



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 78
Monday, May 8, 2017

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

At 3:18 p.m., the Senate President, Hon. Aquilino "Koko" Pimentel III, called the session to order.

PRAYER

Sen. Win Gatchalian led the prayer, to wit:

Father God,

We thank You for this opportunity as we are all gathered here today as we tackle various national issues and concerns of this nation.

We pray that all of us will be filled with the knowledge of Your will through Your guidance and wisdom.

May each of us have the ability to be courageous enough to do and say the right deeds and words.

With Your love and Your grace, we claim that we will be able to make decisions, statements and opinions with all honesty, conviction and integrity during the entire session.

May Your Name be praised and honored in everything that we do. We give back to You all the glory and praises.

This is our prayer, in Jesus' Name we pray.

Amen.

NATIONAL ANTHEM

The Mandaluyong Children's Choir led the singing of the national anthem followed by the song, entitled "*Better World*."

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:

Angara, S.	Lacson, P. M.
Aquino, P. B. IV B.	Pacquiao, E. M. D.
Binay, M. L. N. S.	Pangilinan, F. N.
Drilon, F. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Poe, G.
Escudero, F. J. G.	Sotto III, V. C.
Gatchalian, W.	Trillanes IV, A. F.
Gordon, R. J.	Villanueva, J.
Honasan, G. B.	Villar, C. A.
Hontiveros, R.	

With 19 senators present, the Chair declared the presence of a quorum.



Senators Recto and Zubiri arrived after the roll call.

Senator Cayetano was on official mission abroad.

Senator Legarda was on medical leave as indicated in the May 8, 2017 letter of the senator's chief legal officer.

Senator De Lima was unable to attend the session as she 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. 77 (May 3, 2017) and considered it approved.

RECONSIDERATION OF THE APPROVAL OF THE JOURNAL OF SESSION NO. 76

Upon motion of Senator Sotto, there being no objection, the Body reconsidered the approval of the Journal of Session No. 76 (May 2, 2017).

DEFERMENT OF APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 76 to a later time.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Lagablab Network;
- PUP Kasarinlan;
- Metropolitan Community Church;
- DLSU Gender Studies;
- HIV-AIDS Support House;
- Women representatives from Everywoman Network and Akbayan Women;
- Descendants of Suffragists, namely, Ms. Lyca Benitez Brown, Ms. Hina Lim Yozon, Ms. Anna Leah Sarabia and Ms. Cheche Lim Lazaro; and

- Cooperative leaders from Luzon, Visayas and Mindanao, accompanied by the Coop-NATCCO party-list.

Senate President Pimentel welcomed the guests to the Senate.

APPROVAL OF HOUSE BILL NO. 4682 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, House Bill No. 4682, printed copies of which were distributed to the senators on May 3, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT CREATING A BARANGAY
TO BE KNOWN AS BARANGAY
COMAWAS IN THE CITY OF
BISLIG, PROVINCE OF SURIGAO
DEL SUR.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Pacquiao
Aquino	Pangilinan
Binay	Pimentel
Drilon	Poe
Ejercito	Recto
Escudero	Sotto
Gatchalian	Trillanes
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri
Lacson	

Against

None

Abstention

None

With 21 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 4682 approved on Third Reading.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended to allow the Members to greet Senator Aquino on the occasion of his birthday on May 7, 2017.

It was 3:30 p.m.

RESUMPTION OF SESSION

At 3:31 p.m., the session was resumed.

PRIVILEGE SPEECH OF SENATOR HONTIVEROS

Availing herself of the privilege hour, Senator Hontiveros delivered a speech in commemoration the 80th anniversary of women suffrage in the Philippines last April 30, 2017.

Following is the full text of Senator Hontiveros' privilege speech:

Last April 30, we commemorated the 80th anniversary of a very important milestone for gender equality and women's participation in this country: the plebiscite in 1937 that granted to Filipino women the right to vote.

Perhaps, for the benefit of the millennials in the hall, some historical backtracking is in order. The 1935 Constitution, the fundamental law of the land during the Commonwealth period, limited the right to vote to men 21 years and older, residents of the Philippines for one year or more, and able to read and write. It had one important proviso, however: suffrage may also be extended to Filipino women if 300,000 of them will vote in favor of the motion in a special plebiscite to be held within two years after the adoption of the Constitution.

Thus it came to pass that on April 30, 1937, a special plebiscite was held to determine whether or not women should be given the right to vote. An overwhelming 90%, or 447,725 out of 500,000 women, voted in favor of women's suffrage. In 1941, the first female member of the House of Representatives was elected, Representative Elisa Ochoa. In 1947, Geronima Pecson of Pangasinan was elected into this very Chamber, paving the way for Senators Nancy

Binay, Leila de Lima, Loren Legarda, Grace Poe, Cynthia Villar and myself.

Ngunit hindi po noong 1937 nagsimula ang pagkikilos para sa karapatan ng mga kababaihan na bumoto. Ang tagumpay ng plebisitong 1937 ay bunga ng mga binhing tinanim ng ilang dekadang pagpupunyagi – mula sa mga organisasyon kagaya ng Asosasyon Feminista Ilongga na itinatag ni Pura Villanueva Kalaw noong 1906, at Asosasyon Feminista Filipino na itinatag ni Concepcion Felix Rodriguez noong 1905, na naging daan para sa unang panukalang batas para sa pagboto ng kababaihan noong 1907 ni Sen. Filemon Sotto (grand uncle of our Majority Leader).

It was a long and arduous struggle, and for this we have to thank our pioneering Filipinas who set in motion the wheels that led to this right that many women of today now take for granted, some of whom have descendants in the hall today: Francisca Tirona Benitez, Pilar Hidalgo Lim and Natividad Almeda Lopez. *Maraming, maraming salamat po sa inyo.*

The women's vote is important in and of itself because it recognizes a fundamental truth: that men and women are equal, and that women should have the agency to participate in state formation and determine the collective future of the nation to which we belong.

But the women's vote should also be seen as seeds that lead to other beneficial outcomes. And in here, we can see that there is more work to be done.

First, having women as members of the voting population should lead to legislation that benefits women. We have, in the past decades, made tremendous strides in enacting legislation and measures for the women of this country. *Tampok dito ang Anti-Violence Against Women and Children Act o VAWC, ang Magna Carta of Women, ang 60-day Maternity Leave, ang Solo Parents Act na malimit ay pinapakinabangan ng mga solo mothers, at siyempre, ang Reproductive Health Law na nagtamasa ng makasaysayang tagumpay.*

But there are still gaps that need to be addressed.

We need a more modern Anti-Rape Law, one that is more attuned to contemporary times. We need the Expanded Maternity Leave law of 2017 to be passed in the House of Representatives. We need the RH law to finally be implemented, and many women are calling for a more equitable policy regime for marriages that do not

work out. For these to happen, for these gains to materialize, we need women voters who are able to exact accountability from their leaders, and leaders who know that the women vote is a vote that matters.

Secondly, women voters are an excellent start, but genuine women's participation in public office is necessary in order to ensure that we build a truly equal playing field for women. According to the Philippine Commission on Women, women comprise half the population but only hold about 1/5 of government-elected positions. *Dito po sa Senado, sa loob po ng isang daang taon, nagkaroon lamang ng 22 na senador na babae.* There has been no female Senate President nor female Senate President Pro Tempore, only one female Majority Leader in the person of Senator Loren Legarda. But we must go beyond the numbers if we want to discuss the level and quality of women's participation in the country. While there has indeed been some incremental increase in the participation of women in politics, it means nothing if it does not translate to demonstrable progressive behavior that we can see in our daily lives. The harassment of women politicians has become a political strategy to shut off contrarian views. The lengths of our skirts, the appearance of our knees, the relationships that we have or had, the kind of families that we have chosen in the course of our lives have become the burning issues of the day, and not the structural socio-economic issues that we want to address. *Galangin natin ang mga ambag nina Concepcion Felix at Pura Kalaw. Huwag nating hayaang lapastanganin ang mga binhi ng kanilang itinanim sa tahasang pambabastos sa kababaihan sa pulitika.*

Thirdly, we must use the gains of women to fight for other sectors that are marginalized. *Ang kalayaan ng kababaihan ay dapat maging daan para sa kalayaan ng ibang sektor.* This means pushing for equality for our LGBT sisters and brothers, and for standing as allies in their desire for a fairer, more equal society. This also means standing with the unheard, the under-represented, particularly those who have fallen victims to a war on drugs that has been a slaughter of the poor. This means, most of all, fighting for a women's agenda that puts truth-telling, dignity and humanity at the forefront of the struggle. To quote an ally in this struggle, Dr. Agnes Callamard, "We cannot deny the humanity of some people and not lose the humanity of all."

Maraming salamat po. Muli, mabuhay ang women's suffrage movement. Mabuhay ang mga kababaihan.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto associated himself with the contents of what he described as a well-crafted speech delivered by Senator Hontiveros.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the Chair referred the speech of Senator Hontiveros to the Committee on Women, Family Relations and Gender Equality.

MANIFESTATION OF SENATOR HONTIVEROS

Saying that she needed to correct a statement in her speech for which she apologized, Senator Hontiveros informed the Body that she was reminded by Senate President Pimentel that the late Senator Leticia Ramos Shahani once served as Senate President Pro Tempore while Senator Legarda was once the Majority Leader of the Senate. She said that what remains to be conquered is the Senate presidency.

PRIVILEGE SPEECH OF SENATOR ANGARA

Availing himself of the privilege hour, Senator Angara spoke on the plight of the Philcare Senate janitors working in the Senate and who have been sleeping outside the Senate building.

Following is the full text of Senator Angara's speech:

This august Chamber continues to be where those with less in life gain more in the law, following the words of the late President Ramon Magsaysay.

The 2017 national budget has already been injected with enough funds so that incoming college freshmen will pay substantially less for their education than their counterparts in the private sector. We also passed in March the Free Higher Education Act.

The 2017 budget also includes free irrigation for farmers, even bigger allocations for universal healthcare, doctors to the barrios and continuing appropriations for CCT or conditional cash transfers, now made even more substantial with a monthly rice subsidy for participating families.



These build on what previous Congresses have accomplished. In the previous Congress, we increased the take-home pay of workers through a higher tax-exempt ceiling for the 13th month pay and other bonuses. We also made it easier for our OFWs to send home *balikbayan* boxes, among other reforms.

No doubt what we work on here has far-reaching consequences. And we have hundreds of thousands, even millions of Filipinos, the very people who benefit, may never even set foot on these hallowed halls.

But we seem to have forgotten some who are closest to us. *Natutulungan nga natin ang mga malalayo, pero iyong mga nasa sarili nating bakuran, literal pong naiiwan sa damuhan.*

I have learned that an estimated 40 individuals who work here have been sleeping on the grassy grounds outside the Senate for the past two months. One could find them at night on folding beds, pieces of *karton*, even in tents, all without a solid roof above their heads.

Most of them live in places as far as Antipolo, Rizal; Sta. Cruz, Laguna; San Jose Del Monte, Bulacan; and San Isidro, Nueva Ecija. They are the Senate janitors. Instead of taking the long, arduous and expensive trip home every day, they choose to sleep in the Senate on weekdays. What life would they be leading if they do not even see their families in their desire to save from whatever they can from the P10,000 or so they earn on the average every month?

Most, if not all, of these individuals work as janitors and maintenance personnel in our building. *Obligado po silang mag time-in ng 7:00 a.m. at mag time-out ng 6:00 p.m. Pero madalas, ang realidad ay alas-nuebe (9:00 p.m.) o alas-diyes na (10:00 p.m.) po ng gabi sila natatapos sa kanilang trabaho. Kapag umuwi sila, ilang oras lamang sila makakatulog bago nila kailangan gumising muli at mag-biyahe pabalik sa Senado para magtrabaho. Walang sinuman siguro ang kakayanin ito. Sila po iyong mga tinatawag na "stay-in" dito sa ating Senado.*

Una kong natunugan ang kanilang sitwasyon mula sa aking mismong janitor-in-charge sa aking opisina na si Wilfredo Maliban. Last year, sabi niya natutulog po sila sa mga conference room ng Senado. Nagulat po ako at tinanong ko kung saan sila natutulog. Sabi niya sa sahig lamang po, kaya binilhan namin siya ng isang sleeping bag at mga kumot para siya ay maging komportable. Doon ko nalaman na simula Marso, siya at marami pang iba ay natutulog na po sa damuhan sa labas ng

Senado malapit sa J. W. Diokno Boulevard. Incidentally, Jose W. Diokno is the champion of social justice in the Senate during his time.

Hindi na raw kasi puwede ang stay-in sa Senado. Dati hinahayaan sina Wawi na matulog sa mga opisina at conference room na alam nating nakapangalan sa mga tanyag at dakilang lider ng ating bansa: sina Tañada, Recto at Laurel. Ngunit pagkatapos ng ilang insidente ng pagnanakaw, hindi na raw sila pinayagan, o ang sinumang empleyado ay hindi pinayagan na mag-overnight sa loob ng Senado.

May katuwiran naman ang bagong patakaran dahil nais nating maprotektahan ang Senado dahil marami pong confidential documents dito at dapat limitado ang mga taong pinapayagang mamalagi rito.

Pero nagkakataon lamang po na mayroong naapektuhan o nadamay sa mga ganitong polisya.

Isipin na lamang po natin si Mr. George Bendicion, mga tulad po niya. Siya ay janitor sa Senate Administrative Management Bureau, 54 years old siya, Lolo George daw ang tawag sa kanya ng kanyang mga apo. Noong Agosto 1993 ang kanyang unang pasok dito sa Senado. Naabutan pa niya ang old Senate at ang aking ama, at ama ng ating Senate President na si Senator Nene Pimentel, at 24 years na siyang nagtatrabaho dito sa Senado. Ito raw ang unang pagkakataon na napilitan siyang matulog sa labas ng gusali. Sa San Jose del Monte, Bulacan nakatira si George, sa mabundok na parte nito. Halos apat na oras daw ang biyahe niya papuntang Senado. Kailangan daw niyang gumising ng 2:00 a.m. para makaalis ng 3:30 a.m. at makaabot sa 7:00 a.m. time-in dito sa Senado. Hindi raw niya kaya kung aaraw-arawin niya ito lalo na kung mga 8:00 p.m. pa siya natatapos sa trabaho.

Nabanggit ko na po si Wilfredo Maliban, aming janitor sa opisina. Forty-one years old siya at 16 years na siyang nagtatrabaho sa Senado. Para makauwi sa kanyang pamilya sa Mabalacat, Pampanga, kailangan niyang sumakay ng bus ng tatlong oras na biyahe mula sa Avenida, Manila.

Some say that these stay-ins save the day for the Senate, especially in times of crisis or calamities.

Noong 2006 or 2007, nagkaroon ng sunog sa 4th floor ng madaling araw. Mga stay-in ang unang rumesponde. Dahil sa kanila, agad-agad daw naagapan ang sunog. In fact, bilang

pasasalamat sa kanila sa kanilang agarang tulong, binigyan ang mga stay-in ng certificate mula sa Secretariat.

May ilang beses naman na mayroong naagapan na pagbaha dahil sa mga stay-in. Minsan daw kasi may mga gripong hindi inaasahang naiiwang bukas at ang mga stay-in ang nakakapagsara ng mga ito bago pa man lubhang umapaw ang mga tubig.

Nakapanlulumo na habang nakakapaghain sila ng magandang serbisyo, hinahayaan natin silang matulog sa daan. Nararapat lamang na pagkatapos ng isang araw na marangal na trabaho, matinong tulugan ang naghihintay sa kanila. Pero imbes na mahimbing at nakakumot ang kanilang paghiga, hamog at alikabok ang bumabalot sa mga stay-in sa gabi.

Kuwento po ni George na mula noong siya ay natutulog sa labas ng Senado hindi pa raw tumitigil ang kanyang pag-ubo. Nag-aalala nga si George na baka lalong lumala ang kanyang ubo kapag inabutan na siya ng tag-ulan.

Si Darwin Hilario naman ng PRIB, halos dalawang linggo raw namamaga ang kanyang mata. Posible raw na may insektong kumagat nang siya ay natutulog sa labas.

May isang gabi nga na biglang umulan, lahat silang natutulog sa damuhan ay lumipat at sumilong sa walkway na may green na bubong sa labas ng Senado. Kaso hindi pa rin nila naiwasang mabasa dahil may mga butas ang bubong sa walkway.

Habang pinagdedebatehan natin dito sa Senado ang mga malalaking isyu ng ating bansa, hindi man lamang natin natutulungan ang mga mismong nagtatrabaho sa ating mga opisina.

Some say the worse sin is that of omission. And at times, we get so concerned with big things we forget about the little things that are within our power.

Kung mandato po ng Senado ang makapaghain ng mga batas para sa ikabubuti ng Pilipino, hindi ba't nasa kakayahan din natin ang makarating sa isang solusyon sa problemang ito?

I am confident that with the right thinking, the right philosophy and some resources, we come to a solution to this problem. *Baka puwede tayong mag-construct ng sleeping quarters para sa kanila o mag-renta ng boarding house para sa kanila na malapit sa Senado.*

In fact, some of the stay-ins are not even asking much but only to be given permission to

sleep on the covered basketball court or inside the Public Assistance Center (PAC). Perhaps a fund could be created that could help subsidize rents or other housing costs. Ultimately, if space and finances permit, a separate barracks for them could one day be erected.

These are but a handful of possible solutions. And, hopefully, this list will broaden as more of the brilliant minds of the Senate will start thinking about this problem and the solutions.

The Senate should remain where those with less in life get more in the law. *Pero hindi lamang po sa batas nakatutulong ang Senado sa paghubog ng mas mapang-arugang Pilipinas.*

Some of us may have read or heard in the recent week about the story of Mr. Ramil M. Comendador. He is the 35-year old legal researcher at the Comelec who finished 194th in the recent Bar exams. He was a former janitor, and with his engineer wife taking care of their two kids, Ramil devoted most of his salary to pay for four years of law at the Universidad de Manila or the City College of Manila *para makatawid. Ni bagong damit ipinagkait niya sa kanyang sarili. Sa isang panayam, mensahe ni Ramil sa mga kapwa niyang Pilipino: "Kaya po nating putulin ang cycle ng kahirapan, magsumikap lamang po. Huwag isiping mahirap. Sige lamang po at kumapit sa Panginoon."*

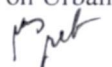
Kapansin-pansin si Ramil dahil nagsimula siya bilang isang janitor sa Comelec. High school lamang ang kanyang natapos. Nakapasok siya bilang isang researcher nang kumuha siya ng eligibility test. Si dating Comelec Commissioner Rene Sarmiento raw ang nag-mentor at nag-udyok sa kanya na pag-pursigihan ang pag-aabogasya.

Ramil's story is inspiring. It should make us think: What encouragement are we giving when we benignly leave our "stay-in" to fend for themselves on the streets? How do we, with national constituencies, inspire those who work right in our own backyard, in our own offices?

May suliranin pong kinakaharap ang Senado. At naniniwala ako sa Senado rin mahahanap ang mga solusyon nito. Tulungan po natin ang mga stay-in janitors. Let us do good by taking care of our Senate family.

MOTION TO REFER SPEECH TO COMMITTEE

Senator Sotto moved to refer the speech of Senator Angara primarily to the Committee on Urban



Planning, Housing and Resettlement and secondarily to the Committee on Accounts.

MANIFESTATION OF SENATOR GORDON

At the outset, Senator Gordon expressed his support to the motion. He said that there are indeed many people who live as far as San Miguel, Bulacan but who have to leave their families to work in Metro Manila. He narrated that he, in fact, personally saw children in a grade school in San Miguel, Bulacan who leave the classroom in the middle of the day to cook for their younger brothers and sisters because their parents have to work and stay in Manila because the commute is too expensive and they do not have enough to provide for the upkeep of the children.

He said that he was associating himself with Senator Angara regarding the matter of employees working far from home, as he called on everyone to open their eyes on the plight of many people in Manila who live on the streets which is one of the urban development failures in the country. He said that at a later time, he would stand up to talk about the mall owners who take advantage of development. He added that factories should be established outside of Metro Manila to decongest it and offer new opportunities for people in the rural areas.

MANIFESTATION OF SENATOR VILLAR

Senator Villar manifested that their family companies provide their construction workers with barracks in all their projects in Metro Manila and they encourage the families to settle in the provinces while the employee lives in the place of employment and goes home only during the weekends. She said that the system has worked for them and believed that it would also work for others.

MANIFESTATION OF SENATOR RECTO

Senator Recto said that he understood that the privilege speech referred to the plight of the 40 janitors working in the Senate who used to sleep in the Senate premises but are now forced to sleep outside the Senate building. He opined that the issue was perhaps not something for the Committee on Urban Planning, Housing and Resettlement to be concerned about. Senator Sotto explained that the speech was referred to the Committee on Urban Planning and to the Committee on Accounts to look into the issue in a wider perspective.

Senator Recto proposed that the matter of the privilege speech of Senator Angara be referred instead to the Secretariat and the Sergeant-at-Arms for them to determine within a week's time what to do with the 40 janitors.

Senator Angara thanked Senator Recto for his effort to immediately come up with a solution to the problem.

Senator Sotto said that the Committee on Accounts may be directed to look speedily into the matter in coordination with the Senate Secretary.

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Sotto, there being no objection, the privilege speech of Senator Angara and the related manifestations were referred to the Committee on Accounts as the primary committee, and to the Committee on Urban Planning, Housing and Resettlement as the secondary committee.

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. 1432, entitled

AN ACT SYNCHRONIZING THE
OPENING OF ALL CLASSES IN ALL
SCHOOLS IN THE PHILIPPINES

Introduced by Senator Escudero

To the Committee on Education, Arts and Culture

Senate Bill No. 1433, entitled

AN ACT INSTITUTING A NATIONAL
COMPREHENSIVE PROGRAM FOR
THE PREVENTION, EARLY DETEC-
TION, DIAGNOSIS, AND TREAT-
MENT OF PERSONS WITH AUTISM
SPECTRUM DISORDERS AND FOR
OTHER PURPOSES

Introduced by Senator Leila M. de Lima



To the Committees on Health and Demography; Women, Children, Family Relations and Gender Equality

Senate Bill No. 1434, entitled

AN ACT CREATING A SPECIAL TUITION SUBSIDY FUND FOR LOCAL UNIVERSITIES AND COLLEGES

Introduced by Senator Win Gatchalian

To the Committees on Education, Arts and Culture; Local Government; and Finance

Senate Bill No. 1435, entitled

AN ACT CREATING THE DEPARTMENT OF FOREIGN EMPLOYMENT, RATIONALIZING THE ORGANIZATION AND FUNCTIONS OF GOVERNMENT AGENCIES RELATED TO OVERSEAS EMPLOYMENT AND THE SAFETY AND WELFARE OF OVERSEAS FILIPINO WORKERS, AND FOR OTHER PURPOSES

Introduced by Senator Cayetano

To the Committees on Labor, Employment and Human Resources Development; Foreign Relations; and Finance

Senate Bill No. 1436, entitled

AN ACT ADJUSTING THE COMPULSORY RETIREMENT AGE FOR OFFICERS AND ENLISTED MEN OF THE ARMED FORCES OF THE PHILIPPINES, MEMBERS OF THE PHILIPPINE NATIONAL POLICE, BUREAU OF FIRE PROTECTION AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AND OFFICERS AND NON-OFFICERS OF THE PHILIPPINE COAST GUARD, TO SIXTY, AMENDING FOR THE PURPOSE SECTION 39 OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990"; SECTION 5 OF

PRESIDENTIAL DECREE NO. 1638 ENTITLED "ESTABLISHING A NEW SYSTEM OF RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES," AS AMENDED; AND SECTION 17 OF REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE PHILIPPINES COAST GUARD LAW OF 2009

Introduced by Senator Cayetano

To the Committees on National Defense and Security; and Public Order and Dangerous Drugs

Senate Bill No. 1437, entitled

AN ACT CREATING A DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES PROVIDING FOR ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Cayetano

To the Committees on Agriculture and Food; Civil Service, Government Reorganization and Professional Regulation; and Finance

RESOLUTIONS

Senate Joint Resolution No. 7, entitled

JOINT RESOLUTION AUTHORIZING THE NATIONAL HOUSING AUTHORITY TO AWARD THE UNOCCUPIED AND UNAWARDED AFP/PNP/BFP/BJMP/BUCOR HOUSING UNITS TO OTHER QUALIFIED BENEFICIARIES

Introduced by Senator Joseph Victor Ejercito

To the Committee on Urban Planning, Housing and Resettlement

Proposed Senate Resolution No. 356, entitled

RESOLUTION AMENDING SECTION 13

Net

(6) RULE X OF THE RULES OF THE SENATE IN VIEW OF THE EXPANSION OF THE JURISDICTION OF THE COMMITTEE ON ECONOMIC AFFAIRS

Introduced by Senator Win Gatchalian

To the Committee on Rules

Proposed Senate Resolution No. 357, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SECRET JAIL FOUND IN MANILA POLICE DISTRICT STATION 1, WITH THE END VIEW OF ENSURING THE FAITHFUL COMPLIANCE WITH THE DUTIES AND OBLIGATIONS OF THE OFFICERS AND MEMBERS OF THE PHILIPPINE NATIONAL POLICE, AS WELL AS THE IMPROVEMENT OF OUR LAWS AND LEGAL STANDARDS ON THE CUSTODY AND DETENTION OF PERSONS IN JAILS AND OTHER DETENTION FACILITIES

Introduced by Senator Leila M. de Lima

To the Committees on Public Order and Dangerous Drugs; and Justice and Human Rights

Proposed Senate Resolution No. 358, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE REPORTED RESIGNATION AND REVELATION OF PO1 VINCENT TACORDA THAT CATANDUANES SENIOR POLICE OFFICERS ALLEGEDLY ORDERED HIM TO KILL SUSPECTED PUSHER SAMUEL ROJAS AND TO COMMIT OTHER ILLEGAL ACTS IN CONNECTION WITH THE WAR ON DRUGS

Introduced by Senator Leila M. de Lima

To the Committee on Public Order and Dangerous Drugs

Proposed Senate Resolution No. 359, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE ALLEGED INVOLVEMENT OF CERTAIN CABINET MEMBERS OF THE DUTERTE ADMINISTRATION AND HIGH-RANKING MILITARY OFFICIALS IN THE OPERATIONS OF SMALL TOWN LOTTERIES, WITH THE END VIEW OF REVIEWING AND STRENGTHENING RELEVANT LAWS ON THE REORGANIZATION OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO), AND THE DISCIPLINE OF CIVIL SERVICE EMPLOYEES, PARTICULARLY THOSE INVOLVED IN THE SUPPRESSION OF ILLEGAL GAMBLING, AND THE MANAGEMENT AND OPERATIONS OF SMALL TOWN LOTTERY UNDER THE PCSO

Introduced by Senator Leila M. de Lima

To the Committees on Accountability of Public Officers and Investigations; and Civil Service, Government Reorganization and Professional Regulation

Proposed Senate Resolution No. 360, entitled

RESOLUTION EXPRESSING THE SUPPORT OF THE PHILIPPINE SENATE FOR THE RESUMPTION OF THE PEACE TALKS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) AND THE NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES (NDFP) FOR THE ATTAINMENT OF JUST AND LASTING PEACE IN THE COUNTRY

Introduced by Senators Legarda, Sonny



Angara, Maria Lourdes Nancy S. Binay,
Honasan II, Risa Hontiveros, Pangilinan,
Grace Poe, Recto and Cynthia A. Villar

To the Committee on Rules

Proposed Senate Resolution No. 361, entitled

RESOLUTION CREATING A SELECT
OVERSIGHT COMMITTEE ON
INTELLIGENCE AND CONFIDENTIAL
FUNDS

Introduced by Senator Honasan II

To the Committee on Rules

ADDITIONAL REFERENCE OF BUSINESS

**MESSAGES FROM THE HOUSE
OF REPRESENTATIVES**

Letter from the House of Representatives, informing the Senate that on 2 May 2017, the House of Representatives passed the following House bills, in which it requested the concurrence of the Senate:

House Bill No. 5241, entitled

AN ACT DECLARING DECEMBER 8
OF EVERY YEAR A SPECIAL
NONWORKING HOLIDAY IN THE
ENTIRE COUNTRY TO COMME-
MORATE THE FEAST OF THE
IMMACULATE CONCEPTION OF
MARY, THE PRINCIPAL PATRON-
ESS OF THE PHILIPPINES

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

House Bill No. 5152, entitled

AN ACT REQUIRING HIGHER
EDUCATION INSTITUTIONS TO
REPORT PARTICIPATION AND
PROGRAM SUPPORT EXPENDI-
TURES IN ALL COLLEGE
ATHLETIC PROGRAMS

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

House Bill No. 5159, entitled

AN ACT STRENGTHENING THE PRO-
VISION OF EMERGENCY HEALTH
CARE SERVICE TO PATIENTS,
FURTHER AMENDING FOR THE
PURPOSE BATAS PAMBANSA
BILANG 702, AS AMENDED,
ENTITLED AN ACT PROHIBITING
THE DEMAND OF DEPOSITS OR
ADVANCE PAYMENTS FOR THE
CONFINEMENT OR TREATMENT
OF PATIENTS IN HOSPITALS AND
MEDICAL CLINICS IN CERTAIN
CASES

**To the Committees on Health and Demo-
graphy; and Justice and Human Rights**

House Bill No. 735, entitled

AN ACT INCLUDING TWO (2)
NATIONAL ARTISTS AS MEMBERS
OF THE NATIONAL COMMISSION
FOR CULTURE AND THE ARTS,
AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7356, OTHER-
WISE KNOWN AS THE LAW
CREATING THE NATIONAL
COMMISSION FOR CULTURE AND
THE ARTS

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

House Bill No. 5000, entitled

AN ACT PROVIDING FOR THE
REGULATION AND SUPERVISION
OF PAYMENT SYSTEMS

**To the Committee on Banks, Financial
Institutions and Currencies**

House Bill No. 5211, entitled

AN ACT RENEWING FOR ANOTHER
TWENTY-FIVE (25) YEARS THE
FRANCHISE GRANTED TO GATEWAY
U.H.F. TELEVISION BROADCAST-
ING, INC., PRESENTLY KNOWN AS
GATEWAY TELEVISION BROAD-
CASTING, INC., AND DOING

BUSINESS UNDER THE NAME AND STYLE OF HOPE CHANNEL PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7223, ENTITLED AN ACT GRANTING GATEWAY U.H.F. TELEVISION BROADCASTING, INC., A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FOR COMMERCIAL PURPOSES UHF TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES, AND FOR OTHER PURPOSES

To the Committee on Public Services

House Bill No. 5212, entitled

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO FILIPINAS BROADCASTING ASSOCIATION, INC., PRESENTLY KNOWN AS WORD BROADCASTING CORPORATION, UNDER REPUBLIC ACT NO. 7485, ENTITLED AN ACT GRANTING FILIPINAS BROADCASTING ASSOCIATION, INC. A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN FOR COMMERCIAL PURPOSES RADIO BROADCASTING AND TELEVISION STATIONS IN THE VISAYAS AND MINDANAO AND FOR OTHER PURPOSES

To the Committee on Public Services

House Bill No. 5224, entitled

AN ACT STRENGTHENING THE RULES ON THE PROPER USE AND DISPLAY OF OUR NATIONAL SYMBOLS AND THE RENDITION OF THE NATIONAL ANTHEM, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8491, OTHERWISE KNOWN AS THE FLAG AND HERALDIC CODE OF THE PHILIPPINES

To the Committee on Education, Arts and Culture

House Bill No. 5225, entitled

AN ACT MANDATING THE PROVISION OF FREE WI-FI INTERNET ACCESS IN PUBLIC AREAS

To the Committee on Rules

House Bill No. 5269, entitled

AN ACT INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY PUPILS AND APPROPRIATING FUNDS THEREFOR

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

House Bill No. 1341, entitled

AN ACT RENAMING THE HILLTOP RIZAL PHILIPPINE NATIONAL POLICE (PNP) COMMAND IN THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL AS CAMP GENERAL LICERIO GERONIMO

To the Committee on Public Order and Dangerous Drugs

House Bill No. 5001, entitled

AN ACT RENAMING GOVERNOR'S DRIVE, TRAVERSING SORO-SORO BRIDGE IN THE CITY OF BIÑAN, PROVINCE OF LAGUNA AND THE MUNICIPALITY OF TERNATE, PROVINCE OF CAVITE, AS JUANITO R. REMULLA, SR. ROAD;

House Bill No. 5002, entitled

AN ACT RENAMING THE MOLINO-SALAWAG-PALIPARAN ROAD, TRAVERSING BARANGAY TALABA 4 IN THE CITY OF BACOR, AND BARANGAY PALIPARAN 1 IN THE CITY OF DASMARIÑAS, ALL IN THE PROVINCE OF CAVITE, AS BACOR-DASMARIÑAS NATIONAL ROAD;

House Bill No. 5003, entitled

AN ACT RENAMING THE ROAD TRAVERSING BARANGAY DOLORES IN THE MUNICIPALITY OF TAYTAY AND BARANGAY BAGUMBONG IN THE MUNICIPALITY OF JALA-JALA, ALL IN THE PROVINCE OF RIZAL, AS JOSE RIZAL HIGHWAY; and

House Bill No. 5123, entitled

AN ACT RENAMING THE MOLINO BOULEVARD TRAVERSING BARANGAY TALABA 4 AND BARANGAY SAN NICOLAS 3 IN THE CITY OF BACOR, PROVINCE OF CAVITE AS BACOR BOULEVARD.

To the Committee on Public Works

House Bill No. 5051, entitled

AN ACT ESTABLISHING A NATIONAL SCIENCE AND MATHEMATICS HIGH SCHOOL IN BARANGAY HULONG-DAGAT, CITY OF MALABON TO BE KNOWN AS MALABON CITY NATIONAL SCIENCE AND MATHEMATICS HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5052, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BANAHAO, CITY OF BAYBAY, PROVINCE OF LEYTE TO BE KNOWN AS BANAHAO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR; and

House Bill No. 5183, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY HAMPANGAN, MUNICIPALITY OF HILONGOS, PROVINCE OF LEYTE TO BE KNOWN AS HAMPANGAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR.

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

House Bill No. 5069, entitled

AN ACT ESTABLISHING THE SECOND DISTRICT ENGINEERING OFFICE IN THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5070, entitled

AN ACT ESTABLISHING THE FIRST DISTRICT ENGINEERING OFFICE IN THE MUNICIPALITY OF LABO, PROVINCE OF CAMARINES NORTE AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5071, entitled

AN ACT ESTABLISHING THE THIRD DISTRICT ENGINEERING OFFICE IN THE MUNICIPALITY OF MATALAM, PROVINCE OF NORTH COTABATO AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5079, entitled

AN ACT CREATING A NEW DISTRICT ENGINEERING OFFICE IN THE FOURTH LEGISLATIVE DISTRICT OF THE PROVINCE OF BUKIDNON AND APPROPRIATING FUNDS THEREFOR; and

House Bill No. 5078, entitled

AN ACT RECONSTITUTING THE LANA DEL NORTE DISTRICT ENGINEERING OFFICE IN THE PROVINCE OF LANA DEL NORTE INTO TWO (2) REGULAR DISTRICT ENGINEERING OFFICES AND APPROPRIATING FUNDS THEREFOR.

To the Committees on Public Works; and Finance

House Bill No. 3179, entitled

AN ACT EXTENDING THE DEADLINE FOR COMPLIANCE OF MINDORO

STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY WITH THE REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION FOR CONVERSION INTO A STATE UNIVERSITY, THEREBY AMENDING REPUBLIC ACT NO. 10596, ENTITLED AN ACT CONVERTING THE MINDORO STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY IN THE MUNICIPALITY OF VICTORIA, PROVINCE OF ORIENTAL MINDORO INTO A STATE UNIVERSITY TO BE KNOWN AS THE MINDORO STATE UNIVERSITY (MINSU) AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5146, entitled

AN ACT PROVIDING FOR THE COMPLIANCE REQUIREMENTS FOR THE ESTABLISHMENT OF THE COMPOSTELA VALLEY STATE COLLEGE, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 10598, ENTITLED: AN ACT ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY TO BE KNOWN AS COMPOSTELA VALLEY STATE COLLEGE, INTEGRATING THEREWITH AS REGULAR BRANCHES THE BUKIDNON STATE UNIVERSITY EXTERNAL STUDIES CENTERS IN THE MUNICIPALITIES OF MONKAYO, MARAGUSAN, MONTEVISTA, AND NEW BATAAN, ALL LOCATED IN THE PROVINCE OF COMPOSTELA VALLEY AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5147, entitled

AN ACT CONVERTING THE TALISAY CITY COLLEGE IN THE CITY OF TALISAY, PROVINCE OF CEBU INTO THE TALISAY CITY STATE COLLEGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10594, ENTITLED: AN ACT ESTABLISHING A STATE COLLEGE IN THE CITY

OF TALISAY, PROVINCE OF CEBU TO BE KNOWN AS THE TALISAY CITY STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5148, entitled

AN ACT RENAMING THE ILOILO STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY AS THE ILOILO STATE UNIVERSITY OF FISHERIES SCIENCE AND TECHNOLOGY AND EXTENDING THE DEADLINE FOR COMPLIANCE OF THE ILOILO STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY INTO A STATE UNIVERSITY WITH THE REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION, THEREBY AMENDING REPUBLIC ACT NO. 10604, ENTITLED AN ACT CONVERTING THE ILOILO STATE COLLEGE OF FISHERIES IN THE MUNICIPALITY OR BAROTAC NUEVO, PROVINCE OF ILOILO INTO A STATE UNIVERSITY TO BE KNOWN AS THE ILOILO STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY, WITH CAMPUSES IN THE MUNICIPALITIES OF SAN ENRIQUE, DINGLE AND DUMANGAS, AND INTEGRATING THEREWITH THE BAROTAC NUEVO POLYTECHNIC INSTITUTE IN THE MUNICIPALITY OF BAROTAC NUEVO, ALL LOCATED IN THE PROVINCE OF ILOILO AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5149, entitled

AN ACT EXTENDING THE DEADLINE FOR COMPLIANCE OF THE COTABATO CITY STATE POLYTECHNIC COLLEGE WITH THE REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION (CHED) FOR CONVERSION INTO A STATE UNIVERSITY, THEREBY AMENDING REPUBLIC ACT NO. 10585, ENTITLED: AN ACT CONVERTING THE COTABATO CITY STATE POLYTECHNIC

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COLLEGE IN COTABATO CITY INTO A STATE UNIVERSITY TO BE KNOWN AS THE COTABATO STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5150, entitled

AN ACT EFFECTING THE TRANSITION INTO A STATE UNIVERSITY OF SURIGAO STATE COLLEGE OF TECHNOLOGY, SIARGAO NATIONAL COLLEGE OF SCIENCE AND TECHNOLOGY, AND SURIGAO DEL NORTE COLLEGE OF AGRICULTURE AND TECHNOLOGY, ALL LOCATED IN THE PROVINCE OF SURIGAO DEL NORTE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10600, ENTITLED: AN ACT ESTABLISHING THE SURIGAO DEL NORTE STATE UNIVERSITY IN THE PROVINCE OF SURIGAO DEL NORTE BY INTEGRATING THE SURIGAO STATE COLLEGE OF TECHNOLOGY IN SURIGAO CITY, THE SIARGAO NATIONAL COLLEGE OF SCIENCE AND TECHNOLOGY IN THE MUNICIPALITY OF DEL CARMEN AND THE SURIGAO DEL NORTE COLLEGE OF AGRICULTURE AND TECHNOLOGY IN THE MUNICIPALITY OF MAINIT, ALL LOCATED IN THE PROVINCE OF SURIGAO DEL NORTE, AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 2737, entitled

AN ACT EXTENDING THE DEADLINE FOR COMPLIANCE OF THE NORTHERN ILOILO STATE UNIVERSITY WITH THE REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION FOR CONVERSION INTO A STATE UNIVERSITY, AMENDING REPUBLIC ACT NO. 10597, ENTITLED AN ACT ESTABLISHING THE NORTHERN ILOILO STATE UNIVERSITY IN THE PROVINCE OF ILOILO BY INTEGRATING THE NORTHERN ILOILO POLYTECHNIC STATE COLLEGE (NIPSC) IN THE MUNICI-

PALITY OF ESTANCIA, THE NIPSC – BAROTAC VIEJO CAMPUS IN THE MUNICIPALITY OF BAROTAC VIEJO, THE AJUY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF AJUY, THE BATAD POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF BATAD, THE CONCEPCION POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF CONCEPCION, THE LEMERY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LEMERY AND THE VICTORINO SALCEDO POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF SARA, ALL LOCATED IN THE PROVINCE OF ILOILO AND APPROPRIATING FUNDS THEREFOR; and

House Bill No. 5151, entitled

AN ACT EXTENDING THE DEADLINE FOR COMPLIANCE OF THE MOUNTAIN PROVINCE STATE POLYTECHNIC COLLEGE WITH THE REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION FOR ITS CONVERSION INTO A STATE UNIVERSITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10583, ENTITLED: AN ACT CONVERTING THE MOUNTAIN PROVINCE STATE POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF BONTOC, MOUNTAIN PROVINCE INTO A STATE UNIVERSITY TO BE KNOWN AS THE MOUNTAIN PROVINCE STATE UNIVERSITY, WITH CAMPUSES IN THE MUNICIPALITIES OF TADIAN, BAUKO, PARACELIS AND BARLIG, ALL LOCATED IN MOUNTAIN PROVINCE AND APPROPRIATING FUNDS THEREFOR.

To the Committee on Education, Arts and Culture

House Bill No. 1926, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY

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POBLACION 2 IN THE MUNICIPALITY OF VILLANUEVA, PROVINCE OF MISAMIS ORIENTAL;

House Bill No. 5160, entitled

AN ACT CONVERTING THE MUNICIPALITY OF STO. TOMAS IN THE PROVINCE OF BATANGAS INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF STO. TOMAS; and

House Bill No. 5162, entitled

AN ACT SEPARATING THE CITY OF GENERAL SANTOS FROM THE FIRST LEGISLATIVE DISTRICT OF THE PROVINCE OF SOUTH COTABATO TO CONSTITUTE THE LONE LEGISLATIVE DISTRICT OF THE CITY OF GENERAL SANTOS.

To the Committees on Local Government; and Electoral Reforms and People’s Participation

House Bill No. 5161, entitled

AN ACT ESTABLISHING THE CITY PROSECUTION SERVICE IN THE CITY OF NAVOTAS, AMENDING FOR THE PURPOSE SECTION 55 OF REPUBLIC ACT NO. 9387, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF NAVOTAS

To the Committees on Local Government; and Justice and Human Rights

House Bill No. 622, entitled

AN ACT DECLARING MARCH 24 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF LIGAO, PROVINCE OF ALBAY, IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY;

House Bill No. 705, entitled

AN ACT DECLARING DECEMBER 8

OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF AGOO, PROVINCE OF LA UNION, TO BE KNOWN AS AGOO DAY;

House Bill No. 2615, entitled

AN ACT DECLARING SEPTEMBER 11 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF ILOCOS NORTE IN COMMEMORATION OF THE BIRTH ANNIVERSARY OF FORMER PRESIDENT FERDINAND EDRALIN MARCOS, TO BE KNOWN AS PRESIDENT FERDINAND EDRALIN MARCOS DAY;

House Bill No. 5060, entitled

AN ACT DECLARING MARCH 31 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE WHOLE PROVINCE OF SOUTHERN LEYTE, IN COMMEMORATION OF THE FIRST MASS HELD IN LIMASAWA ISLAND, PROVINCE OF SOUTHERN LEYTE, TO BE KNOWN AS THE FIRST MASS DAY;

House Bill No. 5172, entitled

AN ACT DECLARING JUNE 19 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE WHOLE PROVINCE OF LAGUNA IN HONOR OF THE BIRTH ANNIVERSARY OF OUR NATIONAL HERO, DR. JOSE P. RIZAL, TO BE KNOWN AS ARAW NG KAPANGANAKAN NI DR. JOSE P. RIZAL;

House Bill No. 5173, entitled

AN ACT DECLARING SEPTEMBER 17 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF LOS BAÑOS, PROVINCE OF LAGUNA, IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY AND THE ANNUAL BAÑAMOS FESTIVAL;

House Bill No. 5202, entitled

AN ACT DECLARING MAY 15 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF SURIGAO DEL NORTE, TO BE KNOWN AS "ADLAW NAN PROBINSYA NAN SURIGAO DEL NORTE," THEREBY AMENDING REPUBLIC ACT NO. 7553, ENTITLED AN ACT DECLARING JUNE NINETEEN OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF SURIGAO DEL NORTE, TO BE KNOWN AS ADLAW NAN SURIGAO DEL NORTE;

House Bill No. 5203, entitled

AN ACT MOVING THE DATE OF "CATARMAN DAY" TO AUGUST 30 OF EVERY YEAR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9203, ENTITLED AN ACT DECLARING THE FIFTEENTH (15TH) DAY OF AUGUST OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF CATARMAN, PROVINCE OF CAMIGUIN, TO BE KNOWN AS CATARMAN DAY; and

House Bill No. 5214, entitled

AN ACT DECLARING JANUARY 6 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF TOLEDO, PROVINCE OF CEBU, IN COMMEMORATION OF ITS CHARTER DAY ANNIVERSARY.

To the Committee on Local Government

**SECOND ADDITIONAL
REFERENCE OF BUSINESS**

RESOLUTION

Proposed Senate Resolution No. 362, entitled

RESOLUTION COMMENDING AND CONGRATULATING KAREN MAE CALAM FOR BEING THE TOPNOTCHER IN THE 2016 PHILIPPINE BAR EXAMINATION

Introduced by Senator Zubiri

To the Committee on Rules

**COMMITTEE REPORT NO.22
ON SENATE BILL NO. 1280**

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1280 (Committee Report No. 22), entitled

AN ACT AMENDING BATAS PAMBANSA BLG. 68 OR THE CORPORATION CODE OF THE PHILIPPINES.

Senator Sotto stated that the parliamentary status of the measure was the period of individual amendments, as he placed on record that the Sponsor already introduced his individual amendments which took the form of an amendment by substitution. He said that the new version, copies of which have been distributed to the Members, would be the new working draft for purposes of further individual amendments.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 4:25 p.m.

RESUMPTION OF SESSION

At 5:14 p.m., the session was resumed.

Thereupon, the Chair recognized Senator Drilon, sponsor of the measure, and Senator Recto for his amendments.

Senator Drilon stated for the record that the May 2, 2017 version of the bill which already reflected the approved amendment by substitution would be used as basis for further individual amendments.

**PROPOSED AMENDMENT
OF SENATOR RECTO**

Preliminarily, Senator Recto thanked Senator Drilon for accepting his other proposed amendments which were already incorporated in the amendment by substitution.



On page 121, lines 1 to 4 of Section 177, Senator Recto proposed to delete the paragraph, to wit:

“THE COMMISSION SHALL DETERMINE THE NATIONALITY OF A CORPORATION [BASED ON THE OUTSTANDING CAPITAL STOCK ENTITLED TO VOTE,] IN ACCORDANCE WITH THE CONSTITUTION, JURISPRUDENCE, AND APPLICABLE LAWS,”

and to replace it with the following provision:

“THE NATIONALITY OF A CORPORATION SHALL BE DETERMINED BASED ON THE OUTSTANDING CAPITAL STOCK, TAKING INTO ACCOUNT THE VOTING RIGHTS AND FULL BENEFICIAL OWNERSHIP OF EACH CLASS OF SHARES OF STOCK; PROVIDED, THAT FOR THE PURPOSE OF DETERMINING THE CONSTITUTIONAL REQUIREMENT OF FILIPINO OWNERSHIP IN CERTAIN NATIONALIZED AND PARTIALLY NATIONALIZED INDUSTRIES, THE TERM “CAPITAL” SHALL REFER TO THE OUTSTANDING CAPITAL STOCK, WHETHER COMMON SHARES, PREFERRED VOTING SHARES, PREFERRED NON-VOTING SHARES OR ANY OTHER CLASS OF SHARES.”

He explained that the rationale for the proposed amendment is to develop a national economy effectively controlled by Filipinos and to ensure that the constitutional provision on Filipino equity participation in certain corporations would be faithfully implemented.

Senator Drilon expressed regret that he could not accept the proposed amendment, saying that

the nationality requirement under Section 177 was based on the Constitution as interpreted by the Supreme Court, an interpretation that might change depending on how the Supreme Court interprets the Constitution.

Senator Recto said that the measure gives Congress the opportunity to define what “capital” is, inasmuch as nothing could prevent it from legislating, and notwithstanding the fact that Supreme Court decisions change over time. He said that the Supreme Court decision which referred “capital” to majority of outstanding shares created a predicament because there are many types of shares with different par values. Thereupon, he requested the Body to allow him to make a short presentation as basis for his proposed amendment.

Senator Drilon agreed that there was nothing that could prevent Congress from legislating, except that in the particular case, it concerns a provision of the Constitution as interpreted by the Supreme Court. He said that if it were an ordinary policy issue, Congress can legislate in order to amend a Supreme Court decision on a particular aspect as part of the system of checks and balance. In the particular case, he said that Congress cannot veer from the interpretation of the Supreme Court, being the sole interpreter of the Constitution.

Asked if Congress passed any law regarding the determination of “capital” that was interpreted by the Supreme Court, Senator Drilon replied that there was none because the Constitution is the governing statute. Senator Recto replied that precisely, Congress always refers to the Constitution when enacting laws.

At this juncture, Senator Recto showed on screen a slide illustrating a diagram of outstanding capital stocks on common and preferred shares:

XYZ CORPORATION					
	Par Value	No. of Shares	Total Outstanding Capital Stock	Ownership Structure	
				Filipino	Foreign
Common Shares	P10.00	1,000	P10,000.00	100%	
Preferred Non-Voting Shares	P100.00	1,000	P100,000.00	20%	80%
TOTAL		2,000	P110,000.00		

Ownership Structure	Based on total number of shares		TOTAL	% of Ownership	Based on outstanding Capital Stock		TOTAL	% of Ownership
	Common	Preferred			Common	Preferred		
Filipino	1,000	200.00	1,200.00	60%	10,000.00	20,000.00	30,000.00	27%
Foreign		800.00	800.00	40%		80,000.00	80,000.00	73%
TOTAL			2,000.00		10,000.00	100,000.00	110,000.00	

To demonstrate, Senator Recto said that if there are 2,000 shares in a corporation—1,000 common shares with a par value of P10 and 1,000 preferred non-voting shares with a par value of P100 — the total outstanding capital stock would be P110,000; if 100% of common shares were owned by Filipinos, the value would be P10,000; and if 80% of the preferred voting shares are owned by Filipinos, the value would be P100,000, while foreign shares would be 20%.

In terms of ownership structure, Senator Recto stated that with 1,000 common shares for Filipinos, the preferred share is 200, which is 1,200 shares of 2,000 shares or 60% Filipino-owned. However, as regards beneficial ownership based on capital stock, he said that the implication would be that the foreigners would own 73%, while Filipinos would only own 27% dividends. He believed that such was not the intention of Sections 2, 10 and 11 of Article XII of the Constitution.

Considering also the other provisions in the Constitution that similarly talked about capital and ownership, Senator Recto said that his amendment to Section 177 (Nationality and stock ownerships in corporations) was significant because it was the first time that capital shares were being defined.

Acknowledging the duty of the Supreme Court to interpret laws, Senator Recto pointed out that the Supreme Court has never interpreted a law that Congress passed because there was no law to speak of and he believed that Congress is duty-bound to legislate pursuant to the system of checks and balance in government. He said that he would rather that Congress be ruled out of bounds in its desire to further what the framers of the Constitution would have done when they framed the provisions not only in terms of dividends but also in the dissolution of corporations wherein 73% goes to foreigners and only 27% is left to Filipinos, thereby causing a lot of implications.

With respect to his understanding of the Supreme Court ruling, Senator Recto said that it does not cover any other corporation except one and that his proposed amendment seeks to define the term for all.

In reply, Senator Drilon said that the arguments have already been articulated during the period of interpellations. He said that while he fully understands Senator Recto, the duty of Congress to legislate must be in accordance with the Constitution as interpreted by the Supreme Court.

Asked by Senate President Pimentel to state the ruling of the Supreme Court as regards the extent of foreign and Filipino ownership in a corporation, Senator Drilon stated that acting on the motion for reconsideration on its November 22, 2016 decision on the case of *Jose M. Roy III vs. Chairperson Teresita Herbosa, et al.* the Supreme Court, on December 21, 2016, by a vote of eight to five, upheld the foreign ownership rule under SEC Memorandum Circular No. 8, s. 2013 that the nationality test must only be applied to the total number of outstanding shares entitled to vote.

On the issue of whether or not the nationality test of 60% Filipino ownership requirement shall be applied to its class of share, Senator Drilon stated that the said circular provides that the nationality test must only be applied to the total number of outstanding shares of stock entitled to vote in the election of directors and in the total number of outstanding shares of stock, whether or not entitled to vote in the election of directors. He added that in the said case, petitioner Roy, Justice Carpio and Justice Leonen were of the opinion that the nationality test should be applied separately to each* class of share. He noted that the drift of the proposal of Senator Recto is to incorporate the minority opinion in the proposed law.

Asked by Senate President if the corporation cited as an example under the proposed amendment is Filipino-owned if the Supreme Court ruling were applied, Senator Drilon replied in the affirmative. But Senator Recto argued that under his proposal, the corporation is not Filipino-owned because it is 73% foreign-owned, the dividend declaration is 73% foreign, and if the corporation is dissolved 73% would go to the foreign owners.

Responding to Senate President Pimentel's statement that the Sponsor was not accepting the proposed amendment, Senator Recto called for a division of the House.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 5:35 p.m.

RESUMPTION OF SESSION

At 5:50 p.m., the session was resumed.

*As corrected by Senator Drilon on May 9, 2017

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1280

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

COMMITTEE REPORT NO. 17 ON SENATE BILL NO. 1271

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1271 (Committee Report No. 17), entitled

AN ACT PROHIBITING DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION (SOGIE) AND PROVIDING PENALTIES THEREFOR.

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

Thereupon, the Chair recognized Senator Hontiveros, sponsor of the measure, and Senator Villanueva for his interpellation.

INTERPELLATION OF SENATOR VILLANUEVA

Due to miscommunication and misinformation disseminated in social media, Senator Villanueva lamented having received an unbelievable number of bashings following his last interpellation on the proposed Anti-Discrimination Act. He clarified that he was fully supportive of any measure that will promote anti-discrimination and that he, in fact, coauthored the measure.

Denying that he had never experienced discrimination, Senator Villanueva said that he had, in fact, encountered situations of being discriminated against, such as, for instance, being the son of a religious leader studying at the University of Santo Tomas and being a short guy in the world of basketball sports. He also clarified that he did not raise the issue of the United States incident involving a cake owner who had been accused of discriminating against a gay couple but that he merely reacted to it. He recalled that even Senate President

Pimentel had suggested not to discuss the U.S. incident because the Philippines does not have any laws on same sex marriage.

He also belied reports that he would no longer interpellate on the measure, saying that he was not affected nor intimidated by such tactics.

Senator Villanueva recalled that during his previous interpellation, he was able to clarify from the Sponsor that the bill seeks to achieve the following:

- Fulfill the state’s constitutional mandate of giving value to the dignity of every person and each individual’s human rights;
- Fulfill the country’s obligations under its international commitments on human rights;
- Introduce the concept of Sexual Orientation and Gender Identity and Expression (SOGIE) through national legislation; and
- Ensure that any Filipino, regardless of sex, race, religion and ethnicity, shall be subject to equal treatment by the government and society.

Likewise, Senator Villanueva stated that he also was able to elicit from Senator Hontiveros some clarifications that:

- she seeks no minor or secondary objective in pushing for the legislation;
- that the definition of sex pertains to the biological, dichotomized classification of male and female;
- that the bill would not prejudice existing legislations concerning women, such as the laws on anti-sexual harassment, violence against women and children and Magna Carta of Women, among others;
- that the definition of SOGIE is an expanded classification that goes beyond the biological dichotomy, that everyone, including heterosexual males and females, has a SOGIE, and is therefore covered by the measure; and
- that the bill is not only for the LGBT community but for all individuals, and that the protection on the basis of SOGIE does not give new or special right to any person, nor does it give way to same-sex marriage.

Senator Villanueva stated that he and the Sponsor share the same vision for the bill to accord equal

protection for the Filipinos; however, there are issues yet to be settled. He recalled his query regarding the inclusion of a provision that secures one's right to religious freedom, to which Senator Hontiveros replied that human rights protection on the basis of SOGIE does not negate the exercise of religious freedom. He recalled that in a specific example, he asked if a cake owner's refusal to include two male figurines or decoration on top of a wedding cake on the basis of the owner's beliefs dictating against same-sex marriage would be considered a discriminatory act, to which Senator Hontiveros replied in the affirmative.

On their discussion as to the inclusion of the measure under a comprehensive anti-discriminatory bill, he recalled Senator Hontiveros' explanation that different groups need different frameworks of protection, and that a comprehensive bill would not be enough for the protection of LGBTs.

Senator Hontiveros confirmed Senator Villanueva's repeated affirmation of support for the spirit of the bill, his desire to help refine the measure, as well as his consistent availability to pursue interpellation when the bill is scheduled.

Senator Villanueva stated that his understanding of Section 5(g) of the bill, which prohibits denying an application or revocation of any government documents or licenses necessary to exercise a profession, business, or any other legitimate calling, is that it does not intend to alter existing marriage laws. He then asked if the Sponsor would be amenable to an amendment to explicitly state that marriage license shall not be included. Senator Hontiveros replied that such an amendment would be superfluous since Section 5(g) pertains to the exercise of profession, business or other legitimate calling, and marriage does not fall in any of those categories. She also reiterated that it is not the intent of the bill to provide for same-sex marriage.

Asked if a marriage license is considered a government license, Senator Hontiveros answered in the affirmative.

To Senator Villanueva's observation that there would be no harm in explicitly stating in the bill its exclusion from the prohibitions, Senator Hontiveros explained that the bill should only have one topic and be economical in language and meaning in order that it remains focused on the subject. She reiterated that it would be superfluous to put a reference to marriages

since it is not in the letter, nor in the spirit, of the bill to provide for same-sex marriage.

Senator Villanueva agreed, but he expressed the importance of specifying that the measure does not, in any way, espouse same-sex marriage. Senator Hontiveros expressed her willingness to consider a proposed amendment, at the proper time, on specifying marriage license in the provision.

Senator Villanueva pointed out that in present laws, society recognizes only the male and female genders in their consequent gender roles and functions. He said that laws have been passed and continue to exist to protect the current appreciation and prevailing understanding of gender and sexuality. In the passage of the SOGIE bill into law, he asked if it would entail changing, modifying or altering the existing laws within the non-SOGIE understanding of gender and equality. Senator Hontiveros answered in the affirmative, stating that laws should be progressive, cognizant of the complexities of human experience, not blind to the rights of minorities, and should protect the human rights of all. She also agreed that the country's existing laws are generally still located within the current non-SOGIE understanding of gender and sexuality, still limited to sex, and not understanding and making legal and, therefore, providing a societal room for a fuller understanding of sex and gender. She added that other laws could also benefit from a review and possible improvement by amendment.

Senator Villanueva recalled that in the previous interpellation, Senator Hontiveros mentioned that the country already has several anti-discrimination ordinances in place. Asked on the data, specifically those that exclusively pertain to SOGIE-based discrimination, Senator Hontiveros enumerated the following local government units with such ordinances: 13 cities — Angeles, Antipolo, Bacolod, Batangas, Butuan, Candon, Dagupan, Mandaue, Quezon, Puerto Princesa, Vigan, and Cebu and Davao; the Municipality of San Julian in Eastern Samar; Barangays Bagbag, Greater Lagro and Pansol in Quezon City; and the provinces of Agusan del Norte, Batangas, Cavite and Dinagat Islands. She further clarified that all are SOGIE-specific, anti-discrimination ordinances. She noted that the first ordinance was passed in Quezon City in 2003 which was primarily focused on anti-discrimination in employment, and was further expanded in 2014 to include anti-SOGIE-based discrimination in terms of housing and education, while Cebu City was the first to pass a comprehensive anti-discrimination ordinance in 2012.

Senator Villanueva pointed out that according to the data in his possession, seven out of 29 anti-discrimination ordinances pertain exclusively to SOGIE, while the remaining 14 ordinances comprehensively cover other forms of discrimination which include religion, age, ethnicity and disability. At this point, he reiterated his proposal for a comprehensive anti-discrimination measure.

Senator Hontiveros agreed that some of the ordinances are comprehensive in nature since they included prohibitions in addition to SOGIE. Regarding the proposal of Senator Villanueva, she said that the passage of a SOGIE-specific anti-discrimination bill is not to the exclusion of a comprehensive one. She explained that different sectors experience discrimination under particular circumstances, necessitating specific protective mechanisms. She further said that persons with disabilities, women, and senior citizens experience different kinds of discrimination and, thus, need specific protective laws. In the same way, she said that there are discriminations specific to SOGIE, like conversion therapy which is exclusively used against LGBTIQ children which is a form of abuse.

Asked by Senator Villanueva if there had been cases of discrimination filed in the LGUs pursuant to their respective ordinances, Senator Hontiveros recalled that in earlier interpellations, she mentioned that there have been several cases of discrimination such as that of Jennifer Laude in Olongapo City, LGBT hate crimes that were documented in the 2014 Philippine Country Report on "Being LGBT in Asia" sponsored by the UNDP and USAID, denial of entry in establishments against Inday Garutay and BB Gandanghari, SOGIE-based employment discrimination against transwomen as documented in *Alegre Psychological Perspectives and Development of the Transexual Women*; and other cases, likewise mentioned in "Being LGBT in Asia Report," which alleged that some call centers hire LGBT people because they are unable to legally marry and they forfeit legal benefits enjoyed by married people such as maternity leaves, while lesbians who are masculine in appearance are hired to do male jobs even if they are given the same lower wages as heterosexual females which, to her, constitutes double discrimination. She added that there have been cases of SOGIE-based discrimination in education, such as that of Hender Hercio and Heart Diño at UP Diliman.

As regards cases specifically on a SOGIE-based discrimination ordinance, Senator Hontiveros said

that a discrimination complaint is currently being prepared and would be filed in Quezon City.

Asked by Senator Villanueva why there was a need for a SOGIE-specific measure when there could be a comprehensive anti-discrimination measure, Senator Hontiveros believed that it would still be necessary to pass a SOGIE-specific anti-discrimination measure because only such a law could actually criminalize and apply criminal penalties to what are not yet considered as SOGIE-specific anti-discriminatory acts. She said that under various existing laws, there may be administrative and civil penalties for certain acts but there are still no criminal penalties for SOGIE-specific discriminatory acts.

Asked by Senator Villanueva on the range of penalties specified in the ordinances vis-à-vis the penalties in the proposed measure, Senator Hontiveros said that she was still putting together the data on penalties in the LGU ordinances. She said that the penalties in the bill would range from a fine of not less than P100,000 to not more than P250,000, or imprisonment of not less than one year but not more than six years for certain groups of discriminatory practices. She said that for others, it would be penalized by a fine of not less than P250,000 but not more than P500,000 or imprisonment of not less than six years but not more than 12 years. She pointed out that the acts of discrimination enumerated in the bill are akin to the crimes penalized under the Revised Penal Code, such as unjust vexation and physical injuries. She opined that the criminal penalties are not excessive as even the Labor Code provides for criminal liabilities.

As regards the penalties provided under LGU ordinances, Senator Hontiveros said that under the Iloilo ordinance, the fine would be P2,000 on the first conviction; a fine of P3,000 or imprisonment for not more than 45 days on the second conviction; and a fine of P5,000 or imprisonment from three months to one year on the third conviction..

Senator Villanueva stated that Section 3 of the bill defines stigma as "the dynamic devaluation and dehumanization of an individual in the eyes of others which may be based on attributes that are arbitrarily defined by others as discreditable or unworthy and which result in discrimination when acted upon." He asked what the basis would be of identifying whether stigma exists or not and whether one's perception was sufficient basis to corroborate the presence of stigma.

In reply, Senator Hontiveros pointed out that perception has been an important input into the crafting of the bill because of the years of experience of individuals from the LGBT community due to such kind of stigma. Nonetheless, she said that the bill goes beyond mere perception and that on the basis of the documented experiences, it resulted in the list of discriminatory acts which are considered as manifestation of stigma.

Senator Villanueva inquired as to who determines whether there is a manifestation of stigma. He recalled that when he was trying out as a member of the UST basketball varsity team, he thought that he was discriminated against by his colleagues who would laugh at him by merely looking at his height. He further inquired as to what constitutes stigma and who determines whether stigma exists.

Replying thereto, Senator Hontiveros said that as regards the question as to what constitutes stigma or discrimination, Section 5 of the bill provides for at least five concrete examples of stigma or discrimination, such as promoting and encouraging stigma on the basis of SOGIE in the media; including SOGIE, as well as the disclosure of sexual orientation, in the criteria for hiring in an employment setting; refusing admission or expelling a person from any educational or training institution on the basis of SOGIE; imposing disciplinary sanctions harsher than customary punishments; and refusing or revoking the accreditation of any organization solely on the basis of the SOGIE of their members. She said that such are very concrete and identifiable practices.

As to who would provide the burden of proof, Senator Hontiveros said that the bill would follow the legal principle on burden of proof that whoever alleges must prove and from there, it would be a matter of evidence. She said that there are service standards among private companies and codes of ethics for professionals so that when LGBTIQs are treated differently from the general public, then there is discrimination. She explained that providing for a different kind of SOGIE would constitute discriminatory practices and stigma according to very concrete indicators.

Senator Villanueva presented the following scenario in relation to his inquiry. He said that a certain hotel guest was given a room which he or she considered unpleasant. Supposing the person invoked that he or she was given an inferior service because

of SOGIE and was therefore a victim of discrimination, he asked how the supposedly inferior service would be determined in connection to the SOGIE of the guest. Senator Hontiveros reiterated that the person who alleges must prove by matter of evidence. She said that regarding inferior services, one clear reference would be management systems and standards particular to the industry. She said that there is a promulgation and adoption of consumer products standards and a National Consumer Affairs Council headed by the DTI, which may set SOGIE-inclusive standards.

On the matter of discrimination in educational institutions, Senator Villanueva asked whether an educational institution may insist on classifying a student based on his or her biological sexual assignment. Replying in the affirmative, Senator Hontiveros said that the school may require the student to be identified based on his or her biological assignment, but exclusive schools for boys or girls should allow transgenders to be admitted; an all-boys school should allow transmen to be enrolled, while an exclusive girl school should allow transwomen in.

Asked by Senator Villanueva whether a religious educational institution that considers same-sex relationship as a sin could promote such values among its students and whether it is considered a discriminatory practice for the school to discourage same-sex marriage, Senator Hontiveros believed that such actions would constitute acts of discrimination and promotion of stigma against the LGBT community. She argued that the educational institutions remain to be educational institutions, and that education in the Philippines is imbued with public interest and is the institution in charge, second only to the homes, with values formation. She opined that teaching a child in an educational institution that homosexuality is a sin is an act of discrimination. She said that the children should be taught to respect others and to be conscientious human beings.

Asked by Senator Villanueva how Senator Hontiveros envisions to protect the right of the institution with regard to freedom of religion, Senator Hontiveros explained that the bill does not infringe on the right to exercise religious freedom; it does not force anyone or any institution to change his or her belief on homosexuality. However, she stressed that one cannot be denied of his or her human right to education, thus, a child or young person should be admitted to an educational institution regardless of his

or her SOGIE as long as he or she academically qualifies.

Senator Villanueva believed that religious educational institutions could also insist that it is the right of the student or client to choose what particular school he or she wants to enroll in. He reiterated his experience upon enrolling at the University of Santo Tomas when he was asked by his religion teacher why he, the son of Bro. Eddie Villanueva, was enrolling in a Catholic university.

Noting that Senator Villanueva was not asked or forced to leave UST on the grounds of religious non-discrimination, Senator Hontiveros said that a student, if academically qualified, should be able to study in an institution of his choice, in the same way that a young person of whatever SOGIE should also be allowed to study in an institution in which he or she is academically qualified.

Adverting to Section 5(c) of the bill as part of the discriminatory practices, Senator Villanueva asked how to reconcile a school's right to exercise its religious belief and the bill's provision that prohibits educational institutions from refusing to accredit any LGBT organization. He recalled that when he was still a member of the House of Representatives, he raised such particular issue during the budget deliberation of the Commission on Higher Education, particularly the budget of TUP and PNU, whose leadership refused to accredit organizations like the *Kristiyanong Kabataan Para Sa Bayan Movement* of which he was the national chairman at that time. He clarified that he was asking about the rights and academic freedom on the part of the religious educational institutions.

To the question whether religious educational institutions could refuse to recognize LGBT student organizations because religion dictates it, Senator Hontiveros opined that it is not what religion teaches the people and beyond. She pointed out that religious educational institutions are educational institutions and education is about empowering the students and developing in them civic consciousness through establishing and joining organizations. She said that she is proud that the students then and at present are organizing for their advocacies. To cite an example, she said that there are already small but growing numbers of Catholic educational institutions of higher learning or tertiary education that have accredited LGBT organizations.

Senator Hontiveros said that the SOGIE-specific anti-discrimination bill is not an impossibility in the country because even in a private, religious education system, the questions discussed are already being answered in real life.

Senator Villanueva then reiterated the importance of coming up with a comprehensive anti-discrimination measure. He disclosed that he just got a text message from someone from a Catholic school asking if the bill is removing the rights of Catholic schools from teaching their doctrine.

Senator Hontiveros replied in the negative, disclosing that being a product of Catholic education herself, she could not contemplate advancing the rights of the country's population by diminishing or degrading the rights of the same population. She reiterated that there are Catholic tertiary educational institutions that have accredited LGBT organizations in their ranks.

Senator Villanueva expressed support for the particular provision but he cautioned against forcing the religious groups to change their minds but simply to adhere to whatever the Congress would decide.

Senator Hontiveros cited Justice Frankfurter who opined that "academic freedom" is "an atmosphere in which there prevail the four essential freedom of university to determine for itself on academic government grounds who may teach, what may be taught and who may be admitted to study. Not SOGIE or any other grounds, but on academic grounds."

She clarified that as regards the very particular group of religious educational institutions, she said that Senate Bill No. 1271 does not cover seminaries or convents, which are religious institutions.

As a last point, Senator Hontiveros informed the Body that May 17 is IDAHO Day, or International Day Against Homophobia. She said that as she looked forward to the celebration of IDAHO Day within the month of May all over the world, the Body could continue the process of considering the SOGIE-specific anti-discrimination bill.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1271

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

COMMITTEE REPORT NO. 45
ON SENATE BILL NO. 1365
(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1365 (Committee Report No. 45), entitled

AN ACT EXTENDING THE VALIDITY OF PHILIPPINE PASSPORTS, AMENDING FOR THE PURPOSE SECTION 10 OF REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE "PHILIPPINE PASSPORT ACT OF 1996," AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Villar, vice chairperson of the Committee on Foreign Relations, and Senator Drilon for his interpellations.

INTERPELLATION OF SENATOR DRILON

At the outset, Senator Drilon noted that the measure seeks to lengthen the validity of the Philippine passports from five to 10 years, and he assumed that 10 years is an international standard followed by many countries. Senator Villar replied in the affirmative, saying that many countries are using 10 years as their standard, among them the United States of America, Canada, United Kingdom, Australia and Italy, and ASEAN countries like Vietnam, Laos and Cambodia.

Asked why 10 years is the standard validity of passports, Senator Villar replied that it is a very reasonable time so that the travellers would not be burdened in renewing their passports. Besides, she explained that when a passport is about to expire in six months, it would not be accepted anymore, so that, in effect, the passport's validity is only four and a half years which is really cumbersome for the travellers. She pointed out that in the Philippines, there are many poor people who are working abroad and the measure would make life easier especially for the OFWs who truly support the country's economy because they remit US\$25 billion a year, while the informal remittance is around another US\$25 billion a year, or a total of US\$50 billion a year.

As regards passport fees, Senator Villar replied that the cost per passport is P950, and P1,200 if one wants to expedite the issuance. She said that the Office of Consular Affairs collects around P4 billion in passport fees every year.

At this juncture, Senate President Pimentel relinquished the Chair to Senator Villanueva.

Asked if there would be a reduction in government revenues as a result of the bill, Senator Villar replied in the negative, stating that the passport application every year is increasing by 30%; thus, the government's loss in the renewal would be compensated by the increasing passport application in view of the fact that there are around 104 million Filipinos and the circulation of passport as of December 2016 is only 14 million.

Asked by Senator Drilon if the provision in the present law authorizing the issuing authority to limit the validity of the passport to less than five years had been invoked in the past, Senator Villar replied that the Department of Foreign Affairs has invoked such provision by not issuing passports to those who they believed could endanger public safety.

Senator Drilon noted that a passport is an identification document that one is a citizen of the issuing country. He then asked what the basis was for denying the issuance of a passport. Senator Villar replied that a passport would not be issued anymore if the applicant is subject to investigation or when a court order is issued. She maintained that the DFA can deny a person a passport when there is valid reason to do so.

Senator Drilon said that if the passport is nothing more than an identification card of a citizen, then it should be issued. He said, however, that the restriction on the right of the passport holder to travel could only be issued by a court. Senator Villar clarified that the provision referred to is in the existing passport law and that the proposed measure only seeks to lengthen the validity of passports.

Senator Drilon argued that the interpretation of the DFA was wrong since the present law does not allow the DFA to deny the issuance of a passport except when there is a court order against its issuance. He said that the DFA could only restrict the validity of the passport to less than five years.

At this juncture, Senator Villar asked Senate President Pimentel for his opinion on the matter, citing the position of Senator Drilon that the DFA could not deny anybody a passport because it is an ID of the government. She asserted that Section 4 of the Passport Law allows the DFA to deny a person a passport for public security reasons.

Senate President Pimentel suggested that the interpellation be limited to the topic of the two-paged measure which seeks to extend the validity of the passport to 10 years. He said that the topic on Section 4, on whether to restrict or deny a person a passport, could be discussed if the whole Passport Law would be touched.

At this juncture, Senator Villar read Section 4 of the Passport Law, to wit:

“In the interest of national security, public safety and public health, the Secretary or any of the authorized consular officers may, after due hearing and in their proper discretion, refuse to issue a passport, or restrict its use or withdraw or cancel a passport: *Provided, however,* That such act shall not mean a loss or doubt on the person’s citizenship: *Provided, further,* That the issuance of a passport may not be denied if the safety and interest of the Filipino citizen is at stake: *Provided, finally,* That refusal or cancellation of a passport would not prevent the issuance of a Travel Document to allow for a safe return journey by a Filipino to the Philippines.”

Senator Drilon stated that the provision on Section 10 of the measure has not been utilized in the sense that instead of restricting it to less than five years, the DFA simply refuses to issue the passport.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Sotto there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no committee amendment, upon motion of Senator Sotto, there being no objection, the

Body closed the period of committee amendments and proceeded to the period of individual amendments.

At this juncture, Senator Villanueva relinquished the Chair to Senate President Pimentel.

PIMENTEL AMENDMENT

On page 1, line 8, after the word “years,” as proposed by Senate President Pimentel and accepted by the Sponsor, there being no objection, the Body approved, the replacement of the semicolon (;) with a comma (,).

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, upon motion of Senator Sotto, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF SENATE BILL NO. 1365 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1365 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1365

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

PROPOSED SENATE RESOLUTION NO. 361

With the consent of the Body, upon motion of Senator Sotto, the Body considered Proposed Senate Resolution No. 1301, entitled

RESOLUTION CREATING A SELECT OVERSIGHT COMMITTEE ON INTELLIGENCE AND CONFIDENTIAL FUNDS.

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

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 361

Upon motion of Senator Sotto, there being no



objection, Proposed Senate Resolution No. 361 was adopted by the Body, subject to style.

MANIFESTATION OF SENATOR SOTTO

Thereafter, Senator Sotto cited Section 14, Rule X of the Rules of the Senate, to wit:

Sec. 14. Whenever necessary, special committees shall be organized, the membership and jurisdiction shall be determined by the Senate President.

Pursuant thereto, Senator Sotto requested Senate President Pimentel to constitute the members of the Select Oversight Committee on Intelligence and Confidential Funds which shall be composed of four members from the Majority and two from the Minority and the *ex-officio* members.

OVERSIGHT COMMITTEE MEMBERSHIP

Pursuant to Section 14, Rule X of the Rules of the Senate, Senate President Pimentel designated the following senators to constitute the Select Oversight Committee on Intelligence and Confidential Funds:

Chair : Honasan

Members :

Lacson	Aquino
Gordon	Pangilinan
Pacquiao	

CONSIDERATION OF THE JOURNAL OF SESSION NO. 76

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration of the Journal of Session No. 76 (May 2, 2017).

CORRECTION TO THE JOURNAL OF SESSION NO. 76

Upon motion of Senator Sotto, there being no objection, the Body approved the correction of Senator Sotto on page 1360, line 6 of the fifth paragraph with the title "MANIFESTATION OF SENATOR SOTTO" to insert the words VICE CHAIRMAN after the phrase "and People's Participation and."

He said that the sentence would then read as follows: SENATOR PANGILINAN, AS SECOND VICE CHAIRMAN OF THE COMMITTEE ON

ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION AND VICE CHAIRMAN OF THE CONGRESSIONAL OVERSIGHT COMMITTEE ON THE AUTOMATED ELECTION SYSTEM.

Senator Sotto explained that as corrected, the Journal would correctly reflect the designation of Senator Pangilinan as the second vice chairman of the Committee on Electoral Reforms and People's Participation, as well as his designation as the vice chairman of the Congressional Oversight Committee on the Automated Election System.

APPROVAL OF THE JOURNAL OF SESSION NO. 76 AS CORRECTED

Upon motion of Senator Sotto, there being no objection, the Body approved the Journal of Session No. 76 (May 2, 2017) as corrected.

SENATE CONFEREES

Upon motion of Senator Sotto, there being no objection, the following senators were designated to constitute the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1277 (Free Internet Access in Public Places Act) and House Bill No. 5225: Senator Aquino as chair, and Senators Recto, Villanueva, Ejercito and Binay as members.

CHANGE OF REFERRAL

Upon motion of Senator Sotto, there being no objection, the Chair transferred the referral of Senate Bill No. 645 (removing restrictions of agricultural free patents) and Senate Bill No. 101 (removing restrictions on free patents) to the Committee on Justice and Human Rights as the primary committee and the Committee on Environment and Natural Resources as the secondary committee.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 7:09 p.m.

RESUMPTION OF SESSION


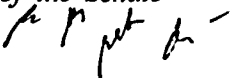
At 7:10 p.m., the session was resumed.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until five o'clock in the afternoon of Tuesday, May 9, 2017.

It was 7:11 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO
Attorney Secretary of the Senate


Approved on May 9, 2017