



**REPUBLIC OF THE PHILIPPINES**  
**Senate**  
Pasay City

# Journal

**SESSION NO. 85**  
Wednesday, May 18, 2011

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

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Wednesday, May 18, 2011

**CALL TO ORDER**

At 3:26 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

**PRAYER**

Sen. Joker P. Arroyo led the prayer, to wit:

We pause to thank the good Lord for our blessings of relative peace.

Egypt, Tunisia, Libya, Syria, Yemen, Gaza, West Bank, Lebanon and other Middle Eastern and North African countries are embroiled in violent demonstrations and civil strifes. They have suffered tremendous deaths and injuries. Their people have been dislocated, their homes have been destroyed.

Their parliaments have been rendered useless.

The Philippines has been spared from all these. We have forgotten to count our blessings.

As we reflect on our blessings, we thank You, dear Lord, for all these. And as we share common humanity with the rest of the world, we pray that You will keep those who suffer in the palm of Your loving hands.

Amen.

**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:

Arroyo, J. P.	Legarda, L.
Cayetano, P. S.	Marcos Jr., F. R.
Defensor Santiago, M.	Osmeña III, S. R.
Ejercito Estrada, J.	Pangilinan, F. N.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Lacson, P. M.	Trillanes IV, A. F.
Lapid, M. L. M.	Zubiri, J. M. F.

With 16 senators present, the Chair declared the presence of a quorum.

Senators Angara and Guingona arrived after the roll call.

Senators Drilon, Honasan and Villar were on official mission abroad.

Senator Cayetano (A) was likewise on official mission.

Senator Recto was on sick leave.

**APPROVAL OF THE JOURNALS**

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of



the Journals of Session No. 83 (May 16, 2011) and Session No. 84 (May 17, 2011) and considered them approved.

*At this juncture, Senate President Enrile relinquished the Chair to Senate President Pro Tempore Ejercito Estrada.*

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 3:29 p.m.*

#### **RESUMPTION OF SESSION**

At 3:30 p.m., the session was resumed.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Sotto acknowledged the presence in the gallery of the following guests:

- Commissioners of the National Commission on Indigenous Peoples (NCIP);
- Sinagnayan Group from Panay, Bukidnon;
- Asst. Sol. Gen. Derek R. Puertollano and Associate Solicitor Jasmin Quimsing and their interns; and
- Former Cong. Vicente Millora of the First District of Pangasinan.

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

#### **REMARKS OF SENATOR LEGARDA**

Prefatorily, Senator Legarda thanked Senate President Enrile for viewing the ongoing Panay exhibit, the third in a series, by the Committee on Cultural Communities. She invited everyone to join her in celebrating the National Heritage Month this May.

She also mentioned that each senator was given a "*kontra kalam*" potion made by the Panay Bukidnon indigenous group, *Ati*, of the island of Panay in Antique.

In addition, Senator Legarda acknowledged the presence in the gallery of the Caballero brothers, one of the country's National Living Treasure; NCIP Commissioners Banua, Pawid, Calzado and Brawner;

and the Sinagnayan group from Panay, Bukidnon led by Dr. Alicia Magos of the University of the Philippines-Visayas; Albay provincial board members Andes, Embestro, Joephil C. Bien, Salceda, Ziga, Belen, Montallana and Borja along with Vice Governor Imperial.

#### **INQUIRY OF SENATOR PANGILINAN**

Asked by Senator Pangilinan how the potion is applied, Senator Legarda replied that it is applied externally.

#### **PRIVILEGE SPEECH OF SENATOR LEGARDA**

Availing herself of the privilege hour, Senator Legarda rose to underscore the importance of the National Heritage Month as she sought to bring the culture of indigenous peoples to the attention of the people.

*The full text of her speech follows:*

Our rich Filipino heritage is our birthright, our identity and our legacy. It is, however, unfortunate that as we face globalization, many of us have lost our connection with our roots.

In the season of celebrating the National Heritage Month, it is but fitting to help bring our culture closer to our people, to reawaken citizens' pride in the Filipino culture and history, and to strengthen our love of country.

Our culture as a Filipino people is threatened by rapid scientific and technological advances. We sometimes take for granted anything that is considered ancient as we gratify ourselves with what is new, what is popular, the latest gadgets and the things that make our life convenient.

A while ago, we were fortunate to hear the exceptional chanting of Federico Caballero, one of only 11 awardees of the *Gawad sa Manlilikha ng Bayan* or the National Living Treasures Award. His skillful rendition of the 10 epics of Panay was passed on from his mother, Anggoran, who acquired this skill from his great-grandmother, Omil. Tay Pedring willingly embraced his birthright, mastered it and continues to pass this on to the next generation.

We have a lot to discover and rediscover in our culture. The land tilled by our forefathers, the centuries-old structures built with their bare hands, the colorful fabrics intricately woven to bring out the beauty of its wearer, the dishes and delicacies that are cooked with joy and love, the songs that narrate the story of our past, the rare

stories told by our *lolas* to lull us into sleep, the dances that express our emotions, the values that keep our families intact, the principles that make our souls stronger— these are some of our ancestors' inheritance to us. These constitute the soul of the Filipino, which ought to be preserved, promoted and enriched.

The Senate was not remiss in vigorously pursuing the protection of our cultural treasures. In 2004, we passed the Philippine Tropical Fabrics Law, which seeks to promote the country's natural fabrics through the use of such materials for official uniforms of government officials and employees, with the end in view of strengthening the local fiber industry. In 2009, we also legislated the National Heritage Act, which was principally authored by Senator Angara, which aims to protect, preserve, conserve and promote the nation's cultural heritage, its property and histories, and the ethnicity of local communities.

In line with this, I have recently filed the proposed "Traditional Property Rights of Indigenous Peoples Act." This bill seeks to protect the tangible and intangible property rights of indigenous peoples and ensures that these traditional cultural properties remain as their exclusive property and communally owned by their ethno-linguistic group.

Individually and collectively, we can bring our culture into full bloom again.

We can start with what we wear every single day. It is a basic human need and many of us, especially women, are fond of dressing ourselves in beautiful garments. One of my cultural advocacies is to promote the country's indigenous and tropical fabrics. We have visited numerous weaving communities all over the country – in fact, in different parts of the world – and we have seen precious fabrics woven by hand, stitched with intricate designs, each thread, each fabric telling a story, many of which were passed from generation to generation from our ancestors.

It is timely that the theme of this year's National Heritage Month, "*Taoid, Weaving Our Stories, Threading Our Paths,*" makes reference to weaving. The National Museum, with the help of the Philippine Senate, will soon house a permanent textile museum, as part of this Representation's advocacy for the safeguarding of our culture, especially our textile and handicraft industry.

It is quite a difficult task to make our people embrace our culture since many may have long

forgotten about it. But if they refuse to visit our history— we must let history visit all of us, we must let history visit them.

It is for this reason that this Representation organized an exhibit here in the Senate to unravel the stories behind the *Atis* and Panay Bukidnon of Panay Island and showcase their talent and skills through various artworks, fabrics, and handicrafts. We also show contemporary handicrafts, which are rooted or influenced by these indigenous processes.

We can use technology to revive our citizens' interest in our culture. The internet is a strong tool to help showcase Filipino culture not only to Filipinos but to the international community.

In closing, our pride in being Filipinos fundamentally begins with the awareness of the beauty of the Philippines — the land and its people — our heritage or *pamana* which we must rightfully pass on to the next generation of Filipinos.

We must all work together to hear the chants of our elders, move with the dances of our deities, weave organic fabrics, learn sustainable agriculture, and cure sickness through effective traditional healing that has stood the test of time.

We must find common ground in all these efforts and weave them together, creating one unbreakable fabric that is the Filipino soul. So that wherever we go, we know who we are, where we came from and take pride in our being Filipino.

*Mabuhay ang katutubong Pilipino.  
Mabuhay po ang kulturang Pilipino.*

## REFERENCE OF BUSINESS

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

### BILLS ON FIRST READING

Senate Bill No. 2820, entitled

AN ACT MANDATING THE USE OF GROUND-FLOOR POLLING PLACES FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS

Introduced by Senator Villar

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Social Justice, Welfare and Rural Development**

Senate Bill No. 2821, entitled

AN ACT PROMOTING THE DEVELOPMENT AND USE OF FREE/OPEN SOURCE SOFTWARE (FOSS) IN THE PHILIPPINES, AND FOR OTHER PURPOSES

Introduced by Senator Villar

**To the Committees on Science and Technology; Trade and Commerce; and Finance**

Senate Bill No. 2822, entitled

AN ACT TO PROTECT, CONSERVE, UTILIZE, DEVELOP AND SUSTAINABLY MANAGE FOREST RESOURCES AND FOR OTHER PURPOSES

Introduced by Senator Villar

**To the Committees on Environment and Natural Resources; Ways and Means; and Finance**

Senate Bill No. 2823, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF CITY AND MUNICIPAL CENTERS FOR CHILDREN AND YOUNG ADULTS WITH DISABILITIES AND FOR OTHER PURPOSES

Introduced by Senator Villar

**To the Committees on Youth, Women and Family Relations; Social Justice, Welfare and Rural Development; Ways and Means; and Finance**

Senate Bill No. 2824, entitled

AN ACT ESTABLISHING THE MARIVELES DISTRICT HOSPITAL IN THE MUNICIPALITY OF MARIVELES, PROVINCE OF BATAAN AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Revilla Jr.

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 2825, entitled

AN ACT PROVIDING FOR THE UPGRADE AND MODERNIZATION AS WELL AS INCREASING THE BED CAPACITY OF THE SEVERO VERALLO MEMORIAL DISTRICT HOSPITAL AT TAYTAYAN, CITY OF BOGO, PROVINCE OF CEBU FROM FIFTY (50) TO ONE HUNDRED (100)-BED CAPACITY AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Revilla Jr.

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 2826, entitled

AN ACT CONVERTING THE NORTHERN SAMAR PROVINCIAL HOSPITAL IN CATARMAN, NORTHERN SAMAR INTO THE SAMAR ISLAND MEDICAL CENTER UNDER THE SUPERVISION, CONTROL AND MANAGEMENT OF THE DEPARTMENT OF HEALTH

Introduced by Senator Revilla Jr.

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 2827, entitled

AN ACT INCREASING THE MINIMUM BED CAPACITY OF THE ZAMBOANGA CITY MEDICAL CENTER FROM TWO HUNDRED-FIFTY (250) TO FIVE HUNDRED (500), AMENDING FOR THE PURPOSE SECTION 2 OF REPUBLIC ACT NO. 7272

Introduced by Senator Revilla, Jr.

**To the Committees on Health and Demography; and Finance**

*MP*

Senate Bill No. 2828, entitled

AN ACT GRANTING FREE HOSPITALIZATION BENEFITS IN GOVERNMENT HOSPITALS TO ALL RETIRED PUBLIC SCHOOL TEACHERS WHO HAVE RENDERED A MINIMUM OF FIFTEEN (15) YEARS OF CONTINUOUS SERVICE IN ANY PUBLIC SCHOOLS, STATE COLLEGES AND UNIVERSITIES IN THE COUNTRY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Lapid

**To the Committees on Education, Arts and Culture; Health and Demography; and Finance**

Senate Bill No. 2829, entitled

AN ACT PROVIDING FOR THE MANDATORY INCLUSION OF OCULAR PROPHLAXIS INTO THE NEWBORN SCREENING PROGRAM OF THE GOVERNMENT, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Lapid

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 2830, entitled

AN ACT CONVERTING THE NEGROS STATE COLLEGE OF AGRICULTURE (NSCA) IN THE CITY OF KABANKALAN, PROVINCE OF NEGROS OCCIDENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE CENTRAL PHILIPPINES STATE UNIVERSITY (CPSU) AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Zubiri

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 2831, entitled

AN ACT SAFEGUARDING THE

**TRADITIONAL PROPERTY RIGHTS OF INDIGENOUS PEOPLES**

Introduced by Senator Legarda

**To the Committees on Cultural Communities; Education, Arts and Culture; and Finance**

**RESOLUTIONS**

Proposed Senate Resolution No. 474, entitled

RESOLUTION DIRECTING THE COMMITTEE ON FINANCE AND OTHER APPROPRIATE COMMITTEES OF THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED TO REVIEW THE EXISTING RULES AND REGULATIONS AS WELL AS THE PRACTICES AND PROCEDURES OF THE BUREAU OF INTERNAL REVENUE IN VIEW OF THE COMPLAINTS AGAINST THE BUREAU ON ITS FAILURE TO ACT ON PENDING TAX REFUND CLAIMS

Introduced by Senator Trillanes IV

**To the Committees on Ways and Means**

Proposed Senate Resolution No. 475, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE IMPLEMENTATION OF REPUBLIC ACT NO. 9439, OTHERWISE KNOWN AS THE "PATIENTS' ILLEGAL DETENTION ACT," WITH THE END IN VIEW OF INTRODUCING AMENDMENTS IN ORDER TO EFFECTIVELY PROTECT THE HEALTH AND WELL-BEING OF THE GENERAL PUBLIC

Introduced by Senator Lapid

**To the Committees on Health and Demography; and Social Justice, Welfare and Rural Development**

Proposed Senate Resolution No. 476, entitled

RESOLUTION URGING THE SENATE COMMITTEES ON TRADE AND COMMERCE; AND ECONOMIC AFFAIRS TO ASSESS, IN AID OF LEGISLATION, THE RETAIL TRADE LIBERALIZATION POLICY UNDER REPUBLIC ACT 8762 WITH THE INTENTION OF CREATING MORE FAVORABLE INVESTMENT CLIMATE, GENERATING EMPLOYMENT OPPORTUNITIES FOR FILIPINOS AND ENCOURAGING A ROBUST MARKET COMPETITION

Introduced by Senator Villar

**To the Committees on Trade and Commerce; and Economic Affairs.**

**ADDITIONAL REFERENCE OF BUSINESS**

**RESOLUTION**

Proposed Senate Resolution No. 477, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC SERVICES TO CONDUCT A REVIEW IN THE EXERCISE OF ITS OVERSIGHT POWERS, OR AN INQUIRY, IN AID OF LEGISLATION, OF THE REPORTED SHARE-SWAP DEAL AND RELATED TRANSACTIONS THEREON, IF ANY, BETWEEN PHILIPPINE LONG DISTANCE TELEPHONE, CO. (PLDT), AND DIGITEL MOBILE PHILS, INC., (SUN CELLULAR), WITH THE END IN VIEW OF DETERMINING WHETHER THE TRANSACTION IS CONSISTENT WITH, OR ARE NOT IN VIOLATION OF CERTAIN PROVISIONS OF THEIR RESPECTIVE LEGISLATIVE FRANCHISES AND THAT THE ARRANGEMENT WOULD BE TO THE PUBLIC INTEREST

Introduced by Senator Arroyo

**To the Committee on Public Services**

**PETITION**

Citizen petition from Ma. Andrea S. Mendigo, Eric B. Manalang and Norma V. Cabrera, requesting the Senate to conduct an inquiry, in aid of legislation, on the basis of information revealing:

THE ABORTIFACIENT ACTION OF CERTAIN MODERN METHODS OF FAMILY PLANNING/CONTRACEPTIVES; and

THE SERIOUS SIDE EFFECTS SUFFERED BY WOMEN WHO USE CERTAIN MODERN METHODS OF FAMILY PLANNING/CONTRACEPTIVES THAT ARE THE SUBJECT OF PROPOSED LEGISLATION PENDING IN CONGRESS, WHICH PROVIDE FOR THE APPROPRIATION OF TAXPAYERS' MONEY TO FACILITATE MANDATORY ACQUISITION AND DISTRIBUTION NATIONWIDE OF MODERN METHODS OF FAMILY PLANNING/CONTRACEPTIVES.

**To the Committee on Rules**

**COMMITTEE REPORT NO. 17  
ON SENATE JOINT RESOLUTION NO. 6  
(Continuation)**

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Joint Resolution No. 6 (Committee Report No. 17), entitled

JOINT RESOLUTION CREATING A CONGRESSIONAL OVERSIGHT COMMITTEE ON EDUCATION TO REVIEW AND ASSESS PHILIPPINE EDUCATION, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Senator Sotto stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Sotto, Sponsor of the measure, and Senator Osmeña for his interpellation.

*HO PS*

## INTERPELLATION OF SENATOR OSMEÑA

Senator Osmeña asked when the Congressional Committee on Education became operational since as mentioned in Senate Joint Resolution No. 6, "on August 14, 1990, President Corazon Aquino approved the creation of the Congressional Committee on Education as proposed in Joint Resolution No. 2 which was passed by both houses of Congress." Senator Angara replied that it was, more or less, at the start of 1991 since the first Educational Commission Review took place in the same year. He said that the final EDCOM report was submitted in 1992 and since then, during the yearly budget hearings, Congress looked into how EDCOM has carried out its mandate. He clarified that the implementation of the recommendations in the report was done from 1992 to 1995, particularly the trifocalization of the Department of Education, Culture and Sport (DECS). He stated that Congress divided the huge educational bureaucracy by creating three educational bodies, namely: Department of Education (DepEd) which is responsible for basic education — elementary and high school; Commission on Higher Education (CHED) which takes care of post-secondary or tertiary education; and Technical Education and Skills Development Authority (TESDA) which is in charge of vocational and technical education. He added that EDCOM also pushed associated reforms, among them the establishment of a nationwide scholarship program for science.

Asked if the EDCOM had a model that it followed, whether it looked into the educational organizations of other countries, Senator Angara replied that it did, saying that the EDCOM also reviewed the Monroe Commission, which was the first comprehensive survey of Philippine education in the 1920s. He said that since the Monroe Commission until the EDCOM came into being, there had never been such an educational review although in between, there were piecemeal reforms. He asserted that the EDCOM report was the second most comprehensive survey of the country's educational system.

Further, Senator Angara stated that the EDCOM took some lessons from the experiences of other countries as well, for instance, Germany's vocational and technical education which was incorporated into the TESDA. He described Germany's model as being dual-tech wherein students are taught in the classroom for three days and work at the factory site

for two days. He stated that the EDCOM also studied the Australian vocational-technical program which it thought was best suited to the country's educational system.

Asked if Germany and Australia have trifocal education, Senator Angara replied in the negative, saying that the trifocalization, in a sense, made the Philippines' educational system unique. He explained that the EDCOM recommended the trifocalization so that the DepEd would be able to concentrate most of its resources and personnel on delivering basic educational and leaving vocational and technology and tertiary education to other bodies. He also cited the EDCOM proposal to establish a national coordinating council on education which unfortunately never became operational. He disclosed that some analysts have said that the design of the reform was good but the omission of a coordinating mechanism was a big mistake because it disabled the whole educational system to confront strategic issues in a comprehensive way. He recalled that as a member of President Estrada's Cabinet, he attempted to get the agencies going.

Senator Osmeña observed that it had been 20 years since the EDCOM's work was done, and there seemed a failure to get the three agency heads meet on a regular basis when there was a need for them to do so. He noted that the Senate was about to approve the Early Childhood Care Development bill wherein a council of five agencies concerned with child development would be formed. He inquired why there was a need for a joint committee to study education when a simple law would suffice. He stated that while he was in agreement with most of the provisions of the resolution, creating a joint committee was not the proper way because no one in both Houses of Congress has the time nor the expertise to deeply examine and analyze the educational system and make recommendations.

Senator Osmeña stated that other than the EDCOM, Congress had created other joint committees to undertake reviews of matters like agriculture and fisheries modernization. He asserted that based on experience, what really worked was the hiring of expert consultants to undertake a study and submit the results to Congress which could then be the basis of the law. As an example, he noted that in the case of the EPIRA, the past administrations had the study done by the Temasek Holdings. He said that the study, which took six months, was quite complete, accurate and cost half a million dollars.

*Handwritten initials*



To shortcut the process, Senator Osmeña suggested that money be put in next year's budget and that the DepEd be asked to get an ADB or World Bank grant and hire an outside consultant to do a comprehensive study of the country's educational system.

Responding thereto, Senator Angara acknowledged that government can indeed hire consultants to do a study. However, he asserted that the best way to enact and implement reforms is through a bicameral body that would involve experts from both Houses and which could mobilize public support for reforms. He believed that the EDCOM experience, like the agricultural modernization experience, had been successful.

For the purpose of identifying educational reforms, Senator Osmeña posited that a more accurate starting point would be a professional study undertaken by experts in the field of education, the results of which they can present to Congress. Thereafter, he said, Congress could conduct public consultations to find out which among the reforms are generally acceptable, very acceptable or not acceptable to the public and political leaders of various localities.

Senator Osmeña suggested that the Senate talk to DepEd Sec. Armin Luistro and ask him to negotiate with the ADB for a grant that could be used to hire a firm like McKinsey to undertake the study on a matter that is, in fact, included in the MDGs. He recalled that for a while, he was a member of the AgriCom until he was removed as he belonged to the Minority that was entitled to only one seat. It was there, he said, that he found out that a joint committee can be messy because it had five members and politics came into play almost immediately. On the other hand, he opined that a better option is to have a professional firm conduct the study because it can make a sober and cold-blooded analysis of the problem and make recommendations, on the basis of which Congress can craft a law.

Senator Osmeña explained that he was proposing this mode because the other modes are too expensive, take too long and are undertaken by non-experts. He said that he did not mean to cast aspersions on those who have worked in the education sector but that he would rather get one or two PhD degree holders from McKinsey or any other big consulting companies to do a good study. He recalled that the Department of Energy hired N.M. Rose Shield from England and other experts from the World Bank to

undertake a study on the EPIRA bill which was presented to Congress for deliberation in 1998.

Senator Osmeña clarified that one of his main objections to the proposal is that previous experiences with joint committees have been long, painful and that owing to the Filipino culture, it is very hard to hurt the feelings of the committee members, especially when they are friends. He hoped that the Body would be able to go the way of having a professional study first then craft the bill.

Senator Angara noted that Senator Osmeña's proposition is the classic and traditional way of studying problems, as he pointed out that the existing committee system employs that kind of assessment of identifying and hiring either an individual expert or a group of experts. However, he said that in a system-wide review of the educational system, for instance, and based on experience, a joint committee is more effective in the sense that from the very beginning, the committee is able to command and mobilize support for reforms, it involved as many stakeholders as possible, and it consulted as widely as possible.

Senator Osmeña reasoned that precisely, he was asking for a professional to take a cold-blooded look at the situation and to come up with proposals for reforms to enable and allow the legislators to go out and determine which and what reforms should be adopted and included in a new law given either the lukewarm, very warm or wholehearted support of various sectors and subsectors in the country. He said that it has not been shown that a joint committee can do a better job than a professional outfit.

Senator Angara disagreed as he said that it need not be demonstrated that a joint committee-type of examination of education is more effective because EDCOM proved it. He denied that a joint committee-type of examination excludes the selection and identification of experts. As a matter of fact, he underscored, it might be easier to identify and tap those experts to work with the joint committee and probably make it more attractive for them to work with legislators.

Senator Angara emphasized that the Education Committee was aware of the problems of the educational system and it was for that reason that it has sponsored the Early Years Act and at a later time, the K-12 bill. He said that these are attempts

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at solving some basic problems of the educational system and which could be looked into more thoroughly by a joint committee better than by experts from a consulting firm like McKinsey. What is most important, he said, is the issue of investment because all studies, surveys and statistics indicate that the government is not investing enough per head in the education of children.

Senator Osmeña stressed that one expert could come up with a better study than five senators or congressmen in two years. But Senator Angara argued that no study on a big policy issue in the country has ever been made by one expert.

For his part, Senator Osmeña said that he would present such studies to Senator Angara at the appropriate time.

Asked what the Commission on Science, Technology and Engineering (COMSTE) is tasked to do, Senator Angara replied that the COMSTE conducts a survey on the state of science, mathematics and engineering education.

Noting that the COMSTE has been funded since 2008 up to the present, Senator Osmeña asked what it has reported since its creation. Senator Angara said that he would provide Senator Osmeña with a copy of the report on the first three years of the COMSTE.

Asked how soon the study would be finished, Senator Angara stated that it is a continuing study. He said that the lifespan of COMSTE is six years, as provided for in the sunset clause of the resolution creating it.

Asked how much has been spent by the COMSTE so far, Senator Angara said that he would provide Senator Osmeña with the information at a later time.

To the observation that the COMSTE was costing Congress a lot of money but nothing much has come from it, Senator Angara said that one of the major innovations in the country like the e-transport system has been initiated by the COMSTE. He cited other examples of COMSTE-initiated innovations like the use of telemedicine facilities at the PGH and St. Luke's Hospital to diagnose a person in Batanes or Sulu, and a solar energy testing laboratory.

But Senator Osmeña pointed out that telemedicine has been operational in the United States

for the past 20 years, and he noted that the country does not have the capability yet to do telemedicine in areas that are not properly wired for broadband. As regards e-cars, he pointed out that they have been in use in the U.S. for about 20 years. He recalled that Toyota, Nissan and Cadillac manufactured thousands of e-cars only to become useless because the oil industry wanted to sell only gasoline-powered engines. He asserted that with P100,000, college students can come up with all those ideas.

Senator Angara stated that if not for COMSTE, innovations like telemedicine and e-cars would not have found their way to the Philippines and adopted, applied and used in practical ways. He acknowledged that these innovations have been around for 30 years, but he asserted that with the recommendation of COMSTE, the e-cars are presently being used in Palawan, Makati and other communities. He stressed that it was COMSTE that identified these practical technologies and made them applicable to the Philippines.

As regards the COMSTE funds, Senator Angara explained that only P10 million came from the Senate and the other P20 million was given by the competitiveness commission of the DTI.

To the observation that one Member might think these innovations useful while another might think they are a waste, Senator Angara said that people have found the innovations very useful. For example, through the initiative of COMSTE, he noted that in Mindanao and other areas of the country, ethanol is being extracted from seaweed and algae.

But Senator Osmeña argued that all things with commercial applications were already being done because the DOST sponsors experimentation, development and research in science and technology. He said that there was no need to come up with a joint committee and spend P36 million a year. He reiterated his disagreement to the approach because, to him, no one in Congress can do a better job than somebody who has been trained in education for a long period of time; besides, the cost of maintaining joint committees is simply too high.

Asked on the budget of the Joint Congressional Power Commission, Senator Osmeña stated that when he took over the Commission, its budget remained the same.

Senator Angara emphasized that as a senator, he has initiated reforms and the method he was proposing has been successful.

For his part, Senator Osmeña stated that he has the studies conducted by experts that led to the crafting of EPIRA which, he asserted, is the closest thing to reform done with outside help. He pointed out that the reform agenda of the EDCOM came in an 80-page report that included names and graphs compared to professional reports that come in 600 to 800 pages so that no one can complain about the quality and the amount of time devoted to the studies. He added that the study on education could be done within six months and it would be a good start to crafting a law. As an example, he cited the study sponsored by the Asian Development Bank for the reorganization of all the government corporations holding assets in excess of P1 trillion.

Senator Osmeña observed that the Senate spends P429 million a year on various oversight committees, and he suggested that the Senate President undertake a study to rationalize the committees to determine which should be dissolved or consolidated since the Senate has 37 existing committees and only 23 senators. He opined that resources and manpower could be used elsewhere and the Senate could save about P200 million a year by consolidating functions and jurisdictions of committees.

Asked about the study on the EPIRA, Senator Osmeña narrated that the EPIRA was conceived by the National Power Corporation (Napocor) with help from the World Bank and the International Finance Corporation before President Estrada's term; the World Bank, on behalf of Napocor, recruited consultants who stayed in the country for several years; the draft bill based on the study was presented to the Senate in early 1998 but hearings were conducted after the elections up to 2000; EPIRA was finally approved and signed into a law in July 2001. He said that the law mandated the creation of a Joint Oversight Committee on Electric Power and included a sunset clause providing for a 10-year lifespan.

Asked how much the World Bank paid for the study so that it could be compared with the cost of a study conducted by a political body, Senator Osmeña said that he would provide the information.

As to the recent study on the government corporations pending approval by the Secretary of

Finance, Senator Osmeña said that the ADB paid US\$750,000 or P30 million to 35 million, which is comparable to the yearly budget of the COMSTE, the budget of which he proceeded to read, to wit:

P30M	-	2008
P26M	-	2009
		+P10M (for the Secretariat)
P26M	-	2010
		+P10 Million (for the Secretariat)
P26M	-	2011
		+ P10 Million (for the Secretariat)

In sum, Senator Osmeña stated that the COMSTE had spent P138 million in the last three years. Senator Angara disagreed and stated that the enumerated figures were continuing appropriations.

On the funding of the Joint PowerCom, Senator Osmeña said that its initial budget was P25 million, which is its yearly budget.

Senator Osmeña recalled that he took over as chair of the Congressional Oversight Committee on Agricultural and Fisheries Modernization when Senator Angara was appointed as secretary of Agriculture. He said that in that one year as chair, of the Committee's P35 million budget, he returned P17 million.

Senator Angara pointed out that the 80-page EDCOM report that Senator Osmeña mentioned was just the executive summary of the 14-volume EDCOM report which is deposited in the Archives. Senator Osmeña stated that he would like to gather more information and read the 14-volume report by the EDCOM before proceeding further. He said that he also wanted to compare the studies made by private, professional experts with those of the joint committees. He reiterated his stand that before creating a joint committee, the Senate ought to hire professionals to conduct a study and on the basis of their recommendations, determine whether there is a need to create a joint committee. He said that in crafting the law, the legislators can undertake a public consultation to determine which provisions ought to be included in it. He emphasized that there must be a solid foundation. He argued that the advantage of hiring a professional expert is that the report has a superior quality because it has been subjected to different conditions in the field.

Senator Angara emphasized that his bill seeks to create an oversight congressional committee.

*Handwritten initials*

Asked on the difference between a commission and a committee, Senator Angara said that a commission is composed of both the Senate and House of Representatives, while a committee is composed of members of the House. He added that a commission is a fully organized body as compared to a simple organization like a committee in which membership can be made by choice and the chairmanship is decided by majority vote. He clarified, however, that the oversight committees are commissions although the word "committee" is always used for internal reference. He added that the term "committee" is also used in Joint Bicameral Oversight Committees, which are also commissions. He said that a commission is of higher stature than a committee because it has certain powers which a committee does not possess.

Senator Osmeña recalled that earlier, Senator Arroyo made the observation that the Joint Congressional Power Commission is higher than a committee because it is the only one called a "commission," and he corrected Senator Arroyo by pointing out that there were, in fact, other commissions. Senator Angara agreed.

Senator Osmeña reiterated his request to be furnished with additional information on private studies as well as legislative committee studies done in the past to ascertain the proper distinction between committees and commissions.

#### REMARK OF SENATOR LACSON

Senator Lacson said that *Google.com* describes a "committee" as part of a larger organization, say, the House or the Senate, and a "commission" as a more or less independent group of that larger organization.

#### SUSPENSION OF CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the joint resolution.

#### SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 4:47 p.m.*

#### RESUMPTION OF SESSION

At 4:52 p.m., the session was resumed with Senate President Enrile presiding.

#### SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 4:52 p.m.*

#### RESUMPTION OF SESSION


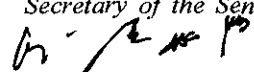
At 5:27 p.m., the session was resumed with the President Pro Tempore presiding.

#### ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the President Pro Tempore declared the session adjourned until three o'clock in the afternoon of Monday, May 23, 2011.

*It was 5:27 p.m.*

I hereby certify to the correctness of the foregoing.

  
EMMA LIRIO REYES  
Secretary of the Senate  


Approved on May 23, 2011