



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 43
Tuesday, January 21, 2014

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

SESSION NO. 43
Tuesday, January 21, 2014

CALL TO ORDER

At 3:20 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Ralph G. Recto led the prayer to wit:

Loving God, You dwell in heaven and in the hearts of the people who rest their hopes and dreams on the Almighty.

You know our thoughts and our intentions even before they manifest in our words and actions.

We trust Your faithful and caring response to our struggles and anxiety. You will not forsake nor forget us.

As we come together today, humbled and with contrite hearts, amidst these challenging times, stay with us and carry us towards the light of justice, truth and peace.

Heal our land. Hasten the healing of the wounds and put to rest the bitterness and division that could erode everything that we have achieved for our countrymen.

Teach us to focus on our mandate and to resolve differences and overcome criticisms, no matter how deep, no matter how painful.

Let this start of a new year be an opportunity for a new beginning and hope for prosperity and peace for our country and our people.

Amen.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Atty. Oscar G. Yabes, called the roll, to which the following senators responded:

Angara, S.	Honasan, G. B.
Binay, M. L. N. S.	Lapid, M. L. M.
Cayetano, A. P. C. S.	Legarda, L.
Cayetano, P. S.	Osmeña III, S. R.
Drilon, F. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Estrada, J.	Trillanes IV, A. F.

With 18 senators present, the Chair declared the presence of a quorum.

Senator Guingona arrived after the roll call

Senators Aquino and Poe were on official mission abroad.

Senators Marcos and Villar were likewise on official mission.

Senator Defensor Santiago was on sick leave.

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APPROVAL OF THE JOURNAL

Upon motion of Senator Cayetano (A), there being no objection, the Body dispensed with the reading of the Journal of Session No. 42 (January 20, 2014) and considered it approved.

SUSPENSION OF SESSION

Upon motion of Senator Cayetano (A), the session was suspended to allow the Members to greet Senate President Pro Tempore Recto on the occasion of his birthday.

It was 3:23 p.m.

RESUMPTION OF SESSION

At 3:23 p.m., the session was resumed.

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. 2048, entitled

AN ACT RATIONALIZING THE GRANT AND ADMINISTRATION OF FISCAL INCENTIVES FOR THE PROMOTION OF INVESTMENTS AND GROWTH, AND FOR OTHER PURPOSES

Introduced by Senator Legarda

To the Committees on Ways and Means; and Economic Affairs

Senate Bill No. 2049, entitled

AN ACT AUTHORIZING THE USE OF THE SPECIAL FUND TO FINANCE THE MAINTENANCE, REHABILITATION, AND REPLACEMENT OF ENERGY INFRASTRUCTURE IN PREPARATION FOR AND IN RESPONSE TO NATURAL AND MAN-MADE CALAMITIES AS WELL AS TO FINANCE DIRECT

SUBSIDY FOR ENERGY CONSUMPTION BY END USERS IN CASE OF MARKET FAILURE THEREBY AMENDING SECTION 8 OF PRESIDENTIAL DECREE NO. 910

Introduced by Senator Trillanes IV

To the Committee on Finance

RESOLUTIONS

Proposed Senate Resolution No. 421, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE RECIPIENTS OF "THE OUTSTANDING YOUNG MEN" (TOYM) OF THE PHILIPPINES 2013 AWARD HONORED BY THE JUNIOR CHAMBER INTERNATIONAL - PHILIPPINES, INC., THE GERRY ROXAS FOUNDATION, INC., AND THE TOYM FOUNDATION, INC.

Introduced by Senator Lapid

To the Committee on Rules

Proposed Senate Resolution No. 422, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED ALLEGATIONS THAT DONATIONS TO THE PHILIPPINE RED CROSS WERE SPENT FOR PERSONAL USE BY SOME OF ITS OFFICIALS

Introduced by Senator Defensor Santiago

To the Committee on Social Justice, Welfare and Rural Development

Proposed Senate Resolution No. 423, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED NEED TO PREVENT

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THE SPREAD OF THE HUMAN IMMUNODEFICIENCY VIRUS IN ADOLESCENTS IN THE COUNTRY

Introduced by Senator Defensor Santiago

To the Committee on Health and Demography

Proposed Senate Resolution No. 424, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED NEED TO INTENSIFY ANTI-ILLEGAL DRUGS OPERATIONS AT THE LEVEL OF THE PHILIPPINE NATIONAL POLICE

Introduced by Senator Defensor Santiago

To the Committee on Public Order and Dangerous Drugs

Proposed Senate Resolution No. 425, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON REPORTS THAT RELIEF GOODS ARE EITHER LOCKED UP OR SOLD FOR PROFIT BY LOCAL OFFICIALS RATHER THAN RIGHTFULLY DISTRIBUTED TO VICTIMS OF TYPHOON YOLANDA

Introduced by Senator Defensor Santiago

To the Committee on Local Government

Proposed Senate Resolution No. 426, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS; AND THE COMMITTEE ON PUBLIC INFORMATION AND MASS MEDIA TO CONDUCT AN INQUIRY, ON THE INCREASING INCIDENTS OF MEDIA KILLINGS

Introduced by Senator Legarda

To the Committees on Justice and Human Rights; and Public Information and Mass Media

Proposed Senate Resolution No. 427, entitled

RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE INTERNATIONAL COMMUNITY FOR THEIR HUMANITARIAN RESPONSE IN THE AFTERMATH OF SUPER TYPHOON YOLANDA

Introduced by Senator Legarda

To the Committee on Rules

Proposed Senate Resolution No. 428, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS, AND OTHER APPROPRIATE SENATE COMMITTEES TO INVESTIGATE, INQUIRE, AND LOOK INTO, IN AID OF LEGISLATION, THE RECENT SHOOTING INCIDENT AT NAIA TERMINAL 3 THAT LEFT FOUR (4) PEOPLE DEAD AND FIVE (5) OTHERS WOUNDED WITH THE END IN VIEW OF IMPROVING THE SECURITY WITHIN THE PERIMETERS OF NAIA AND OTHER KEY ESTABLISHMENTS IN THE COUNTRY, AND TO ENACT REMEDIAL LEGISLATION THAT WOULD PREVENT THE RECURRENCE OF SIMILAR INCIDENTS

Introduced by Senator Trillanes IV

To the Committees on Public Order and Dangerous Drugs; and Public Services

Proposed Senate Resolution No. 429, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON TRADE, COMMERCE AND ENTREPRENEURSHIP; THE SENATE COMMITTEE ON ECONOMIC AFFAIRS AND OTHER RELEVANT COMMITTEES OF THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE

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PREPAREDNESS OF OUR LOCAL INDUSTRIES AND BUSINESS SECTORS AND THE GOVERNMENT'S INDUSTRIAL MASTERPLAN GOVERNING THE SAME, IN LIEU OF THE IMPENDING ASEAN ECONOMIC COMMUNITY (AEC) BY 2015, WITH THE END IN VIEW OF ENACTING NECESSARY POLICY MEASURES TO PROVIDE SAFETY NETS THEREFOR AND TO BOOST THE GROWTH, COMPETITIVENESS AND FLEXIBILITY OF SAID SECTORS

Introduced by Senator Trillanes IV

To the Committees on Trade, Commerce and Entrepreneurship; and Economic Affairs

Proposed Senate Resolution No. 430, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON GAMES, AMUSEMENT AND SPORTS TO INVESTIGATE, INQUIRE, AND LOOK INTO, IN AID OF LEGISLATION, THE CURRENT STATE OF SPORTS DEVELOPMENT IN THE PHILIPPINES, AFTER THE DISMAL PERFORMANCE OF THE PHILIPPINE DELEGATIONS IN THE RECENTLY CONCLUDED 27TH SOUTH EAST ASIAN (SEA) GAMES HELD IN MYANMAR FROM DECEMBER 11-22, 2013

Introduced by Senator Trillanes IV

To the Committee on Games, Amusement and Sports

Proposed Senate Resolution No. 431, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PREVENTION AND CONTROL OF MEASLES OUTBREAK

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Health and Demography

Proposed Senate Resolution No. 432, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE IN AID OF LEGISLATION, TO INVESTIGATE THE INVOLVEMENT OF THE DON MARIANO TRANSIT CORP. IN VARIOUS ROAD ACCIDENTS IN METRO MANILA FOR THE END PURPOSE OF REVIEWING THE RULES AND REGULATIONS REGARDING THE PROCESS OF SUSPENSION AND CANCELLATION OF FRANCHISES OF COMMON CARRIERS INVOLVED IN ROAD MISHAPS

Introduced by Senator Joseph Victor Ejercito

To the Committee on Public Services

Proposed Senate Resolution No. 433, entitled

RESOLUTION CONGRATULATING AND COMMENDING BEA ROSE SANTIAGO FOR HAVING BEEN CROWNED AS MISS INTERNATIONAL 2013 IN TOKYO, JAPAN

Introduced by Senator Joseph Victor Ejercito

To the Committee on Rules

Proposed Senate Resolution No. 434, entitled

RESOLUTION DIRECTING THE COMMITTEE ON GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES, COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT, AND OTHER APPROPRIATE COMMITTEES OF THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE INCREASE IN THE MONTHLY CONTRIBUTIONS OF MEMBERS OF THE SOCIAL SECURITY SYSTEM (SSS), EFFECTIVE JANUARY 2014, WITH THE END IN VIEW OF DETERMINING

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WHETHER SAID INCREASE IS REASONABLE OR NOT, AND RECOMMENDING POSSIBLE POLICY MEASURES TO EASE THE BURDEN OF SAID INCREASE

Introduced by Senator Trillanes IV

To the Committees on Government Corporations and Public Enterprises; and Labor, Employment and Human Resources Development

Proposed Senate Resolution No. 435, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES; SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY; AND OTHER APPROPRIATE COMMITTEES OF THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PLANNED INCREASE IN THE MONTHLY CONTRIBUTIONS OF MEMBERS OF THE PHILIPPINE HEALTH INSURANCE CORP. (PHILHEALTH), EFFECTIVE JANUARY 2014, WITH THE END IN VIEW OF DETERMINING WHETHER SAID INCREASE IS REASONABLE OR NOT, AND RECOMMENDING POSSIBLE POLICY MEASURES TO EASE THE BURDEN OF SAID INCREASE, IN ORDER TO PROVIDE AN AFFORDABLE HEALTH CARE TO ALL FILIPINOS

Introduced by Senator Trillanes IV

To the Committees on Government Corporations and Public Enterprises; and Health and Demography

Proposed Senate Resolution No. 436, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO STRENGTHEN LAWS TO ENSURE THE EFFICIENCY, TRANSPARENCY, AND ACCOUNT-

ABILITY OF GOVERNMENT DISASTER RELIEF PROJECTS, ESPECIALLY THOSE INVOLVING INTERNATIONAL AID, FOLLOWING REPORTS THAT BUNKHOUSES BEING DEVELOPED BY THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS IN LEYTE AND EASTERN SAMAR THAT ARE MEANT FOR THE VICTIMS OF SUPERTYPHOON YOLANDA ARE OVERPRICED AND DO NOT COMPLY WITH INTERNATIONALLY RECOGNIZED STANDARDS AND BEST PRACTICES

Introduced by Senator Defensor Santiago

To the Committee on Public Works

Proposed Senate Resolution No. 437, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE VARIOUS AGENCIES REPORT THAT THE COMMISSION ON AUDIT UNCOVERS THE ALLEGED IRREGULARITIES IN THE IMPLEMENTATION OF CONDITIONAL CASH TRANSFER BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT

Introduced by Senator Defensor Santiago

To the Committees on Social Justice, Welfare and Rural Development; and Finance

Proposed Senate Resolution No. 438, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED MEASLES OUTBREAK IN METRO MANILA

Introduced by Senator Defensor Santiago

To the Committee on Health and Demography



Proposed Senate Resolution No. 439, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC WORKS TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGED SUBSTANDARD AND OVERPRICED BUNKHOUSES BUILT FOR THE SURVIVORS OF SUPER-TYPHOON "YOLANDA" IN THE VISAYAS REGION, AND TO INSTITUTE CORRECTIVE MEASURES TO ENSURE THE SAFETY AND SECURITY OF THOSE DISPLACED BY THE SAID CATASTROPHE

Introduced by Senator Marcos Jr.

To the Committee on Public Works

Proposed Senate Resolution No. 440, entitled

RESOLUTION DIRECTING THE OVERSIGHT COMMITTEE CREATED UNDER REPUBLIC ACT NO. 10351 OR THE "SIN TAX REFORM ACT OF 2012" TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF IMPLEMENTATION OF THE SAID LAW

Introduced by Senator Cayetano (P.)

To the Committee on Rules

Proposed Senate Resolution No. 441, entitled

RESOLUTION DIRECTING THE COMMITTEE ON WOMEN, FAMILY RELATIONS AND GENDER EQUALITY AND OTHER APPROPRIATE COMMITTEES TO CONDUCT A REVIEW, IN AID OF LEGISLATION, OF THE EXISTING LAWS WITH PROVISIONS WHICH ARE CONSIDERED AS DISCRIMINATORY TO WOMEN, WITH THE END IN VIEW OF AMENDING AND/OR REPEALING THESE AS MANDATED BY THE MAGNA CARTA OF WOMEN

Introduced by Senator Cayetano (P.)

To the Committee on Women, Family Relations and Gender Equality

Proposed Senate Resolution No. 442, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE/S TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED TO TRANSFER MALI, THE ONLY ELEPHANT IN CAPTIVITY IN THE PHILIPPINES, TO A SANCTUARY IN THAILAND DUE TO HER WEAK HEALTH CONDITION"

Introduced by Senator Pimentel III

To the Committee on Agriculture and Food

COMMUNICATIONS

Letter from the Office of the President of the Philippines, dated 20 December 2013, addressed to Speaker Feliciano R. Belmonte Jr. of the House of Representatives, copy furnished Senate President Franklin M. Drilon, transmitting Republic Act No. 10633 or the Fiscal Year 2014 General Appropriations Act, 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 FOURTEEN, AND FOR OTHER PURPOSES,

together with the President's Veto Message.

To the Archives

Letters from the Office of the President of the Philippines, dated 26 December 2013, transmitting to the Senate two original copies of the following, which were both signed by the President on 26 December 2013:

Joint Resolution No. 1 – JOINT RESOLUTION EXTENDING THE VALIDITY OF APPROPRIATIONS UNDER THE CALAMITY FUND AND QUICK RESPONSE FUND, INCLUDING THOSE SOURCED FROM SAVINGS

REALIGNED IN THE CURRENT YEAR, AS WELL AS ALL UNOBLIGATED ALLOTMENTS AND UNRELEASED APPROPRIATIONS FOR MAINTENANCE AND OTHER OPERATING EXPENSES AND CAPITAL OUTLAYS UNDER REPUBLIC ACT NO. 10352 OR THE FY 2013 GENERAL APPROPRIATIONS ACT UNTIL DECEMBER 31, 2014, AMENDING FOR THE PURPOSE SECTION 63 OF THE GENERAL PROVISIONS THEREIN; and

Republic Act No. 10634 – AN ACT APPROPRIATING THE SUM OF FOURTEEN BILLION SIX HUNDRED MILLION PESOS (P14,600,000,000.00) AS SUPPLEMENTAL APPROPRIATIONS FOR FY 2013 AND FOR OTHER PURPOSES.

To the Archives

ADDITIONAL REFERENCE OF BUSINESS

The Deputy Secretary for Legislation, Atty. Edwin B. Bellen, read the following matters and the Chair made the corresponding referrals:

BILLS ON FIRST READING

Senate Bill No. 2050, entitled

AN ACT CONSIDERING RICE OR CORN HOARDING AND PROFITEERING DURING OR ON THE OCCASION OF ANY CALAMITY OR EMERGENCY DECLARED AS SUCH BY THE PRESIDENT AS EQUIVALENT TO ECONOMIC SABOTAGE, PARTLY AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7581, OTHERWISE KNOWN AS THE PRICE ACT, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committee on Trade, Commerce and Entrepreneurship

Senate Bill No. 2051, entitled

AN ACT PRESCRIBING URGENT

MEASURES NECESSARY AND PROPER TO EFFECTIVELY ADDRESS THE ELECTRIC POWER CRISIS AND FOR OTHER RELATED PURPOSES

Introduced by Senator Trillanes IV

To the Committees on Energy; and Finance

Senate Bill No. 2052, entitled

AN ACT AUTHORIZING THE SECRETARY OF HEALTH TO AWARD GRANTS FOR TRAINING AND SUPPORT SERVICES FOR ALZHEIMER'S PATIENTS AND THEIR FAMILIES

Introduced by Senator Defensor Santiago

To the Committees on Health and Demography; and Finance

Senate Bill No. 2053, entitled

AN ACT MANDATING THE INCLUSION OF PICTORIAL HEALTH WARNINGS ON TOBACCO PRODUCTS AND PROVIDING PENALTIES FOR ITS VIOLATION

Introduced by Senator Defensor Santiago

To the Committees on Health and Demography; Trade, Commerce and Entrepreneurship; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 443, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, REGARDING THE INCREASE IN SECURITY AND HEALTH CONTRIBUTIONS OF THE SOCIAL SECURITY SYSTEM (SSS) AND PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH), RESPECTIVELY

Introduced by Senator Joseph Victor Ejercito

To the Committees on Government Corporations and Public Enterprises; and Health and Demography

Proposed Senate Resolution No. 444, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STUDY CONDUCTED BY THE FEDERATION OF PHILIPPINE INDUSTRIES WHICH FOUND THAT THE GOVERNMENT LOST MORE THAN P1.33 TRILLION IN REVENUE FROM 2002 TO 2011 DUE TO TECHNICAL SMUGGLING THROUGH THE COUNTRY'S PORTS

Introduced by Senator Defensor Santiago

To the Committee on Ways and Means

Proposed Senate Resolution No. 445, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NECESSITY TO MANDATE OPERATORS OF PUBLIC UTILITY VEHICLES TO INSTALL SPEED LIMITERS ON EACH VEHICLE

Introduced by Senator Defensor Santiago

To the Committee on Public Services

Proposed Senate Resolution No. 446, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED TO PROVIDE VIABLE INCENTIVES FOR DEVELOPERS TO CONSTRUCT SOCIALIZED MEDIUM-RISE HOUSING FOR LOW-INCOME EARNERS

Introduced by Senator Defensor Santiago

To the Committee on Urban Planning, Housing and Resettlement

Proposed Senate Resolution No. 447, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED CANCEROUS BABY FEEDING BOTTLES AND SIPPY CUPS CONTAINING BISPHENOL A

Introduced by Senator Defensor Santiago

To the Committees on Health and Demography; and Trade, Commerce and Entrepreneurship

SECOND ADDITIONAL REFERENCE OF BUSINESS

BILLS ON FIRST READING

Senate Bill No. 2054, entitled

AN ACT TO AMEND CERTAIN PROVISIONS OF R.A. 7431, OTHERWISE KNOWN AS THE "RADIOLOGIC TECHNOLOGY ACT OF 1992", AND FOR OTHER PURPOSES

Introduced by Senator Trillanes IV

To the Committee on Civil Service and Government Reorganization

Senate Bill No. 2055, entitled

AN ACT REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-TWO HUNDRED THIRTY-NINE, KNOWN AS "THE FORESTRY PROFESSION LAW", APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Trillanes IV

To the Committees on Civil Service and Government Reorganization; and Finance

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Senate Bill No. 2056, entitled

AN ACT ESTABLISHING MARINE PROTECTED AREAS IN ALL COASTAL MUNICIPALITIES AND CITIES AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committees on Environment and Natural Resources; Agriculture and Food; and Finance

Senate Bill No. 2057, entitled

AN ACT ESTABLISHING THE PHILIPPINE LEGISLATIVE ACADEMY, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committees on Accounts; Ways and Means; and Finance

Senate Bill No. 2058, entitled

AN ACT PROVIDING FOR THE WELFARE OF BARANGAY TANODS, AMENDING FOR THE PURPOSE SECTION 393 OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Joseph Victor Ejercito

To the Committees on Local Government; and Finance

Senate Bill No. 2059, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9136, OTHERWISE KNOWN AS THE "ELECTRIC POWER INDUSTRY REFORM ACT OF 2001", AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committees on Energy; and Public Services

Senate Bill No. 2060, entitled

AN ACT ESTABLISHING A CRISIS CENTER FOR STREET CHILDREN IN EVERY REGION OF THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committees on Youth; Social Justice, Welfare and Rural Development; and Finance

Senate Bill No. 2061, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A SCHOOL BUILDING IN EVERY BARANGAY IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committees on Education, Arts and Culture; Public Works; and Finance

Senate Bill No. 2062, entitled

AN ACT REQUIRING ALL PUBLIC UTILITY AGENCIES AND COMPANIES OR CORPORATIONS, BOTH PUBLIC AND PRIVATE TO REPAIR ANY DIGGING OR DECONSTRUCTION MADE IN THE COURSE OF THEIR INSTALLATION OR MAINTENANCE WORK

Introduced by Senator Joseph Victor Ejercito

To the Committee on Public Works

Senate Bill No. 2063, entitled

AN ACT PROVIDING BENEFITS AND INCENTIVES TO ACCREDITED DAY CARE WORKERS, AMENDING FOR THE PURPOSE REPUBLIC ACT

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NO. 6972 OTHERWISE KNOWN AS
THE BARANGAY LEVEL TOTAL
DEVELOPMENT AND PROTEC-
TION OF CHILDREN ACT

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government;
and Finance**

Senate Bill No. 2064, entitled

AN ACT CONSERVING, PROMOTING AND
POPULARIZING THE NATION'S
HISTORICAL AND CULTURAL
HERITAGE AND RESOURCES, AS
WELL AS ARTISTIC CREATIONS
BY EXACTING A PERFORMANCE
FEE FROM FOREIGN PERFORMERS
AND ALLOCATING THE PROCEEDS
THEREOF TO THE NATIONAL
COMMISSION FOR CULTURE AND
THE ARTS AND FOR OTHER
PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Education, Arts and
Culture; and Ways and Means**

**ACKNOWLEDGMENT
OF THE PRESENCE OF GUESTS**

At this juncture, Senator Cayetano (A) acknowledged the presence in the gallery of the following guests:

- The Ambassador of the United Mexican States, His Excellency Julio Camarena Villaseñor;
- Accountancy and Political Science students of Isabela State University led by Joan Carinugan, Jeanette Gonzales and Narsal M. Foronda, Jr.; and
- Students from Don Bosco Academy, Mabalacat, Pampanga, led by Ms. Arceli P. Liwanag.

Senate President Drilon welcomed the guests to the Senate.

**PRIVILEGE SPEECH
OF SENATOR LEGARDA**

Availing herself of the privilege hour, Senator Legarda delivered the following speech on cyber pornography:

Police authorities recognize that cyber pornography is among the top crimes in our country today. "Cybersex," "child pornography," "cyberporn," "child abuse" – these words have been hogging recent headlines in our country; and the reports that came with them are too harrowing. In fact, it is disturbing that these abuses against children can happen.

This is a crime that has, in fact, gone on far too long; and we need to do something about it urgently.

Three months ago, I delivered a privilege speech citing police operations that led to the rescue of children who were subjected to sexual abuse and watched by loathsome men across the globe, in exchange for money.

One of the cases provided by the International Justice Mission involved five sisters who were subjected to cyber pornography by their own parents.

It is sickening to imagine that a mother can actually expose her daughters to such abuse in exchange for a few hundred pesos. Nothing, not even poverty, can justify such acts.

If children can no longer feel secure and protected in their own homes, then something is really, terribly wrong in our society.

We need to put an end to these kinds of abuses.

The Expanded Anti-Trafficking in Persons Act penalizes these acts. Harboring a child for purposes of prostitution or production of pornographic materials is considered trafficking. Furthermore, the crime is not plain trafficking but qualified trafficking when the offender is the parent, guardian or someone who exercises authority over the child. In fact, any person found guilty of qualified trafficking shall serve life imprisonment.

The Anti-Violence Against Women and Children Law also penalizes sexual acts, including prostitution, committed against a woman or child.

These cases of cyber sex trafficking tell us that with advancements in the Internet, allowing communication to cross national borders in a

matter of seconds, everything is now within reach. This reality can be both a boon and bane for our unsuspecting children.

It is in this context that I filed Senate Bill No. 532, the Anti-Computer Pornography Act. This bill seeks to protect minors from indecent and immoral material transmitted through electronic mail and other electronic media. Through this measure, acts such as transmitting or offering to transmit information containing indecent materials to a minor and providing access to transmission of said materials to a minor will be considered a crime.

I call on my colleagues to support the passage of this measure which will complement the Expanded Anti-Trafficking in Persons Act and safeguard the welfare of our citizens, particularly women and children.

We support the Department of Justice (DOJ), as head of the Inter-Agency Council Against Trafficking (IACAT), and the National Bureau of Investigation (NBI) for the full and effective implementation of the Expanded Anti-Trafficking in Persons Act. In fact, we suggest that perhaps they could create a special task force in the NBI to arrest suspected trafficking syndicates.

We support a massive information and education campaign against trafficking and cyberporn in airports, seaports, bus stations, terminals having communication materials in easy to understand language, even in Filipino, against trafficking.

We raise the possibility of the Supreme Court creating special courts to expedite the prosecution of human trafficking cases especially those that involve children.

We need to curb cyber pornography and all forms of human trafficking. We need to strengthen our efforts and track down offenders with a sense of urgency. Our children deserve to have a decent fighting chance to succeed in their lives. It starts with keeping them safe from the dark purveyors of flesh and looters of our children's innocence.

INTERPELLATION OF SENATOR SOTTO

At the outset, Senator Sotto expressed his support in addressing child pornography in the country and apprehending the people behind it.

Asked if child pornography has indeed become the number one crime, Senator Legarda confirmed

that according to the research made by police authorities, child pornography has become the number one crime in the country, even worse than drugs. She suspected that pedophiles and cyber porn syndicates may have a similar network as with piracy and drugs syndicates. She said that the NBI could look into the matter by creating a special task force to crack down and track pedophiles and syndicates that prey on children, especially in disaster-stricken areas. She cited reports of foreign and local syndicates preying on children who were victims of typhoons *Yolanda* and *Pablo*, as well as in some resorts in Boracay, Puerto Galera and others. She stated that while tourism should be promoted, the government should also see to it that foreign tourists are not part of syndicates, pedophiles or abusers of children.

Senator Sotto expressed his concern that child pornography has overcome the danger posed by drug cartels, which is considered the strongest enemy of humankind, especially in light of recent findings that a Mexican drug cartel has been operating in the country.

Asked on the extent of child pornography in the country and the basis of the information gathered by the NBI, Senator Legarda pointed out that child pornography is no longer a local issue because no less than the U.K. authorities and other countries have given information that the Philippines is a source of pornographic video and materials shown globally, and that children are the victims of lewd acts perpetrated by their own parents in squatter shanties, motels or hotels in different parts of the country. She also confirmed that the market is not the Philippines but the world.

Senator Sotto asserted that poverty is not an excuse for perpetrating such crime. Senator Legarda agreed, as she stressed the need for the DSWD to also look into the issue. She disclosed that the International Justice Mission, a Washington-based NGO which has been vigilant in its advocacy against trafficking, has worked with the local police in Cebu in apprehending parents who were holding their children in front of a webcam while the video was being transmitted in real-time to foreigners.

Asked whether the issue of child pornography could be considered a morality issue on the part of the parents, Senator Legarda replied that it is a poverty issue which must not, however, justify the crime. She said that she could not imagine how a

mother could allow her children to engage in such ill and lewd acts.

Senator Sotto noted that such acts are not in the nature of Filipinos because they are known to possess high moral values, especially in the past. He surmised that for such acts to proliferate at the present time, the moral values of the people might have gone very low.

Asked on the areas where the syndicates operate, Senator Legarda said that based on the information and documents given to her by the NGOs, they are found in Pampanga and Cebu but there are other areas where they also operate. She stated that the crime is generally committed in cyberspace through the use of webcams for live and real-time streaming, from which DVDs are also produced.

Senator Legarda deplored that children below 10 years old, and even as young as two years of age, are being abused and used in the sexual act, lamenting further how parents could allow their children to be abused and even be the perpetrators themselves of the lewd acts when even animals are protective of their young.

Senator Legarda believed that with the joint forces of the NBI and the NGOs, there is no reason why the syndicates could not be apprehended. Senator Sotto agreed that there is a good chance of stopping and preventing it if the government would seriously act on it. He stated that cyber pornography is a completely different problem as compared to drug trafficking. He explained that the problem of dangerous drugs is complex since it is a crime where the criminal is both the perpetrator and a victim. He said that he already accepted the fact that his dream of a "drug-free" Philippines is impossible, but that a "drug-resistant" Philippines is possible.

Asked what amendments are being proposed in her speech, Senator Legarda said that she was merely presenting suggestions, including calling for executive action, to make Republic Act No. 10364 or the Expanded Anti-Trafficking in Persons Act of 2012, which was enacted more than a year ago, more effective since the IACAT, chaired by the DOJ and the DSWD, meets regularly. She added that the Senate could request the NBI to create a special task force to target areas which are said to be hosting pedophiles and syndicates preying on children in resort areas, such as Pampanga and

Cebu, and in other areas as researched by the NGOs, the Visayan Forum and the International Justice Mission.

Senator Legarda further suggested the creation of special courts for speedy prosecution which only the Supreme Court can do, as well as massive information campaign against child trafficking in bus terminals, seaports and airports. She added that the parents of the victims are usually uneducated, very poor and homeless, thus, a full implementation of RA 100143 is needed.

Asked if she was proposing any amendments to the law, Senator Legarda said that she was merely challenging the Executive to implement the Anti-Trafficking in Persons Act that was passed in record time in 2003 but was rendered ineffective because the trafficking cases were still high, the reason why an amendatory bill was refiled in 2007 and then in 2012, until it was finally enacted in 2013.

Asked what Senate committee could probably aid and help in the full implementation of the said law, Senator Legarda replied that it would be the Committee on Women, Family Relations and Gender Equality, and the Committee on Justice and Human Rights because it is the DOJ that heads the IACAT.

At this point, Senator Legarda suggested requesting IACAT to brief interested senators, in the same manner that the PDEA could brief the senators in an executive session on the drug situation of the country.

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Cayetano (A), there being no objection, the speech of Senator Legarda and the interpellations thereon were referred to the Committee on Public Information and Mass Media, and to the Committee on Justice and Human Rights.

SPECIAL ORDER

Upon motion of Senator Cayetano (A), there being no objection, the Body approved the transfer of Committee Report No. 8 on Senate Bill No. 2042 from the Calendar for Ordinary Business to the Calendar for Special Orders.

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SUSPENSION OF SESSION

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

It was 4:05 p.m.

RESUMPTION OF SESSION

At 4:06 p.m., the session was resumed.

**COMMITTEE REPORT NO. 8
ON SENATE BILL NO. 2042**

Upon motion of Senator Cayetano (A), there being no objection, the Body considered, on Second Reading, Senate Bill No. 2042 (Committee Report No. 8), entitled

AN ACT PROHIBITING THE DEVELOPMENT, PRODUCTION, STOCKPILING, USE OF CHEMICAL WEAPONS AND PROVIDING FOR THEIR DESTRUCTION AND PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Cayetano (A), only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Trillanes, sponsor of the measure.

**SPONSORSHIP SPEECH
OF SENATOR TRILLANES**

Senator Trillanes, on behalf of the Committee on National Defense and Security and the Committee on Finance, submitted for the Body's consideration Senate Bill No. 2042 under Committee Report No. 8, entitled "Chemical Weapons Prohibition Act."

Hereunder is the full text of Senator Trillanes' sponsorship speech:

Affirming our country's commitment to maintain international peace and security, the Philippines became a signatory to the Chemical Weapons Convention in 1993. The Convention

is the first disarmament agreement negotiated within a multilateral framework that provides for the elimination of an entire category of weapons of mass destruction under universally applied international control. It establishes an international norm against the development of chemical weapons for all time, and provides the legal and political basis for firm action against those who violate its rules.

As of October 2013, 190 states have already signed to be part of this endeavor.

On our part, we have been firm with our commitment to honor our obligations under the Convention. The Anti-Terrorism Council of the Office of the President, which acts as the Philippine National Authority on the Chemical Weapons Convention, has been participating in different activities and capacity-building trainings related to the Convention's implementation, together with other government agencies and the private sector.

Despite our efforts to fulfill our obligation under the Convention, however, we cannot fully implement its provisions in the country due to lack of a legislative framework that will give teeth to its implementation.

In order to address this concern, the Committee on National Defense and Security is pushing for the passage of Senate Bill No. 2042. Consistent with the provisions of the Convention, this proposed enabling law prohibits, under any circumstance, the development, production, manufacture, acquisition, possession, stockpile, retention, transfer or use of chemical weapons, or engagement in any other activities prohibited under the Convention.

Furthermore, a separate and permanent Philippine National Authority for the Chemical Weapons Convention will be established. It shall serve as the national coordinating body for effective liaison with the Organization for the Prohibition of Chemical Weapons (OPCW), the implementing body of the Convention, and other state-parties to the Convention, and shall be the lead agency in the implementation of the provisions of the Convention.

In our modern society, the use of chemical weapons, especially by non-state actors such as terrorists, poses grave threat to international security. Senate Bill No. 2042, which provides the legislation framework for the effective implementation of the Chemical Weapons Convention in this country, is a vital step towards maintaining the peaceful and meaningful utilization of chemicals and the creation of a

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treaty regime which will ensure that governments from different states will fulfill their national obligation of implementing chemical disarmament and non-proliferation.

Thus, the passage of this bill is imperative to reaffirm and carry out our commitment as a signatory to the Convention.

In view of the foregoing, the immediate passage of this measure is earnestly sought.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2042

Upon motion of Senator Cayetano (A), there being no objection, the Body suspended consideration of the bill.

MOTION OF SENATOR CAYETANO (A)

Senator Cayetano (A) stated that in December 2013, he brought up in plenary the request of some senators to be coauthors of certain bills and resolutions, and he suggested then that the Body adopt a system wherein the requesting senator would just fill up a form and send it to the principal author of the bill, and if the principal author accedes to the request and signs the form, the form would be forwarded to the Bills and Index Service, after which, the requesting senator would then be considered a coauthor of the bill. He said that the senators would be given a sample of said form for their guidance.

Upon motion of Senator Cayetano (A), there being no objection, the Body approved the adoption of the system governing coauthorship of bills.

INQUIRY OF SENATOR SOTTO

Asked if the request to be a coauthor/cosponsor of a bill could still be manifested on the floor, Senator Cayetano (A) replied in the affirmative.

As regards the listing of the authors, Senator Cayetano (A) explained that the Body would still follow the Senate rule that if there are similar bills, the author of the bill with the lower number would be considered the principal author. He noted that in the past, some senators would rather file their own version of the bill even if it is substantially the same as the other bills filed by other senators, while some opted to be a coauthor rather than filing a similar one.

Regarding bills filed by previous senators, Senator Cayetano (A) welcomed Senator Sotto's suggestion to acknowledge that a certain bill was previously filed by a certain legislator. He said that what the Committee on Rules could do is to inform the committee chairmen regarding similar bills that were filed in a previous Congress. He admitted that the Body has yet to resolve cases of similar bills that were filed and whose original or principal author is still in Congress.

Senator Sotto remarked that humility must step in, as he recalled being considered the principal author of the Overseas Absentee Voting Act although it was Sen. Alberto Romulo who filed the original bill in the previous Congress. With that in mind, he said that he has always acknowledged Senator Romulo as the one who filed first the bill during the Eighth Congress.

Senator Cayetano (A) said that he would ask the sponsors in their sponsorship speeches to give a brief history of the bill in order to acknowledge the previous senator who first filed it, including the names of the person or group of persons who have been pushing for the bill.

MANIFESTATION OF SENATOR ANGARA

Senator Angara informed the Body that during his term in the House of Representatives, a rule was inserted into the Rules of the House, requiring authors of bills to acknowledge the previous authorship of bills filed in previous Congresses. He suggested that the Chamber adopt the same rule.

Senator Cayetano (A) assured the Body that the matter will be taken up in the next meeting of the Rules Committee. He said that with so much information available, a lawmaker can file a bill or resolution that would not be totally original, but not totally copied either, and that it is possible that the legislator or his/her staff did not know that there was a similar bill filed in previous Congresses. He opined that the Secretariat should play a part in informing the senator or the committee of the existence of a bill and its history.

To elaborate, Senator Cayetano (A) stated that if he filed a bill, for example, on having a national day of prayer and making it a permanent day to be celebrated every year, unaware that 15 years ago, a similar bill was filed by a senator,

had he been informed by the Secretariat that such a bill was filed in the previous Congress, he and the Committee chairperson would have acknowledged the work of the original author.

PROPOSED SENATE RESOLUTION NO. 361

Upon motion of Senator Cayetano (A), there being no objection, the Body considered Proposed Senate Resolution No. 361, entitled

RESOLUTION CREATING A SELECT OVERSIGHT COMMITTEE ON INTELLIGENCE.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Cayetano (A), only the title of 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 (A), the session was suspended.

It was 4:23 p.m.

RESUMPTION OF SESSION

At 4:25 p.m., the session was resumed.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 361

Upon motion of Senator Cayetano (A), there being no objection, Proposed Senate Resolution No. 361 was adopted by the Body, subject to style.

MANIFESTATION OF SENATOR CAYETANO (A)

Senator Cayetano (A) manifested that the oversight committee would have no additional funds pursuant to the rules agreed upon by the Members.

ADJOURNMENT OF SESSION

Upon motion of Senator Cayetano (A), there being no objection, Senate President Drilon declared the session adjourned until three o'clock in the afternoon of the following day.

It was 4:27 p.m.

I hereby certify to the correctness of the foregoing.

OSCAR G. YABES
Secretary of the Senate
[Signature]

Approved on January 22, 2014