



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 39

Tuesday and Wednesday, December 10 & 11, 2019

**EIGHTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 39

Tuesday and Wednesday, December 10 - 11, 2019

CALL TO ORDER

At 3:00 p.m., Tuesday, December 10, 2019, the Senate President, Hon. Vicente C. Sotto III, called the session to order.

PRAYER

Sen. Aquilino "Koko" Pimentel III led the prayer, to wit:

As we gather today to pray like a family, let us put our hearts together in harmony by confining ourselves to these three moments.

As I invite you to the first moment of reflection, let us remember our brothers and sisters who encountered devastation brought about by Typhoon *Tisoy*. We commiserate with our victim brothers and sisters for their losses. We grieve with them. We thank You, Lord, for the spirit of resiliency, the sufficiency of material resources, and the grace of generosity and solidarity which You have always been showering upon us.

We recognize the glory that our Filipino athletes have brought and are still bringing to our country. I invite you to prayerfully reflect on the positive and beautiful events unfolding before us. The honor, glory and value of hard work displayed by our Filipino athletes in the 30th SEA Games is, "nationhood in action." More than symbols, the gold,

silver and bronze medals are real faces of resiliency, excellence, and patriotism. On this second moment, we thank God for our athletes' heroism and successes.

In a few days, we will be celebrating Christmas. Let this third moment be a moment of hope. We thank God for choosing us and entrusting us with this task to lead, serve, and direct our nation through legislation. Please, Lord, grant us strength, wisdom, and compassion in all of our work as senators of the Republic.

To You, Lord, we lift our spirit.

Amen.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Pacquiao, E. M. D.
Dela Rosa, R. B. M.	Pangilinan, F. N.
Drilon, F. M.	Pimentel III, A. K.
Gatchalian, W.	Revilla Jr., R. B.
Go, C. L. T.	Sotto III, V. C.
Hontiveros, R.	Tolentino, F. T. N.
Lacson, P. M.	Villanueva, J.
Lapid, M. L. M.	Zubiri, J. M. F.

not

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

Senators Cayetano, Gordon, Poe, Recto and Villar arrived after the roll call.

Senator De Lima was unable to attend the session as she was under detention.

DEFERMENT OF THE APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 38 (December 9, 2019) to a later hour.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Vice Mayor Cindy Aritrangco, ABC Chairman Ale Bandialan, and barangay officials and councilors from Malitbog, Bukidnon;
- Youth groups supporting sin tax led by Mr. John Santeo Tamayo, Jazen Abawag, and Nikola Franceska Joyen; and
- Roger Casugay and members of the Philippine Surfing Team, headed by Luke Landrigan.

Senator Zubiri specifically cited Roger Casugay, one of the heroes of the 30th SEA Games who saved an Indonesian competitor during the surfing event. He added that Indonesian President Widodo himself acknowledged Mr. Casugay's act and thanked the Filipino surfer and the surfing team for helping his compatriot.

Senate President Sotto welcomed the guests to the Senate.

REFERENCE OF BUSINESS

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that, on 27 November 2019,

the House of Representatives designated Representatives Ungab, Romualdez, Villafuerte Jr., Salceda, Remulla, Gonzales Jr., Ermita-Buhain, Duavit, Cua, Limkaichong, Vargas, Sy-Alvarado, Haresco Jr., Bagatsing, Bondoc, Herrera-Dy, Pancho, Torres-Gomez, Abante Jr., Garin, Momo Sr., and Lagman as conferees to the Bicameral Conference Committee on the disagreeing votes of House Bill No. 4228, 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 TWENTY, AND FOR OTHER PURPOSES

To the Committee on Rules

BILLS ON FIRST READING

Senate Bill No. 1200, entitled

AN ACT MANDATING THE COMPLIANCE OF GOVERNMENT AGENCIES AND ITS INSTRUMENTALITIES AND GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS TO OCCUPATIONAL SAFETY AND HEALTH STANDARDS, PROMOTING AND PRESERVING THE WELFARE OF GOVERNMENT EMPLOYEES, AND FOR OTHER PURPOSES

Introduced by Senator Revilla, Jr.

To the Committee on Civil Service, Government Reorganization and Professional Regulation

Senate Bill No. 1201, entitled

AN ACT RENAMING THE RANK CLASSIFICATION IN THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT ACT OF 1990

Introduced by Senator Revilla, Jr.

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To the Committees on Public Order and Dangerous Drugs; and Civil Service, Government Reorganization and Professional Regulation

Senate Bill No. 1202, entitled

AN ACT IMPOSING A MANDATORY AD VALOREM TAX ON IDLE LANDS AMENDING FOR THE PURPOSE SECTIONS 236, 237, AND 273 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS "THE LOCAL GOVERNMENT CODE OF 1991," AND APPROPRIATING FUNDS COLLECTED THEREFROM EXCLUSIVELY FOR THE PURPOSE OF PROVIDING FREE ACCESS TO PUBLIC HEALTH

Introduced by Senator Revilla, Jr.

To the Committees on Local Government; and Ways and Means

Senate Bill No. 1203, entitled

AN ACT STRENGTHENING THE EMPLOYMENT RIGHTS FOR MEMBERS OF THE CITIZEN ARMED FORCES OR THE RESERVE FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES

Introduced by Senator Revilla, Jr.

To the Committees on Labor, Employment and Human Resources Development; National Defense and Security, Peace, Unification and Reconciliation; Ways and Means; and Finance

Senate Bill No. 1204, entitled

AN ACT UPHOLDING AND PROMOTING CAMPUS JOURNALISM AND CAMPUS PRESS FREEDOM, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7079, OTHERWISE KNOWN AS AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF CAMPUS JOURNALISM, PENALIZING VIOLATIONS AGAINST

CAMPUS PRESS FREEDOM, AND FOR OTHER PURPOSES

Introduced by Senator Revilla, Jr.

To the Committees on Higher, Technical and Vocational Education; and Public Information and Mass Media

Senate Bill No. 1205, entitled

AN ACT INTEGRATING LABOR EDUCATION INTO THE SOCIAL SCIENCE SUBJECTS IN THE HIGHER EDUCATION CURRICULUM

Introduced by Senator Revilla, Jr.

To the Committees on Higher, Technical and Vocational Education; and Labor, Employment and Human Resources Development

Senate Bill No. 1206, entitled

AN ACT REQUIRING ESTABLISHMENTS TO PROVIDE PRIORITY SEATING FOR THE ELDERLY, AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF FURTHER AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS EXPANDED SENIOR CITIZEN'S ACT

Introduced by Senator Revilla, Jr.

To the Committee on Social Justice, Welfare and Rural Development

Senate Bill No. 1207, entitled

AN ACT AMENDING REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 9263 INTEGRATING ALL THE PROVINCIAL AND SUB-PROVINCIAL JAILS WITHIN THE JURISDICTION OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY

Introduced by Senator Revilla, Jr.

To the Committees on Public Order and Dangerous Drugs; and Local Government

Senate Bill No. 1208, entitled

AN ACT PROHIBITING FACILITATION OF THE USE, POSSESSION OR ACCESS BY, OR THE SALE OR DISTRIBUTION TO MINORS, OF ALCOHOL AND TOBACCO PRODUCTS, AND PROVIDING PENALTIES THEREFOR

Introduced by Senator Recto

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

Senate Bill No. 1209, entitled

AN ACT CREATING THE PHILIPPINE JUDICIAL MARSHAL SERVICE DEFINING ITS FUNCTIONS AND POWERS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 1210, entitled

AN ACT STRENGTHENING THE PRACTICE OF ELECTRICAL ENGINEERING IN THE PHILIPPINES AND INSTITUTING HIGHER STANDARDS OF REGULATION IN THE LICENSING AND REGISTRATION OF ELECTRICAL ENGINEERING PRACTITIONERS

Introduced by Senator Lacson

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

Senate Bill No. 1212, entitled

AN ACT EXPANDING THE COVERAGE OF THE CENTENARIANS ACT OF 2016, AMENDING FOR THE PURPOSE SECTION TWO OF REPUBLIC ACT NO. 10868

Introduced by Senator Zubiri

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

Senate Bill No. 1213, entitled

AN ACT CREATING THE NATIONAL ROAD SAFETY UNIT (NRSU) UNDER THE DEPARTMENT OF TRANSPORTATION, AND FOR OTHER PURPOSES

Introduced by Senator Revilla, Jr.

To the Committees on Public Services; and Finance

Senate Bill No. 1214, entitled

AN ACT PROHIBITING DISCRIMINATION ON THE BASIS OF AGE, SEX, CIVIL STATUS, COLOR, ECONOMIC STATUS, ETHNICITY, MEDICAL CONDITION, PHYSICAL DISABILITY, POLITICAL OPINION OR AFFILIATION, RACE, OR RELIGIOUS BELIEF, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

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

Senate Bill No. 1215, entitled

AN ACT AMENDING SECTION 55 OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

To the Committees on Electoral Reforms and People's Participation; and Finance

Senate Bill No. 1216, entitled

AN ACT DECLARING MAY 18 OF

EVERY YEAR AS THE NATIONAL
HIGHER EDUCATION DAY

Introduced by Senator Villanueva

**To the Committee on Higher, Technical
and Vocational Education**

Senate Bill No. 1217, entitled

AN ACT REQUIRING ALL GOVERN-
MENT AND NON-GOVERNMENT
OFFICES AND ESTABLISHMENTS
TO ADOPT POLICIES TO PREVENT
AND ADDRESS THE ACTS OF
BULLYING AND OTHER SIMILAR
ACTS IN THEIR WORKPLACE

Introduced by Senator Revilla, Jr.

**To the Committees on Civil Service, Govern-
ment Reorganization and Professional Regula-
tion; and Labor, Employment and Human
Resources Development**

Senate Bill No. 1218, entitled

AN ACT INTEGRATING LABOR
EDUCATION IN THE HIGHER
EDUCATION CURRICULUM

Introduced by Senator Villanueva

**To the Committees on Higher, Technical
and Vocational Education; and Labor, Employ-
ment and Human Resources Development**

RESOLUTIONS

Proposed Senate Resolution No. 224, entitled

RESOLUTION DIRECTING THE APPRO-
PRIATE SENATE COMMITTEE TO
CONDUCT AN INQUIRY, IN AID OF
LEGISLATION, INTO THE SERIOUS
REPORTS OF BABIES-FOR-SALE IN
THE COUNTRY, WITH THE END IN
VIEW OF CURBING THIS CRIME BY
PROVIDING NECESSARY GOVERN-
MENT INTERVENTIONS AND LOOK-
ING INTO THE POSSIBILITY OF
AMENDING EXISTING LAWS TO
AVERT SUCH UNLAWFUL ACTS

Introduced by Senator De Lima

**To the Committees on Women, Children,
Family Relations and Gender Equality; and
Public Order and Dangerous Drugs**

Proposed Senate Resolution No. 225, entitled

A RESOLUTION DIRECTING THE
SENATE COMMITTEE ON ENERGY
TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE CREA-
TION AND TIMELY IMPLEMEN-
TATION OF TRANSMISSION DEVELOP-
MENT PLAN TO ENSURE THAT
THE EXPANSION OF THE ELEC-
TRIC POWER TRANSMISSION
GRID IS RESPONSIVE TO ACCOM-
MODATE NEW POWER GENERA-
TION FACILITIES IN ORDER TO
MEET INCREASE IN ELECTRICITY
DEMAND

Introduced by Senator Gatchalian

To the Committee on Energy

Proposed Senate Resolution No. 226, entitled

A RESOLUTION DIRECTING THE
SENATE COMMITTEE ON ENERGY
TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE COMPLI-
ANCE OF THE ENERGY REGULA-
TORY COMMISSION WITH ITS
COMMITMENT TO RESOLVE WITH
URGENCY THE PENDING ISSUES
OF THE TRANSMISSION GRID
OPERATOR FOR THE BENEFIT OF
ALL ELECTRIC POWER END USERS

Introduced by Senator Gatchalian

To the Committee on Energy

Proposed Senate Resolution No. 227, entitled

A RESOLUTION DIRECTING THE
SENATE COMMITTEE ON ENERGY
TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE OPERA-
TIONS OF THE NATIONAL POWER
TRANSMISSION GRID TO ENSURE

per

THE QUALITY, RELIABILITY, AND
SECURITY OF ELECTRICITY
NATIONWIDE

Introduced by Senator Gatchalian

**To the Committees on Public Services; and
Energy**

Proposed Senate Resolution No. 228, entitled

RESOLUTION DIRECTING THE PROPER
SENATE COMMITTEES TO CONDUCT
AN INQUIRY, IN AID OF LEGIS-
LATION, REGARDING THE STATUS
OF BASIC AND FUNCTIONAL
LITERACY OF FILIPINOS

Introduced by Senator Binay

**To the Committees on Basic Education,
Arts and Culture; and Higher, Technical and
Vocational Education**

Proposed Senate Resolution No. 230, entitled

RESOLUTION COMMENDING FILIPINO
SURFER ROGER CASUGAY FOR
EXHIBITING ACTS OF HEROISM
AND BRAVERY IN ORDER TO
RESCUE AN INDONESIAN COMPE-
TITOR DURING THE SURFING
COMPETITION OF THE 30TH SOUTH-
EAST ASIAN GAMES

Introduced by Senator Go

To the Committee on Rules

Proposed Senate Resolution No. 232, entitled

RESOLUTION URGING THE DEPART-
MENT OF EDUCATION, DEPART-
MENT OF HEALTH, DEPARTMENT
OF SOCIAL WELFARE AND DEVE-
LOPMENT, DEPARTMENT OF
INTERIOR AND LOCAL GOVERN-
MENT, AND PHILIPPINE STATIS-
TICS AUTHORITY TO COLLECT,
ANALYZE, PUBLISH AND UPDATE
THE COUNTRY'S DISABILITY STA-
TISTICS USING THE APPROPRIATE
DATA COLLECTION INSTRUMENT

TO ENSURE A MORE RESPONSIVE
GOVERNMENTAL POLICY AND
PROGRAMS FOR PERSONS WITH
DISABILITY

Introduced by Senator Villanueva

**To the Committee on Social Justice,
Welfare and Rural Development**

Proposed Senate Resolution No. 233, entitled

RESOLUTION DIRECTING THE COM-
MITTEE ON LABOR, EMPLOY-
MENT AND HUMAN RESOURCES
DEVELOPMENT TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION,
ON THE DEPARTMENT OF LABOR
AND EMPLOYMENT'S PROJECT
JOBSFIT

Introduced by Senator Villanueva

**To the Committee on Labor, Employment
and Human Resources Development**

Proposed Senate Resolution 234, entitled

RESOLUTION DIRECTING THE COM-
MITTEE ON LABOR, EMPLOY-
MENT AND HUMAN RESOURCES
DEVELOPMENT, AND COMMITTEE
ON BANKS, FINANCIAL INTER-
MEDIARIES, AND CURRENCIES,
AND OTHER APPROPRIATE SENATE
COMMITTEES TO INQUIRE AND
REVIEW, IN AID OF LEGISLATION,
THE EXTENSION OF CREDIT TO
OVERSEAS FILIPINOS AND OVER-
SEAS FILIPINO WORKERS, INCLUD-
ING THE OPERATIONS OF THE
OVERSEAS FILIPINO BANK

Introduced by Senator Villanueva

**To the Committees on Labor, Employment
and Human Resources Development; and
Banks, Financial Institutions and Currencies**

Proposed Senate Resolution No. 235, entitled

RESOLUTION DIRECTING THE COM-
MITTEE ON LABOR, EMPLOY-

Ref

MENT AND HUMAN RESOURCES DEVELOPMENT, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ENFORCEMENT OF OCCUPATION SAFETY AND HEALTH STANDARDS IN THE MINES AND THE COORDINATION AMONG CONCERNED AGENCIES IN THE ENFORCEMENT OF THESE STANDARDS

Introduced by Senator Villanueva

To the Committee on Labor, Employment and Human Resources Development

Proposed Senate Resolution No. 238, entitled

RESOLUTION COMMENDING AND CONGRATULATING THE 2019 TEN (10) OUTSTANDING SENIOR CITIZENS RECOGNIZED AS *SAMPUNG ULIRANG NAKATATANDA (SUN)* AWARDEES

Introduced by Senator Revilla, Jr.

To the Committee on Rules

Proposed Senate Resolution No. 242, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, REGARDING THE RESULTS OF THE 2018 PROGRAMME FOR INTERNATIONAL STUDENT ASSESSMENT

Introduced by Senator Binay

To the Committee on Basic Education, Arts and Culture

Proposed Senate Resolution No. 245, entitled

RESOLUTION CONGRATULATING AND COMMENDING CHRISTINE HALLASGO FOR WINNING A GOLD MEDAL IN THE 30TH SOUTHEAST ASIAN GAMES AFTER EMERGING VICTORIOUS IN THE WOMEN'S MARATHON AT THE NEW CLARK

CITY IN CAPAS, TARLAC ON 6 DECEMBER 2019

Introduced by Senator Zubiri

To the Committee on Rules

Proposed Senate Resolution No. 246, entitled

RESOLUTION CONGRATULATING AND COMMENDING SARAH NOVENO DEQUINAN FOR WINNING A GOLD MEDAL IN THE 30TH SOUTHEAST ASIAN GAMES AFTER EMERGING VICTORIOUS IN THE WOMEN'S HEPTATHLON AT THE ATHLETICS STADIUM IN THE NEW CLARK CITY IN CAPAS, TARLAC ON 8 DECEMBER 2019

Introduced by Senator Zubiri

To the Committee on Rules

Proposed Senate Resolution No. 254, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS AND LEVEL OF COMPLIANCE WITH PRESIDENTIAL DECREE (P.D.) NO. 856, OTHERWISE KNOWN AS "CODE ON SANITATION OF THE PHILIPPINES" FOR THE PURPOSE OF DETERMINING THE CHALLENGES AND ISSUES IN ITS ENFORCEMENT, WITH THE END IN VIEW OF PROPOSING LEGISLATIONS THAT WOULD FURTHER STRENGTHEN EXISTING LAWS ON SANITATION AND PROTECT THE FILIPINO PEOPLE

Introduced by Senator De Lima

To the Committee on Health and Demography

Proposed Senate Resolution No. 255, entitled

RESOLUTION HONORING AND COMMENDING POLICE SENIOR MASTER

SERGEANT ALICE BALIDO FOR HER ACT OF BRAVERY AND HEROISM IN HELPING SAVE THE LIVES OF THE INNOCENT PEOPLE FROM GRENADE BLAST IN INITAO COLLEGE IN MISAMIS ORIENTAL

Introduced by Senator Angara

To the Committee on Rules

Proposed Senate Resolution No. 256, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INVESTIGATION ON THE POOR SHOWING OF THE PHILIPPINES FOR READING COMPREHENSION, MATHEMATICS, AND SCIENCE LITERACY AMONG 15-YEAR OLD STUDENTS IN THE 2018 ROUND OF THE PROGRAMME FOR INTERNATIONAL STUDENT ASSESSMENT (PISA), WITH THE END-VIEW OF FORMULATING LEGISLATION AND DETERMINING APPROPRIATE BUDGETARY INITIATIVES TO SUPPORT AND IMPROVE ONGOING EFFORTS OF THE PUBLIC AND PRIVATE SECTORS TO RAISE THE QUALITY OF BASIC EDUCATION THROUGHOUT THE COUNTRY

Introduced by Senator Angara

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

COMMITTEE REPORTS

Committee Report No. 25, prepared and submitted jointly by the Committees on Local Government; Public Services; Public Works; Ways and Means; and Finance on, Senate Bill No. 1211 with Senators Tolentino and Recto as authors thereof, entitled

AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991," BY EXPANDING THE SCOPE OF LOCAL GOVERNMENT UNITS' POWERS OVER LOCAL

PUBLIC TRANSPORTATION SYSTEMS AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 1012, taking into consideration Senate Bill No. 1065.

Sponsor: Senator Tolentino

To the Calendar for Ordinary Business

Committee Report No. 26, prepared and submitted jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation; and Finance, on Senate Bill No. 1219, with Senators Recto, Go, Villanueva, Zubiri, Revilla, Jr. and Angara as authors thereof, entitled

AN ACT MODIFYING THE SALARY SCHEDULE FOR CIVILIAN GOVERNMENT PERSONNEL AND AUTHORIZING THE GRANT OF ADDITIONAL BENEFITS, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 49, 200, 1006 and 1136, taking into consideration Senate Joint Resolution No. 3.

Sponsor: Senator Revilla, Jr.

To the Calendar for Ordinary Business

ADDITIONAL REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 4 December 2019, the House of Representatives passed the following House bills, in which it requested the concurrence of the Senate:

House Bill No. 4851, entitled

AN ACT DECLARING MAY 18 OF EVERY YEAR AS NATIONAL HIGHER EDUCATION DAY

To the Committee on Higher, Technical and Vocational Education

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House Bill No. 4952, entitled

AN ACT DECLARING THE WALING-WALING ORCHID AS THE NATIONAL ORCHID OF THE PHILIPPINES

To the Committees on Basic Education, Arts and Culture; and Environment and Natural Resources

House Bill No. 4953, entitled

AN ACT DECLARING THE BALANGAY AS THE NATIONAL BOAT OF THE PHILIPPINES

To the Committee on Basic Education, Arts and Culture

House Bill No. 5070, entitled

AN ACT PROVIDING FOR FREE FREIGHT SERVICES IN THE TRANSPORTATION OF RELIEF GOODS TO CALAMITY-STRICKEN AREAS

To the Committee on Public Services

House Bill No. 5490, entitled

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO BICOL BROADCASTING SYSTEMS, INC. UNDER REPUBLIC ACT NO. 8092, ENTITLED "AN ACT GRANTING THE BICOL BROADCASTING SYSTEMS, INC. (BBSI), A FRANCHISE TO ESTABLISH, OPERATE AND MAINTAIN COMMERCIAL RADIO AND TELEVISION BROADCASTING STATIONS IN REGION V

To the Committee on Public Services

House Bill No. 1477, entitled

AN ACT UPGRADING THE CARAGA REGIONAL HOSPITAL IN BARANGAY WASHINGTON, SURIGAO CITY, SURIGAO DEL NORTE INTO A TERTIARY LEVEL HOSPITAL, INCREASING ITS BED CAPACITY FROM ONE HUNDRED FIFTY (150)

TO FIVE HUNDRED (500) BEDS, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Health and Demography; and Finance

House Bill No. 5491, entitled

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO CRUZ TELEPHONE COMPANY, INC. UNDER REPUBLIC ACT NO. 7961, ENTITLED "AN ACT GRANTING TO CRUZ TELEPHONE COMPANY, INC. (CRUZTELCO), A FRANCHISE TO INSTALL, OPERATE, AND MAINTAIN A TELECOMMUNICATIONS SYSTEM THROUGHOUT THE PHILIPPINES

To the Committee on Public Services

and House Bill No. 5568, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY GUINHALINAN IN THE MUNICIPALITY OF BAROBO, PROVINCE OF SURIGAO DEL SUR.

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

Letter from the House of Representatives, informing the Senate that, on 4 December 2019, the House of Representatives concurred with the Senate amendments to House Bill No. 5437, entitled

AN ACT EXTENDING THE AVAILABILITY OF THE 2019 APPROPRIATIONS FOR MAINTENANCE AND OTHER OPERATING EXPENSES AND CAPITAL OUTLAYS TO DECEMBER 31, 2020, AMENDING FOR THE PURPOSE SECTION 65 OF THE GENERAL PROVISIONS OF REPUBLIC ACT NO. 11260, THE GENERAL APPROPRIATIONS ACT OF FISCAL YEAR 2019

To the Archives

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- The Philippine Surfing Team composed of Neil B. Blancada, Rogelio Esquivel, Jayvee Mae Agudo, John Mark Tucong, Daisy Valdez, Editho Alcala, Ian Saguan, Roger Casugay, team captain Luke Landrigan, and Dr. George Canlas;
- Finance Secretary Sonny Dominguez, along with DOF officials; and
- Mayor Brian Lim of Dagupan City, Pangasinan.

Senate President Sotto welcomed the guests to the Senate.

SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 26 on Senate Bill No. 1219 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 26 ON SENATE BILL NO. 1219

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1219 (Committee Report No. 26), entitled

AN ACT MODIFYING THE SALARY
SCHEDULE FOR CIVILIAN GOVERN-
MENT PERSONNEL AND AUTHORIZ-
ING THE GRANT OF ADDITIONAL
BENEFITS, 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 Zubiri, 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 Revilla to sponsor the measure.

SPONSORSHIP SPEECH OF SENATOR REVILLA

As chair of the Committee on Civil Service, Government Reorganization and Professional Regulation, Senator Revilla called on the Body to approve Senate Bill No. 1219, entitled "An Act Modifying the Salary Schedule for Civilian Government Personnel and Authorizing the Grant of Additional Benefits, And For Other Purposes."

Following is the full text of Senator Revilla's sponsorship speech:

It has been emphasized time and again that human capital is an essential resource of any country. In the sphere of public service, appropriate and quality service to the people is not possible without the competence, loyalty, and commitment of our government employees.

In 2018, the National Economic and Development Authority (NEDA) estimated that an average Filipino family would need an aggregate income of P42,000 to live above the poverty line. Based on this estimate and with the current salary schedule for our government employees, many of them are living below the poverty line. *Ibig sabihin, lahat ng empleyado na may mabababang antas ng sahod ay hindi kumikita nang sapat para matustusan ang pangangailangan nila at ng kanilang pamilya.*

The need, therefore, to upgrade the salary of government workers, especially those in the level where majority of our employees belong, is urgent and necessary. It will not only motivate them to improve and excel in their respective fields but will also give them the sense of pride in their work, a more dignified responsibility, and greater accountability.

At the same time, competitive salaries will attract competent, outstanding, and fresh civil servants.

I am calling on this august Chamber to join me in espousing for the welfare of our civil servants through the passage of Senate Bill No. 1219 under Committee Report No. 26 submitted jointly by the Committees on Civil Service; Government Reorganization and Professional Regulation; and Finance. This is "An Act Modifying the Salary Schedule of Civilian Government Personnel and Authorizing the Grant of Additional Benefits, and for Other Purposes" or the "Salary Standardization Law of 2019" which is a substitute bill for the measures filed by our colleagues:



- Senate Bill No. 49 introduced by Sen. Ralph G. Recto;
- Senate Bill No. 200 introduced by Sen. Christopher Lawrence T. Go;
- Senate Bill No. 1006 introduced by Sen. Ralph G. Recto; and
- Senate Bill No. 1136, introduced by Sen. Joel Villanueva,

taking into consideration Senate Joint Resolution No. 3, introduced by Sen. Juan Miguel F. Zubiri.

It was a hurdle for our Committee on Civil Service to come up with a substitute bill. We wanted to report it out right after we conducted the public hearing but we had to wait for official documents from the Department of Budget and Management (DBM) because we wanted to align it with their proposal to Malacañang and we wanted to ensure that there is enough funds to implement the proposed salary standardization. *Gusto nating siguruhin na maipatutupad ang batas na ipapasa natin at maibibigay sa ating mga kawani ang inaasahan nilang pagtaas ng suweldo.*

Now that we have the recommendation of DBM and the approval of Malacañang as well as the assurance from the chairman of the Senate Committee on Finance, Sen. Sonny Angara, that there are enough funds for its implementation, we are shepherding this measure to become a law.

This substitute bill adopted the proposal of DBM and Malacañang. It proposes salary adjustments that will be given in four tranches which will start in January 2020 and will be completed by 2023, even beyond the term of President Duterte. The full implementation of the law will increase the basic salaries by a weighted average of 23.24% by 2023. In effect, it will grant the highest increase ranging from 20% to 30% for employees in Salary Grades 10 to 15, and the lowest increase of 8% for Salary Grades 23 to 33. It will, therefore, address the issue of inequity in the previous SSLs where the majority of our government employees receive negligible increase while higher earning employees receive hefty increase.

Based on the data from the DBM as of July 2019, there are more than 1.4 million government employees who will benefit from this proposed measure. This proposal gives premium to employees who are in Salary Grades 11 to 19 where most of our teachers and nurses belong. This group comprises 79% of the total number of government employees.

For the implementation of the first tranche of the law next year, P33.15 billion will be needed which will be funded from the Miscellaneous Personnel Benefits Fund (MPBF) and any available appropriations under the 2020 national budget.

In all honesty, the Committee was ready to report out Senator Recto's SSL version giving a much higher increase in the salary of our government workers. But that proposal would cost us P138 billion for the first tranche only. It will definitely strain the government's coffer and affect its other flagship programs. *Wala pong magiging saysay ang panukalang iyon kung wala namang kaakibat na sapat na pondo.* This kind of measure has to take into serious consideration too the financial capability of the government. The allocation of funds for personnel services should be realistic in proportion to the overall expenditure of the government.

Marami ring kailangan paggugulan at pagkagastusan ang ating pamahalaan sa susunod na taon, tulad ng libreng pag-aaral sa kolehiyo, ang 4Ps program, the full implementation of the Universal Health Care Law, ang Build-Build-Build o mga infrastructure projects, at iba pa. Lahat ng iyan ay nangangailangan din ng malaking pondo at ang mga programang ito ay tiyak na mapapakinabangan ng ating mga kababayan kasama na ang mga kawani ng gobyerno.

As part of the endeavor to provide our employees with compensation for the quality of service they render, the proposed measure also institutionalizes the mid-year bonus under the Total Compensation Framework. By legislating this benefit, our government employees are assured of receiving bonus equivalent to one-month basic salary in the month of May of every year, subject to certain conditions and guidelines.

Similarly, in order to strengthen the employee suggestions and incentive awards system, this bill categorizes the Program on Awards and Incentives for Service Excellence (PRAISE) under the incentive component of the Total Compensation Framework.

President Rodrigo Duterte promised this salary increase during his 2019 State of the Nation Address *at nais po natin siyang pasalamatan para sa kaniyang pagbibigay ng halaga sa ating mga kawani sa gobyerno. Kung maaari po nating sulitin ang kaniyang suporta sa panukalang batas na ito, we humbly ask our President to certify this measure as*

urgent to enable us to pass this bill before the session adjourns for Christmas break.

Most of us here in this Chamber have expressed recognition of the urgent need for such salary increase. *Tayong mga mambabatas ay hindi po makikinabang sa panukalang batas na ito, ngunit isinusulong po natin ito para sa kapakanan ng ating mga empleyado at ng mamamayang Pilipino na pinagsisilbihan at pinaglilingkuran natin. Dito sa ating sariling bakuran sa Senado, ang mga staff na tumutulong sa atin upang magampanan natin nang tama at maayos ang ating mga tungkulin ay karapat-dapat lamang bigyan ng sweldo na katapat ng sipag at dedikasyon na ibinibigay nila sa kanilang trabaho.*

With the support of both the Executive and Legislative departments of our government, I am confident that the benefits of this Salary Standardization Law will reach our civil servants by next year.

COSPONSORSHIP SPEECH OF SENATOR RECTO

Senator Recto delivered his cosponsorship speech, as follows:

This bill is not a gift of one person, nor the result of the generosity of one institution. It springs from the grace of taxpayers who will ultimately pick up the P310 billion four-year tab of this bill. It will come from the tax on the water they flush down their toilet, on the phone calls they make, on the gas they will buy.

I have to bring up this very important point because I believe that those who will provide cash must get the rightful credit. We are here to merely serve as midwives of this bill, birthing this legislation that will come from pockets of the sovereign.

Having said that, let me express my thanks to the President, to the DBM Secretary, to the two Senator Bongs, and to all of us here on both sides of the aisle, for working as one on this bill.

The legislative tradition is that when it comes to the appropriations bill, we only sponsor and highlight the expenditures. We seldom sponsor the revenues it would entail. So, let me provide that perspective—a fact-based one—so we will come to learn not just the price tag of this bill, but also trace the historical rise of one of government's biggest expenses, the PS or Personnel Services.

Our PS this year is P1.138 trillion.

It accounts for 31% of the national budget, or 31 centavos for every budget peso. Daily, we spend about P3.117 billion, or about P130 million every hour. That is how fast the needle in our payroll meter moves. Next year, PS will increase by P117.6 billion. Compare this to our PS a decade ago, in 2009, which was P396 billion, conclusion: PS has tripled in 10 years.

What could be the reason for this PS explosion? We should know because we authorized this creeping increase through the years.

One, for the past 13 years since 2006, there were 11 annual pay hikes in the public sector, eight years of which were by virtue of the two Salary Standardization Laws. Actually, there were 13, if we include the increases granted in two annual “gives” to the uniformed sector during the present administration.

So, if we were to put the presidents responsible on a scoreboard ala SEA Games, it would show this tally: GMA — 7, Aquino — 4, and Duterte — 2 half-points. Because if this bill would be a slam dunk, then it is a forgone conclusion that five will be credited to President Duterte.

The second culprit is our expanding population. More people mean more government personnel to serve them. For example, a 500 increase in population triggers the hiring of one policeman, in order to meet the ideal citizen-to-cop ratio. An addition of a mere 40 students to the national school population already obligates the employment of one new teacher. But we are producing babies in industrial proportion, despite the fact that millennials, in acts of romantic patriotism, are marrying and having children late, thus decelerating the yearly population growth to below 1.5%. But these are still 1,480,000 new Filipinos a year waving their tiny fists, and because each one must be fed, schooled, kept safe, and given health care, they are giving our economic managers a post-partum headache of the fiscal kind.

And who would not, when the authorized national government workforce has ballooned to 1,863,361 positions, of which, thankfully, only 1,664,586 are filled this year.

The impact of demographics on expenditures brings me to my theory of “The 4Ps in budgeting.” The Ps stand for the pressures — or make them powerful pressures, on the budget.

Allow me to tick them off: Population. Price increase or inflation, Payroll, Popular or *Pogi* point measures.



A 2% increase in population compels us to raise the budget by the same percentage, meaning, using 2020, figures, by P84 billion a year.

If inflation is 3%, then the corresponding increase in expenditures would roughly be at P126 billion.

Payroll and pension is a cost driver, to the tune of P140.6 billion in additional spending a year using the average growth of the past three years.

Popular measures, whose titles bear the standard seductive suffix “free”—Free Health Care, Free College, Free Irrigation, Free Social Pensions plus the mega-billion CCT—boost our spending by at least half a trillion a year.

And then there is the 5th P—public works—the shortage of which must be addressed and erased.

So when the taxmen cometh to the Senate, the primary motive of their sales pitch is not the health of the people but of the nation’s fiscal health whose charts have long been in the red.

I actually sympathize with them because they have to raise the cash for the programs we love to take credit for.

But the SSL V is different. It is neither an entitlement, nor a handout. It is not for people on welfare, but for working people in government.

In fact, I have my reservations on the rates in this bill, and I am advocating for higher pay for those in the lower ranks.

My duty, however, to champion for higher compensation for public sector employees, carries with it the responsibility, in the interest of transparency, to fully disclose to the taxpayers what it would cost.

Sa darating pong taon, ang lahat po ng VAT collection at excise tax, pagsamahin niyo na sila, hindi pa rin kayang punuin ang kailangan para sa PS.

BIR collection on taxes on domestic goods and services programmed to hit P1.008 trillion in 2020 is P248 billion short of the full-year PS requirement of P1.256 trillion.

Lahat ng individual income tax payments ng milyung-milyong Pilipino sa 2020 na aabot ng P422 million, apat na buwan lamang na pasuweldo at papensiya ng pamahalaan.

Ang projected Bureau of Customs collection na P731 billion, kasama na ang lahat nang

makokolektang buwis sa langis, wala pang kalahating taon na pasuweldo at papensiya.

That’s the macro overview. Let me give you a micro snapshot of the PS burden on the taxpayer.

If one Barangay Ginebra, for example, in Batangas would hire one policeman using their tax payments on their favorite drink, then they will have to down 25,719 bottles of the famous “stainless na bilog” to be able to raise a POI’s P415,623 annual base pay.

Kung mayroong isang pinabili lamang ng suka pero naging assistant secretary, at kung kukunin sa excise tax sa gasolina ang buwanang suweldo niyang P155,000, kailangang magpa-full tank ang 41,341 na motorsiklo para makalikom ng pampasuweldo niya sa isang taon.

At kung ang isang bayan naman ay kukuha ng isang guro at ang gagamiting pangsuweldo sa kaniya ay VAT at excise tax sa yosi, then the people will have to cough up taxes and fumigate their surroundings from 6,357 packs of cigarettes to raise the annual base pay of a Teacher 1.

And speaking of these LGUs, my question is: If in this bill we are imposing the mandate for them to raise the pay of their employees, with the rates in this bill as guide, are we giving them the resources to comply?

Kung i-o-obliga natin ang mga lalawigan, mga lungsod at mga bayan na itaas ang suweldo ng kanilang mga kawani, hindi po ba dapat at makatuwiran lamang na bigyan natin sila ng kakayahan para sundin ito?

Hindi po ba dapat na kagyat na ibigay na sa kanila ang kanilang 50% share from all internal revenue collections alinsunod sa desisyong ipinalabas at ipinagtibay mula sa Korte Suprema?

A rising tide should raise all ships.

However, it appears that it is only the NG that is enjoying the financial buoyancy brought about by new and higher taxes — taxes which the constituents of the local governments also pay.

As I have said, I may not fully endorse the rates here, but I join the sponsors in bringing this measure to the floor in the hope that like proposals that have been here before can be improved by our collective wisdom.

Let me also put on record my call to the Executive branch to revamp the position

classification system so that items will be properly compensated based on the work done, experience required, competence involved, and difficulty in execution.

Like computer programs, the public sector plantilla needs an upgrade to reflect the changes in the skills-market conditions.

COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA

Senator Villanueva likewise delivered his cosponsorship speech, as follows:

I would like to express our whole hearted support to this measure which seeks to increase the salary of our government workers. Indeed, this measure embodies our aspiration to recognize the invaluable contribution of government workers to nation-building.

Although this Representation originally proposed an average salary increase of 10% under Senate Bill No. 1136, this measure is a welcome development as it will cover the country's 1.7 million career and non-career civil service workers. As vice chairman of the committee, we would like to commend our chairperson, Sen. Bong Revilla, *na hindi na po gumamit ng agimat para mapabilis ang measure na ito at makarating na kaagad dito sa plenaryo.*

More specifically, this Representation's support for this bill is anchored on three major grounds:

First, nurses and teachers — two of the most vital professions that nurture our people — stand to benefit the most from this bill.

The basic pay of government workers earning Salary Grades 11 to 13 or from P20,754 to P25,232 per month is set to increase by at least 6% to 8% annually. Under these salary grades, we will find our overworked teachers who are sacrificing so much to serve in our congested and poorly equipped public schools.

Meanwhile, as regards the salary of nurses, they will now be entitled to a minimum Salary Grade of 15, in light of the recent Supreme Court decision which upheld Section 32 of RA 9173 or the Philippine Nursing Act of 2002. Thus, under Salary Standardization Law V, the position of Nurse I, currently belonging to Salary Grade 11 with basic monthly pay of P20,754, will not only be reclassified as Salary Grade 15 which earns a monthly basic pay of P30,531, but will also enjoy

a basic monthly salary of P32,053. This is equivalent to a 54.4% increase in their basic salary.

Kung ako po ang tatanungin, no amount is enough to compensate for the sacrifices of our nurses and teachers. Therefore, this Representation will always support salary modification reforms that, hopefully, will attract and retain our talent pool in these sectors. We will also continue crafting measures to further ease their burdens, such as, but not limited to, reforms that expand our health and education workforce and improve provision of facilities and equipment to complement their work.

Second, it is worth noting that among all groups of wage and salary earners, government workers actually faced the slowest annual income increase for the past five years. On average, daily basic pay of wage on salary workers on private households, family-operated activities, and private establishments, grew by 6.6%, 5.9%, and 4.8%, respectively.

Meanwhile, the average daily basic pay of wage and salary workers in government and government corporations only grew by 2.1%—*at ayan po, ay nakikita natin sa ating board*. This is despite the enactment of Salary Standardization Law (SSL) in 2015 that modified the compensation of government personnel.

Such lower growth in government workers' wages and salaries make it difficult to adjust to increasing prices. This bill specifically shields their income from being eroded, especially as inflation averaged to 5.7% last year.

Third, the review of compensation and benefits is just timely and appropriate given that SSL has been implemented every three years since 2009. Under Joint Resolution No. 4, Series of 2009, the review takes into account "the changes and skills and competency requirement in the bureaucracy, the relative demand for certain expertise, the possible erosion in the purchasing power due to inflation and other factors."

This Representation would like to stress that this is well-deserved salary increase for our government workforce and recognition of the skills and talent they have been patiently devoting to fulfill their challenging duty as a pillar of public service. It is in this light that this Representation would humbly ask our fellow members of this Chamber to ensure the immediate passage of this bill.

Maraming salamat po at mabuhay ang lahat ng ating public servants.



SPONSORSHIP SPEECH OF SENATOR GO

Senator Go delivered his cosponsorship speech, as follows:

It goes without saying that civil servants with various roles that they play in the echelons of our bureaucracy are the backbone of the government.

It is through their hard work that we are able to fulfill the duties and mandates that have been tasked to us by the Constitution and our laws. It is through their commitment and dedication that we are able to deliver our programs and services to the Filipino people.

But all the hard work and sacrifices that they have done for the government and their fellow Filipinos have not been fully reciprocated. The benefits and the salaries that they now receive remain insufficient and generally below market levels.

In recognition of their invaluable contributions to the nation-building, our civil servants, the people who dedicate their lives in the service of the Filipino people, must be given an opportunity to pursue productive careers that would allow them to enjoy competitive wages, enough to address their needs and that of their families.

In order to bring government pay closer to market rates and make it competitive compared to the private sector, there is a need to push for the adoption of the Salary Standardization Law V.

I would like to cosponsor this measure as I stand here today in this august Chamber.

No less than Pres. Rodrigo Roa Duterte has emphasized the necessity and timeliness of this proposed measure. In fact, during his last State of the Nation Address, the President urged the Congress to pass the new Salary Standardization Law to increase the pay of government workers including public school teachers and public hospital nurses.

If passed into law, the minimum basic salary of a first-level government employee will be increased from P11,068 to P13,000 to remain competitive with the prescribed minimum wage in the National Capital Region.

For one, SSL V will give public school teachers with salaries that are higher than the private sector by around 65% to 87%. This will not only give our public school teachers with

proper compensation for the difficult task of molding our future generation. It will also make a career in public teaching more attractive and competitive than the private sector.

Around 1.4 million civilian personnel in the national government will likewise benefit from the proposed measure. The President wants nothing less than a complete and holistic approach to the salary increase. Meaning, he wants all government employees to receive an increase.

This necessary reward for our civil servants has been a long time coming. It is high time that we recognized their work and accomplishments with a salary increase they deserve. I am also confident that with this act of gratitude and good will, our government employees will become more motivated to be in the service of the government and our people.

MANIFESTATION OF SENATOR ANGARA

Senator Angara commended Senator Revilla, chairman of the Committee on Civil Service, Government Reorganization and Professional Regulation, and the other authors of the bill, as he informed the Body that the General Appropriations Bill passed on Third Reading has at least P32 billion allotted for the SSL V to ensure that it does not become an unfunded mandate.

MANIFESTATION OF SENATOR HONTIVEROS

Senator Hontivero expressed her desire to cosponsor the bill on behalf of the government workers and public sector unions. She stated that the valiant government workers, who quietly toil to ensure the bureaucracy would best serve the needs of the people, deserve no less. She said that the next bill that should be realized is the regularization of all government workers, including those hired through job order and contract of service.

MANIFESTATION OF SENATOR GORDON

Senator Gordon commended Senator Angara, chairman of the Committee on Finance, and Senator Lacson and all the other members, for having the foresight to ensure that there would be money for the SSL V. He stated that it would have been foolish if the Body came out with a law that would be a dead letter law again. Thereafter, he expressed his intention to join the coauthors and cosponsors in cosponsoring this measure.



Senator Gordon stated that in Singapore, government officials and employees are quite well paid, who work with firmness and fairness at all times, the reason why the country has a smooth-running government. He believed that if government pays its people well, they would perform better.

INTERPELLATION OF SENATOR DRILON

At the outset, Senator Drilon noted that earlier Senator Angara confirmed that about P32 billion in the proposed 2020 General Appropriations Act was allocated for the SSL V. He then asked if it was still necessary to pass into law Senate Bill No. 1219, and supposing it is not passed into law, whether the government could still implement the earmarked budget in the General Appropriations Act once it takes effect on January 1, 2020.

Senator Revilla explained that the SSL V will be given in four tranches, the schedule of which has been indicated in the proposed measure.

Senator Drilon assumed that the Committee on Finance came out with the figure P32 billion based on the salary schedule found in the committee report. He again asked if the GAA, insofar as the salary increases are concerned, could not be implemented if the proposed bill is not passed. Senator Revilla replied that it could be implemented by an executive order.

Senator Drilon said that he would postpone his queries on the proposed measure until the next session to give Senator Revilla time to review the situation.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1219

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

MANIFESTATION OF SENATOR PACQUIAO

Relative to the privilege speech of Senators Go and Tolentino delivered the previous day on the concession agreements entered into by the government with Maynilad and Manila Water, Senator Pacquiao made the following statement:

Kailangan ko pong tumayo at magsalita dahil hindi ako puwedeng manahimik kapag ang taong bayan na ang naagrabyado.

The budget season brings forth a lot of insights and realizations. It makes us ponder about the economic situation of our country. *Taun-taon, hinaharap natin ang pare-parehong problema pagdating sa laman ng kaban ng bayan tulad ng underspending at budget deficit. Palaging malaki ang budget pero kulang ang pera.*

In our country, government-owned or -controlled corporations were created because market failures exist and the government needs to protect the interest of the public. It is the responsibility of the State to pursue a policy that serves the general welfare and utilizes all forms and arrangements of exchange on the basis of equality and reciprocity.

Ang masakit lamang ay naibenta na ang ating mga major GOCCs involving social services such as water, electricity, and telecommunications. We are now reaping the consequences and paying at a high cost. Kawawa ang taong bayan.

In 1997, Republic Act No. 8041 or "The Water Crisis Act" was passed, which led to the privatization of MWSS with the primary mandates of transferring the financial burden to the private sector, improving the service standards, increasing the operational efficiency, and minimizing the tariff impact.

In the same year, the Philippine government entered into a 25-year concession agreement with water concessionaires Manila Water Co. and Maynilad Water Services, Inc. The contracts of the two water concessionaires were supposed to expire in 2022 but were extended until 2037.

On November 2019, the Manila Water won an arbitration case before an international tribunal and demanded that the Philippine government pay them an amount of P7.4 billion for the losses that they suffered from 2015 to 2019.

The Department of Justice found out that certain provisions in the contracts are prejudicial to the interest not only of the government but more so of the consuming public.

On our end, we need to conduct our own investigation since the Constitution vested the Legislative branch with the power to amend, alter or repeal any franchise or right it granted when the common good so requires.

With this, I filed a Senate resolution "calling for an investigation, in aid of legislation, into the alleged onerous contracts between the Philippine government and water concessionaires Manila Water Co. and Maynilad Water Services, Inc."



Kung tutuusin, tambak-tambak ang ating problema sa ekonomiya. Nagkapatung-patong na ang ating mga paulit-ulit na suliranin. It is high time that we confronted the real issues, no matter how tough and painful the process may be. Doon lamang tayo sa tama. Doon lamang tayo sa totoo.

The solutions to our problems will not be instant. This might even take more than a decade or so. But my point is, we must start somewhere. *Ang ating pag-iimbestiga sa mga water concessionaires ay umpisa lamang ng mas mahabang laban.*

We are solution providers. We will look for ways to uphold the interest of our fellow Filipinos and secure the future of the succeeding generations.

Iyon po ang masakit sa bansa natin. Masyadong napagsamantalahan ng mga corrupt na mga politicians kaya ang mga tao ang nagsa-suffer, kaya ang mga tao ay naghihirap sa bansa natin dahil hindi inisip ang kapakanan ng mga mamamayang Pilipino kundi inisip ang mga private sector, iyong malalaking business sector.

Nakagalit pero kailangan nating kontrolin ang ating sarili at idaan na lamang sa legislation at ayusin ang lahat ng mga problema. Kailangan nating magtulung-tulong. Hindi kaya ng Presidente i-solve ang problema ng ating bansa kundi kailangan nating lahat na magkaisa para ma-resolve natin ang problema sa ating bansa.

Kung hindi tayo magkakaisa, walang mangyayari sa bansa natin, palaging nag-uusap ngunit walang solusyong ginagawa.

REFERRAL OF MANIFESTATION TO COMMITTEE

Upon motion of Senator Zubiri, there being no objection, the Chair referred the manifestation of Senator Pacquiao to the Committee on Public Services.

PRIVILEGE SPEECH OF SENATOR HONTIVEROS

Availing herself of the privilege hour, Senator Hontiveros delivered the following speech in commemoration of the International Human Rights Day which is celebrated every 10th of December:

Today is December 10th, the International Human Rights Day. *At sabi pa Bono kanina, "You cannot compromise on human rights."*

So, while we cannot be celebratory of any noncompliance with our international commitment to respect, protect, and fulfill our human rights obligations to our fellow Filipinos today nor even greet each other "Happy Human Rights Day" in a festive, joyful mood, there is something that we need to do today – REMEMBER.

Remember the lesbian couple who was not entitled to a home in a relocation site because they were not considered as a family. Two lesbian-headed households, one with an elderly lesbian couple and the other, a lesbian couple raising a child who were excluded from the potential list of grantees. Where are they going to live? Where are they going to raise their child?

Remember the gay teacher who dressed up as a bride in a non-school and personal event which was used by officials of the private school as a ground to terminate his employment. How is he going to earn his keep? How is he going to feed his family?

Remember the second-year high school student from Batangas who committed suicide due to depression when he was outed by his classmates. What do we tell his parents, his friends?

The truth is that as a nation, most especially recently, we seem to have been proud of not having a full human rights culture that, as a concept in our context, it is not that important, that it is elitist and western, that it is simply does not apply. But, then again, to every lesbian, gay, bisexual, transgender, queer, intersex, asexual person who are equally capable and equally well-meaning taxpaying citizens of this country, how do we explain to them when they are not hired for work, when they are suspended from class, when they are not allowed to graduate, when they cannot enter certain private establishments, that they are not equal? That we have more rights than them? What do we tell gender non-conforming children who, as young as 11 years old, keep on hearing things like "*Ipako sa krus,*" or "*salot sa lipunan,*" or "*anak ka ng demonyo*"? How do we explain to the young generation the deaths of Rachel Bequilla, Jordan Borabien, Rolando Apolinario, Joyce Florance, Alex Nodado, and Jennifer Laude?

As legislators, we owe young Filipinos the truth that there is so much more to be done in terms of realizing equality as a human right, not special rights, but same rights—not for us, the privileged, but, at least for our kids to whom we tell everyday that they can be whoever they want to be; that they can dream, they can love, they can live their lives to the fullest because

they are accepted, because their rights are protected, because we make sure that in the eyes of the law, we are all equal.

A bit of recent news. Last November, a major airline hired the first transwoman as flight attendant. Describing the experience, Jess Labares, the 24-year-old beauty queen cabin crew, expressed her gratitude to Cebu Pacific in behalf of the LGBTIQA community. She said, "We are now slowly accepting and respecting individuality, uniqueness, and expression."

Mikee Vitug, just like Jess, was honored and humbled. In her post, she said, "This is something new and I hope it will spark a change *sa kung paano ang pagtingin ng mga tao sa mga transwoman na hindi kami iba or stereotype kasi tao din naman kami. Capable din kami, normal lang din kami na tao.*"

Mikee also has a message for the LGBTIQA community: "To those people who are afraid of going out of their comfort zone, to those people who want to make a change but keep on holding themselves back because of prejudice, judgment, and discrimination, just listen to your heart, and make it happen because nothing is impossible."

I applaud Cebu Pacific for being accepting, nondiscriminatory, and diverse. Jess and Mikee's achievements are not only personal moments but milestones in the movement that we should celebrate and emulate.

As we commemorate International Human Rights Day today, let us not forget those who have suffered and struggled for our rights. Let us not forget how far we have gone and how even farther and longer we need to go to make equality a human right, a basic fundamental, inalienable right for everyone. Until then, we remain hopeful that the minds and the hearts of our fellow legislators will be open and filled with the sense of fairness, justice, and love. Until then, we will keep on fighting until we win. And to get there, I will just hold on to Mikee Vitug's words that nothing is impossible.

REFERRAL OF SPEECH TO COMMITTEE

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

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri commended Senator Gordon for

having teamed up with U2 frontman and philanthropist Bono in his Red Cross projects.

Senator Gordon thanked Senator Zubiri for his presence at the Philippine Red Cross headquarters in support of a new level of service of the organization so that it would be able to bring blood and medical supplies to any part of the country, including medicine for snake bites, by way of Zipline national-scale drone delivery.

PROPOSED SENATE RESOLUTION NO. 230

Upon motion of Senator Zubiri, there being no objection, the Body considered Proposed Senate Resolution No. 230, entitled

RESOLUTION COMMENDING FILIPINO SURFER ROGER CASUGAY FOR EXHIBITING ACTS OF HEROISM AND BRAVERY IN ORDER TO RESCUE AN INDONESIAN COMPE- TITOR DURING THE SURFING COM- PETITION OF THE 30TH SOUTHEAST ASIAN GAMES,

taking into consideration Proposed Senate Resolution No. 250.

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.

Thereupon, the Chair recognized Senator Gordon to sponsor the resolution.

SPONSORSHIP SPEECH OF SENATOR GO

Senator Go urged the Body to adopt Proposed Senate Resolution No. 230, commending Roger Casugay for his selfless act which exemplified the Filipino value of *bayanihan*.

Following is the full text of Senator Go's sponsorship speech:

An athlete's ultimate goal in any competition is to bag the gold medal. But on December 6, 2019, at the height of the men's longboard surfing competition of the 30th Southeast Asian Games at the Monalisa Point in San Juan, La Union, a Filipino surfer named Roger Casugay set aside the goal.



Casugay chose instead to help Arip Nurhidayat, his Indonesian competitor, who was being hit by big waves after his leash snapped and he was separated from his surfboard. Casugay made Nurhidayat climb up his board, and together they rode to the safety of the shore and the applause of onlookers.

That moment is the epitome of the official slogan of the 30th Southeast Asian Games. Roger Casugay showed us what "We Win as One" truly means. The Filipino people beamed with pride for his selfless act, which exemplified the Filipino value of *bayanihan*.

Indonesian President Joko Widodo, who himself thanked Casugay, said it best: "Winning the competition and upholding sportsmanship is important, but humanity is above all."

It is therefore my honor and privilege to sponsor Proposed Senate Resolution No. 230 commending Filipino Surfer Roger Casugay for exhibiting acts of heroism and bravery in rescuing an Indonesian competitor.

Nais ko ring ibahagi na nang napag-alaman ko ang kabayanihang ginawa ni Casugay, agad ko siyang tinawagan. Kinontak ko po siya sa pamamagitan ng kaniyang coach. Nag-kausap kami sa telepono noong December 7 ng gabi at sinabihan ko siya na manalo man siya o matalo, makakatanggap siya ng Order of Lapu-Lapu Award mula kay Pangulong Rodrigo Duterte.

Ngunit kahapon, December 8, ipinakita ni Casugay na lahat ng maari niyang gawin upang makapagbigay karangalan sa ating bansa ay gagawin niya, at nakamit nga ng ating dakilang surfer ang gold medal sa men's longboarding category.

Walang dudang si Casugay ang hero ng 30th Southeast Asian Games. Ang mga arnisador ni Senator Migs Zubiri at sa mga kickboxers ni Senator Tolentino, walang duda, lahat po ay hero para sa amin. In fact, bibigyan po ng parangal ni Pangulong Duterte, bibigyan niya ng Lapu-Lapu Award ang lahat ng gold medalist, silver medalist, at bronze medalist. Bibigyan niya ng parangal sa Malacañang sa December 18, 2019. Pinaunlakan niya po ang ating imbitasyon na makasama siya ngayon, kaya hinihiling ko na bigyang pugay po natin siya.

In interviews, Casugay humbly said that it is normal for surfers to help one another. His statement gives us a glimpse of the spirit of brotherhood and camaraderie that exists within the surfing community. Thus, we must also recognize the men and women who share the same

passion with Casugay and help form his character.

It is the first time that the SEA Games had surfing as one of the competitions conducted. With us today are the other members of the Philippine Surfing Team who also brought immense pride and honor to our country: Nilbie Blancada who bagged a gold medal; Rogelio Esquivel, silver; Jeby Mae Agudo, silver; John Mark Tokong, bronze; Daisy Valdez, two bronze medals; Edito Alcala; and Ian Saguan.

Nandito po sila at kasama ang kanilang coach na si Luke Landrigan at ang United Philippine Surfing Association president, Dr. Jose Raul Canlas.

Team Surfing Philippines garnered the most number of medals in the 30th Southeast Asian Games surfing match. We won a total of seven medals—two gold, two silver, and three bronze medals.

Mabuhay po kayo! Ang puso, ang tapang at galing na inyong ipinakita ay nagpapatunay na karapat-dapat suportahan ang mga atletang Pilipino at pagtuunan ng pansin ang long-term sports development.

With the performance of the whole Philippine delegation, especially the heroic act and podium finish of Casugay, our hosting of the recently concluded surfing sports event has been successful indeed. We did not only garner the most number of gold medals. We were also able to show to our neighbors and even the world the best of the Filipino athletes and the Filipino people.

It is for these reasons that I seek the Senate's approval of this proposed Senate resolution commending Filipino surfer Roger Casugay for exhibiting acts of heroism and bravery in rescuing an Indonesian competitor during the surfing competition of the 30th SEA Games.

COSPONSORSHIP SPEECH OF SENATOR BINAY

Senator Binay congratulated and commended the hero of the 30th Southeast Asian Games, Filipino surfer Roger Casugay, who represented the true spirit of sportsmanship. She said that the heroism that Mr. Casugay displayed was a reflection of the willingness and readiness of every Filipino to sacrifice his/her life in order to save another's life.

Senator Binay stated that Mr. Casugay exhibited his selfless act of heroism when he saved his



Indonesian competitor, Arip Nurhidayat, from drowning. She said that on her part, Mr. Casugay was a winner a thousand golds over, for there can always be a chance to get a crack at the gold, but never will there be a chance to get a person's life back.

For his act of heroism, Senator Binay believed that Mr. Casugay deserved to be the flag-bearer during the closing ceremony of the 30th SEA Games. She hoped that Mr. Roger Casugay, for the honor he has brought to the country, will serve as an inspiration to all.

COSPONSORSHIP REMARKS OF SENATOR GORDON

Senator Gordon joined the members of the Chamber in honoring Roger Casugay not only for his courage in the field but also his courage outside the field, who deserves a gold medal for the character that he displayed.

He stated that many athletes compete because of glory and future dividends by way of advertising; however, it was different in the case of Roger Casugay as he showed not only good character and courage but also honor as a Filipino despite the certainty of winning the gold medal. He believed that Casugay not only taught how to play fair but has also taught that winning for his whole life by doing a good deed is more important than winning just for the moment.

Senator Gordon said that what Casugay did would be impossible to be forgotten especially by the youth. He expressed hope that all the schools would extol such wonderful manifestation of the Filipino spirit of heroism and courage for pursuing honor of a country instead of pursuing the medal. He believed that for a country that has sometimes felt it would never measure up and progress, the heroism of Casugay would infuse a tremendous amount of inspiration to the people, especially to the young, to regard character and courage above other things.

He noted that although it was not the first time that something like it has happened in other countries, no senator has stood up for heroes like Braima Suncar Dabo of Guinea-Bissau who stopped during the men's 5000-meter heat to assist his struggling competitor, Jonathan Busby of Aruba. He disclosed that he used to run track in Ateneo wherein he won the championship without gathering any medal and learned the essence of teamwork by infusing the

spirit of competitiveness, honor and dignity in the way they played. He reiterated that the same could be learned from Roger Casugay who, he believed, would be long remembered. He likewise believed that more like him would eventually win in the future if both the public and private schools would relate his story.

He said that another notable athlete who has shown the essence of true sportsmanship was Jim Ryun of the United States who was in a tough competition with a Kenyan in a race. He related that many were waiting for such race because Ryun played second in the previous race in Mexico; although Ryu, a Cherico Indian, was ahead, the athlete tripped but gathered enough strength to finish the said race. Similarly, he said that Filipinos should learn to finish the race and show that character of a nation regardless if they are going to lose the medal.

He saluted Roger Casugay, saying that the monetary incentive amounting to P300,000 is a small price to pay for his efforts. He said that though Casugay needs the money, what he has given to the country in terms of pride, joy, and honor could not be measured by any amount of money.

He congratulated Roger Casugay and the whole surfing team who won medals as well as the rest of the Filipino athletes involved in other sports such as arnis. He likewise congratulated the football team for the élan they exhibited and the volleyball team for beating the Thais for the first time after four attempts.

He said that it fills him with happiness to see Filipinos becoming frontrunners and winning not only in the field of sports but also in the field of politics in terms of making sure that they live by example in their competitiveness to win and making sure that they do so for the country and not for self.

Aside from Casugay and the other winner athletes, he also commended those who lost, saying that nobody loses in the Southeast Asian Games because they all showed that the Filipino could and would prevail no matter what.

COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA

Senator Villanueva also delivered his cosponsorship speech commending the heroic act of Filipino surfer Roger Casugay during the surfing competition in the 30th Southeast Asian Games.



Following is the full text of Senator Villanueva's cosponsorship speech:

It is my honor and privilege to cosponsor the resolution commending the heroic acts of Filipino surfer Roger Casugay during the surfing competition of the 30th Southeast Asian Games.

Cambridge defines the word "sportsmanship" as the "quality of showing fairness, respect, and generosity toward the opposing player when competing." Roger Casugay embodies the true definition of sportsmanship. Imagine, he was arm's length away from victory when he decided to look back and save a competitor. He did not think twice in the face of danger. The waves of La Union were quite challenging and made even more difficult because of typhoon *Tisoy*. Casugay's character was tested in this endeavor and he showed us that the games are more than just the medals. More than his desire to win, his compassion for others spoke louder in times of crisis.

His actions clearly exemplify the true agenda of the Southeast Asian Games, which is to build and strengthen the relationship between Southeast Asian countries through sports. *Hindi po kayang pantayan ng ginto ang kabayanihan na ipinakita ni Roger Casugay.*

May this be a reminder to all of us to let our humanity shine, do good when the situation calls for it, and to do what is right even when it is difficult.

Mabuhay ka, Roger Casugay, at mabuhay ang mga atletang Pilipino! Maraming salamat po at pagpalain tayong lahat ng ating Panginoong Diyos.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 230

Upon motion of Senator Zubiri, there being no objection the Body adopted Proposed Senate Resolution No. 230, taking into consideration Proposed Senate Resolution No. 258, subject to style.

COAUTHORS/COSPONSORS

Upon motion of Senator Zubiri, there being no objection, all senators present were made couthors/cosponsors of Proposed Senate Resolution No. 230.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended for an all-senators' caucus.

It was 4:39 p.m.

RESUMPTION OF SESSION

At 7:14 p.m., the session was resumed with Senate President Pro Tempore Recto presiding.

RECONSIDERATION OF THE APPROVAL OF SENATE BILL NO. 1055 ON SECOND READING

Upon motion of Senator Zubiri, there being no objection, the Body reconsidered the approval of Senate Bill No. 1055 on Second Reading.

COMMITTEE REPORT NO. 5 ON SENATE BILL NO. 1055 (Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1055 (Committee Report No. 5), entitled

AN ACT ESTABLISHING A SEPARATE FACILITY FOR PRISONERS CON- VICTED OF HEINOUS CRIMES.

Thereafter, the Chair recognized Senator Gordon, sponsor of the measure, and Senate President Sotto for his perfecting amendments.

SOTTO AMENDMENTS

As proposed by Senate President Sotto and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

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1. On line 3, after the title "Definition of Terms," insert the phrase AS USED IN THIS ACT;
2. On line 5, after the word "and," replace the words "are convicted of" with SENTENCED TO;
3. Delete lines 6 to 13 starting with the word "shall";
4. On line 14, replace the word "Inmates" with INMATE;
5. Still on line 14, replace the word "inmate" with PERSON;

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6. On line 7, after the word "penitentiary," insert the phrase UNDER THE OPERATION OF THE BUREAU OF CORRECTIONS;
7. On lines 9 and 10, delete the phrase "under the operation of the Bureau of Prisons";

ps not

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8. On line 11, after the word "vehicles," replace the word "should" with SHALL;
9. On line 15, capitalize the first letters of the term "heinous crime facility" to denote a proper name for the facility/ies being established under the proposed bill;

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10. On line 4, replace the word "Crime" with CRIMES to ensure consistency and appropriateness in the use of the terms "Heinous Crimes Facility" or "Heinous Crimes Facilities";
11. On line 5, replace the word "Crime" with CRIMES;
12. On line 7, after the word "separate," replace the preposition "in" with FROM;
13. On line 8, replace the word "Crime" with CRIMES;
14. On line 12, replace the phrase "Facility" with FACILITIES;
15. Still on line 12, delete the phrase "for heinous crimes";
16. On line 14, replace the word "Crime" with CRIMES;
17. On line 17, delete the word "with";

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18. On line 8, replace the word "are" with SHALL BE;
19. On line 20, between the words "any" and "forensic," insert the words OF THE GOVERNMENT;

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20. On line 16, after word "monitor," replace the phrase "its proper implementation" with IMPLEMENTATION OF THIS ACT;
21. On line 18, replace the words "make sure" with ENSURE;
22. On line 19, replace the word "systems" with SYSTEM;

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23. On lines 9 and 10, capitalize the first letters of the term "heinous crimes facility";
24. On line 11, capitalize the first letters of the term "heinous crimes facility";
25. On line 12, after the word "and," delete the word "the";
26. On lines 13 and 14, after the word "relation," replace the phrase "to the aforesaid construction" with THERETO; and
27. On line 16, delete the words "and occupied."

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

COAUTHORS

Upon their request, Senators Pacquiao and Recto were made coauthors of Senate Bill No. 1055.

APPROVAL OF SENATE BILL NO. 1055 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1055 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1055

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

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 7:24 p.m.

RESUMPTION OF SESSION

At 7:30 p.m., the session was resumed.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, there being no objection, Senate President Pro Tempore Recto declared the session suspended until three o'clock in the afternoon of the following day.

It was 7:30 p.m.

RESUMPTION OF SESSION

At 3:00 p.m., Wednesday, December 11, 2019, the session was resumed with Senate President Sotto presiding.

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ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Grade 12 students of Pateros Catholic School; and
- The Philippine Kickboxing team led by their head coach Randy Caluag; assistant coaches Glenn Mondol and Donnie Geisler – Olympian and SEA Games champion in Taekwondo; and the athletes Gina Iniong, Jerry Olsim, Jean Claude Saclag, Jomar Bolangui, Renalyn Daquel, Karol Maguide, Rex de Lara, Ruel Catalan, and Mark Sangiao.

Senate President Sotto welcomed the guests to the Senate.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session No. 38 (December 9, 2019) and considered it approved.

SECOND ADDITIONAL 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. 1220, entitled

AN ACT STRENGTHENING REPUBLIC ACT NO. 9208, AS AMENDED BY REPUBLIC ACT NO. 10364, ENTITLED “AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND FOR OTHER PURPOSES”

Introduced by Senator Cayetano

To the Committees on Women, Children, Family Relations and Gender Equality; and Science and Technology

Senate Bill No. 1221, entitled

AN ACT PROVIDING FOR A MAGNA CARTA FOR WORKERS, ENTERPRISES AND ORGANIZATIONS IN THE INFORMAL ECONOMY AND INSTITUTIONALIZING MECHANISMS FOR RECOGNITION, INTEGRATION, AND TRANSITION TO THE FORMAL ECONOMY, FOR IMPLEMENTATION THEREOF AND FOR OTHER PURPOSES

Introduced by Senator Hontiveros

To the Committees on Labor, Employment and Human Resources Development; Social Justice, Welfare and Rural Development; and Finance

Senate Bill No. 1222, entitled

AN ACT PROMOTING THE DEVELOPMENT OF AGRICULTURAL LAND, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

To the Committees on Agriculture, Food and Agrarian Reform; and Finance

Senate Bill No. 1223, entitled

AN ACT PROVIDING THE NATIONAL ENERGY POLICY AND REGULATORY FRAMEWORK FOR THE USE OF ELECTRIC VEHICLES, AND THE ESTABLISHMENT OF ELECTRIC CHARGING STATIONS

Introduced by Senator Pacquiao

To the Committees on Energy; Public Services; and Ways and Means

RESOLUTION

Senate Concurrent Resolution No. 3, entitled

CONCURRENT RESOLUTION GIVING CONSENT TO HIS EXCELLENCY

RAUL S. HERNANDEZ, FORMER AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF THE PHILIPPINES TO THE REPUBLIC OF KOREA FROM 28 MAY 2014 TO 30 APRIL 2019, TO RECEIVE THE AWARD OF THE "ORDER OF DIPLOMATIC SERVICE MERIT, FIRST CLASS" FROM THE GOVERNMENT OF THE REPUBLIC OF KOREA

Introduced by Senator Pimentel III

To the Committee on Rules

COMMITTEE REPORT

Committee Report No. 27, prepared and submitted jointly by the Committees on Basic Education, Arts and Culture; and Finance, on Senate Bill No. 1224 with Senators Zubiri, Villar, Villanueva, Binay, Lacson and Gatchalian as authors thereof, entitled

AN ACT INSTITUTIONALIZING COMPREHENSIVE VALUES EDUCATION IN THE K TO 12 CURRICULUM AS A CORE SUBJECT INCLUDING GOOD MANNERS AND RIGHT CONDUCT, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 310, 860, and 1185.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

ACKNOWLEDGEMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of Team Android DOTA-Philippines led by their coach Paul Rey Valero; team owners Rundolph Martin Gonzales and Ashbee Rivera; and members John Anthony Vargas, Mc Nicholson Villanueva, Jun Kanehara, Marvin Salvador Rushton, Brylle Jacob Alviso – gold medalists of the esports tournament in the 30th SEA Games.

Senate President Sotto welcomed the guests to the Senate.

PROPOSED SENATE RESOLUTION NO. 265

With the permission of the Body, upon motion of Senator Zubiri, the Body considered Proposed Senate Resolution No. 265, entitled

RESOLUTION COMMENDING AND CONGRATULATING THE PHILIPPINE NATIONAL TEAM FOR KICKBOXING FOR ITS STERLING PERFORMANCE IN THE 30TH SOUTHEAST ASIAN GAMES

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.

SPONSORSHIP SPEECH OF SENATOR ZUBIRI

Senator Zubiri, author of Proposed Senate Resolution No. 265, delivered his sponsorship speech, as follows:

In 2007, then City Mayor Abraham "Bambol" Tolentino, who is now our POC President, founded the Samahang Kickboxing of the Philippines, under the presidency of our Senator Francis "Tol" Tolentino. We are thankful that in early 2019, the Philippine Olympic Committee made it an associate member.

In the 30th Southeast Asian Games, kickboxing was chosen to be one of the sports to be played by our country with other Southeast Asian neighbors. Under the leadership of Senator Tolentino, he drew the masterplan and made initial preparations for the 2019 edition of the regional sports meet among Southeast Asian countries.

After extensive tryouts, they had chosen Gina Iniong, Jerry Olsim, Jean Claude Saclag, Jomar Balangui, Ronalyn Dacquel, Karol Maguide, Rex De Lara, and Ruel Catalan who have set up and constituted the eight-man lineup and complemented by Mark Sangiao, Glenn Mondol, and Donnie Geisler, as their coaches, and Randy Caluag, as their head coach.

We were able to achieve three golds, two silvers, and one bronze. That is why, in the last few weeks, Senator Tolentino was like me, stressed to the limit and did not know what the outcome would be, whether we would win golds or not. And he, himself, as we can see in the video he sent us, was training the athletes using the punch mitts. *Nakita natin kung gaano kagaling na trainer si Senator Tolentino.*



Truly, the kickboxing team deserves these accolades for its sterling performance in the 30th Southeast Asian Games.

COSPONSORSHIP SPEECH OF SENATOR GO

Senator Go stated that as an advocate of long-term sports development and chairperson of the Senate Committee on Sports, he was honored to cosponsor the resolution commending and congratulating the Philippine National Team for kickboxing for its sterling performance in the 30th Southeast Asian Games.

The full text of Senator Go's sponsorship speech follows:

Lahat ng atletang Pilipino, saan man sila lumaban, ay nagpamalas ng tapang at galing sa SEA Games na magtatapos ngayong gabi. Ang kanilang nakamit ay tumatak sa puso ng sambayanang Pilipino at nakakintal na sa kasaysayan ng ating bansa.

Bagaman hindi lamang ang ating bansa ang kinikilala ng mundo bilang tahanan ng kickboxing, kahanga-hanga naman ang naging performance ng Philippine team. Patunay ito na kapag may sapat na suporta mula sa pamahalaan at taong bayan, kayang magtagumpay ng atletang Pilipino.

Thank you to our athletes. You inspire all of us in government to do more for Philippine sports and for our country in general. I would also like to thank and congratulate the president of the *Samahang Kickboxing ng Pilipinas*, who is no other than Senator Francis "Tol" Tolentino. Your leadership and dedication has been instrumental in the victory of our team.

Lahat ng nanalo sa Southeast Asian Games ay bibigyan ng parangal ng ating mahal na Pangulo. Bibigyan niya ng Presidential Lapu-Lapu Award at separate cash incentives ang lahat ng mga medalists.

Lubos akong natutuwa na naging matagumpay, hindi lamang ang hosting kung hindi pati na rin ang mga atleta ng Pilipinas.

Mabuhay kayong lahat. Salamat sa inyo. Indeed, thank you.

COAUTHORS

Senator Zubiri manifested that all senators present are coauthors of Proposed Senate Resolution No. 265.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 265

Upon motion of Senator Zubiri, there being no objection, the Body adopted Proposed Senate Resolution No. 265, subject to style.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:12 p.m.

RESUMPTION OF SESSION

At 3:25 p.m., the session was resumed.

SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 27 on Senate Bill No. 1224 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 27 ON SENATE BILL NO. 1224

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1224 (Committee Report No. 27), entitled

AN ACT INSTITUTIONALIZING COMPREHENSIVE VALUES EDUCATION IN THE K TO 12 CURRICULUM AS A CORE SUBJECT INCLUDING GOOD MANNERS AND RIGHT CONDUCT, 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 Zubiri, 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 Gatchalian, sponsor of the measure.

SPONSORSHIP SPEECH OF SENATOR GATCHALIAN

Senator Gatchalian, chairperson of the Committee on Basic Education, Arts and Culture, submitted for

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plenary consideration, Senate Bill No. 1224 under Committee Report No. 27, otherwise known as “An Act Institutionalizing Comprehensive Values Education in the K to 12 Curriculum as a Core Subject Including Good Manners and Right Conduct, and for other purposes.”

Following is the full text of Senator Gatchalian's sponsorship speech:

The legislation I am sponsoring today begs us to answer an important question: What is the most important thing we must teach our children?

People in highly technical professions, such as engineers and doctors, might answer Mathematics and Science. Creative-minded individuals, such as actors, authors, and painters, might answer Humanities and the Arts. Our talented crop of national athletes who have brought glory and honor to our country during the 2019 SEA Games, might answer Physical Education. Indeed, I think most people would probably answer this question based on their own personal preferences or interests.

Personally, I think that science, humanities, the arts, and physical education are all important subjects to teach our children and they play a crucial role in our basic education curriculum. However, important as they may be, these subjects are not the most important.

Before they reach success and acclaim in the scientific world, future scientists must first be taught to use their deep understanding of the complex laws of nature for the advancement of the common good. Before they create their masterpieces on the human condition, future artists must first be taught how to persevere with honor and dignity through the failures and rejections they will surely face before their art is finally recognized. Before they bring home the gold to the Filipino nation, future athletes must first be taught the value of sportsmanship and camaraderie with their fellow athletes.

The most important thing we must teach our children is to hold in their hearts and minds the proper moral, spiritual, ethical, intellectual, and social values they need to develop into upstanding, productive, and fulfilled members of our society. This is the subject of the present legislation.

Senate Bill No. 1224 or the Comprehensive Values Education Act seeks to establish Values Education as an integral and essential part of the K to 12 curriculum. A broad, all-encompassing

approach will be adopted, seeking to inculcate fundamental tenets such as the observance of respect for one's self and all persons, intercultural and interreligious diversity, gender equity, environmental responsibility, peace and justice, nationalism and global citizenship, as well as the values of patience, perseverance, industry, honesty, integrity, and good faith in dealing with fellow human beings.

This bill seeks to improve upon the Department of Education's existing *Edukasyon sa Pagpapakatao* Program and close some of the gaps found during our public hearings and consultations on the subject. I will discuss briefly how these gaps will be bridged by this measure.

First, the amount of time currently dedicated to Values Education in schools has been found to be lacking. The 30-minute daily sessions in primary education, and the two 1-hour sessions twice per week in secondary education, do not provide enough time for teachers to engage students in meaningful discussions and exercises on values formation. Therefore, the bill converts Values Education into a core subject of the K to 12 curriculums, mandating it to be taught in five 1-hour sessions per week, covering Grade 1 all the way up to Senior High School.

The bill also puts special emphasis on teaching Good Manners and Right Conduct (GMRC). This will provide significant practical learnings to students about the proper way to conduct themselves according to universally accepted modes of behavior, with a special emphasis on treating every person with which they interact with the proper courtesy and respect deserved by all human beings.

As the popular saying goes, “It takes a village to raise a child.” With this in mind, the bill mandates the use of the “whole school approach” in teaching Values Education and GMRC. Values Education teachers will work hand-in-hand with teachers of the other core subjects to ensure that learnings on values that are applicable to their respective academic subjects will be integrated and properly inculcated to students. Non-teaching personnel and other members of school communities, most especially the parents, will also be closely involved in Values Education. It is an inclusive approach that will maximise the nurturing influences around our students to really engrain within them the values being taught.

Often, the best way to teach values is to put those valued into action. After all, Values Education and GMRC involve such practical soft skills that they require real-life application to be understood as fully as possible. Therefore, this

bill mandates the Values Education curriculum to include clear, distinct, specific and concrete Character Building Activities for students. This will allow students to gain pivotal real-life experiences in applying their values to difficult situations, but in a controlled environment where experienced educators will help them process the lessons learned in a constructive and nurturing way.

At this point, I would like to thank the main proponents of this legislation, Sen. Joel Villanueva and Sen. Juan Miguel Zubiri, as well as Senators Lacson, Binay and Villar, for their keen insights and close collaboration in drafting this important measure.

As chairman of the Senate Committee on Basic Education, Arts and Culture, I see Comprehensive Values Education, including the teaching of GMRC, as an essential but often neglected part of the basic education curriculum. Thankfully, this bill is poised to bring Values Education back to the forefront of our schools. All in all, the passage of this legislation is vital to developing and nurturing future generations of respectful, morally upright, and compassionate Filipino citizens and leaders.

Therefore, on behalf of its authors and cosponsors, namely again, Sen. Joel Villanueva, Sen. Juan Miguel Zubiri and Sen. Panfilo Lacson, I humbly seek the support of this distinguished chamber for the approval of the Comprehensive Values Education Act.

COSPONSORSHIP SPEECH OF SENATOR ZUBIRI

Senator Zubiri emphasized the necessity of having a values education curriculum in schools to instill foundational Filipino principles among the youth. He likewise joined the Sponsor in urging the Body to support Senate Bill No. 1224.

Following is the full text of Senator Zubiri's cosponsorship speech:

The school is our children's second home. It is where they spend most of their time; and it is the place that shapes who they will grow up to be. This being the case, it is absolutely necessary that our schools have a values education curriculum that will instill in our children foundational Filipino principles. It is useless for our kids to be experts on their multiplication tables, their animal kingdoms, and their adverbs, but then also clueless when it comes to simpler, but arguably more important things—like saying

“po” and “opo”, or cleaning up after themselves, or volunteering to help their parents out with simple household chores.

The academic learning of our children needs to be strongly anchored on values education curriculum that will help them grow into respectful and principled young citizens who have a strong sense of family, community, and responsibility.

At present, the character-building facet of our education system falls entirely on the Values Education subject, which is taught from K to 3, and then integrated in all subjects from Grades 4 to 12. This is simply not enough. This bill, the Comprehensive Values Education Act, will reinstate values education classes as a core subject, taught at least one hour a day for five days a week. This bill will also see the return of GMRC, Good Manners and Right Conduct, in our schools which, by the way, was a norm in our educational facilities many, many years ago, or at least two decades ago.

A strengthened values education program ensures that our children will receive proper support and guidance, especially as they head into the tumultuous stage of adolescence.

Our children are growing up in an increasingly borderless world, where technology, particularly social media has, for better or for worse, really altered the way that they understand the world. It has also altered the way that they interact with other people. While technology is a wonderful tool for learning, it can also be limiting. Our kids cannot learn such things as respect, compassion, and discipline online. Values education remains the domain of the family and the school. This is why we cannot afford to do away with it, or even reduce it.

A strong values education program will provide our children a solid foundation that will brace them for the particular challenges of this globalizing age. With comprehensive values education subject, our children will learn to process value positions and value judgment and adapt accordingly in a given situation. They will learn to interact with others, especially with their peers, parents and elderly with respect, cultural, religious and gender sensitivity, and along with other universal values. They will be able to develop a stable sense of self that will stand strong against the less desirable influences of this changing world.

One thing that stands out among Filipino values is how we love, respect and take care of our parents and elderly when they grow old. We



can never be equal with what our parents have done to us, what kind of love and care they gave us when we were young, but taking care of them when they grow old or sick is one way to show our appreciation for all their sacrifices when they were raising us up. This Filipino value is something wanting in many developed societies. This, I believe, is our edge among these societies and countries and I do not want this to be forgotten by our youth today.

However, there are other values that we can emulate from other countries. In my visits to Japan, I am amazed how the school children carry themselves. For instance, while watching a game, they would cheer loudly and act like excited young kids that they are, but after the game, they turn into small adults, taking the time to clean up their trash and leave the venue tidier than what they arrived and used it. Compared to what we see here, even adults lack the discipline it takes to keep their surroundings clean. It is evident that we need good manners and right conduct so that we can continue these simple Filipino values that we sorely missed in today's youth. Not everyone, to be honest, has the same value system that we had in the past.

Truly, there is a gap in our values education program. We cannot have a shortened period of values education where we simply tell our children what to do. If we expect them to follow the unwritten rules of life, we must expand our values education program and take time to explain to them why these rules exist, and why we should all follow them as well. We must instill in them a sense of consequence and responsibility.

Children are the most vulnerable group in society, and it is our responsibility to help them with proper protection and guidance in their homes and in their schools. This new comprehensive values education program will be a major step in fulfilling that responsibility. As such, I ask our colleagues to see and help us pass this measure the soonest.

COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA

At the outset, Senator Villanueva thanked Senator Gatchalian, chairperson of the Committee on Basic Education, Arts and Culture, for bringing to plenary the proposed Comprehensive Values Education bill. He said that the Members appreciate Senator Gatchalian's magnanimous and passionate intention to pass the measure.

Senator Villanueva's cosponsorship speech follows:

The context that gave birth to our proposed Comprehensive Values Education bill is the clamor for the revival of good manners and right conduct, or GMRC.

The clamor is not based on pedagogical needs but on rampant social scandals and the corresponding moral outrage that results thereupon. Many of our citizens are appalled with the manner we conduct the different aspects of our every day affairs.

Corruption and lack of discipline is extensive from or traffic to our waste disposal; from our social media to our private social networks; from private corporate business to our public institutions.

This has already been the case since September of 1987 when the former Sen. Leticia Ramos Shahani filed a resolution urging the Senate to study the strengths and weaknesses of the Filipino character on the premise of identifying positive qualities for nation-building.

That initiative produced a report, prepared by a distinguished group of Filipino scholars from Senator Gordon's university, Ateneo de Manila University, and the University of the Philippines. It was completed in the early 1990s. This report recommended that in order to fully utilize the good qualities of our people, the weaknesses or negative qualities must be removed or rectified. It has been the groundwork for the nationwide Moral Recovery Program (MRP) which sought to integrate ethical values into nation-building and government. The then Senate Moral Recovery Program was a major facet of the Ramos administration. It is the same Moral Recovery Program that cascaded onto the present DepEd's Values Education Program or *Edukasyon sa Pagpapakatao*.

Three decades have gone, and our context has changed, and yet the same clamor for moral recovery remains, albeit amidst greater challenges and more pressing needs. It is as relevant as it is more urgent today as it was more than 30 years ago, to reassess Filipino values amidst the 21st century and the advent of the fourth industrial revolution.

As the Filipino people's Senate, we are keen on joining and responding to the ever more urgent clamor for positive change by legislating GMRC inclusion into the curriculum while at the same time giving rightful recognition for the noble accomplishments of our magnanimous predecessors. We also praise and consider DepEd's hard work for the establishment of the already existing Values Education framework in the K-12 curriculum.

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At bagama't sang-ayon po tayo sa DepEd na hindi naman nawawala ang GMRC sa curriculum at makikita pa rin ito sa kasalukuyang Edukasyon sa Pagpapakatao o ESP subject, kailangan nating harapin ang katothanan na napag-iwanan talaga ang GMRC.

We hope to educate the whole authentic human person. Educating the youth in the free understanding, desiring, and owning of actions proper to human person is the greatest and noblest, yet only one aspect of values education. GMRC is the aspect of the comprehensive Values Education where learners are given the chance to know the “what” and the “how” of the acceptable manners of conducting daily affairs according to the universal norms of ethics and morality; like, for example, proper way of dressing, dining, walking, speaking, among many other things, in the different situations and dimensions of life. Character-building activities will provide learners with actual opportunities to practice, experience, test, and deepen whatever is taught and caught in the other aspects of the comprehensive Values Education.

Napakabilis din po ng pagbabago ng panahon dahil na rin sa pag-unlad ng teknolohiya, napakalaki po ng impluwensiya ng social media, at kalimitan ay magkaiba ang itinuturo sa klasrum sa nakikita sa labas ng paaralan.

It is for this reason that the Comprehensive Values Education Bill is anchored in whole-school approach — through classroom teaching, co-curricular activities, and through community linkages.

Marami po ang nagsasabing hindi “pinagpalang subject” ang values education. Hindi raw ito katulad ng Math, Science, at English na prayoridad sa ating mga eskwelahan. Dahil dito, sadyang kulang na kulang ang 30 minuto kada isang araw para sa ating mga elementary at 120 minutes naman kada lingo sa sekundarya para sa values education.

What can we accomplish in 30 minutes? Experience-wise, “valuing process” within a 30-minute period is not feasible because that is the time that the adviser or homeroom teacher will “lecture” or make students do other jobs like cleaning, *et cetera*. Hence, our Comprehensive Values Education Bill seeks to institute Values Education as a core subject in the K-12 Program curriculum whereby GMRC is to be integrated and to be taught for at least one hour every school day.

Kaugnay po nito, magtatakda rin po ng mga pamamaraan para maengganyo ang ating mga kabataang kumuha ng Values Education

Teaching bilang specialization sa ating mga Teacher Training Institutions dahil nga po paunti na nang paunti ang mga kabataan na interesado sa Values Education ngayon.

We expect DepEd to put more value to values education. We want to have a well-grounded grasp of reality; of the right connections of things, of right reasons and motives for doing things right. Unfortunately, there seems a tendency to choose between GMRC and Values Education. We do not want to make that mistake.

It is the right thing to revive GMRC as essential part of the Values Education Framework because GMRC is an essential aspect of values education. Let me stress that GMRC without values education will make robots of people, programmed and disciplined into doing the arbitrary social constructs of “good manners” and “right conduct,” bereft of the capacity to discern, will, and act in freedom on what is good and what is right.

Finally, our Comprehensive Values Education Bill is rooted on the claim that values education is a primordial priority of our 1987 Constitution. It is the manifest intent of the Constitution to develop an enlightened, nationalistic, creative, productive, and disciplined citizenry, with strong ethical and spiritual values. It calls educators to consider values education as an integral part of the curriculum.

What else is education if not bringing out the best that a human person can become? And what can it be if not *pagpapakatao*, if not values education?

The Comprehensive Values Education bill aims at helping our people specially the young to always do the right things in the right manners for the right reasons. It is our long overdue mandate to legislate into law the integration of Comprehensive Values Education into our educational system. May I also add that the *Pambansang Samahan Para Sa Edukasyon sa Pagpapahalaga, Incorporated* issued a resolution of support to this measure and they are looking forward to the approval and passing into law of this bill.

Again, I want to reiterate my utmost thanks to the esteemed chairman of the Senate Committee on Basic Education, Sen. Win Gatchalian, for prioritizing this measure.

It becomes more urgent that Comprehensive Values Education be part of the K-12 curriculum in the advent of the 21st Century and the Fourth Industrial Revolution.

It is in the light of the foregoing that the immediate enactment of this bill into law is earnestly sought.

Muli po, maraming salamat at pagpalain tayong lahat ng ating Panginoong Dios.

COSPONSOR

Upon his request, Senator Revilla was made cosponsor of Senate Bill No. 1224.

COSPONSORSHIP SPEECH OF SENATOR REVILLA

At the instance of Senator Revilla, his cosponsorship speech on Senate Bill No. 1224 was inserted into the Record of the Senate.

Following is the full text of the speech:

It is my honor to cosponsor Senate Bill No. 1224 – An Act Institutionalizing Comprehensive Values Education in the K to 12 Curriculum as a Core Subject Including Good Manners and Right Conduct, and for other Purposes.

This piece of legislation runs to the core of nurturing universal values held upmost by our Constitution – love for God, for country, and for men.

*Sa panahon ngayon, maagang namumulat ang mga kabataan sa maraming sakit ng ating lipunan dahil sa media at pang-araw-araw na karanasan. Nabubuhay tayo sa isang mundo kung saan tila kung hindi ikaw ang mangangagat, ikaw ang gagawing pulutan. Lahat naghahanap ng katanyagan at pagkakakilala sa puntong naisasantabi na natin ang mga magagandang kaugalian at tradisyon nating mga Pilipino. Ilang beses na ba nating narinig ang lantarang pambu-bully sa mga paaralan? Bakbakan ng mga gang? Malawakang panda-
raya? Pati na rin pagkitil sa sariling buhay ng mga kabataan?*

This bill seeks to offer a comprehensive and pragmatic approach to value education in schools. It will mandate the teaching of Values Education as a core subject of the K to 12 curriculum, which will be taught in five 1-hour classes per week. It will also revive the teaching of Good Manners and Right Conduct or GMRC in our schools where students can learn practical lessons to conduct themselves in a right and courteous manner. Further, this bill will include character building activities in the Values Education curriculum for students to apply the values they have learnt in difficult situations.

Ayaw nating maging pamantayan ng kalidad ng edukasyon sa ating mga paaralan ang paghabol sa mga matataas na grado lamang. Gusto nating palakihin ang ating mga anak ng may integridad at pakinabang sa ating lipunan. Nais natin na sa kanilang paglaki, maayos silang makapag-aambag sa bayan at sangkatauhan.

Senate Bill No. 1224 or the Comprehensive Values Education Act will equip our students in becoming more responsible, respectful, compassionate, and resilient citizens. This bill will provide a road map to guide our children along a route to live a life based on character and moral principles.

I seek the support of my esteemed colleagues for the passage of this important measure.

MANIFESTATION OF SENATOR GORDON

Preliminarily, Senator Gordon manifested his support for Senate Bill No. 1224 which, he said, should have been passed a long time ago. He congratulated Senators Gatchalian, Villanueva, Zubiri, and the other Members who live by its values and code.

Senator Gordon recalled that in his conversations with Senator Villar, he was told about the Japanese manners, how they bow all the time, and how they promote cleanliness and honesty.

He recalled that while in grade school, the boy scouts and girl scouts would attend scouting wearing perfect uniform, complete with lanyard, whistle and shined belts. He stated that it takes a lot to formulate character, and he believed that what the country needs is not just a change of people but a changed people, of Filipino reinventing themselves. He believed that the people's attitude and ambitions would only be realized if they devote themselves to the value of hard work which Filipinos have lost and who have become sarcastic to themselves and have become non-believers of their capabilities. He agreed that GMRC could not be taught for only 30 minutes a day or an hour in a week. He said that it would need better teachers who could espouse the values and who could lead by example.

Senator Gordon recalled that in his youth, he recited *Florante at Laura* and although there was a lot of gimmickry and foolishness in those days, what came to mind was the line "*Ang laki sa layaw karaniwang hubad sa bait ngunit sa hatol ay salat.*" He said that the line permeated the being of

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the young people at that time and the parents participated then.

He narrated that in his trip to Geneva, he observed that the Filipino pride was tight in the country, the Filipinos there were not lazy and spoke the native language. He supposed that the fact that they were away from home made it imperative for their families to keep tight their values.

Senator Gordon stressed that his total support for the measure is borne out of the philosophies that he had lived in his life. He stated that most of the time, it is the value of getting everybody to get together.

He also recalled John Towland's book that described Japanese children as going to school bareback during the winter, of Japanese children going out and cleaning up everywhere because they considered it important to keep the homogeneity of their islands and to bear in mind the threats of their bigger neighbors. He said that the Japanese remained loyal to their language and kept *tatema* wherein they only display an expressionless – but polite – façade. However, he said that when they show *hona*, they show their true character.

Senator Gordon proceeded to describe the small city-state of Singapore wherein the value of unity and solidarity remain in the pursuit of transformation. He lamented that even before the SEA Games are over, he has heard of statements that the Philippines would be lucky to win four events in the next Asian games. He said that it is important that the government should have a think-tank that would think about and espouse unity in its ambition to succeed and promote a great work ethic.

Thereafter, he expressed his gratitude to Senators Gatchalian and Villanueva and to the Committee for bringing the proposed measure to the floor. He urged the Body to reinvent the Filipino, fine-tune its attitude, and get it into the habit of being conscious and looking for ways to redefine itself. He said that a person can lie to everybody but not to himself. Senator Gordon said that a person is not true to himself just fooling his ownself and is a mere traveler in the world without any idea or any hope that he could become a better person many times than who he thinks he is.

COSPONSORSHIP SPEECH OF SENATOR BINAY

Pursuant to the manifestation of Senator Zubiri, Senator Binay's cosponsorship speech on Senate Bill

No. 1224 was deemed read and inserted into the record of the Senate.

Following is the full text of Senator Binay's sponsorship speech:

I rise today to cosponsor Senate Bill No. 1224 (Committee Report No. 27) or "An Act Institutionalizing Comprehensive Values Education in the K to 12 Curriculum as a Core Subject Including Good Manners and Right Conduct, and for Other Purposes."

As a mother, I believe that values formation should start at home. However, I also believe that whatever is taught at home should be reinforced in our schools.

There are no two ways about it—deplorably, we live in a society that by the day seems to be increasingly divided. On social media alone, what we could consider the playground of the younger generation who are digital natives, there seems to be no rules of engagement.

Discourse is colored by fanaticism and dumbed down by inanities and insensitivity that should have no place in civilized social interactions. Due to the neutral nature of technology, the boon of easy access to information also comes with a bane that threatens to tear the fabric of society. We are bombarded with fake news, hate speech, scams, pornography. If even the elders are susceptible to the negative side of technology, how much more our children whose values are not properly honed?

If there is one compelling reason to pass this measure, it is in ensuring that we teach and show our children that there is a right way. We cannot allow the future stewards of our nation to be vulnerable, tossed about by the waves unmoored. The State should work hand-in-hand with the Filipino family in giving our children a solid foundation that will help them thrive amid uncertainty and for them to have the proper orientation in leading our nation towards greater heights. It is time we bring values education back to the fore.

COSPONSORSHIP SPEECH OF SENATOR RECTO

Pursuant to the manifestation of Senator Zubiri, Senator Recto's cosponsorship speech on Senate Bill No. 1224 was deemed read and inserted into the record of the Senate.

Following is the cosponsorship speech of Senator Recto:



One thing I remember from the Jesuits and the Christian brothers, in whose schools I had the double misfortune of attending, is that for one to learn, one must first unlearn.

This lesson is apparently applied in this bill of using the classic GMRC to replace the current GMRC, which is *Gross Manner and 'Rong Conduct*.

For my generation, manners were something we first learned, not from our teachers in school, but from our parents at home. Our parents taught kindness, gratitude, generosity, courtesy, politeness, and respect, not by preaching about them, but by practicing them. If I am not mistaken, educators call it "pedagogy not by definition but by demonstration," which is just, however, a fancy term for "watch and learn."

Being exposed to such provided a strong foundation for education. The ABCs of good conduct must be taught ahead of the ABCs in the alphabet because when one has it early in life, the GMRC in school becomes advance or refresher courses.

I am glad and thankful to Senators Win and Joel for teaming up in crafting this bill. After a long sabbatical, I believe that GMRC should return to the school curriculum.

They explained to me that the subject will be under the canopy of values education and guidance counseling which should provide the right context to GMRC. Let us situate the role of GMRC in what schools should do to our children, and that is to make them critical thinkers, confident of solving problems, creative creation, steeped in technical skills but grounded in humanities.

With this in context, GMRC lessons are not discipline drills which will straightjacket our young into the teacher's concept of right behavior. It should not lead to a meek, pliant and docile youth whose adventurous spirit and natural inquisitiveness are crushed by the convention of imposed decorum. It should not turn them into a passive and submissive herd that will merely accept things as they are instead of imagining things as they should be.

I believe that good manners and right conduct are not incompatible with an analytical mind or even a cynical outlook. What is bad manners and wrong conduct is to give no quarters to dissent and constructive questioning. Nothing is boorish than being unreceptive to other ideas.

If this bill becomes a law, and is eventually included into the basic education curriculum,

then its teachers will be facing great odds, from purveyors of bad manners, the types of which dominate public discourse and social media.

I hope that they triumph over these antitheses of what good manners are.

I join the sponsors, both of whom hail from the great province of Bulacan, in calling for the approval of this measure.

COAUTHORS

Upon motion of Senator Zubiri, there being no objection, all senators present were made coauthors of Senate Bill No. 1224.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1224

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

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 4228

Upon motion of Senator Zubiri, there being no objection, the Body considered the Conference Committee Report on the disagreeing votes of both Houses on House Bill No. 4228, 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 TWENTY, AND FOR OTHER PURPOSES.

The Chair recognized Senator Angara to sponsor the report.

REPORT OF SENATOR ANGARA

Senator Angara said that the Senate and the House of Representatives met that morning and agreed to endorse to both Houses the Bicameral Conference Committee Report on House Bill No. 4228.

Upon request of Senator Angara, there being no objection, the Joint Explanatory Notes on the Bicameral Conference Committee Report on House Bill No. 4228 was deemed read and inserted into the *Journal* and the *Record of the Senate*.



Following is the full text of the Joint Explanation of the Conference Committee:

**Joint Explanatory Notes
Bicameral Conference Committee Report
on House Bill No. 4228
(2020 General Appropriations Bill)**

1. **Department of Agrarian Reform (DAR)** will have an increase of **P1.1 billion** to provide an additional allocation for the Land Acquisition and Distribution (LAD) including landowner's compensation to acquire additional private agricultural and government-owned lands to be distributed to qualified Agrarian Reform Beneficiaries (ARBs) and support to parcelization of lands for individual titling (SPLIT).
2. **Department of Agriculture** will have a net increase of **P7.36 billion** for national soil health; updating of the registry system of basic sectors in agriculture; agribusiness incubation; agripreneurship; young farmers program; establishment of first border facilities; kabuhayan at kaunlaran ng kababayang katutubo; rainwater harvesting/small water irrigation system/water recharging; sustainable agriculture and improved farming systems; establishment of dairy centers, among others.

The **DA** will also have a restructured budget to make sure that funds for projects will help improve the lives of the people in agriculture, who are the poorest in this country.

3. **The Department of Education (DepEd)** will have a net increase of **P1.697 billion** primarily for the following:
 - National assessment system for basic education
 - Special education program
 - Conservation and restoration of Gabaldon and other heritage school buildings
 - Education service contracting program
 - School electrification
 - Quick response fund
 - School-based feeding program
 - Strengthening of the National Educators Academy of the Philippines (NEAP)

Funds were also realigned to provide additional allocation for the Last Mile Schools Program and the Voucher Program for Private Senior High School.

4. **114 State Universities and Colleges (SUCs)** will get an additional budget of **P8.349**

Billion, P2.786 Billion of which is given to the **University of the Philippines System (UPS)** to augment its budget for hospital services program, acquisition of hospital equipment, renovation and construction of various buildings, and improvement of fiber optic network, among others. The remaining amount is distributed among the 114 State Universities and Colleges, including UPS, to provide funds for research awards and the conduct of activities for sports and development, ICT modernization program, and campus modernization program, among others.

5. The **Department of Finance** will increase by **P1.255 billion** for **Bureau of Custom's** virtual desktop infrastructure; **Bureau of Internal Revenue's** additional allocation for general management and supervision; and the **Insurance Commission's (IC)** upgrade and commissioning back up of the data center, disaster recovery site, and national insurance system.
6. The **Department of Foreign Affairs (DFA)** is provided with an additional **P1.716 billion** budget. The bulk of this budget is allocated to the **Office of the Secretary** as a continuing provision of funds for foreign service posts (Philippine Embassy in Stockholm, Sweden; Philippine Embassy in Rabat, Morocco; Philippine Consulate General in Barcelona, Spain; Philippine Consulate General in Nagoya, Japan; Philippine Consulate General in Melbourne, Australia and Philippine Consulate General in Istanbul, Turkey) and consular offices, and opening of foreign service posts (San Jose, Antique; Paniqui, Tarlac; Pagadian, Zamboanga and Olongapo), as well as provision for the rehabilitation and retrofitting of the DFA's main building. The **Foreign Service Institute** will have a share on the said increase for the agency's capacity building in language proficiency and its continuing education.
7. The **Department of Health (DOH)** will have a net increase of **P12.098 billion** for the construction of sanitary toilets to address open defecation problem amounting to **P350 Million**, provision for national reference laboratory of Research Institute for Tropical Medicine and for National Mental Health Hotline, and **realignment of P7 Billion** from Miscellaneous Personnel Benefits Fund (MPBF) for the DOH's Human Resource for Health, as well as additional allocation for the department's medical assistance to indigent patients program and health facilities enhancement program.

8. The **Department of Human Settlements and Urban Development** will have an additional **P251.5 million** intended for the resettlement emergency assistance program and national urban planning policy development program.
9. The **Department of Information and Communications (DICT)** is given an additional budget of **P6.19 Billion, P2.87 billion** of which is provided for the **Office of the Secretary** to cover, among others, the following:
 - Digital Classrooms, Workforce, Workplace and Communities;
 - Government Emergency Communications System (GECS);
 - Digital Government;
 - National Government Portal;
 - National Government Data Centre Infrastructure, implementation of the National Broadband Program, and provision for ICT Systems and Infostructure Management and Services; and
 - Free Wi-Fi internet Access in public places and in State Universities and Colleges (SUCs);

The **National Telecommunications Commission** will also have additional funding of **P3.321 billion** for its general administration and support, National Emergency Communication Resiliency Program, and ICT modernization program.

10. The **Department of the Interior and Local Government's (DILG)** net increase of **P2.618 billion** will be used to fund the following, among others:
 - Strengthening of the capacities of barangay-based institution to end local communist armed conflict (ELCAC), provision for rehabilitation of disaster damaged facilities, support to environmental protection and disaster resiliency, and completion of the emergency 911 building and command center including ICT equipment of the **Office of the Secretary**,
 - **Bureau of Fire Protection and Local Government Academy's** acquisition of fire trucks and water tanks and capacity development programs, respectively.
 - Shari'ah training, peace initiative and conflict resolution, and the traditional Madrasah development program, and domestic Halal development of the

National Commission on Muslim Filipinos.

- The realignment and additional allocation for the **Philippine National Police** will be for its operating and training expenses, acquisition of forensic equipment, as well as additional MOOE for the implementation of E. O. No. 70 or the ELCAC.
11. The **Department of Justice** will have an increase of **P271 million** intended for the following: OFW task force operations and witness protection services; Bureau of Corrections, Land Registration Authority, Office of the Government Corporate Counsel and PCGG's general administration and support; Bureau of Immigration's consultancy services; NBI's additional MOOE and CO and Office of the Solicitor General's capacity building and CO.
 12. The **Department of Labor and Employment (DOLE)** will have a budget augmentation of **P3.003 billion**, majority of which is for the **Office of the Secretary's** Tulong Panghanapbuhay sa Ating Disadvantaged or Displaced Workers Program (TUPAD); DOLE Integrated Livelihood and Emergency Program (DILEEP), government internship program, on site welfare services, and for the **Overseas Workers Welfare Administration's** Emergency Repatriation Fund and Welfare Assistance Fund.
 13. The **Department of National Defense (DND)** will get an increase of **P2.093 billion** which will be used primarily for the following:
 - **Office of the Secretary's** operational requirements of Task Force Balik Loob and implementation of the Enhanced Comprehensive Local Integration (E-CLIP);
 - **Veterans Memorial Medical Center's** purchase of medicines.
 - Activation of one Infantry Division to address the continuing threat posed by the Abu Sayyaf Group (ASG) in Basilan, Sulu, and Tawi-Tawi in the **Philippine Army**;
 - Development of Col. Ernesto Rabina Air Base of the **Philippine Air Force**;
 - **General Headquarters** to fund, among others, AFP's campaign to support the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), and for the construction of a new PMA library and lecture hall; and
 - **Philippine Navy's (PN)** realignment to reflect the amount intended for the Philippine Marines, a key unit in the PN.

14. The **Department of Public Works and Highways** will have a net increase of **P51.139 billion** as a result of the cuts and additions in the payment of right-of-way; PPP feasibility study; foreign assisted projects; maintenance, repair and rehabilitation of infrastructure facilities; retrofitting/strengthening of public buildings; bridge program; and various infrastructure projects.
15. The **Department of Science and Technology's (DOST)** budget augmentation in the amount of **P342 million** will be for its Community Empowerment thru Science and Technology (CEST), Small Enterprise Technology Upgrading Program (SETUP), Space Technology and Applications Mastery, Innovation and Advancement (STAMINA4Space) Program, and Collaborative R & D to leverage Philippine Economy (CRADLE), among others.
16. The **Department of Social Welfare and Development's** additional fund of **P5.463 billion** will be for its supplementary feeding program, protective services, Kapit-Bisig Laban sa Kahirapan-Comprehensive and Integrated Delivery of Social Services (KALAHI-CIDSS), and sustainable livelihood program.
17. The **Department of Tourism** will receive an additional **P202.4 million** for its market and product development and tourism policy formulation and planning program, as well as the Intramuros Administration's tourism promotion program and cultural properties conservation.
18. The **Department of Trade and Industry (DTI)** will have an augmentation of **P3.256 billion** to cover mainly the following:
 - Shared Service Facilities (SSF);
 - Establishment of Negosyo Centers (NCs);
 - One Town One Product (OTOP) Next Gen;
 - Livelihood Seeding Program and Negosyo Serbisyo sa Barangay;
 - Innovation and modernization project;
 - Marketing and trade fairs;
 - Policies and training; and
 - Innovation of Industries.

The increase in the budget of the **Technical Education and Skills Development Authority (TESDA)** will be for the implementation of the Tulong Trabaho Act, as well as for training for work scholarship program (TWSP) and special training for employment program (STEP).
19. Realignment within the **Philippine Coast Guard (PCG)** to provide funds to its various stations, as well as additional allocation for the construction of hospital, provision for K9 training, integrated coastal command and control center system, wireless network border control system, advance mobile passive people screening system, tactical mobile surveillance for onboard facial recognition system, and marine environmental protection laboratory system and facilities.
20. The **National Economic and Development Authority (NEDA)** will get an additional fund of **P2.484 billion** for the establishment of Innovation Fund and provision for the operating expenses of the National Innovation Council (NIC) pursuant to Republic Act 11293 or the Philippine Innovation Act, as well as the additional allocation for research and development; and the **Philippine Statistics Authority's** National ID System.
21. Additional **P60 million** for the **Presidential Communications Operations Office - Proper** for its government strategic training center, international communications campaign, government media summit, among others.
22. **Other Executive Offices (OEOs)**
 - **P100 million** for **Anti-Red Tape Authority's** general administration and support and institutionalization of regulatory management system.
 - The **Commission on Higher Education (CHED)** gets an increase of **P7.123 billion** that will be spent substantially for the following: Universal Access to Quality Tertiary Education; provision of assistance and incentives, scholarships and grants through the CHED's Student Financial Assistance Program; and **P1 billion** for Private Education Students Financial Assistance Program.
 - **P106 million** for **Dangerous Drugs Board's** implementation of the anti-illegal drugs strategy and acquisition of rapid drug check equipment and kits.
 - **P312.538 million** for **Energy Regulatory Commission's** additional operational requirements.
 - Additional **P199.2 million** for **National Intelligence Coordinating Council's** intelligence fund.
 - **National Security Council's** augmentation of **P100 million** for confidential fund.

- Inclusion of **P1.15 billion** in the budget of the **Office of the Presidential Adviser on the Peace Process (OPAPP)** for the implementation of Payapa at Masaganang Pamayanan (PAMANA) Projects, as well as the normalization program in the Bangsamoro Region.
 - An increase of **P400 million** for the **Philippine Drug Enforcement Agency's** anti-drug operations and acquisition of equipment.
 - **P273 million** for the **Philippine Sports Commission's** grassroots sport program, operation of Philippine Sports High School, Mindanao games for peace, construction of arnis training institute, and financial assistance to athletes, among others.
23. The **Judiciary's** budget augmentation of **P2.52 Billion** will be for the following:
- **Supreme Court and the Lower Courts** - creation of new positions, provision for repairs and maintenance of Halls of Justice (nationwide). It also includes the allocation for professional services for Court's Decongestion Officers, and hazard pay of the judges in the lower courts.
 - **Sandiganbayan** - for construction of office building, creation of new positions and salary adjustments, as well as for repairs and maintenance.
 - **Court of Appeals and the Court of Tax Appeals** - additional fund for operating expenses.
24. **P173 Million** for the **Commission on Audit (COA)** for additional MOOE and capital outlays.
25. **P110.5 Million** for the **Commission on Human Rights (CHR)** to provide additional financial assistance to benefit human rights victims and their families, augmentation of mandatory operating expenses, and for capital outlays.
26. **P4 Billion** for the **Philippine Health Insurance Corporation** for its Health Insurance Coverage under the Sin Tax Law.
27. **P1.285 billion** for **National Housing Authority's** Emergency Housing Assistance Program (EHAP).
28. **P176 Million** for the **Metropolitan Manila Development Authority (MMDA)** for the improvement of ferry station accessibility and intermodal transfers, preventive maintenance of boat fleet, procurement of inform-

ation and communication equipment and service vehicle, and purchase of four 50-seater air conditioned ferry boats.

29. **Local Government Support Fund** will increase by **P875.242 million** to provide for other financial assistance to LGUs.
30. Some adjustments were also reflected in the budgets of other funds and agencies.

Special and General Provisions

1. A new provision is introduced under some agencies of the **Department of Agriculture** regarding **Research and Development**, which focuses on the farm-level application of agricultural researches to make production more efficient and profitable.
2. Under the same department, **Young Farmers Challenge Fund** will be used to encourage the youth in engaging to agricultural activities and food production as well as to provide opportunity to own and cultivate the land for agricultural purposes.
3. To address the plight of public school teachers regarding their compensation, a new provision is introduced under the **Department of Education** for the **payment of compensation for teaching overload** which will be exclusively used to compensate teaching personnel whose teaching load exceeds six hour per day of actual classroom teaching.
4. To improve the nutritional status of pregnant women and children ages 0 to 24 months, the **Department of Health** will have a **Complementary Feeding Program** which will provide dietary supplementation, including therapeutic milk and other protein-enriched food for the said beneficiaries.
5. Also under the **DOH**, amended the provision on the **Purchase and Allocation of Drugs, Medicines and Vaccines** stating that 100% of LGUs shall be provided with commodities and that in the distribution of commodities to all LGUs, the incidence rate of diseases shall be considered.
6. Amended the provision under the **Department of Public Works and Highways** on **Project-Related Expenses** which specified that only one percent (1%) engineering and administrative expenses or MOOE can be deducted and shall be given only to the implementing unit, regardless where the fund was released for infrastructure projects under the local infrastructure program undertaken by the

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Central Office, Regional Offices and District Engineering Offices.

7. **Appropriation for the Innovation Fund** - a new special provision under **National Economic and Development Authority** is introduced to fund the Philippine Innovation Law to prioritize innovation as a tool for sustainable economic growth.
8. **Comprehensive Aid To Repair Earthquake Damage (CARED)** - to help those who were affected by the earthquakes in the last quarter of 2019, an amount will be appropriated under the **National Disaster Risk Reduction and Management Fund** for the recovery, rehabilitation, reconstruction and aid and relief projects in the administrative regions of Region 11 (Davao Region) and Region 12 (SOCCSKSARGEN).
9. **Program and Projects Related to Personal Data Protection and Privacy** - a general provision is introduced to mandate all agencies to formulate programs to ensure the personal information are secured and protected in accordance with the Data Privacy Act of 2012.
10. **Section 91 Transparency in Infrastructure Projects** - new conditions, namely: start of construction, target date of completion, completion rate, project status, the reason/s in case of delay; and source of fund, implementing office, responsible official, contact number and email address are now included to ensure the proper information given to the public regarding projects implemented.

The complete details of the general and special provisions are attached in this bicameral conference committee report.

APPROVAL OF THE CONFERENCE COMMITTEE REPORT

Submitted to a vote, there being no objection, the Conference Committee Report on House Bill No. 4228 was approved and ratified by the Body.

MANIFESTATION OF SENATOR ANGARA

At this juncture, Senator Angara thanked the members of the Body for their very significant and important help in crafting the measure, particularly

the vice chairpersons and the members of the Committee on Finance. He also thanked the Senate staff, particularly the LBRMO headed by Attorney Yolanda Doblon, who have been working for two straight weekends and reported for work everyday the previous week even when the Senate was not in session.

SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 25 on Senate Bill No. 1211 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 25 ON SENATE BILL NO. 1211

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1211 (Committee Report No. 25), entitled

AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991," BY EXPANDING THE SCOPE OF LOCAL GOVERNMENT UNITS' POWER OVER LOCAL PUBLIC TRANSPORTATION SYSTEM 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 Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Tolentino for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR TOLENTINO

Senator Tolentino, as chairperson of the Committee on Local Government, together with his coauthor Senator Recto, presented to the Body Senate Bill No. 1211, entitled "An Act Amending Republic Act No. 7160, Otherwise Known as the 'Local Government Code of 1991' By Expanding the Scope of Local Government Units' Powers Over Local Public Transportation Systems and for Other Purposes."



Following is the full text of the sponsorship speech of Senator Tolentino:

This Representation had the privilege of serving as mayor of Tagaytay City for several terms as well as chairman of the Metro Manila Development Authority for many years. I know transportation and traffic problems by heart, they are not strangers to me. I know the efforts being done by the national government agencies which are commendable, but the reality is, with the current state of things, they are still wanting due to the complexity of this problem.

As described by Dr. Jean-Paul Rodrigue, author of *The Geography of Transport Systems*, "cities are complex spatial structures supported by complex infrastructure, including transport systems. The larger a city, the greater its complexity and the potential for disruptions, particularly when the complexity is not effectively managed."

Urban productivity is highly dependent on the efficiency of its transport system to move labor, consumers, and freight between multiple origins and destinations.

According to the 2002 Urban Transport Strategy Review by the World Bank, entitled "*Cities on the Move*," deteriorating transport conditions associated with urban sprawl and increased motorization are damaging the economy of large cities, and this includes our very own cities here in the Philippines. This has to change. I have always been advocating that some national problems require local solutions, and I believe this is one of those instances.

But what problems are hindering our local governments from helping solve this problem? These are the following:

(1) Funding for LGU-led projects has not been given priority in the government's public-private initiatives.

Of the projects currently under implementation, only one LGU has been listed, and this is the Municipality of Kalibo, Aklan which, however, is not a transportation-related initiative but only for the rehabilitation of its slaughterhouse.

Of the projects in the pipeline, there are 13 LGU-led projects. However, the projects that are closest to solving our transportation problem only involve "No Contact Apprehension" policy and "pay parking building" projects. As it stands today, there are no hard infrastructure projects planned for transportation through the PPP initiative.

(2) LGUs have limited access to sources of financing for infrastructure projects. Despite being granted local and fiscal autonomy by Article X of the Constitution, our LGUs are currently prohibited from acquiring loans from foreign sources. As an exemption, they are allowed to secure loans from multi-lateral financing institutions like the Asian Development Bank and the World Bank. However, with the stringent requirements the government requires for an LGU to avail of this facility, no LGU has availed of this facility as I speak.

The Local Government Code, however, allows local governments to secure loans from domestic sources under Section 297 (a), and I quote, "A local government unit may contract loans, credits, and other forms of indebtedness with any government or domestic private institution and other lending institutions to finance the construction, installation, improvement, expansion, operation, or maintenance of public facilities, infrastructure facilities, housing projects, acquisition of real property and the implementation of other capital investment projects, subject to such terms and conditions as may be agreed upon by the local government unit and the lender."

However, even for local sources, there are still layers and layers of approval required from national agencies like the Bureau of Local Government Finance and the Bangko Sentral ng Pilipinas.

(3) The process to have a project approved by the national government is just too tedious. As the rules stand today, local PPP and Build-Operate-and-Transfer (BOT) under RA 6957 as amended by RA 7718, more commonly known as the BOT Law, projects that cost below P200 million only require approval from the LGU's Sanggunian. However, beyond this amount of P200 million, NEDA approval is already required. Under the NEDA's manual for approval of the Investment Coordination Committee (ICC), a project has to go through and secure the approval of the ICC Secretariat, the ICC Technical Board, then the ICC Cabinet Committee, and finally the NEDA Board, before the government finally gives its imprimatur or endorsement for the project. This process, while prudent, does not really go well with the nature of LGUs whose officers have only a short term of three years. By the time the project is approved, the LGU may have a new leader who, for one reason or the other, would not want to continue with the project.

In light of these realities, it is the view of the Committee that it is now crucial to turbocharge

the functions and capabilities of LGUs in addressing road congestion and creating balanced transport systems. Notably, LGUs not only possess a mastery of their own mobility demands but institutional memory of local policies addressing local transport problems within their jurisdiction.

As I speak, *ang laman lamang po ng* Local Government Code *tungkol sa kapangyarihan ng mga LGUs ay tungkol sa pagbibigay ng prangkisa ng* tricycle. This is a fundamental responsibility: transport planning is part of urban planning and is an integral part of urban design. This is a fundamental responsibility of the LGU which no government agency or foreign institution can usurp. No other government body is more empowered and equipped to tackle the traffic crisis than the LGU, which is endowed with all of the powers under the Local Government Code, among them the power of eminent domain.

The territorial footprint of transportation is significant since between 30% and 60% of a metropolitan area may be devoted to transportation, particularly for the automobile. Cities are important generators likewise and attractors of mobility, which is associated with geographical paradoxes that are self-reinforcing. For example, economic specialization leads to additional transport demands while agglomeration leads to congestion. The local government units are the ones which experience this dilemma first hand so they are likewise in the best position and with the powers to resolve this crisis.

For instance, the City of Las Piñas, where Senator Villar is a resident, has been doing a lot of innovations in terms of opening private subdivisions, connecting the national highways of Cavite with the roads of Metro Manila. This bill, Senate Bill No. 1211 or the LGU Transportation Act, finally clarifies the mandates of the LGUs under the Local Government Code and empowers them to solve the transportation problems within their jurisdiction, as well as those outside through the collaboration of other LGUs as well.

Even the Asian Development Bank, in a paper published in April 2012 by Priyanka Sood, *et al.*, entitled Subnational Finance for Infrastructure: Potential Roles and Opportunities for ADB, has recognized the growing need for financing at the subnational level, in view of the current thrust of divesting responsibilities and services to the subnational or local government.

A good example is the endeavor of Tama Garden City Development Project in Japan. It is a perfect model for integrated land-use and

transport development. They transformed a 5,000—hectare city and constructed a railway of 22 kilometers with zero subsidy from the government but rather financed by commercial loans and the Japan Development Bank. Among the key features of this project was the use of “land readjustment.” In this scheme, instead of purchasing the land for transportation requirements, the landowners formed a cooperative that consolidated the properties without transferring ownership. After the construction of the transport systems, smaller but fully serviced parcels were returned to the landowners. *Hinati po uli*. This is a prime example of the need to give the LGUs who have the power and responsibility for urban planning, land use and zoning, the power to create transportation systems as well as the power to find the necessary funding.

On the brighter side, existing policies of the government have already started this initiative of empowering LGUs to implement their own infrastructure projects. With the implementation of NEDA’s guidebook on Joint Ventures for LGUs, LGUs now can enter into joint ventures independently of the national government.

Makati has led the way, as I speak, with a \$3.5 billion subway project with 10 stations within Makati alone, without any subsidy nor sovereign guaranty from the national government. The city has been and will be in coordination with the Department of Transportation, and other local government units to ensure inter-connectivity with existing and future transport systems like the LRT, MRT, as well as the Pasig River Ferry System. The Pasig River Ferry system, for example, was aided during its re-launch 48 hours ago by the City of Pasig. Pasig City donated two ferry boats to enable the Pasig River Ferry System to be resuscitated and re-launched, and the City of Manila promised another two ferry boats. Makati is about to start the construction by the end of this year — the subway project — and the project will be finished by 2024 serving 700,000 passengers daily.

Manila will soon follow suit with its own tram and monorail as it is also studying two unsolicited proposals regarding the construction of said system.

During our committee hearing, representatives from these cities and other cities expressed that indeed they are unsure as to whether they are truly empowered to create transport systems under the Local Government Code since the Local Government Code is silent on the matter. This remains to be a grey area. However, when passed, this bill will further strengthen and

cement the initiative of our government to provide true autonomy to our local government units. Once and for all, we inform and clarify our LGUs that indeed they have the power to solve their own problems.

With measures in place to promote cooperation and interconnectivity with national and other local transportation projects, LGUs — including Cebu — speedily may finally and effectively answer this century-old problem of simply moving from point A to point B.

In view of these, I humbly seek the approval of this Chamber of Senate Bill No. 1211.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1211

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

SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 14 on Senate Bill No. 810 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 24 ON SENATE BILL NO. 810

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 810 (Committee Report No. 24) entitled

AN ACT INCREASING THE AUTHORIZED EXPENSES OF CANDIDATES AND POLITICAL PARTIES, AMENDING FOR THE PURPOSE SECTION 13 OF REPUBLIC ACT NO. 7166, ENTITLED, "AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS 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 Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Marcos for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR MARCOS

Senator Marcos, on behalf of the Committee on Electoral Reforms and People's Participation, submitted for plenary consideration Senate Bill No. 810, entitled "An Act Increasing the Authorized Expenses of Candidates and Political Parties, Amending for the Purpose Section 13 of Republic Act No. 7166, entitled, 'An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes,'" under Committee Report No. 24.

The full text of Senator Marcos' sponsorship speech follows:

Fiction, it has been said, is the lie through which we tell the truth. Put another way, for truth to triumph over chaos, we write fiction. Surely, the much obscured chaos of our SOCEs, those Statements of Contribution and Expenditures which we dutifully submit after every campaign, have become little more than a work of skillful fiction.

As we know too well, today's current ceiling of allowable spending per registered voter is P10 for president and vice president; P3 per registered voter for other candidates including senators, provided they belong to political parties; P5 per registered voter for independent candidates; and P5 per registered voter for other political parties. At these obsolete rates, it is hardly surprising that in the said campaign expenses have become totally fictionalized.

Today, I submit Committee Report No. 24, sponsoring therewith Senate Bill No. 810 entitled, An Act Increasing Authorized Expenses of Candidates and Political Parties, Amending for this Purpose Section 13 of Republic Act No. 7166, entitled, An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes."

It has, in fact, been 28 years since the thresholds limiting the expenses of candidates and political parties were set in 1991 by RA 7166 and we seem to remain hopelessly stuck at the same P3-level since, despite inflation and a 368.1% increase in the country's overall consumer price index after almost three decades.



Each one of us has struggled to limit election expenses within the archaic limits set as if by stone in this law.

Consider the governor of Batanes' plight, with only 12,204 registered voters, her provincial candidates are allowed, together with her, to spend a total of P36,612 if fortunate enough to be aligned with political parties. If not, they have the princely sum of P61,020.

Or check out Pateros, the only municipality in the National Capital Region. With a mere 35,000 registered voters, local candidates can spend only P105,000 if a member of a political party, or P175,000 if an independent candidate. This is in a town located cheek by jowl with BGC, Bonifacio Global City's multinational behemoths and local taipan's multibillion headquarters. No wonder that following the 2010 national and local elections, there were 887 overspending cases filed before the courts. After 2013, another 933 cases and every election thereafter. Truth indeed, at least regarding campaign expenses, is a luxury, fiction an absolute necessity.

Our bill merely levels up our electoral budget with inflation and an almost four-fold increase in consumer prices from 1991 to 2018. Thus, this bill raises the authorized aggregate amount for campaign expenditure for candidates and political parties through this manner:

For president and vice president, the P10 for every voter currently registered nationwide is raised to P50 which will bring it from P50 times 60 million voters roughly, to a rather more realistic P3 billion in total.

Other candidates with political parties: from a mere P3, we are recommending that it be raised to P20. But, perhaps, there is room to also establish a separate amount for senators who have a constituency of the entire country because that jacks it up to a huge P1.2 billion. But these are areas for discussion and debate.

Meanwhile, for independent candidates, I recommend that we raise from P5 to P30.

Also, for political parties, also from P5 to P30.

Let us be clear. There is no intention in any way to shut out all eligible but less affluent candidates. Instead, we seek to bring reality and market prices to the fiction of campaign finance. To avoid the ludicrous scenarios occurring from the Province of Batanes to Pateros, Metro Manila, the bill also seeks to establish a floor spending of at least P500,000 per position. Further, the poorer candidate cannot be disadvantaged if,

in fact, he can generate donations, which should rightfully and fairly be tax-free of the donor's tax under the National Internal Revenue Code.

Finally, our bill makes election authorities more proactive and efficient in the future. We propose that every six years from the effectivity of the Act, the Commission on Elections, in conjunction with the Bangko Sentral ng Pilipinas, the National Economic and Development Authority, and the Philippine Statistics Authority should, on their own, adjust the amounts of the authorized expenses based on inflation and price indices.

Indeed, our bill is a mere part of the ongoing legislative effort to solve and resolve the gargantuan problems of campaign finance. The last Congress signed into law early this year RA 11207 to increase the discounted rates of political advertisements in TV, radio, and print. Unfortunately, the late promulgation of its Implementing Rules and Regulations rendered it effective only in April 2019, a month shy of the national and local elections.

Sooner rather than later, we hope that Comelec's campaign finance office will be bolstered by permanent manpower and digital material to properly and thoroughly audit all submitted financial documents, rather than relying upon lawyers on detail from various department and the random hiring of contractuels and casuals whenever their budgets allow. But that long held dream of campaign finance advocates that one day government provide a financial counterpart to electoral expenses until today remains a fictional pipedream rather than a reality.

As public officials, let us begin to speak the truth, indeed, put an end to the fiction. Perhaps, the hypocrisy of the SOCEs and campaign finance reports, and face the scrutiny of public opinion with cogent law and their universal enforcement. More realistic rates for the electoral process mandated by our new law can be the first step towards genuinely free elections.

It is said that fiction reveals the truth that reality obscures. Let us put an end to the fiction of election expense limits. And today, let us finally lift the obscurity that clouds the reality of truthful and free elections.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 810

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

THIRD ADDITIONAL REFERENCE OF BUSINESS

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that, on 11 December 2019, the House of Representatives adopted House Concurrent Resolution No. 5, entitled

CONCURRENT RESOLUTION GRANTING CONSENT TO HIS EXCELLENCY, RAUL S. HERNANDEZ, FORMER AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF THE PHILIPPINES TO THE REPUBLIC OF KOREA FROM 28 MAY 2014 TO 30 APRIL 2019 TO RECEIVE THE AWARD OF THE "ORDER OF DIPLOMATIC SERVICE MERIT, FIRST CLASS" FROM THE GOVERNMENT OF THE REPUBLIC OF KOREA,

in which it requested the concurrence of the Senate.

To the Committee on Rules

BILLS ON FIRST READING

Senate Bill No. 1225, entitled

AN ACT FURTHER EXPANDING THE COVERAGE OF INCENTIVES GRANTED TO NATIONAL ATHLETES AND COACHES, AMENDING FOR THE PURPOSE SECTION 8 OF REPUBLIC ACT NO. 10699 OR THE "NATIONAL ATHLETES AND COACHES BENEFITS AND INCENTIVES ACT"

Introduced by Senator Angara

To the Committees on Sports; and Finance

Senate Bill No. 1226, entitled

AN ACT AUTHORIZING THE DEPARTMENT OF HEALTH (DOH) TO SET

AND APPROVE THE BED CAPACITY AND SERVICE CAPABILITY OF ALL DOH HOSPITALS

Introduced by Senator Go

To the Committees on Health and Demography; and Finance

Senate Bill No. 1227, entitled

AN ACT ESTABLISHING THE RENTAL HOUSING SUBSIDY PROGRAM AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Go

To the Committees on Urban Planning, Housing and Resettlement; and Finance

Senate Bill No. 1228, entitled

AN ACT ESTABLISHING A MANDATORY EVACUATION CENTER IN ALL CITIES, PROVINCES AND MUNICIPALITIES, APPROPRIATING FUNDS THEREFOR

Introduced by Senator Go

To the Committees on National Defense and Security, Peace, Unification and Reconciliation; Public Works; and Finance

RESOLUTIONS

Senate Joint Resolution No. 10, entitled

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

Introduced by Senators Angara, Drilon, Gatchalian, Poe and Villanueva

To the Committee on Rules

Proposed Senate Resolution No. 257, entitled

A RESOLUTION URGING THE SENATE

Y B

COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION INTO THE DISPLACEMENT OF AETAS AND OTHER INDIGENOUS COMMUNITIES IN AREAS COVERED BY THE NEW CLARK CITY DEVELOPMENT PROJECT

Introduced by Senator Hontiveros

To the Committee on Cultural Communities

Proposed Senate Resolution No. 259, entitled

RESOLUTION URGING THE APPROPRIATE SENATE COMMITTEE TO INQUIRE, IN AID OF LEGISLATION, INTO THE WATER CONCESSION AGREEMENTS OF MAYNILAD AND MANILA WATER WITH THE METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS), TO DETERMINE WHETHER SUCH ARE ONEROUS AND DISADVANTAGEOUS TO THE GOVERNMENT, AND TO SAFEGUARD PHILIPPINE NATIONAL INTERESTS AND THE RIGHTS OF ALL PEOPLE

Introduced by Senator Marcos

To the Committee on Public Services

Proposed Senate Resolution No. 260, entitled

A RESOLUTION HONORING AND COMMENDING THE PHILIPPINE ARNIS TEAM FOR WINNING 14 GOLD MEDALS IN THE 30TH SOUTHEAST ASIAN (SEA) GAMES

Introduced by Senator Pacquiao

To the Archives

Proposed Senate Resolution No. 261, entitled

A RESOLUTION CALLING FOR INVESTIGATION IN AID OF LEGISLATION INTO THE ALLEGED ONEROUS CONTRACTS BETWEEN THE PHILIP-

PINE GOVERNMENT AND WATER CONCESSIONAIRES MANILA WATER CO. AND MAYNILAD WATER SERVICES INC.

Introduced by Senator Pacquiao

To the Committee on Public Services

Proposed Senate Resolution No. 262, entitled

RESOLUTION URGING THE PROPER SENATE COMMITTEE TO INQUIRE, IN AID OF LEGISLATION, INTO THE ISSUANCE OF ECCS FOR THE CONSTRUCTION OF COAL-FIRED POWER PLANTS NEAR ENVIRONMENTALLY-CRITICAL AREAS WITHIN NARRA, PALAWAN, AND BARANGAY TUGBO, MOBO, MASBATE

Introduced by Senator Hontiveros

To the Committees on Energy; and Environment, Natural Resources and Climate Change

COMMITTEE REPORTS

Committee Report No. 28, prepared and submitted by the Committee on Foreign Relations, on Proposed Senate Resolution No. 263, entitled

RESOLUTION CONCURRING IN THE RATIFICATION OF THE TREATY BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE RUSSIAN FEDERATION ON EXTRADITION,

recommending its approval without amendment.

Sponsor: Senator Pimentel III

To the Calendar for Ordinary Business

Committee Report No. 29, prepared and submitted by the Committee on Foreign Relations, on Proposed Senate Resolution No. 264, entitled

RESOLUTION CONCURRING IN THE RATIFICATION OF THE TREATY BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE RUSSIAN

FEDERATION ON MUTUAL LEGAL
ASSISTANCE IN CRIMINAL
MATTERS,

recommending its approval without amendment.

Sponsor: Senator Pimentel III

To the Calendar for Ordinary Business

SPECIAL ORDERS

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of the following resolutions from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Proposed Senate Resolution No. 264 under Committee Report No. 29; and
2. Proposed Senate Resolution No. 263 under Committee Report No. 28.

**RESOLUTION OF CONCURRENCE
IN TREATIES**

Upon motion of Senator Zubiri, there being no objection, the following resolutions were considered, on Second Reading, one after the other:

1. Proposed Senate Resolution No. 263 on Committee Report No. 28, entitled

RESOLUTION CONCURRING IN THE
RATIFICATION OF THE TREATY
BETWEEN THE REPUBLIC OF THE
PHILIPPINES AND THE RUSSIAN
FEDERATION ON EXTRADITION; and

2. Proposed Senate Resolution No. 264 on Committee Report No. 29, entitled

RESOLUTION CONCURRING IN THE
RATIFICATION OF THE TREATY
BETWEEN THE REPUBLIC OF THE
PHILIPPINES AND THE RUSSIAN
FEDERATION MUTUAL LEGAL
ASSISTANCE IN CRIMINAL
MATTERS;

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the titles of the resolutions were read without prejudice to the insertion of their full text into the Record of the Senate.

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

**OMNIBUS SPONSORSHIP SPEECH
OF SENATOR PIMENTEL**

Senator Pimentel, on behalf of the Committee on Foreign Affairs, submitted for plenary consideration Proposed Senate Resolution No. 263, entitled "Resolution Concurring in the Ratification of the Treaty Between the Republic of the Philippines and the Russian Federation on Extradition," under Committee Report No. 28, and Proposed Senate Resolution No. 264, entitled "Resolution Concurring in the Ratification of the Treaty Between the Republic of the Philippines and the Russian Federation Mutual Legal Assistance in Criminal Matters," under Committee Report No. 29.

The full text of Senator Pimentel's sponsorship speech follows:

Pursuant to Section 21, Article VII of our 1987 Constitution, "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate."

I have the honor to seek this august Body's concurrence in the ratification of the following two treaties: Treaty between the Republic of the Philippines and the Russian Federation on Extradition and the Treaty Between the Republic of the Philippines and the Russian Federation on Mutual Legal Assistance in Criminal Matters.

In this complex and interconnected world that we live in, governments have used various tools of international legal cooperation to combat transnational organized crimes including those involved in terrorism, illegal sale of weapons, smuggling, money laundering, and trafficking in persons and illicit drugs.

Prosecutors can no longer confine their attention to their own jurisdictions because criminality today does not respect borders. Given the more porous characteristic of our borders, ever increasing mobility of people and advancements in technology, criminals have successfully evaded the reach of our laws by coming up with ingenious ways of carrying out their crimes.

To combat such efforts, governments supplement domestic legislation by signing treaties and conventions that seek to bolster international cooperation in the areas of criminal prosecution and law enforcement.

It is within this context that on November 13, 2017, Pres. Rodrigo Roa Duterte signed the Treaty on Extradition and the Treaty on Mutual



Legal Assistance in Criminal Matters between the Republic of the Philippines and the Russian Federation.

Please allow me to explain the nature of the extradition treaty as well as the benefits that can be derived from it.

“Extradition” as defined under Presidential Decree No. 1069, or the Philippine Extradition Law, is the removal of an accused from the Philippines with the object of placing him at the disposal of foreign authorities to enable the requesting state or government to hold him in connection with any criminal investigation directed against him or the execution of a penalty imposed on him under the penal or criminal law of the requesting state or government. In other words, extradition is the formal process by which a fugitive of justice is to be returned to the state where the person stands accused or is convicted of one or more criminal offenses against the law of the requesting state.

Under the Philippine Extradition Law, the extradition of a person found within the country’s territory is possible only if the Philippines has an extradition treaty with the requesting state.

With respect to the Philippines as the requesting state, the extradition is governed by the provisions of the applicable treaty or convention entered into by the country.

The Philippines has extradition treaties with 13 jurisdiction countries and territories, namely: Australia, Canada, China, Hong Kong SAR, India, Indonesia, South Korea, Micronesia, Spain, Switzerland, Thailand, the United Kingdom, and the United States.

This extradition treaty obliges contracting parties to undertake to extradite or surrender to each other in accordance with treaty provisions any person who is charged or convicted with an extraditable offense.

The treaty has substantially the same standard provisions found in the similar treaties of the Philippines with other countries and which are already enforced, except for two unique provisions: First, expressly providing for the confidentiality of the information pertaining to an extradition request; and second, nationality as a mandatory ground for refusal.

Next is the value and benefits of the other treaty — the Mutual Legal Assistance Treaty (MLAT).

It provides party-states with the framework for seeking legal assistance in the investigation, prosecution, and punishment of criminal offenses

and in legal and judicial proceedings related to criminal matters.

The usual basis of Mutual Legal Assistance in criminal matters are treaties. Absent a treaty, assistance by other states is generally limited to service of documents or letters rogatory and can be provided only on the basis of reciprocity and on an *ad hoc* basis. Thus, MLATs are important because they make assistance compulsory and obligatory.

Presently, the Philippines has MLATs with the following countries or territories on a bilateral basis: Australia, China, Hong Kong SAR, South Korea, Spain, Switzerland, the United Kingdom, and the US. The treaty with the Russian Federation shall be the ninth bilateral MLAT of the Philippines.

The scope of legal assistance, as defined in the treaty with the Russian Federation, includes the service of documents, taking of evidence including testimony of persons, provision of information, documents, and records, execution of searches and seizures, location and identification of persons and objects, request for appearances of witnesses, victims and experts, and the freezing of assets.

Given the high incidences and increasing territorial scope of transnational crimes, MLATs have become necessary and vital tools to secure evidence, witnesses, and proceeds of such crimes which are actually beyond our physical and legal jurisdiction.

The two treaties submitted for Senate ratification complement and balance each other as both serve as effective tools of international legal cooperation in the prevention and suppression of crimes, especially transnational crimes, such as terrorism, drug trafficking, money laundering, and trafficking in persons.

Having an extradition treaty with the Russian Federation will allow the Philippines to increase its network of countries that it can request extradition of fugitives, thereby making it difficult for international fugitives to find a safe haven from criminal prosecution or service of sentence.

An MLAT with the Russian Federation, on the other hand, will help our two countries obtain a better understanding of each other’s legal systems and criminal justice procedures. The MLAT will also be instrumental in (1) forging better understanding in matters concerning criminal procedure; (2) appreciating investigative techniques; and (3) enhancing law enforcement cooperation between the Philippines and the Russian Federation.

The Extradition Treaty and the Mutual Legal Assistance Treaty, once carried into force, would strengthen our bilateral relations with the Russian Federation, particularly in our common goal of protecting our national security and strengthening cooperation in combating transnational crime and threats posed by international terrorism.

It is worth noting that Russia has notified the Philippines that both treaties were ratified in Moscow on August 3, 2018. Once these treaties enter into force, the Philippines will also be fulfilling international obligations under the various international legal instruments, such as the various UN Conventions against terrorism, the UN Convention against transnational organized crime, and the UN Convention against corruption.

The instrument of ratification of the treaty between the Republic of the Philippines and the Russian Federation on extradition was signed by President Duterte on September 17, 2019 and was transmitted to the Office of the Senate President on the same date. The instrument of ratification of the treaty between the Republic of the Philippines and the Russian Federation on Mutual Legal Assistance in Criminal Matters was signed by President Duterte on September 26, 2019, and was transmitted to the Office of the Senate President on the same date.

For these reasons, which I have mentioned, I respectfully urge the Senate to concur in the ratification of the Philippines on the treaties on extradition and mutual legal assistance in criminal matters with the Russian Federation.

INTERPELLATION OF SENATOR ZUBIRI

Asked by Senator Zubiri if the treaty was the same with and did not deviate in terms of *pro forma* from the other eight treaties that were passed, Senator Pimentel noted that the extradition treaty would be the 14th, while the MLAT would be the ninth. He clarified that this MLAT is basically the same as the other eight MLATs but the extradition treaty with the Russian Federation contained two new features, namely: 1) the confidentiality of the information pertaining to an extradition request, and (2) making the nationality as a mandatory ground for refusing the extradition request. He explained that although in reality the 13 existing extradition treaties keep confidential the request for extradition, it was not expressly provided; in the extradition treaty with Russia, it was expressly mentioned. As regards the nationality being a ground for refusing the extradition request, he explained that no Filipino would be extradited by the Philippines to

Russia in the same manner that no Russian would be extradited by Russia to the Philippines.

INTERPELLATION OF SENATOR DRILON

Preliminarily, Senator Drilon noted that about eight MLATs were already existing, a few of which he even negotiated, including that of the United States. He noted that earlier, Senator Pimentel mentioned two template provisions — confidentiality and nationality requirement. On confidentiality, he questioned how the Philippine government could keep its obligation to maintain confidentiality in the face of the transparency provisions of the country's judicial system under which court records are considered public record. He then asked if there is a violation of the confidentiality clause if the said records are revealed given that they are public records under the current system.

Senator Pimentel explained that the confidentiality of the information about the request is maintained up to that stage when a petition for extradition is filed; once the petition is with the court, records of that petition become public.

As regards nationality as a mandatory ground for refusal, Senator Drilon asked if the extradition treaty could apply to a Russian who committed a crime in Russia and was found in the Philippines. Senator Pimentel replied in the affirmative, explaining that the Philippines could extradite the Russian back to Russia but Russia could not extradite a Filipino who committed a crime in Russia and was found in the Philippines. Similarly, he said that the Philippines could not extradite a Russian who committed a crime in the Philippines and was in Russia because it is so stipulated in the Russian Federation Constitution. He agreed with Senator Drilon that such kind of stipulation is peculiar given the inability to extradite under the provision of the Russian constitution.

Asked if the Philippine authorities could request for the extradition of a Filipino who committed a crime in the Philippines and fled to Russia, Senator Pimentel answered in the affirmative. He said that the exclusion would apply based on the principle found in the constitution of Russia that they would never extradite their own citizens. Asked if a Russian who committed a crime in the Philippines and went back to Russia could not be extradited, he affirmed by virtue of a provision in the Russian constitution.



INTERPELLATION OF SENATOR TOLENTINO

At the outset, Senator Tolentino recalled that during the committee deliberations, he asked if the Philippines could extradite a Filipino national who committed a heinous crime in Russia to prevent the imposition of death penalty; however, the Justice undersecretary and the Department of Foreign Affairs were unable to answer his query.

Senator Pimentel surmised that in the hypothetical case raised by Senator Tolentino, the Philippine government may invoke other treaties or agreements but not the extradition treaty under consideration because by definition, extradition is removing a person from the jurisdiction of one state and transferring him to the jurisdiction of the other state precisely to either answer for an offense committed in the requesting state or to serve a sentence.

Senator Pimentel clarified that if a Filipino committed a crime in Russia and fled to the Philippines, that Filipino cannot be extradited to Russia. He explained that this nationality requirement flowed out of the Russian Federation Constitution. He said that since Russia could not waive such benefit or right for their citizen, pursuant to the principle of reciprocity, the Philippines can also refuse to extradite its own citizens; thus, if a Russian who committed a crime in the Philippines, returned to Russia, the Russian government would not extradite its own citizen to the Philippines.

Asked by Senate President Sotto if the Philippines can request Russia to extradite its own national who massacred a Filipino family in the Philippines and returned to Russia, Senator Pimentel stated that the Philippine government could invoke other agreements, if any, or use other channels.

Senate President Sotto asked how the Philippine government could go beyond what was contained in the extradition treaty. He then asked if there was a DFA move or a reciprocal solution.

Senator Pimentel hoped that there exists a Russian law which penalizes an extraterritorial crime committed in other countries. He reiterated that the extradition treaty could not be used to request for the return of a Russian from Russia back to the Philippines. He nevertheless agreed to do some research and ask the DFA if they have encountered

such a factual situation and for them to look at the practice of other countries in order to address the issue.

For his part, Senator Drilon asked Senator Pimentel to look into and find out how the extradition treaty would affect the extraterritorial provisions of the anti-terrorism bill currently pending with the Body. Senator Pimentel gave assurance that he would study the amendments to the Human Security Act with all the extradition treaties in mind.

Senator Tolentino recalled that he, in fact, explicitly mentioned the concern of Senator Drilon during the committee deliberation, particularly on how the measure would jibe with the proposed amendments to the Human Security Act considering the transnational long-arm apprehension measures that could be initiated by the Philippine government. He believed that the extradition treaty was very timely as the Body was also considering the anti-terrorism bill sponsored by Senator Lacson because he was reminded of the Solntsevskaya Bratva, a 5,000-man Russian mafia in Moscow which is involved in terrorism. He asked how Philippine laws would apply when the country is at a loss on how to enforce the extradition treaty. Senator Pimentel stated that if Congress enacts a law penalizing acts committed outside Philippine territory which are considered criminal offense under Philippine laws, and there is an extradition treaty with a country where the person was found and where he is not disqualified to be extradited could still be extradited because there is an offense committed from the point of view of the other contracting state.

Senator Drilon cited as an example a Russian citizen who is engaged in a terrorist plot against the Philippines with some extremists. He pointed out that under the proposed Anti-Terrorist Act, that Russian would be imposed the penalty of life imprisonment and if that Russian cannot be extradited, then that defeats the purpose of the law. Senator Pimentel pointed out that even without the extradition treaty, the Philippines could not request for the extradition of people who are not disqualified to be extradited back to the Philippines but since the Russian constitution provided limitations, out of reciprocity, the Philippines had to adjust.

At this point, Senator Drilon suggested that Senator Pimentel take the questions into account the next time the Body would consider the bill.

INQUIRY OF THE CHAIR

Asked by Senate President Sotto if the extradition

treaties with other countries that were previously concurred in by the Senate were similar to the extradition treaty with Russia, Senator Pimentel explained that the extradition treaty with Russian has a specific section on who shall be refused extradition, while other countries with which the Philippines has extradition treaties may or may not extradite their citizens back to the Philippines.

INTERPELLATION OF SENATOR HONTIVEROS

Referring to the second unique feature of the proposed extradition treaty pertaining to Filipinos who may not be extradited to Russia, and Russians who may not be extradited to the Philippines, Senator Hontiveros asked if a Russian who is accused of political crimes and seeks asylum or becomes a refugee in the Philippines could also be exempted from extradition back to Russia. In reply, Senator Pimentel said that the given facts are governed by Article 3 subsection (a) where request for extradition shall be refused if the offense is regarded by the Requested State as a political offense. He said that if the Philippines deems that the offense committed by a Russian is political, then Article 3 could be invoked to refuse such request.

Senator Hontiveros appreciated Senator Pimentel's reassurance that the standard provision in extradition treaties with other countries is likewise present in the proposed treaty, being a long-standing tradition and principle in international human rights law and international humanitarian law. In fact, she believed that the proposed treaty is very timely considering the previous day's commemoration of International Human Rights Day.

SUSPENSION OF CONSIDERATION OF PROPOSED SENATE RESOLUTION NOS. 263 AND 264

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the resolutions.

HOUSE CONCURRENT RESOLUTION NO. 5

Upon motion of Senator Zubiri, there being no objection, the Body considered House Concurrent Resolution No. 5, entitled

CONCURRENT RESOLUTION GRANT-

ING CONSENT TO HIS EXCELLENCY, RAUL S. HERNANDEZ, FORMER AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF THE PHILIPPINES TO THE REPUBLIC OF KOREA FROM 28 MAY 2014 TO 30 APRIL 2019, TO RECEIVE THE AWARD OF THE "ORDER OF DIPLOMATIC SERVICE MERIT, FIRST CLASS" FROM THE GOVERNMENT OF THE REPUBLIC OF KOREA.

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.

Thereupon, the Chair recognized Senator Pimentel for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR PIMENTEL

Senator Pimentel presented for plenary consideration House Concurrent Resolution No. 5, entitled "Concurrent Resolution Granting Consent to His Excellency, Raul S. Hernandez, Former Ambassador Extraordinary and Plenipotentiary of the Republic of the Philippines to the Republic of Korea from 28 May 2014 to 30 April 2019, to Receive the Award of the "Order of Diplomatic Service Merit, First Class" from the Government of the Republic of Korea."

The full text of Senator Pimentel's sponsorship speech follows:

To represent one's country and people is one of the greatest honors one can aspire for. Our revered athletes proved that at the 30th Southeast Asian Games, and our OFWs, by their industry, skills, and good repute, show the world the best of the Filipino.

Within the ranks of government, it is our diplomats—the men and women of the Philippine Foreign Service — who undertake this time-honored task day in and day out. Over the course of their careers, and wherever duty takes them, they are expected to serve as our country's best foot forward or even, as the good secretary of Foreign Affairs Teddy Boy Locsin would say, — as the velvet glove holding the iron fist. In short, our diplomats are expected to be the best. This is why the Philippine Foreign Service admits only those that make it through one of



the most exacting and rigorous admission examinations in our civil service.

We are long past the era of diplomacy associated only with black tie reception and functions. Today's diplomats wear far more hats. This is certainly the case for our Filipino diplomats. They engage in ceremony and protocol, yes. But they also readily roll up their sleeves and be the spearhead in danger zones. They negotiate, create access for our goods, influence perceptions of our country, and serve the welfare and interests of our *kabayans* overseas.

In dispensing their duties and fostering relations between the Philippines and their host countries, the host country itself often finds undeniable great merit in what they do, so much so that they themselves deem our diplomats' contributions worthy of their highest recognition.

Such is the case with our former envoy to the Republic of Korea (ROK), now Ambassador to Turkey, His Excellency Raul Hernandez. The Republic of Korea has found his service to Philippines-Korea relations meritorious and deserving of the First Grade of the Order of the Diplomatic Service Merit of the Republic of Korea government.

One of South Korea's highest civilian awards, the Order of Diplomatic Service Merit consists of five grades, is awarded to an individual who has rendered outstanding meritorious service in the interest of enhancing national prestige and promoting amity with allies.

The First Grade of the Order of Diplomatic Service Merit, otherwise known as the "Gwanghwa Medal," is conferred to ambassadors and other high level diplomats, including foreign officials, who have notched such noteworthy accomplishments towards strengthening friendly relations with the Republic of Korea.

Past notable recipients of the award include United States Sen. Joe Lieberman, His Royal Highness Prince Henrik of Denmark, and Her Royal Highness Princess Maha Chakri Sirindhorn of Thailand. In this distinguished company, not only Ambassador Hernandez is honored by the Republic of Korea, but the Philippines as well, and the abiding amity between our nations.

During his almost five-year tenure as our country's top envoy to the Republic of Korea from 28 May 2014 to 30 April 2019, Ambassador Hernandez served with distinction. He fostered stronger bilateral relations with the Republic of Korea, a country that is emerging to be one of our most important bilateral partners in trade, foreign direct investments, official development

assistance, defense, tourism, and even culture and people-to-people exchanges.

Some of his notable achievements include: (1) supporting the efforts of the Department of National Defense in engaging the Republic of Korea as a key partner in defense procurement and acquisitions; (2) supporting the effort to secure market access for our processed chicken into the \$300-million Korean market for this commodity; (3) promoting the country as a cultural and tourism destination which helped sustain the Republic of Korea's standing as the top source of foreign tourists to our shores; and (4) enhancing the extension of consular assistance to national services to our Filipinos in the Republic of Korea.

It is a fitting recognition to a storied career. Ambassador Hernandez had also previously served as Consul General in Xiamen (September 2008 to January 2011) and as DFA Spokesperson (July 2011 to May 2014).

Mindful of the requirement mandating the acceptance of foreign government decorations to be contingent upon the consent of Congress, I have the privilege to move that this august Body now grant such consent to the conferment of the First Grade of the Order of Diplomatic Service Merit of the Republic of Korea on Ambassador Raul S. Hernandez by adopting House Resolution No. 5 which we just received, and I thank the Majority Leader for allowing me to sponsor the motion.

MANIFESTATION OF SENATOR DRILON

Senator Drilon joined Senator Pimentel in endorsing House Concurrent Resolution No. 5 for the Body's concurrence, saying that he has known Ambassador Raul Hernandez as a gentleman of the highest order and a very competent representative of the country who deserves the consent of the Senate to accept the award.

Thereupon, he likewise urged the Chamber to immediately approve the resolution concurring with the consent given by the House of Representatives.

MANIFESTATION OF SENATOR GORDON

Senator Gordon stated that he knew Raul Hernandez when the latter was still DFA spokesman, and he recalled that during his time as Secretary of Tourism, it was the DFA ambassador who tried to attract tourists to visit the country, initiating the chartered flights of Philippine Airlines and Korean Airlines.



Accordingly, he joined Senator Drilon in expediting the resolution since Ambassador Hernandez deserves the Gwanghwa Medal.

COSPONSORS

Upon Senator Zubiri's request, there being no objection, all senators were made cosponsors of House Concurrent Resolution No. 5.

INQUIRY OF THE CHAIR

Relative to the resolution allowing Ambassador Hernandez to receive his award, Senate President Sotto asked if the Body likewise passed a similar resolution for Senator Drilon.

Senator Zubiri confirmed that the Senate gave its consent to Senator Drilon to receive the Grand Cordon of the Order of the Rising Sun from Emperor Akihito and Prime Minister Shinzo Abe of Japan.

ADOPTION OF HOUSE CONCURRENT RESOLUTION NO. 5

Upon motion of Senator Zubiri, there being no objection, House Concurrent Resolution No. 5 was adopted by the Body.

MANIFESTATION OF SENATOR TOLENTINO

Senator Tolentino expressed his support for Senate Bill No. 1224, a measure that would institutionalize comprehensive good values education as a core subject,

including good manners and right conduct. He stated that as early as 2001, he instituted a similar program in Tagaytay City called "The City of Character Program" incorporating all good values in business, church, and schools by having a character quality every month, and naming all classrooms after a character quality such as Hard Work, Discipline, Patience, among others. He also recalled forming the "Cities of Character" program in the same year in several cities such as the cities of Iriga, Bais in Negros, Candon in Ilocos Sur, Calapan in Mindoro, and others.

Senator Tolentino emphasized that it is an important piece of legislation and he congratulated Senators Gatchalian, Zubiri, Villanueva and Gordon for sponsoring the measure.

ADJOURNMENT OF SESSION

Upon motion of Senator Zubiri, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, December 16, 2019.

It was 5:23 p.m.

I hereby certify to the correctness of the foregoing.



ATTY. MYRA MARIE D. VILLARICA

Secretary of the Senate



Approved on December 16, 2019