



**REPUBLIC OF THE PHILIPPINES**

**S e n a t e**

**Pasay City**

# **Journal**

**SESSION NO. 3**

Wednesday, July 28, 2004

**THIRTEENTH CONGRESS  
FIRST REGULAR SESSION**

**SESSION NO. 3**  
Wednesday, July 28, 2004

**CALL TO ORDER**

At 3:22 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

**PRAYER**

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

Dear Lord, Your mercies towards us are new every morning.

Nothing is hid from You about each one of us.

But the more You know about us, public officials, the more that You need to be slow to anger.

Forgive us, public officials, for our folly and our weaknesses and grant us Your grace to be sensitive to the call of the public we serve.

Let us take a step of faith to do one specific instruction from You today.

Use us, Lord, for Your glory and for service to the people.

Amen.

**ROLL CALL**

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

Angara, E. J.	Gordon, R. J.
Arroyo, J. P.	Lacson, P. M.
Biazon, R. G.	Lapid, M. L. M.
Cayetano, C. P. S.	Lim, A. S.
Drilon, F. M.	Magsaysay Jr., R. N.
Ejercito Estrada, J.	Pangilinan, F. N.
Ejercito Estrada, L. L. P.	Pimentel Jr., A. Q.
Enrile, J. P.	Roxas, M.
Flavier, J. M.	Villar Jr., M. B.

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

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

Senators Defensor Santiago and Madrigal were on official mission.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 2 and considered it approved.

**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. 68, entitled

AN ACT AMENDING REPUBLIC ACT  
NUMBERED ELEVEN HUNDRED  
SIXTY ONE, ALSO KNOWN AS THE  
SOCIAL SECURITY LAW, AS  
AMENDED, INCREASING THE  
PENALTIES FOR NON-REMITTANCE  
OF CONTRIBUTIONS TO THE  
SOCIAL SECURITY SYSTEM BY THE  
EMPLOYER

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Labor, Employment  
and Human Resources Development;  
and Constitutional Amendments, Revision of  
Codes and Laws**

Senate Bill No. 69, entitled

AN ACT TO PROVIDE ASSISTANCE TO THE IMMEDIATE FAMILY OF A SOLDIER KILLED WHILE PERFORMING DUTIES AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on National Defense and Security; and Finance**

Senate Bill No. 70, entitled

AN ACT ESTABLISHING MATERNAL AND INFANT HEALTH HOME VISITING PROGRAM

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 71, entitled

AN ACT GRANTING THE MAGNA CARTA FOR DAY CARE WORKERS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Social Justice, Welfare and Rural Development; Civil Service and Government Reorganization; and Finance**

Senate Bill No. 72, entitled

AN ACT PROVIDING TAX EXEMPTION ON THE EDUCATIONAL EXPENSES INCURRED BY A TAXPAYER, AMENDING SECTION 35 OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Ways and Means; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 73, entitled

AN ACT TO AMEND ARTICLE XXII, SECTION 261 (DD) OF BATAS PAMBANSA BLG. 881 OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE, AS AMENDED, TO INCLUDE OTHER FORMS OF ELECTORAL FRAUD, PRESCRIBING PENALTIES THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 74, entitled

AN ACT REDUCING THE INCOME TAX RATES OF INDIVIDUAL TAXPAYERS, AND GRANTING TAX PAYMENT EXEMPTION TO CERTAIN MINIMUM WAGE EARNERS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Ways and Means; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 75, entitled

AN ACT TO PROVIDE FOR THE USE OF MOBILE UNITS SERVING MEDICAL, DIAGNOSTIC, AND TREATMENT SERVICES, IN ORDER TO ENSURE THE AVAILABILITY OF QUALITY HEALTH CARE SERVICES FOR PATIENTS WHO RECEIVE CARE IN REMOTE OR RURAL AREAS

AND FOR PATIENTS WHO NEED SPECIALIZED TYPES OF MEDICAL CARE PROVIDED IN A COST-EFFECTIVE WAY

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Health and Demography**

Senate Bill No. 76, entitled

AN ACT MANDATING THAT EDUCATIONAL CURRICULUM AND THE CONSEQUENT PREPARATION OF TEXTBOOKS AND RELATED MATERIALS SHOULD HAVE CONTINUITY AND STABILITY, AND THAT THE SAME SHOULD NOT BE AFFECTED BY ANY CHANGE DURING THE PERIOD OF AT LEAST SIX (6) YEARS AMENDING FOR THE PURPOSE R.A. NO. 8047, OTHERWISE KNOWN AS THE BOOK PUBLISHING INDUSTRY DEVELOPMENT ACT

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Education, Arts and Culture; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 77, entitled

AN ACT PROVIDING TELECOMMUNICATIONS SYSTEMS ACCESSIBILITY TO THE HEARING-IMPAIRED AND SPEECH-IMPAIRED

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Public Services; and Social Justice, Welfare and Rural Development**

Senate Bill No. 78, entitled

AN ACT CREATING A NATIONAL BOOK DEVELOPMENT TRUST FUND TO SUPPORT FILIPINO AUTHORSHIP

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 79, entitled

AN ACT CREATING AND ESTABLISHING THE CENTER FOR STUDIES ON INDIGENOUS CULTURAL COMMUNITIES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Cultural Communities; and Finance**

Senate Bill No. 80, entitled

AN ACT PROHIBITING THE PRIVATIZATION OF GOVERNMENT HOSPITALS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 81, entitled

AN ACT TO PROTECT THE RIGHT OF THE PEOPLE TO INFORMATION ABOUT REPRODUCTIVE HEALTH CARE SERVICES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

*A*

*AS*

Senate Bill No. 82, entitled

**AN ACT TO IMPROVE EMERGENCY  
MEDICAL SERVICES AND  
TRAUMA CARE**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committee on Health and  
Demography**

Senate Bill No. 83, entitled

**AN ACT TO REGULATE PESTICIDE  
CHEMICAL RESIDUES IN FOOD**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Agriculture and  
Food; and Health and Demography**

Senate Bill No. 84, entitled

**AN ACT PROVIDING FOR THE  
STANDARDS FOR THE PRACTICE  
OF REHABILITATION MEDICINE  
AND FOR OTHER PURPOSES**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Health and  
Demography; and Civil Service and  
Government Reorganization**

Senate Bill No. 85, entitled

**AN ACT PROTECTING CHILDREN  
AND OTHER VULNERABLE  
SUBPOPULATIONS FROM  
EXPOSURE TO ENVIRONMENTAL  
POLLUTANTS AND PESTICIDES  
IN SCHOOLS AND PROVIDING  
PARENTS WITH INFORMATION  
CONCERNING TOXIC CHEMICALS  
THAT POSE RISKS TO CHILDREN**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 86, entitled

**AN ACT TO ESTABLISH A  
COMPREHENSIVE PROGRAM  
TO ENSURE THE SAFETY OF  
FOOD PRODUCTS INTENDED  
FOR HUMAN CONSUMPTION**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 87, entitled

**AN ACT ALLOWING MARRIED OR  
LEGALLY SEPARATED WOMEN  
TO USE THEIR MAIDEN FIRST  
NAME AND SURNAME,  
AMENDING FOR THE PURPOSE  
REPUBLIC ACT NO. 386, ALSO  
KNOWN AS THE CIVIL CODE OF  
THE PHILIPPINES, ARTICLES  
370 AND 372, AND ARTICLE 63,  
EXECUTIVE ORDER 209, SERIES  
OF 1987, ALSO KNOWN AS THE  
FAMILY CODE OF THE  
PHILIPPINES**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 88, entitled

**AN ACT TO PROVIDE FOR AN  
INTERIM CENSUS OF FILIPINOS  
RESIDING ABROAD AND TO  
REQUIRE THAT SUCH  
INDIVIDUALS BE INCLUDED IN  
REGULAR CENSUSES**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 89, entitled

AN ACT ESTABLISHING A TEACHER CORPS PROGRAM IN ORDER TO STRENGTHEN THE TEACHING PROFESSION

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 90, entitled

AN ACT PROVIDING FOR THE PROHIBITION TO OBTAIN INFORMATION FROM MINORS ON MATTERS CONCERNING HIS/HER FAMILY

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Youth, Women and Family Relations

Senate Bill No. 91, entitled

AN ACT DECLARING ALL OFFICIAL NON-WORKING DAYS TO FALL EITHER ON A MONDAY OR A FRIDAY

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Constitutional Amendments, Revision of Codes and Laws

Senate Bill No. 92, entitled

AN ACT TO PROHIBIT PYRAMID PROMOTIONAL SCHEMES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Trade and Commerce

Senate Bill No. 93, entitled

AN ACT ESTABLISHING EARLY LEARNING PROGRAMS FOR INDIGENT PRE-KINDERGARTEN CHILDREN

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 94, entitled

AN ACT ESTABLISHING AN OFFICE ON WOMEN'S HEALTH WITHIN THE DEPARTMENT OF HEALTH

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 95, entitled

AN ACT AMENDING THE NEW CIVIL CODE OF THE PHILIPPINES (REPUBLIC ACT NO. 386 AS AMENDED) ARTICLES 804, 805, 801 AND 811, PROVIDING FOR THE USE OF VIDEO TAPES OR OTHER SIMILAR VISUAL RECORDING DEVICE FOR TESTAMENTARY DISPOSITION OF THE ESTATE OF THE DECEDENT

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Constitutional Amendments, Revision of Codes and Laws

hs

Senate Bill No. 96, entitled

AN ACT TO PROVIDE EDUCATIONAL OPPORTUNITIES FOR DISADVANTAGED CHILDREN, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 97, entitled

AN ACT TO PROVIDE PROTECTION FROM PERSONAL INTRUSION FOR COMMERCIAL PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 98, entitled

AN ACT TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH ANY INTERNATIONAL MONEY TRANSFER AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 99, entitled

AN ACT TO RECRUIT, HIRE, AND TRAIN ADDITIONAL SCHOOL-BASED GUIDANCE COUNSELORS, PSYCHOLOGISTS, SCHOOL SOCIAL WORKERS AND MENTAL HEALTH PERSONNEL

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 100, entitled

AN ACT GRANTING DISCOUNTS TO UNDERPRIVILEGED COLLEGE STUDENTS ON BASIC AND EDUCATION SERVICES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 101, entitled

AN ACT DECLARING THE FIRST MONDAY OF DECEMBER EVERY YEAR AS "MOTHER'S DAY" AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 102, entitled

AN ACT LIMITING EXPOSURE OF CHILDREN TO VIOLENT, LEWD OR OBSCENE PROGRAMMING ON TELEVISION AND CABLE SYSTEM

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Public Information and Mass Media**

Senate Bill No. 103, entitled

AN ACT DECLARING UNLAWFUL THE COMMERCIAL USE OF TELEPHONES FOR MAKING INDECENT OR OBSCENE COMMUNICATIONS AND PROVIDING PENALTIES THEREFOR

#

16

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Public Services;  
and Constitutional Amendments, Revision  
of Codes and Laws**

Senate Bill No. 104, entitled

AN ACT SUPPORTING EFFECTIVE  
PROGRAMS THAT PROVIDE  
ASSISTANCE TO PARENTS WHO  
WANT TO HELP THEIR CHILDREN  
BECOME SUCCESSFUL READERS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 105, entitled

AN ACT PROMOTING THE  
INTEGRATION OF WOMEN IN THE  
DEVELOPMENT PROCESS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Youth, Women  
and Family Relations; and Civil Service and  
Government Reorganization**

Senate Bill No. 106, entitled

AN ACT TO ESTABLISH WITHIN THE  
DEPARTMENT OF HEALTH A  
PERMANENT COUNCIL ON  
NUTRITION AND HEALTH

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 107, entitled

AN ACT TO ESTABLISH A JOB  
TRAINING PROGRAM FOR  
MATURE OR OLDER WORKERS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 108, entitled

AN ACT ESTABLISHING QUALITY  
STANDARDS FOR MINERAL  
WATER AND CARBONATED  
WATER

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 109, entitled

AN ACT EMPOWERING WOMEN BY  
PROVIDING THEM WITH  
FINANCIAL, EDUCATIONAL, AND  
INFORMATION ASSISTANCE IN  
ORDER FOR THEM TO EXCEL IN  
COMMERCE AND TRADE

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Youth, Women  
and Family Relations; Trade and Commerce;  
and Finance**

Senate Bill No. 110, entitled

AN ACT REGULATING SHIPPING  
VESSELS COASTING PHILIPPINE  
WATERS FOR THE PROTECTION  
OF SHORES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Public Services;  
and Environment and Natural Resources**

105



Senate Bill No. 111, entitled

AN ACT TO PROVIDE FOR A STUDY AND FOR DEMONSTRATION PROJECTS REGARDING CASES OF HEPATITIS C AMONG FIREFIGHTERS, PARAMEDICS, EMERGENCY MEDICAL TECHNICIANS AND OTHER EMERGENCY EMPLOYEES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committees on Health and Demography; Labor, Employment and Human Resources Development; and Finance

Senate Bill No. 112, entitled

AN ACT TO ESTABLISH A NATIONAL CENTER FOR INFORMATION AND TECHNICAL ASSISTANCE RELATING TO ALL TYPES OF FAMILY RESOURCE AND SUPPORT PROGRAMS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 113, entitled

AN ACT AMENDING EXECUTIVE ORDER NO. 209 ALSO KNOWN AS THE FAMILY CODE OF THE PHILIPPINES, ARTICLE III

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 114, entitled

AN ACT INTRODUCING EDUCATIONAL REFORMS AND SUPPORTING THE PLANNING

AND IMPLEMENTATION OF EDUCATIONAL REFORMS IN SECONDARY INSTITUTIONS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 115, entitled

AN ACT TO ENSURE THAT OLDER OR DISABLED PERSONS ARE PROTECTED FROM INSTITUTIONAL, COMMUNITY AND DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND TO IMPROVE OUTREACH EFFORTS AND OTHER SERVICES AVAILABLE TO OLDER OR DISABLED PERSONS VICTIMIZED BY SUCH VIOLENCE

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 116, entitled

AN ACT ESTABLISHING A PROGRAM FOR PUBLIC EDUCATION ON PROSTATE CANCER

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Health and Demography

Senate Bill No. 117, entitled

AN ACT DEFINING THE CRIME OF ECONOMIC ESPIONAGE AND PROVIDING PENALTIES THEREFOR

16

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 118, entitled

AN ACT TO ESTABLISH A NATIONAL  
PROGRAM THAT WILL PROVIDE  
PREGNANT WOMEN WITH  
ALTERNATIVES TO ABORTION

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 119, entitled

AN ACT PROVIDING FOR PEOPLE'S  
INITIATIVE TO AMEND THE  
CONSTITUTION

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 120, entitled

AN ACT TO REQUIRE THAT FOOD,  
MEAT AND POULTRY PRODUCTS  
THAT CONTAIN A GENETICALLY  
ENGINEERED MATERIAL, BE  
LABELED ACCORDINGLY

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Trade and  
Commerce; and Health and Demography**

Senate Bill No. 121, entitled

AN ACT TO REDUCE MEDICAL  
MISTAKES AND MEDICATION-  
RELATED ERRORS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 122, entitled

AN ACT PROTECTING THE RIGHTS  
OF CHILDREN WHO ARE VICTIMS  
OF CRIME AND ESTABLISHING  
A VICTIM'S BILL OF RIGHTS FOR  
CHILDREN

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Justice and  
Human Rights; and Youth, Women and Family  
Relations**

Senate Bill No. 123, entitled

AN ACT AMENDING EXECUTIVE  
ORDER NO. 209, ALSO KNOWN  
AS THE FAMILY CODE OF THE  
PHILIPPINES, ARTICLE 73

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 124, entitled

AN ACT GRANTING WOMEN EQUAL  
OPPORTUNITY TO ATHLETIC  
SCHOLARSHIP AND TO PRIZES  
OF SPORTS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 125, entitled

ANTI-INCEST ACT

*AV*

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 126, entitled

AN ACT INSTITUTIONALIZING THE  
OPEN LEARNING AND DISTANCE  
EDUCATION SYSTEM IN THE  
PHILIPPINES, APPROPRIATING  
FUNDS THEREFOR AND FOR  
OTHER PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 127, entitled

AN ACT PROVIDING FOR THE  
SUMMARY TITLING OF REAL  
PROPERTIES USED AS SITES FOR  
PUBLIC SCHOOLS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 128, entitled

AN ACT ELEVATING THE PHILIPPINE  
NORMAL UNIVERSITY TO  
BECOME THE COUNTRY'S  
NATIONAL UNIVERSITY FOR  
TEACHER EDUCATION;  
ESTABLISHING A SYSTEM OF  
NATIONAL TEACHER TRAINING  
AND DEVELOPMENT; APPRO-  
PRIATING FUNDS THEREFOR;  
AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 129, entitled

AN ACT LEGALIZING JUETENG

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Games, Amusement  
and Sports; Constitutional Amendments,  
Revision of Codes and Laws; and Finance**

Senate Bill No. 130, entitled

AN ACT AMENDING REPUBLIC ACT  
NO. 6713, ALSO KNOWN AS AN  
ACT ESTABLISHING A CODE  
OF CONDUCT AND ETHICAL  
STANDARDS FOR PUBLIC  
OFFICIALS AND EMPLOYEES, TO  
UPHOLD THE TIME-HONORED  
PRINCIPLE OF PUBLIC OFFICE  
BEING A PUBLIC TRUST, GRANT-  
ING INCENTIVES AND REWARDS  
FOR EXEMPLARY SERVICE,  
ENUMERATING PROHIBITED  
ACTS AND TRANSACTIONS,  
PROVIDING PENALTIES FOR  
VIOLATIONS THEREOF AND FOR  
OTHER PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Civil Service  
and Government Reorganization; and  
Constitutional Amendments, Revision of  
Codes and Laws**

Senate Bill No. 131, entitled

AN ACT AMENDING REPUBLIC ACT  
NO. 386, OTHERWISE KNOWN  
AS THE CIVIL CODE OF THE  
PHILIPPINES, ARTICLE 2180

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Education, Arts  
and Culture; and Constitutional Amendments,  
Revision of Codes and Laws**

**SUSPENSION OF SESSION**

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

*It was 3:40 p.m.*

**RESUMPTION OF SESSION**

At 3:40 p.m., the session was resumed with Senate President Pro Tempore Flavier presiding.

Senate Bill No. 132, entitled

THE CODE OF PROFESSIONAL  
STANDARDS FOR THE PRACTICE  
OF POLITICAL PUBLIC  
RELATIONS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Public Information  
and Mass Media; and Constitutional  
Amendments, Revision of Codes and Laws**

Senate Bill No. 133, entitled

AN ACT AMENDING SECTION 7 (b)  
OF REPUBLIC ACT NO. 6713,  
OTHERWISE KNOWN AS THE  
CODE OF CONDUCT AND  
ETHICAL STANDARDS FOR  
PUBLIC OFFICIALS AND  
EMPLOYEES, SO AS TO  
LENGTHEN THE PERIOD OF  
PROHIBITED EMPLOYMENT IN  
THE CASE OF MEMBERS OF  
THE CABINET

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Civil Service  
and Government Reorganization; and  
Constitutional Amendments, Revision of  
Codes and Laws**

Senate Bill No. 134, entitled

AN ACT AMENDING REPUBLIC ACT  
NO. 386, ALSO KNOWN AS THE

CIVIL CODE OF THE PHILIPPINES,  
ARTICLE 867

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 135, entitled

AN ACT TO PROVIDE PROTECTION  
OF PRIVACY OF INFORMATION  
IN MOTOR VEHICLE RECORDS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Constitutional  
Amendments, Revision of Codes and Laws;  
and Public Services**

Senate Bill No. 136, entitled

AN ACT AUTHORIZING BARANGAYS  
TO ENTER INTO OFFICIAL  
CONTRACTS WITH NATIONAL  
GOVERNMENT AGENCIES AND  
LOCAL GOVERNMENT UNITS  
TO UNDERTAKE THE DELIVERY  
OF BASIC SERVICES FOR THE  
PURPOSE OF PROVIDING  
EMPLOYMENT TO BARANGAY  
RESIDENTS AND FOR OTHER  
PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committee on Local Government**

Senate Bill No. 137, entitled

AN ACT CREATING THE OIL  
SPILL LIABILITY FUND

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committee on Environment and  
Natural Resources**

A

126

Senate Bill No. 138, entitled

AN ACT TO ENFORCE THE  
CONSTITUTIONAL RIGHT TO  
THE FREE EXERCISE OF  
RELIGION

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Constitutional  
Amendments, Revision of Codes and Laws;  
Education, Arts and Culture; and Finance**

Senate Bill No. 139, entitled

AN ACT REQUIRING  
CONGRESSIONAL APPROVAL IN  
THE DISPOSITION OF REAL  
PROPERTIES SITUATED ABROAD

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Foreign Relations;  
and Finance**

Senate Bill No. 140, entitled

AN ACT PENALIZING THE ACT  
OF MONEYLENDING WITH  
INTEREST BY SALARY-  
DISBURSING OFFICERS IN  
PUBLIC OR PRIVATE ENTITIES,  
PROVIDING PENALTIES FOR  
VIOLATIONS THEREFOR, AND  
FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Civil Service  
and Government Reorganization; and Labor,  
Employment and Human Resources  
Development**

Senate Bill No. 141, entitled

AN ACT APPROPRIATING THE  
AMOUNT OF TWO HUNDRED  
THOUSAND PESOS (P200,000.00)  
PER ANNUM FOR EVERY

BARANGAY FOR SIX  
CONSECUTIVE YEARS TO  
CONSTITUTE A FUND KNOWN  
AS THE RURAL LIVELIHOOD  
AND ECONOMIC DEVELOPMENT  
FUND

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 142, entitled

AN ACT AMENDING ARTICLES 155  
AND 157 OF EXECUTIVE ORDER  
NO. 209, AS AMENDED, OTHER-  
WISE KNOWN AS THE FAMILY  
CODE OF THE PHILIPPINES, SO  
AS TO STRENGTHEN THE  
PROVISIONS OF THE LAW  
GOVERNING THE FAMILY  
CODE

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Justice and  
Human Rights; Local Government; and Ways  
and Means**

Senate Bill No. 143, entitled

AN ACT TO DECLARE THE  
UNIVERSITY BELT AREA IN  
MANILA AND ALL OTHER  
SCHOOL SITES OR CAMPUSES  
IN THE COUNTRY WHETHER  
PUBLIC OR PRIVATE AS DRUG-  
FREE AND CHILD PROTECTION  
ZONES, APPROPRIATING FUNDS  
THEREFOR AND FOR OTHER  
PURPOSES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 144, entitled

**AN ACT AMENDING ARTICLE 223 OF THE REVISED PENAL CODE OF THE PHILIPPINES**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 145, entitled

**AN ACT TO REQUIRE THE SECRETARIES OF HEALTH AND LABOR AND EMPLOYMENT TO ISSUE REGULATIONS TO ELIMINATE OR MINIMIZE THE SIGNIFICANT RISK OF NEEDLESTICK INJURY TO HEALTH CARE WORKERS**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 146, entitled

**AN ACT PROVIDING A NATIONAL PROGRAM FOR IMPROVING THE QUALITY OF INSTRUCTION IN THE HUMANITIES IN PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 147, entitled

**AN ACT PROMOTING RESEARCH ON DYSTONIA**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 148, entitled

**AN ACT TO IMPROVE PUBLIC DISSEMINATION OF GOVERNMENT INFORMATION**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Public Information and Mass Media; and Civil Service and Government Reorganization**

Senate Bill No. 149, entitled

**AN ACT INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE IMPLEMENTING MECHANISMS THEREFOR, AND FOR OTHER PURPOSES**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Environment and Natural Resources; Urban Planning, Housing and Resettlement; and Finance**

Senate Bill No. 150, entitled

**AN ACT GRANTING PRIORITY TO HONOR GRADUATES OF STATE COLLEGES AND STATE UNIVERSITIES IN THE APPOINTMENT OF CIVIL SERVICE EMPLOYEES**

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Civil Service and Government Reorganization**

Senate Bill No. 151, entitled

AN ACT PENALIZING THE USE OF COMPUTERS TO COMMIT, FACILITATE OR CONCEAL THE COMMISSION OF A CRIME

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Science and Technology; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 152, entitled

AN ACT AMENDING REPUBLIC ACT NO. 386, ALSO KNOWN AS THE CIVIL CODE OF THE PHILIPPINES, ARTICLE 737, MAKING IT CONSISTENT WITH THE OTHER PROVISIONS UNDER THE TITLE ON DONATIONS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 153, entitled

AN ACT AMENDING REPUBLIC ACT NO. 386, ALSO KNOWN AS THE CIVIL CODE OF THE PHILIPPINES, ARTICLE 941

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 154, entitled

AN ACT AMENDING REPUBLIC ACT NO. 386, ALSO KNOWN AS THE CIVIL CODE OF THE PHILIPPINES, ARTICLE 952

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 155, entitled

AN ACT PROHIBITING RETIRED AND INCUMBENT OFFICIALS OF GOVERNMENT FROM EMPLOYMENT WITH INTERNATIONAL AND DOMESTIC CREDITORS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Civil Service and Government Reorganization**

Senate Bill No. 156, entitled

AN ACT GRANTING PROTECTION AND CERTAIN INCENTIVES TO AMBULANT VENDORS OR PEDDLERS AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Social Justice, Welfare and Rural Development; Local Government; and Ways and Means**

Senate Bill No. 157, entitled

AN ACT AMENDING R.A. NO. 386, ALSO KNOWN AS THE CIVIL CODE OF THE PHILIPPINES, ARTICLE 1991

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

A

6

Senate Bill No. 158, entitled

AN ACT STRENGTHENING THE REGULATORY FUNCTIONS OF THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 159, entitled

AN ACT REQUIRING MANDATORY REPORTING OF MARINE CASUALTIES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Public Services; and Justice and Human Rights**

Senate Bill No. 160, entitled

AN ACT DEFINING CERTAIN INDICATIONS OF PSYCHOLOGICAL INCAPACITY AS A GROUND FOR THE DECLARATION OF NULLITY OF MARRIAGE, AMENDING ARTICLE 36 EXECUTIVE ORDER NO. 209, AS AMENDED, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 161, entitled

AN ACT PENALIZING DISOBEDIENCE TO THE WRIT OF HABEAS CORPUS AND OTHER ACTS AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 162, entitled

AN ACT TO PROHIBIT ANY EMPLOYER, LABOR CONTRACTOR AND LABOR ORGANIZATION FROM DISCRIMINATING AGAINST ANY INDIVIDUAL BECAUSE OF THE INDIVIDUAL'S AGE

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 163, entitled

AN ACT REQUIRING THE PREPARATION AND ISSUANCE OF THE CERTIFICATE OF VOTES AS REPLICA OF THE ELECTION RETURNS AND PRESCRIBING A REVISED C.E. FORM NO. 13, AMENDING FOR THAT PURPOSE SECTION 215 OF THE OMNIBUS ELECTION CODE, AS AMENDED BY R.A. NO. 6646, SECTION 16

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

*[Handwritten mark]*

*[Handwritten mark]*



Senate Bill No. 164, entitled

AN ACT INCREASING WOMEN'S  
PARTICIPATION IN ELECTIVE  
AND APPOINTIVE POSITIONS IN  
GOVERNMENT

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Youth, Women  
and Family Relations; Civil Service and  
Government Reorganization; and Finance**

Senate Bill No. 165, entitled

AN ACT TO PROHIBIT EMPLOYMENT  
DISCRIMINATION ON THE BASIS  
OF SEXUAL ORIENTATION

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Labor, Employment  
and Human Resources Development; and  
Civil Service and Government Reorganization**

Senate Bill No. 166, entitled

AN ACT AMENDING PRESIDENTIAL  
DECREE NO. 1986 CREATING  
THE MOVIE AND TELEVISION  
REVIEW AND CLASSIFICATION  
BOARD

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committee on Public Information  
and Mass Media**

Senate Bill No. 167, entitled

AN ACT PROHIBITING THE  
MANUFACTURE AND SALE OF  
IMITATION FIREARMS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Public Order and  
Illegal Drugs; and Trade and Commerce**

Senate Bill No. 168, entitled

AN ACT AMENDING REPUBLIC ACT  
SEVENTY NINE FORTY ONE,  
OTHERWISE KNOWN AS THE  
PARTY LIST SYSTEM ACT

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 169, entitled

AN ACT REQUIRING THE USE OF  
PHILIPPINES MADE MATERIALS  
IN CONTRACTS FOR PUBLIC  
WORKS AND PROVIDING FOR  
THE BLACKLISTING OF  
CONTRACTORS VIOLATING  
SUCH REQUIREMENT

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committee on Public Works**

Senate Bill No. 170, entitled

AN ACT PROVIDING FOR AVIATION  
NOISE MANAGEMENT AND  
REDUCTION IN RESIDENTIAL  
AREAS

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Public Services;  
and Environment and Natural Resources**

Senate Bill No. 171, entitled

AN ACT GRANTING WORKERS  
THE RIGHT TO OWN AND  
SUBSEQUENTLY TO BUY A  
CERTAIN PERCENTAGE OF  
AUTHORIZED SHARES OF  
STOCKS OF ANY COMMERCIAL,  
INDUSTRIAL, AGRICULTURAL  
ENTERPRISES, INCLUDING

*MS*

GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS-OWNED AS WELL AS RELIGIOUS, MEDICAL OR EDUCATIONAL INSTITUTIONS OPERATED FOR PROFIT AND TO ENSURE WORKERS' REPRESENTATION IN NON-PROFIT CORPORATIONS AND ENTERPRISES, AND TO ENCOURAGE PRODUCTIVITY, PROMOTE AND MAINTAIN INDUSTRIAL PEACE

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 172, entitled

AN ACT REGULATING THE PRACTICE OF SPEECH PATHOLOGY IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 173, entitled

AN ACT PROVIDING FOR THE MAGNA CARTA FOR SOCIAL WORKERS AND SOCIAL WELFARE AND DEVELOPMENT WORKERS AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 174, entitled

THE RIGHT TO TRAVEL ACT

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 175, entitled

AN ACT PROVIDING THE RIGHTS TO BE ACCORDED VICTIMS OF CRIMES, DEFINING THE DUTIES OF RESPONSIBLE OFFICERS AND PROVIDING PENALTIES THEREFOR

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 176, entitled

AN ACT PROVIDING FOR PROTECTION FROM REPRISALS TO EMPLOYEES OF CONTRACTORS FOR DISCLOSURE OF INFORMATION RELATING TO SUBSTANTIAL VIOLATION OF LAW RELATED TO PUBLIC CONTRACTS INCLUDING THE COMPETITION FOR OR NEGOTIATION OF A CONTRACT

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 177, entitled

AN ACT MANDATING CHEMICAL AND SURGICAL CASTRATION FOR SEX OFFENDERS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Justice and Human Rights; Youth, Women and Family Relations; and Finance**

#

168

Senate Bill No. 178, entitled

AN ACT AMENDING B.P. 881, ALSO KNOWN AS THE OMNIBUS ELECTION CODE, SECTION 6, ON FAILURE OF ELECTION

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 179, entitled

AN ACT AMENDING REPUBLIC ACT NO. 6657, ALSO KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW, SECTION 3 (C)

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Agrarian Reform**

Senate Bill No. 180, entitled

AN ACT IMPOSING STIFFER PENALTIES FOR GOVERNMENT OFFICIALS AND EMPLOYEES AND OFFICERS AND MEMBERS OF POLICE AGENCIES AND THE ARMED FORCES AND PENALIZING "PLANTING" OF EVIDENCE, INCORPORATING SECTION 7-A INTO PRESIDENTIAL DECREE NO. 1866, AS AMENDED, ENTITLED "CODIFYING THE LAWS ON ILLEGAL/UNLAWFUL POSSESSION, MANUFACTURE, DEALING IN, ACQUISITION OR DISPOSITION OF FIREARMS, AMMUNITION OR EXPLOSIVES OR INSTRUMENTS USED IN THE MANUFACTURE OF FIREARMS, AMMUNITION OR EXPLOSIVES AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF AND FOR RELEVANT PURPOSES"

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 181, entitled

AN ACT REGULATING THE SALE, DELIVERY OR DISPOSITION OF ANY KIND OF FIREARM, AMMUNITION, OR EXPLOSIVES TO CERTAIN TYPES OF PERSONS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 182, entitled

AN ACT TO ESTABLISH MINIMUM STANDARDS REGARDING THE QUALITY OF WIRELESS TELEPHONE SERVICE AND TO MONITOR COMPLAINTS REGARDING SUCH SERVICE

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Public Services; and Trade and Commerce**

Senate Bill No. 183, entitled

AN ACT GRANTING WOMEN THE RIGHT TO KNOW WORK CONDITIONS AFFECTING THEIR HEALTH

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Labor, Employment and Human Resources Development; and Youth, Women and Family Relations**

Senate Bill No. 184, entitled

AN ACT TO INCLUDE THE TEACHING OF COMPUTER AS PART OF THE ELEMENTARY AND HIGH SCHOOL CURRICULA BOTH IN PUBLIC AND PRIVATE SCHOOLS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Education, Arts and Culture

Senate Bill No. 185, entitled

AN ACT AMENDING REPUBLIC ACT NUMBERED 4419 ALSO KNOWN AS THE PHILIPPINE DENTAL ACT OF 1965, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committee on Civil Service and Government Reorganization

Senate Bill No. 186, entitled

AN ACT PROVIDING FOR A BASIC EDUCATION PROGRAM FOR REHABILITATION AND IMPROVEMENT, CREATING A BASIC EDUCATION REHABILITATION AND IMPROVEMENT FUND, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 187, entitled

AN ACT GRANTING ADDITIONAL INSURANCE BENEFITS TO BARANGAY CAPTAINS,

PROVIDING FUNDS FOR THE PAYMENT OF ITS PREMIUMS, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committees on Government Corporations and Public Enterprises; Local Government; and Finance

Senate Bill No. 188, entitled

AN ACT TO PROVIDE FOR A HOUSING PROGRAM FOR TEACHERS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committees on Urban Planning, Housing and Resettlement; Education, Arts and Culture; Ways and Means; and Finance

Senate Bill No. 189, entitled

AN ACT CREATING THE NATIONAL COMMISSION ON MUSLIM FILIPINOS DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 190, entitled

AN ACT ESTABLISHING NATIONAL TEACHER ACADEMIES IN ORDER TO ENCOURAGE AND FACILITATE ENTRY INTO THE TEACHING PROFESSION

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

4

146

Senate Bill No. 191, entitled

AN ACT PROVIDING AFFORDABLE HEALTH CARE SERVICES, THROUGH THE HEALTH MAINTENANCE ORGANIZATIONS, REGULATING THEIR OPERATIONS, AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 192, entitled

AN ACT PROVIDING FOR AN EXPANDED VOUCHER SYSTEM IN THE ELEMENTARY AND SECONDARY EDUCATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6728, AS AMENDED

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 193, entitled

AN ACT REVISING REPUBLIC ACT NUMBERED 6939, CREATING THE COOPERATIVE DEVELOPMENT AUTHORITY

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Cooperatives; Ways and Means; and Finance**

Senate Bill No. 194, entitled

AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, BOOK 3, TITLE 5,

ARTICLE 13, SECTION 483, AS AMENDED

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Local Government**

Senate Bill No. 195, entitled

AN ACT IDENTIFYING AND PROMOTING RESEARCH ON HEALTH IMPLICATIONS OF BREAST IMPLANTS

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

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

Senate Bill No. 196, entitled

AN ACT TO REQUIRE HOSPITALS TO ESTABLISH AND IMPLEMENT SECURITY PROCEDURES TO REDUCE THE LIKELIHOOD OF INFANT PATIENT ABDUCTION AND BABY SWITCHING, INCLUDING PROCEDURES FOR IDENTIFYING ALL INFANT PATIENTS IN THE HOSPITAL IN A MANNER THAT ENSURES IT WILL BE EVIDENT IF INFANTS ARE MISSING FROM THE HOSPITAL

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Health and Demography**

Senate Bill No. 197, entitled

AN ACT AMENDING ART. 236 OF EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

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

Senate Bill No. 198, entitled

**AN ACT TO PROHIBIT GENDER  
DISCRIMINATION IN EMPLOY-  
MENT ADVERTISING**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Labor, Employment  
and Human Resources Development; and  
Youth, Women and Family Relations**

Senate Bill No. 199, entitled

**AN ACT TO PUNISH TRANSMISSION  
OF INDECENT MATERIAL BY  
COMPUTER TO MINORS**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Science and  
Technology; and Constitutional Amendments,  
Revision of Codes and Laws**

Senate Bill No. 200, entitled

**AN ACT ESTABLISHING STANDARDS  
FOR THE IDENTITY OF MILK  
AND REQUIRING THE LABELING  
THEREOF**

Introduced by Senator Luisa "Loi" P.  
Ejercito Estrada

**To the Committees on Trade and  
Commerce; and Health and Demograph**

**RECONSIDERATION OF  
THE APPROVAL OF THE JOURNAL**

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval of the Journal of Session No. 1.

**APPROVAL OF THE  
JOURNAL AS CORRECTED**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the Journal of Session No. 1 subject to the correction made by Senator Pangilinan on page 7, to delete the phrase "which the Chair assigned to the Archives" under the heading "MESSAGE FROM THE HOUSE OF REPRESENTATIVES."

**ANNOUNCEMENT OF  
SENATOR PANGILINAN**

At this juncture, Senator Pangilinan stated that the Body would resume the interpellations on the privilege speech of Senator Enrile the previous day.

**REQUEST OF SENATOR ROXAS**

Senator Roxas noted that the Body spent about an hour going through the Reference of Business. He asked whether the matter could be undertaken in an omnibus manner providing each senator enough time to propose changes in the referral or the coauthorship of bills and the like. This way, he said, the Senate could save one hour every session day.

Upon motion of Senator Pangilinan, there being no objection, the request of Senator Roxas was referred to the Committee on Rules.

**INTERPELLATION OF SENATOR GORDON**

Preliminarily, Senator Gordon said he was elated with the speech of Senator Enrile which showed a great deal of statesmanship in promoting the idea that the Senate be revived to become once more a true forum of the people—*Senatus Populi* or the Senate of the People. Noting the various points raised in the speech, he said he would be interested to know the kind of reforms Senator Enrile wanted for the country. He recalled that during the Ramos administration, Senator Angara as Senate President, was able to forge a relationship where a lot of initiatives were undertaken with the Minority, particularly in the areas of central banking, health insurance, energy, among others. He expressed disappointment that tourism, which is the most

aggressive and the fastest growing industry in the world, was not included in the ten-point agenda that President Macapagal-Arroyo presented in her SONA.

Asked if he would be willing to accept specific suggestions in the area of tourism to create jobs and generate dollars that the country needed, Senator Enrile replied that he would support any effort to that effect. Tourism, he said, is a major source of income as it would also enhance exports.

On whether it is about time the government made preparations to allow overseas Filipino workers to find their future not only in foreign shores but in their native land, Senator Enrile replied in the affirmative, saying that the government should make tourism one of its priorities by providing it with the necessary policies, physical infrastructure and the right climate to develop.

Senator Gordon observed that tourism is practically the baby brother of trade and it is high time it was developed into a flagship project. He said that tourism does not only generate dollars but it also creates jobs because with the right volume of tourists coming in, more hotels are built and the farmers would have a wider market. In that sense, he said, *tourism creates a new impetus for the people to find their own future in the Philippines.*

Senator Enrile stressed the need to transcend all political considerations in prioritizing tourism by removing all barriers and improving policies on air transportation, infrastructure, security, and giving tax and other incentives to those who wanted to participate in the industry.

Senator Gordon asked if Senator Enrile would support the idea of creating a Tourism Enterprise Zone Authority which would generate the right kind of incentives like tax privileges for hoteliers who would renovate their hotels or, for that matter, expand into the Philippines. Senator Enrile replied in the affirmative, pointing out, however, the need to study the proposal and its funding requirement. Perhaps, he said, such effort could be linked with the existing economic zones already authorized by law such as Subic, Port Irene and Zamboanga.

Noting the opening of the economic zones to service providers like call centers, Senator Enrile stated that establishing leisure parks in these areas could be one innovation. However, he stressed, these enclaves should not become an avenue for smuggling that would destroy the country's economy. Senator Gordon clarified that he was speaking of new enclaves in support of the tourism enterprise zones such as Palawan, Cebu and Iloilo.

Conscious of the fact that the government borrows in dollars and revenue collection efficiency is very low, Senator Gordon expressed strong reservations to any proposal to increase taxes. On the other hand, he said, if tourism would be made a flagship project of the administration, an opportunity could be created through an expansion of the tax base by creating employment opportunities and building up capital formation for infrastructure development.

Senator Enrile opined that the travel tax could be tapped as a source of fund for promoting the tourism industry. As regards tourism as a flagship project, he proposed that the proper government agency identify geographical or territorial enclaves in the country that are controllable in terms of security so that these would not become the avenues for smugglers.

Senator Gordon agreed. He recalled the case of Subic, which he had the privilege of envisioning and running as the first chairman, whose principal source of revenue was tourism. By the time he left, he disclosed, there were 26 flights a week in Subic, so that in its third year of operation, it was no longer getting a budget from the national government since it was already earning income.

As regards the travel tax, Senator Gordon informed the Body that there is a provision in the Ministries Conference on Tourism on Travel, which the Philippines signed with other countries, that travel taxes are considered restrictions to travel, hence, these would be removed in 2007. He asked if Senator Enrile would be amenable to place on Pagcor a statutory obligation to provide funds for the promotional activities of the Department of Tourism through an arm called the Tourism Development Corporation

which would absorb the PTA as well as the PCB and thus, remove redundant agencies within the department.

Senator Enrile expressed support for the idea. He proposed that Pagcor be made an operator and that its regulatory power be transferred to a new entity whose sole function shall be to regulate and supervise all gaming operations and licensing in the country. He said that this would allow the entry of operators and players from other countries that can compete with Pagcor.

Senator Gordon thanked Senator Enrile for supporting his ideas which he intended to include in a bill he would file the following day. He invited Senator Enrile and other interested senators to coauthor the same. Senator Enrile assured Senator Gordon that the *Opposition would not obstruct any endeavor to help make the country rich.*

Proceeding to another matter, Senator Gordon took note of the failure of government to oversee GOCCs that were supposed to generate investments and contribute revenues. He posited that before raising taxes, the Congress should find out whether the subsidies of GOCCs and the perks and salaries of their officers should be supported by public funds. Senator Enrile stated that precisely, he suggested the pruning of all unnecessary government expenditures, especially on nonperforming agencies without prejudice to those employees who would be affected. *These individuals, he said, should be treated fairly by relocating them to some sectors of the economy or public service.*

Senator Gordon observed that China's entry into the World Trade Organization has diverted employment opportunities and investments from some Asian countries prompting them to shift to tourism. He cited the US\$180-million "Malaysia, Truly Asia" promotion which created revenues and employment for Malaysia. He recalled that in his first year as tourism secretary, he found out that the DOF had a worldwide promotional budget of US\$660,000 which is just enough to promote the Philippines in a country the size of Hong Kong. He disclosed that there is a projection that China would have 600 million tourists by 2020, in response to which, the DOT would be opening tourism attaché offices

worldwide. He urged the administration to support tourism by allowing foreign airlines to fly directly to tourist destinations like Laoag in the north and Cagayan de Oro in the south.

Acknowledging the wide scope of the tourism industry, Senator Enrile suggested that government identify the places and activities in which the tourists are interested. He said that government does not have to go far since China and India have been tagged as big tourism markets. Further, he encouraged the country's representatives abroad to work hard in promoting the Philippines.

With regard to the Asian market, Senator Gordon said that India, China and the Asia-Pacific region represent 60% of the world market and they are right next to the Philippines.

Senator Enrile observed that the mindset of the government is fixed on attracting American and European tourists. He urged the government to change its way of thinking and focus instead on the Asian tourists.

Senator Gordon revealed that 75% of the 130 million tourists travel to the Asia-Pacific region. He agreed that the government should also focus on tourists from China and India. In reaction, Senator Enrile suggested that the Committee on Foreign Relations ask the DFA to instruct all the embassies to promote the Philippines, protect export products and attract investments.

Senator Gordon said that precisely, he asked for support for the proposal to make tourism the administration's flagship project. He added that he was also proposing that tourism diplomacy be one of the major thrusts of the labor and tourism attachés. Senator Enrile suggested that the DOT, DFA, DILG and the DOJ coordinate to market the country and attend to the needs and concerns of the tourists. The tourists, he stressed, would be encouraged to come back if their safety could be assured.

As a way of raising revenues, Senator Gordon asked if it would not be better to legalize loose firearms so that fees could be charged when they are registered or taxes imposed when they are carried



outside the homes. Senator Enrile stated that it would be a good policy. However, he noted that some people who intend to use their firearms for some other purposes would rather hide them.

Senator Gordon noted that there seems to be some reticence on the part of the military because when it issues amnesties, it does not publicize them. He said that since the administration was looking for tax revenues, it could tax those who could afford to buy firearms. If these firearms are used for illegal purposes, he said, their owners should be given a qualified sentence.

Senator Enrile stated that the government should be fair since some people buy firearms to protect their families and properties because they feel the police could not provide security. The legislature and the Executive, he stressed, should address the problem hand-in-hand.

Senator Gordon adverted to the observation of Prof. Gerardo Sicat that Philippine labor policies that resulted in high minimum wages, strict termination policies, short regularization period have discouraged foreign investments. Acknowledging that Filipino workers should be protected, he wondered if China is better off because its citizens accept low-paying jobs that help them tide over. A job, he stressed, is better than no job at all. He pointed out that there are many Chinese entrepreneurs who are doing well because China has more businesses coming in. Senator Enrile stated that he was for the scrapping of the minimum wage law which anyway is not actually being implemented by some business sectors. He said that it is time the law was reviewed by Congress and the labor sector to encourage workers to unionize and collectively bargain to get better deals from their employers. He emphasized that government should not assume a parental concern by imposing a minimum wage that is insufficient to cover the necessities of life.

Senator Gordon surmised that investors would rather do business in China where wages are low. He stressed that the labor policy should be pro-employment.

Senator Enrile underscored that in the review of labor laws, government should also ensure that workers would not be made serfs. He said that

the practice of some firms of hiring only temporary employees should cease.

Senator Gordon reiterated his suggestion that government put up special domestic enterprise zones. The workers, he said, should be given living wages with housing and medical benefits instead of a minimum wage.

On another matter, Senator Enrile described the Tax Incentive Law as a "shotgun" law since an entity that qualifies is entitled to all the tax perks. He underscored the need to revise it to establish a new tax incentive menu for each type of industry based on capitalization, the number of employees, and the perks for employees. Senator Gordon said that indeed the administration should work with the Majority and Minority to find ways and means to uplift the lives of people.

#### INTERPELLATION OF SENATOR LIM

Stating that the privilege speech of Senator Enrile was enlightening and educational, Senator Lim said that what perplexed him was the former's statement that there was an apparent violation of the law because expenditures were not supported by any appropriation act, hence, a budget deficit was incurred. Senator Enrile explained that the equation for expenditure is simply revenue plus borrowings; inversely, the measurement of expenditure for a current period is equal to the revenue that people would be asked to bear. He said that if these revenues would not be enough, borrowing is necessary. He said that if the expenditures exceeded the limit provided for in the national budget, which resulted in a budget deficit, then there had been a violation not only of applicable laws but also of the Constitution.

Noting that public funds are held as trust funds by accountable officers who should disburse these with care, Senator Lim asked what specific provisions of the law were violated. Senator Enrile stated that the Constitution provides that no money should be paid out of the Treasury except in pursuance of appropriation made by law, the reason why Congress approves yearly an authorization known as a budget of expenditures supported by taxes. In case of a deficit, he said, borrowings shall be made to cover the expenditure program. Further, he stated that

the power to appropriate funds, which in effect is an authorization to spend money out of the Treasury, is a sole function of Congress. He reiterated that the measurement of expenditures of government for 2004 is the reenacted 2003 budget. The Executive, he said, should explain whether it was authorized by any law to exceed the expenditures authorized by Congress in the 2003 budget.

Asked whether Article 217 of the Revised Penal Code would apply in this case, Senator Enrile said that it would, if money was spent and part of it was pocketed. However, he said there are other provisions of the Revised Penal Code which are used as the statutory basis to charge anybody who disbursed public funds without proper authorization from Congress.

Senator Lim expressed the belief that the purpose of the proposed Senate investigation is to particularize the specific provisions of the law such as Article 220 of the Revised Penal Code on the illegal use of public funds or property.

Senator Enrile said that even if there is money in the Treasury, there would still be a violation of the law if money is spent without authorization from Congress. Likewise, he said that the provision would apply in cases when money authorized for a specific purpose is diverted to another purpose.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:55 p.m.*

#### **RESUMPTION OF SESSION**

At 4:57 p.m., the session was resumed.

#### **INTERPELLATION OF SENATOR REVILLA**

As a new member of the Senate, Senator Revilla said that he was moved by the very eloquent speech of Senator Enrile whom he considers to be an institution in the Philippine legislature. He stated that in these urgent times, government's actions would be under the

watchful eye of the public, thus, there is need for Congress to act expediently, without being hasty, in addressing the nation's concerns, and in doing so, to be certain, constantly in introspective and conscientious. He said that while he belongs to the Majority, he would not blindly follow the dictates of anyone when he makes decisions and he shall continually balance the interests of the government and the public who should be served above all else.

Asked whether this is what he espoused in his speech, Senator Enrile gave the assurance that the Members are one in always thinking of the interest of the nation.

Senator Revilla disclosed that he had fallen victim to partisanship on a very personal issue that caused him great pain over the last three years. He said that he almost lost a good friend in Sen. Jinggoy Ejercito Estrada, who was like a brother, but they were able to rise above everything and agree to move forward and serve the Filipino people.

Further, he stated that while there would be heated debates on the floor that might sow bitterness on both sides, the Majority and Minority should not allow disagreements to drive a wedge between them as they should work for the common goal of serving the people, especially the poor.

Senator Enrile expressed support for Senator Revilla's cause.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 5:02 p.m.*

#### **RESUMPTION OF SESSION**

At 5:07 p.m., the session was resumed.

Upon resumption, the Chair recognized Senator Arroyo and Senator Villar for his interpellation on the former's speech.

## INTERPELLATION OF SENATOR VILLAR

Senator Villar commended Senator Arroyo for his speech, saying that it was the first time he heard of the role of Australia in WW II. The information, he stated, should be included in textbooks so that school children would learn about the truth.

Senator Arroyo agreed that it was time history books were revised to reveal the truth. The United States, he recalled, kept War Plan Orange No. 3 even from President Quezon. The matter, he stated, was first published by John Toland in his article "But Not in Shame" where he recounted the battle in Bataan and praised the 15,000 American soldiers more than the 85,000 Filipino soldiers. He stated that while some Filipino military historians wrote about it, nobody seemed to mind it; in fact, it was glossed over. He disclosed that in all the three plans prepared for the Philippines, the Americans took the position that the Philippines was indefensible. He pointed out that the Japanese army launched simultaneous attacks in Lingayen Gulf, Batangas, Atimonan and Legaspi then converged in Manila. He asked why the Filipino-American troops ended up in Bataan when they could have defended Manila or some more important place. He lamented that the revision of history books was slow in coming.

Senator Villar stated that he was angry because Australia has been overcritical of the Philippines. He noted that Australia even issued travel advisories to its citizens not to go to the Philippines knowing full well of the impact on the country's economy. He stated that Australia simply refused to listen to the request of the Philippine government not to issue such advisories.

Australia, Senator Villar stressed, does not have the right to criticize the Philippines for its decision to pull out its contingent from Iraq. He felt that the involvement of the Philippines in the war was a big mistake because the invasion of Iraq was not approved by the U.N. and the Americans were not able to find any weapons of mass destruction and establish any connection between Osama Bin Laden and Saddam Hussein. He pointed out that citizens of

some countries who participated in the war have begun to question it. A survey, he pointed out, revealed that 90% of the people of Iraq think that the U.S. and the allied forces were invading and not liberating forces. He said that he could not understand why the Philippine government sent a contingent to Iraq knowing full well that it would endanger the lives of millions of Filipinos.

Further, Senator Villar decried that in the past decades, the Philippines had adopted a foreign policy based on fear. He stated that whenever conflicts arose with the U.S., Japan, China or Malaysia, the Philippines backtracked. For instance, he cited the government's refusal to help the comfort women because Japan might be offended, and when it remained silent when Malaysia sent home overseas Filipino workers who were victims of cruelty. He strongly felt that the pullout was one issue where government action was not based on fear but on reason. Although it was the right thing to do, he disagreed on the timing of the pullout because it was under the circumstances where Angelo de la Cruz was held hostage. He said that he kept silent because it was very important that the decision of the government be supported.

Senator Villar believed that President Macapagal-Arroyo must pursue a foreign policy that is independent from the U.S., despite reports that America would deport about 300,000 overstaying Filipinos. He called on the Filipinos not to be afraid but to unite instead in the face of an apparent retaliation.

Senator Villar agreed with the President that it was time a foreign policy based on independence, a "Filipino First" policy, was formulated.

Noting that a lot of changes have happened, Senator Villar pointed out that most of the foreign policies were formulated when there were still very few overseas Filipino workers. But the situation is very different today, he said, where there are close to 8 million overseas Filipino workers such that DFA must allocate most of its scarce resources for the protection of the OFWs who remit about US\$7 billion to US\$8 billion yearly. He suggested that embassies in countries where there are very

few Filipinos be closed and to reallocate the budget to areas where there are a lot of Filipinos like Kuwait and Saudi Arabia.

Senator Villar expressed hope that the President was sincere when she said that she was adopting a new foreign policy that is truly independent. He said that he could not help but air his sentiments about the Iraq war, especially after the Philippines was criticized by Australia and the U.S. He called on the Filipinos to join hands and show other countries that Philippine foreign policies have matured.

Replying to Senator Villar's query, Senator Arroyo stated that he shared these views. He revealed that Senator Villar, at the height of the hostage crisis, was ready to make a statement as chairman of the Senate foreign relations committee but at Malacañang's request, he kept his peace in the spirit of cooperation. He pointed out that the peoples of both the U.S. and Great Britain are divided on the issue of the Iraq war and most of the European countries are against it.\*

Senator Arroyo underscored that the Angelo de la Cruz hostage crisis was a lesson for the country which is always asked to help but when it needs help, it receives no help. He cited the Sabah controversy and the Spratly conflict where the U.S., despite the Mutual Defense Treaty, played neutral. He expressed the view that it was time history books were revised to let out the truth.

At this juncture, replying to Senator Arroyo's query, Senator Pangilinan informed the Body that Senators Gordon, Enrile, Pimentel and Jinggoy Ejercito Estrada had made reservations to interpellate.

#### **INTERPELLATION OF SENATOR PIMENTEL**

Replying to Senator Pimentel's queries, Senator Arroyo affirmed that the Iraq war was unjust as subsequent events had proven and that the reconstruction of Iraq is something else. But he believed that the U.S. has no choice but to reconstruct Iraq as the consequence of the war. The original idea about sending the 51-man

contingent, he said, was to show that the Philippines was part of the Coalition of the Willing in the hope that the Philippines would be given some businesses in Iraq's reconstruction. But in the face of doubt among other countries which also sent troops to Iraq, he believed that the Philippines should have reexamined its decision to send a contingent.

Senator Arroyo said that the President's decision to withdraw the Philippine contingent was right as the government is in no position to give protection to 1.5 million OFWs in the Middle East. As such, he said, the government must not do anything to endanger their lives. He noted that the Filipinos although generally pro-American stood united in the decision that no Filipino life should be lost and they supported the early withdrawal of the contingent to save Angelo de la Cruz. He believed that the people's support emboldened the President to assume full responsibility for the decision.

Senator Arroyo said that it was therefore irritating for Australia to say that not resisting terrorists encourages terrorists, and to blame the Philippines' decision for endangering Australian lives. He emphasized that Australia could protect its citizens in their homeland since it does not have overseas workers like the Philippines. He stressed that any government must always think in terms of its obligations to protect its citizens. As to the original idea of the commercial benefit in sending troops, he doubted whether that was still feasible with the continuing terrorism in Iraq.

At this point, Senator Villar informed the Body that the war and the rehabilitation program were not authorized by the U.N. and that as shown by a study conducted by the Americans themselves, 90% of the Iraqis feel that the Americans and the Allied Forces were there as invading and not as rebuilding forces.

Senator Pimentel stated that more disturbing was the assertion that the pullout of the Philippine contingent from Iraq was a sign of capitulation to the terrorists. He recalled that the U.S. also gave in to the demands of the terrorists when it negotiated the release of the hostages of the U.S. embassy sieged by Iranian rebels

\* As corrected by Senator Arroyo on August 2, 2004

16

during the time of President Jimmy Carter. More recently, he said, Japan negotiated the release of three of its citizens from the hands of the terrorists as well as Egypt whose ambassador to Iraq was also freed when his government arranged his release with his captors. Therefore, he argued, no opprobrium, especially from the foreign minister of Australia, should be attached to the actions of the Philippine government in trying to free Angelo de la Cruz without in any way sacrificing the dignity of the nation.

Senator Arroyo recalled that the U.S. funded Saddam Hussein in the fight against Iran 15 years ago. Today, he said, the U.S. is fighting Iraq and dragging small nations like the Philippines into the fray. He believed that the Philippines should learn its lessons and, being a small nation, should not join the game of giants. But the unkindest cut, he stressed, is that Australia makes the Filipinos look like cowards when during World War II, Filipino blood was shed in defense of Australia.

Senator Pimentel stated that he read Senator Arroyo's comments in the newspapers berating the DFA for its failure to assert the right of the Philippines and the dignity of the Filipinos to do what is right for the national interest. He surmised that certain friendships might have inhibited the incumbent secretary to speak on the issue because she was the former ambassador to Australia. He agreed with Senator Arroyo that such should not be the case.

Adverting to the repercussions of the pullout of the Philippine contingent on the Philippine-American relationship, Senator Pimentel mentioned that 300 Filipinos were deported from the U.S. He nonetheless conceded that they might have been sent back because they did not have the proper papers. He pointed out, however, that his main concern was the plight of the Filipino veterans who fought side by side with the Americans during WWII. He expressed apprehension that their benefits might be delayed or frozen considering that U.S. legislation granting full benefits to the veterans is still pending. He reiterated his hope that the Philippines could manage to impress upon the U.S. that the pullout was not directed against U.S. policy but was for

the best interest of the country. He asserted that it was for the same reason that Spain, Nicaragua and Honduras pulled out their troops from Iraq.

Senator Arroyo conceded that the U.S. presence cannot be ignored, it being the most powerful country in the world right now. He believed that there would be no inconsistency if the Philippines were to pursue a policy of maintaining good relations with the U.S. He said that Australia had nothing to do with Plan Orange No. 3 which was an exclusive U.S. war plan that Philippine leaders were not told of. He said that instead of fighting Japan when it bombed Pearl Harbor, the U.S. adopted a "Europe first" policy.

Asserting that the Philippines has a lot to contribute to the fight on terrorism, Senator Pimentel believed that it is to the advantage of both countries to work in a rational manner, respecting the rights and obligations of all in the struggle against terrorism and to seek ways in addressing the pernicious threat to the liberties of the people all over the world. He believed that it was incumbent upon the present administration to try to remedy any rupture in the relations between the Philippines and the U.S. because the pullout of 51 soldiers was not sufficient to create a formal break in the relations between the two countries that have been traditional allies.

Considering that there was no way to avoid dealing with American presence and influence, Senator Pimentel said that the kink he sees in the continuance of the good relationship is the Australian card. He believed that Australia wants to be America's surrogate in this part of the world so it can also project its own influence under the apparent good graces of the United States.

Senator Arroyo agreed with Senator Pimentel, pointing out that the country cannot do away with having good relations with the U.S. He expressed the view that the U.S. is using Australia to "needle" the Philippines. So it was important for the DFA, he argued, to file a protest even if only for record purposes.

Senator Pimentel stated that Australia has no right to berate the Philippines and to shame the nation before the community of nations.

A

W

But he stressed that it was also important to put on record that Australian soldiers died in the cause of the liberation of the country although more Filipinos died in delaying the Japanese assault on Australia. He maintained that it was time Philippine-Australian relations was reexamined. He cited the "white Australia policy" which prevented colored people, including Filipinos, from legally migrating to Australia for some time as well as the malicious ban on the entry into Australia of Philippine agricultural products like bananas and mangoes, yet cattle and dairy products are liberally imported from Australia.

In the light of these developments, Senator Pimentel suggested that the Body ask the Department of Agriculture and the Office of the President to revise or revisit the Philippine-Australian relations. Further, he stressed that the Philippines should not allow itself to be bullied into accepting Australia's hegemony in Asia. Senator Arroyo shared the sentiments of Senator Pimentel.

#### INTERPELLATION OF SENATOR ENRILE

At the outset, Senator Enrile expressed support for President Macapagal-Arroyo's decision to pull out the Philippine contingent in Iraq. He adverted to Section 2, Article II of the Constitution which states that, "The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, freedom, justice, cooperation, and amity with all nations." He said that in pursuit of this constitutional mandate, Article 118 of the Revised Penal Code punishes with imprisonment any public official, employee or private individual who, by unlawful or unauthorized acts, provokes or gives occasion for a war involving or liable to involve the country or exposes Filipino citizens to reprisals on their persons or property. If war is imperative, he pointed out that under Section 23, Article VI of the Constitution, Congress has "the sole power to declare the existence of a state of war against any foreign enemy."

Asked what statutory authority allowed the Philippines to be involved in the war in Iraq, Senator Arroyo believed that no statutory authority authorized the dispatch of the 51-man contingent but in such delicate matters, he believed congressional concurrence is always necessary. Moreover, he pointed out that PEFTOK was dispatched to Korea and the PHILCAG to Vietnam with congressional authority; however, he was not certain whether there was such an authority when Philippine contingents were sent to Bosnia and Somalia. His personal position, he said, is that there must be congressional concurrence whenever the country sends troops abroad because the Executive cannot unilaterally act on the matter. He added that precisely, this was the reason why he was against the sending of the Philippine contingent to Iraq.

Senator Enrile noted that the presence of the Philippine contingent in Iraq was an offshoot of the administration's policy decision to participate in the Coalition of the Willing which was supposedly fighting terrorism. However, he believed that the administration could have violated the Constitution when it did not ask Congress to declare a state of war between the Philippines and Iraq. He pointed out that the Philippines continues to maintain diplomatic relations with Iraq - there is a Philippine embassy in Baghdad and an Iraqi embassy in Manila. He wondered, therefore, why the Philippines became a member of the coalition that waged war on Iraq. Moreover, he stressed that the Philippines did not participate in the war on Afghanistan where the war on terrorism began.

For his part, Senator Arroyo did not believe that there was an outright violation of the Constitution, saying that the Executive has some leeway in making decisions on matters related to foreign affairs as it is privy to facts that are not known to other departments. He recalled that the Philippines dispatched a contingent after the U.S. invaded Iraq; the U.S. did not really conquer Iraq but it unseated Saddam Hussein and put up a provisional government which the Iraqis did not sanction. He lamented that the Philippines got entrapped because of the Angelo de la Cruz affair, at which time, the President had

A

16

to defend her decision to send a contingent to Iraq. The President, he noted, has corrected this by withdrawing the contingent

Agreeing that the President is a shaper of foreign policy, Senator Enrile argued, however, that the President cannot involve the country in a war without an act of Congress. He asked whether the participation of the Philippines in the Coalition of the Willing meant that the country made war on Iraq and if it did, what the legal sanction was.

Senator Arroyo disagreed that the Philippines was engaged in the war as he believed that from a military point of view, the war in Iraq was finished when the Philippines sent the contingent. In fact, he noted, the Americans declared they had conquered Iraq although they have not been able to maintain peace. He argued that by naming the contingent as a "humanitarian force," the intent of the administration was to use it for peacekeeping purposes and not to fight the Iraqis or terrorists.

While conceding that the government did not send the contingent to fight beside the expeditionary forces in Iraq, Senator Enrile stressed that the Philippines, as a member of the coalition, was at war with Iraq. This, he said was proven by the fact that the Philippines participated in the occupation of Iraqi soil.

In reply, Senator Arroyo believed that the intention of the administration when it sent the contingent to Iraq was to get some business concessions. He stressed, however, that congressional authority should have been obtained regardless of the nature of the unit that was sent to Iraq.

Senator Enrile argued that under international law, a war is finished when there is an armistice. He said that this was not the case since Iraq is still occupied by the Coalition of the Willing, the fighting is still ongoing, and there is no treaty declaring an end to the war, although there is a U.S.-backed puppet government. Senator Arroyo countered that as far as the British and Americans were concerned, the war was over the moment the Iraqi armed forces surrendered. He pointed out that the Iraqis are having problems because there is no armed forces to

maintain peace. Moreover, he stressed that the surrender of the Iraqi troops and the imprisonment and upcoming trial of Saddam Hussein show that the war is not of the kind that requires an armistice.

Senator Enrile recalled that during the Japanese occupation of the Philippines, the Americans retreated to Australia but the war continued and was only terminated when an armistice was signed. He added that the surrender of Filipino-American soldiers in Bataan and Corregidor to the Japanese did not mean the war was over, stressing that under international law, the war is not over until a peace treaty is signed.

Senator Arroyo said that he and Senator Enrile would never agree on the matter because he believed that the Iraqi armed forces ceased to exist the moment they surrendered and the Iraqi government fell and was supplanted by the American occupation forces. He took the view that the Philippine contingent was not sent to Iraq to wage war as the executive order authorizing its dispatch described it as a "peace-keeping force."

Senator Enrile stated that he would not belabor the issue, clarifying that he only wanted to put on record that the Philippines became part of a coalition that was created purposely to make war. He stated that there is an occupying force because there is a continuing war, and that, in fact, Iraq is becoming another Vietnam for the Americans. He said that the Philippines was sucked into the situation when it sent a contingent.

In closing, Senator Enrile urged the Members to read Lauterpac, Hudson and Jessup for a better understanding of the meaning of war and its termination under international law.

## SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:22 p.m.*

## RESUMPTION OF SESSION

At 6:24 p.m., the session was resumed.

Upon resumption, Senator Pangilinan announced that the Body had agreed to suspend the interpellations on Senator Arroyo's speech until Monday.

At this juncture, Senator Pangilinan moved that the Body consider Proposed Senate Resolution No. 22.

#### **INQUIRY OF SENATOR ARROYO**

Senator Arroyo wondered why the three senators, who belong to the same fraternity, crossed party lines to introduce the resolution. Senator Enrile replied that it was a matter of coincidence because Mr. Sulpico, who was being commended in the resolution, happens to be a brother in the Sigma Rho Fraternity.

#### **INQUIRY OF SENATOR BIAZON**

Senator Biazon joined the authors in endorsing the resolution. He asked whether a committee hearing is needed before passing the resolution. Senator Pangilinan stated that with the consent of the Body, the measure could be considered.

#### **COAUTHOR**

Senator Cayetano said that she is a Sis of the authors and a proud Sis of Mr. Sulpico. She requested that she be made coauthor of the resolution.

At the instance of Senate President Drilon, Senator Cayetano was made coauthor of the resolution.

#### **PROPOSED SENATE RESOLUTION NO. 22**

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 22, entitled

RESOLUTION            COMMENDING  
MR. NESTOR ORTIZ SULPICO OF  
LEGANES, ILOILO, FOR HIS  
EXEMPLARY ACT OF COURAGE  
AND HONESTY AS A CAB DRIVER  
IN NEW YORK CITY.

Secretary Yabes read the text of the resolution, to wit:

WHEREAS, Mr. Nestor Ortiz Sulpico, Filipino, a native of Leganes, Iloilo, migrated to the United States of America sometime in 1989, in search of the proverbial greener pastures in the land of milk and honey;

WHEREAS, Mr. Sulpico, for lack of any college degree that would merit a respectable calling, managed to find employment in New York City as a cab driver;

WHEREAS, Mr. Sulpico, over the many years that he worked as such cab driver, discharged conscientiously and well his occupation, earning him several commendations for honesty;

WHEREAS, on July 17, 2004, Mr. Sulpico, the Filipino cab driver, did make the Filipinos ever so proud with another act of honesty when he returned to the rightful owner Seventy Thousand (U.S.) Dollars worth of rare black pearls which a passenger of Mr. Sulpico neglectfully left in the cab;

WHEREAS, Mr. Sulpico, who earns only Eighty (U.S.) Dollars a day for a twelve-hour shift, could very well have appropriated for himself the jewelry, from which he certainly would have profited much and extracted himself out of the marginal existence that he was leading in New York City;

WHEREAS, Mr. Sulpico's act of honesty and trustworthiness has been a pleasingly different and exciting news about New York City cab drivers, in general, and Filipinos abroad, in particular, that it has drawn extensive, nationwide media coverage in the United States of America as well as other foreign countries;

WHEREAS, Mr. Sulpico now stands as a symbol of the Filipino abroad: an Asian who is honest and upright, and one whose character any employer can truly trust and be proud of;

*W*



WHEREAS, at a time that often tries the Filipino soul and brings the integrity of the Filipino to a question, the singular act of honesty of Mr. Sulpico has raised the Philippines to a prestige as a land of dependable and trustworthy people;

WHEREAS, the heroism of Mr. Sulpico in his act of honesty – where his will defied greed, when his heart listened to the brain, when his sense of duty prevailed over a chance to live a life of ease and comfort, when his integrity scorned to compromise with money made with little effort – is worth emulating by all Filipinos: NOW, THEREFORE, BE IT –

RESOLVED, AS IT IS HEREBY RESOLVED BY THE SENATE, That Mr. Nestor Ortiz Sulpico be, as he is hereby, commended for the integrity with which he has steadfastly carried out his occupation as a cab driver in New York City, particularly his returning on July 17, 2004, the Seventy Thousand (U.S.) Dollars worth of jewelry left in his cab;

RESOLVED FURTHER, That a copy of this Resolution be furnished Mr. Nestor Ortiz Sulpico at appropriate ceremonies to be held at a place and time as may be determined by the President of the Senate.

#### PIMENTEL AMENDMENT

As proposed by Senator Pimentel and accepted by Senator Pangilinan, there being no objection, the Body approved the rewording of the second paragraph, as follows:

WHEREAS, MR. SULPICO, FOR LACK OF ANY COLLEGE DEGREE THAT WOULD HAVE MERITED FOR HIM A MORE FINANCIALLY REWARDING CALLING, MANAGED TO FIND EMPLOYMENT IN NEW YORK AS A CAB DRIVER.

#### ADOPTION OF PROPOSED SENATE RESOLUTION NO. 22

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 22 was adopted by the Body.

#### ADJOURNMENT OF SESSION

Upon motion of Senator Pangilinan, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, August 2, 2004.

*It was 6:33 p.m.*

I hereby certify to the correctness of the foregoing.

OSCAR C. YABES  
Secretary of the Senate

Approved on August 2, 2004