

It is for these reasons that I seek approval of Senate Resolution No. 303.

### ADOPTION OF PROPOSED SENATE RESOLUTION NO. 303

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 303 was adopted by the Body, subject to style.

### SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 4:27 p.m.*

### RESUMPTION OF SESSION

At 4:30 p.m., the session was resumed.

### RECONSIDERATION OF THE APPROVAL OF THE JOURNAL OF SESSION NO. 47

Upon motion of Senator Sotto, there being no objection, the Body reconsidered the approval of the Journal of the Session No. 47.

### APPROVAL OF THE JOURNAL OF SESSION NO. 47, AS CORRECTED

Upon motion of Senator Drilon, there being no objection, the Body dispensed with the reading of the Journal of Session No. 47 and considered it approved subject to the following corrections of Senator Drilon:

1. On page 961 under "Special Provisions and Special Activities," transpose item No. 3 as the second clause of item No. 1 under the same heading;
2. Renumber succeeding items accordingly,
3. On the same page, item No. 6, between the words "CHARGES" and "IN," insert the word COLLECTED;

*Drilon*

4. On the page 962, item No. 11, after the words "road to", delete the word "the" and replace the word "congested" with DECONGEST
5. On the same page, item No. 15, delete the phrase "(Angara amendment)"; and
6. On the same page, item No. 16, replace the word "GUARANTEE" with GUARANTY.

## **SECOND ADDITIONAL REFERENCE OF BUSINESS**

The Secretary of the Senate read Committee Report No. 14 on Proposed Senate Resolution No. 263 which the Chair referred to the Calendar for Ordinary Business; to wit:

Committee Report No. 37, prepared and submitted jointly by the Committees on Agriculture and Food; and Trade and Commerce, on Proposed Senate Resolution No. 263, introduced by Senator Guingona III, entitled:

RESOLUTION DIRECTING THE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DETRIMENTAL EFFECTS OF U.S. ECONOMIC SANCTIONS ON IRAN, AND TO RECOMMEND WAYS AND MEANS TO MITIGATE ITS IMPACT ON THE PHILIPPINE BANANA EXPORT INDUSTRY

recommending the adoption of this report and the implementation of its recommendations.

Sponsor: Senator Pangilinan.

## **SPECIAL ORDER**

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 14 on Proposed Senate Resolution No. 263 from the Calendar for Ordinary Business to the Calendar for Special Orders.

## **COMMITTEE REPORT NO. 14 ON PROPOSED SENATE RESOLUTION NO. 263**

Upon motion of Senator Sotto, there being no objection, the Body considered Committee Report No. 14 on Proposed Senate Resolution No. 263, entitled

RESOLUTION DIRECTING THE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DETRIMENTAL EFFECTS OF U.S. ECONOMIC SANCTIONS ON IRAN, AND TO RECOMMEND WAYS AND MEANS TO MITIGATE ITS IMPACT ON THE PHILIPPINE BANANA EXPORT INDUSTRY

With the permission of the Body, the text of Committee Report No. 14 was deemed inserted into the Record of the Senate.

Thereupon, the Chair recognized Senator Pangilinan for the sponsorship.

## **SPONSORSHIP REMARKS OF SENATOR PANGILINAN**

Senator Pangilinan presented for plenary consideration Committee Report No. 14, recommending its adoption and implementation of its recommendations that were formulated following a hearing conducted by the Committee on Agriculture and Food in Davao on December 2, 2010, on the impact of the U.S. sanctions on Iran on the country's banana industry. He said that present in the hearing were small and big banana growers, most of whom were based in Mindanao. He added that the hearing was in compliance with the directive of Proposed Senate Resolution No. 263.

Senator Pangilinan pointed out that Iran is second to Japan in the importation of Philippine bananas. He stated that Iran imports 32 million boxes of bananas or over a hundred million dollars annually.

He stated that aside from the December 2 hearing, the Committee held a consultative meeting last December 13, 2010, again with representatives of the banana industry as well as Secretary Domingo of the Department of Trade and Industry. He informed the Body that the Pilipino Banana Growers and Exporters Association (PBGEA) reported in the hearing that shipments of Philippine bananas to Iran were abruptly stopped in October 2010 when its government imposed a ban on 48 imported fruits. He stated that while Philippine bananas, pineapples and papayas were not included in the ban, the non-issuance of permits by Iranian authorities drastically slowed down the importation.

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If the situation was not remedied, Senator Pangilinan warned that Philippine banana exporters stand to lose US\$120 million in annual sales and over 200,000 workers in the farm sector and in support industries i.e. carton manufacturing, port services and shipping, might lose their jobs. He disclosed that according to the PBGEA spokesperson, for every person directly employed by a banana company, eight others get employed in the allied services. He said that Davao is heavily dependent on the banana industry and its local officials have said that were it not for the banana industry, the region's economy would have collapsed. He averred that the problems of that region were further aggravated by the dry spell early this year.

In light of the foregoing, Senator Pangilinan stated that the Committee recommended the following measures:

1. Appointment of a Philippine ambassador to Iran to send a signal that the Philippines is interested in strengthening its trade relations with Iran;
2. Sending of a high-level delegation to Iran composed of the Secretaries of Trade and Industry, Foreign Affairs and Agriculture to strengthen trade relations and to address the gaps in trade arrangements, particularly with respect to bananas and other agricultural products;
3. Considering the political situation that is unfolding in Iran, government should look into other alternative global markets like China, Kuwait, Australia and Russia.

Senator Pangilinan expressed hope that the adoption of the recommendations would mitigate the impact of reduced banana exports to Iran.

#### **SUSPENSION OF CONSIDERATION OF COMMITTEE REPORT NO. 14**

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the committee report.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 4:42 p.m.*

#### **RESUMPTION OF SESSION**

At 4:43 p.m., the session was resumed.

#### **CHRISTMAS MESSAGE OF THE SENATE PRESIDENT**

Before declaring the last session day of 2010 officially adjourned, Senate President Enrile delivered the following Christmas message:

We adjourn our session today for the Yuletide season with a deep sense of satisfaction on my part for what we have accomplished. Very noteworthy is our early passage of House Bill No. 3101, the proposed General Appropriations Act of 2011, on Third Reading last December 1. We ratified the conference committee report on this bill two days ago, on December 13.

Senate records showed that this is the earliest the Senate had passed a budget bill since 1987 or since the Eighth Congress. The ratification of the bicameral report the other day is also the earliest since the 8<sup>th</sup> Congress.

Behind this achievement is the laborious and tedious work conducted by our Committee on Finance and its subcommittees. The finance subcommittees held 39 budget hearings. Plenary debates on the budget took six session days, from November 23 to 26 and November 30 to December 1. We spent a total of 44 hours discussing the budget in plenary. We would begin work at 10:00 in the morning and end up late in the evening, once even suspending the session at 1:30 a.m.

I need not go into details but the outstanding features of what the Chairman of the Finance Committee, Sen. Franklin Drilon, described as "unabashedly pro-poor" budget include, among others, direct cash transfer to the poorest of the poor and a heavy infusion of funds into basic education.

Direct cash transfer takes the form of a conditional Cash Transfer (CCT) Program set to directly reach out to 2.3 million "poorest of the poor" families by giving each identified family a stipulated amount of cash, subject to conditions. Some of these are sustaining the children's schooling and taking care of their health by having regular check-ups in the rural health unit in their respective areas. The main administering agency is the Department of Social Welfare and Development. The CCT program has a budget of P21 billion.

*Handwritten initials: "A" and "P"*

The heavy emphasis on basic public education is in response to the fact that basic education benefits more poor students since it is in the elementary years where there is a high drop-out rate. The amount of P192 billion was allocated to the Department of Education for basic public education.

We have also concurred in the Amnesty Proclamation of the President, Proclamation No. 75, which grants amnesty to active and former personnel of the Armed Forces of the Philippines and the Philippine National Police and their supporters who may have committed crimes punishable under the Revised Penal Code, the Articles of War and other laws in connection with the Oakwood Mutiny, the Marines stand-off and the Peninsula Manila Hotel incident.

We also approved on Third Reading the *Batas Kasambahay* Bill, or Senate Bill No. 78, authored by the distinguished President Pro Tempore.

Thus, in the first few months of the First Regular Session, we have laid down legislation that will serve as cornerstones for other laws that may further address the economic needs of our people, build more infrastructure called for by investors to facilitate trade and commerce and generate employment, lessen corruption in government, and establish the proper environment for reconciliation and peace. The aim is to bring about national stability and unity.

Commendable also is the work being done by the Senate committees since the 15<sup>th</sup> Congress opened on July 26, 2010. These committee hearings and investigations complement the new administration's thrust to curb, if not to eliminate, corruption in high places and to encourage the prudent use of the people's money by the government bureaucracy.

Overall, the Senate primary committees and subcommittees held a total of 125 public hearings from July to end of November 2010. National issues such as the serious effects of climate change, environment and natural resources, anomalies in the housing sector, illegal drugs and human trafficking were likewise brought to public attention through privilege speeches and hearings conducted by the respective Senate committees during the period.

The results of your hard work, I believe, are reflected in the good net +48% satisfaction rating the Senate garnered in the Social Weather Stations' Third Quarter Survey from September 24-27, 2010. This could not have been earned if we as a body had not set aside the partisan political divide and worked together since we opened sessions earlier in July. Therefore, I would like to thank all of you for your support and cooperation.

As we take a break from our tasks as legislators and join the rest of the nation in celebrating the Yuletide season, I enjoin each one to reflect on what we, the Senate, can do to help our country and people attain progress collectively and individually.

Allow me now to end our proceedings with these words from the Book of Numbers in the Holy Bible:

"The Lord bless you, and keep you: The Lord make His face shine upon you, and be gracious to you: The Lord lift up His countenance upon you, and give you peace."


Merry Christmas and a Prosperous New Year to you all!

#### ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, Senate President Enrile declared the session adjourned until three o'clock in the afternoon of Monday, January 17, 2011.

*It was 4:52 p.m.*

I hereby certify to the correctness of the foregoing.

  
EMMA LIRIO REYES  
*Secretary of the Senate*

Approved on January 17, 2011