

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 14

Tuesday, August 24, 2004

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 14

Tuesday, August 24, 2004

CALL TO ORDER

At 4:16 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Alfredo S. Lim led the prayer, to wit:

Lord of our nation—the Philippines,

The senators of the Republic lift their minds and hearts to You as we begin our session this day.

We ask for Your enlightenment in guiding the destiny of our nation. The realization that millions of our countrymen have chosen the 23 of us to be the senators of our Republic weighs heavily on our conscience. The people have manifested their trust and confidence in us. We should not betray that trust.

Lord, You know us better than we know ourselves, the heights we can rise to and the depths we can sink to, our possibilities and our limitations, our achievements and our downfalls. Show us ourselves, our problems, our powers and our potentials. At this time of fresh beginnings for this Senate, help us to put our trust in You, whom we can rely on, and with whom we will be safe always.

Mighty and wise Lord, You know what is needed by the Philippines and You can do it in us and for us. Accept us, senators of the Republic, with our needs and our prayers. Give us the faith to trust, the impulse to serve our country, and the courage to go on, now and always.

Amen.

SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session to allow the Members to greet Senator Pangilinan on the occasion of his birthday.

It was 4:19 p.m.

RESUMPTION OF SESSION

At 4:20 p.m., the session was resumed.

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.	Lacson, P. M.
Arroyo, J. P.	Lapid, M. L. M.
Biazon, R. G.	Lim, A. S.
Cayetano, C. P. S.	Madrigal, M. A.
Defensor Santiago, M.	Magsaysay Jr., R. B.
Drilon, F. M.	Osmeña III, S. R.
Ejercito Estrada, J.	Pangilinan, F. N.
Ejercito Estrada, L. L. P.	Pimentel Jr., A. Q.
Enrile, J. P.	Revilla Jr., R. B.
Flavier, J. M.	Roxas, M.
Gordon, R. J.	

With 21 senators present, the Chair declared the presence of a quorum.

Senator Recto arrived after the roll call.

Senator Villar was 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. 13 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. 801, entitled

AN ACT AMENDING SEC. 87 OF
REPUBLIC ACT NO. 8550,
OTHERWISE KNOWN AS THE
PHILIPPINE FISHERIES CODE OF
1998 AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

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

Senate Bill No. 802, entitled

AN ACT AMENDING REPUBLIC
ACT NO. 7157, OTHERWISE
KNOWN AS THE "FOREIGN
SERVICE ACT OF 1991" AND FOR
OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committee on Foreign Relations

Senate Bill No. 803, entitled

AN ACT AMENDING PRESIDENTIAL
DECREE NO. 968 OTHERWISE
KNOWN AS THE PROBATION
LAW, AS AMENDED

Introduced by Senator Villar Jr.

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

Senate Bill No. 804 entitled

AN ACT TO ENHANCE THE
DOMESTIC AND INTERNATIONAL
INTERESTS OF THE COUNTRY

BY STRENGTHENING THE
STRUCTURES AND RE-DEFINING
THE POLICIES AND REGULATIONS
ON PHILIPPINE IMMIGRATION
AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

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

Senate Bill No. 805, entitled

AN ACT TO AMEND REPUBLIC ACT
NO. 8239, OTHERWISE KNOWN
AS THE PHILIPPINE PASSPORT
ACT OF 1996

Introduced by Senator Villar Jr.

**To the Committees on Foreign Relations;
and Justice and Human Rights**

Senate Bill No. 806, entitled

AN ACT INTRODUCING REFORMS
IN THE OPERATIONS OF THE
BUREAU OF CUSTOMS AND FOR
OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committee on Ways and Means

Senate Bill No. 807, entitled

AN ACT AMENDING BATAS
PAMBANSA BLG. 22
DECRIMINALIZING THE
MAKING OR DRAWING AND
ISSUANCE OF A CHECK
WITHOUT SUFFICIENT FUNDS
OR CREDIT AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

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

✓

16

Senate Bill No. 808, entitled

AN ACT FURTHER AMENDING
REPUBLIC ACT NO. 8291
AMENDING PRESIDENTIAL
DECREE NO. 1146, OTHERWISE
KNOWN AS THE "REVISED
GOVERNMENT SERVICE
INSURANCE ACT OF 1977," AS
AMENDED

Introduced by Senator Villar Jr.

**To the Committees on Civil Service and
Government Reorganization; and Government
Corporations and Public Enterprises**

Senate Bill No. 809, entitled

AN ACT TO AMEND REPUBLIC
ACT NUMBERED THREE
THOUSAND FOUR HUNDRED
FIFTY-SIX, AS AMENDED BY
REPUBLIC ACT NUMBERED
FOUR THOUSAND ONE
HUNDRED SEVENTY-SEVEN,
OTHERWISE KNOWN AS
INTERNAL AUDITING ACT OF
1962

Introduced by Senator Villar Jr.

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

Senate Bill No. 810, 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
EXECUTIVE ORDER 209 SERIES
OF 1987, ALSO KNOWN AS
THE FAMILY CODE OF THE
PHILIPPINES, ARTICLE 63

Introduced by Senator Villar Jr.

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

Senate Bill No. 811, entitled

AN ACT AMENDING EXECUTIVE
ORDER NO. 122-A, AS AMENDED
BY EXECUTIVE ORDER NO. 295,
OTHERWISE KNOWN AS THE
ACT CREATING THE OFFICE
ON MUSLIM AFFAIRS

Introduced by Senator Villar Jr.

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

Senate Bill No. 812, entitled

AN ACT AMENDING SECTION 5
OF REPUBLIC ACT NUMBER
FORTY EIGHT HUNDRED AND
FORTY-SIX (4846), AS AMENDED,
OTHERWISE KNOWN AS
THE CULTURAL PROPERTIES
PRESERVATION AND PROTECTION
ACT

Introduced by Senator Villar Jr.

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

Senate Bill No. 813, entitled

AN ACT AMENDING REPUBLIC ACT
NUMBERED NINETY HUNDRED
AND SIXTY FOUR OR OTHERWISE
KNOWN AS THE NATIONAL
ATHLETES, COACHES AND
TRAINERS BENEFITS AND
INCENTIVES ACT OF 2001, AND
FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

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

2018

Senate Bill No. 814, entitled

AN ACT PROVIDING FOR THE PAYMENT OF SURVIVORSHIP BENEFITS TO THE SPOUSE OF A DECEASED RETIRED JUSTICE OF THE SUPREME COURT OR COURT OF APPEALS OR OF A DECEASED RETIRED MEMBER OF THE CONSTITUTIONAL COMMISSIONS, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Justice and Human Rights; Civil Service and Government Reorganization; and Finance

Senate Bill No. 815, entitled

AN ACT PROVIDING FOR COMPREHENSIVE CONSERVATION, PROTECTION, UTILIZATION, DEVELOPMENT AND MANAGEMENT OF THE PHILIPPINE EXCLUSIVE ECONOMIC ZONE (EEZ)

Introduced by Senator Villar Jr.

To the Committees on Foreign Relations; and Environment and Natural Resources

Senate Bill No. 816, entitled

AN ACT PROVIDING FOR THE MODERNIZATION OF THE NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY (NAMRIA); AMENDING CERTAIN PORTIONS OF EXECUTIVE ORDER NO. 192, SECTION 22 (a) AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; National Defense and Security; Ways and Means; and Finance

Senate Bill No. 817, entitled

AN ACT ESTABLISHING A NATIONAL VOLUNTEER SERVICE PROGRAM, STRENGTHENING GOVERNMENTAL MECHANISMS FOR THE REGULATION OF VOLUNTEER SERVICES AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

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

Senate Bill No. 818, entitled

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

Introduced by Senator Villar Jr.

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

Senate Bill No. 819, entitled

AN ACT DECLARING JANUARY 23 OF EACH YEAR AS A REGULAR NATIONAL HOLIDAY IN COMMEMORATION OF DECLARATION OF THE FIRST PHILIPPINE REPUBLIC ON JANUARY 23, 1899 AT THE BARASOAIN CHURCH, MALOLOS, BULACAN

Introduced by Senator Villar Jr.

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

Senate Bill No. 820, entitled

AN ACT REGULATING THE PRACTICE OF REAL ESTATE SERVICE IN THE PHILIPPINES, CREATING A REAL ESTATE

28 18

COMMISSION AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Villar Jr.

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

Senate Bill No. 821, entitled

AN ACT PROVIDING FOR THE CREATION AND ESTABLISHMENT OF SMALL CLAIMS COURTS IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 822, entitled

AN ACT TO ENSURE THE ECONOMIC VIABILITY OF COMMUNITY NEWSPAPER, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1079

Introduced by Senator Villar Jr.

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

Senate Bill No. 823, entitled

AN ACT PROVIDING FOR THE PROTECTION OF LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS, AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NO. 8293, OTHERWISE KNOWN AS THE INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committee on Trade and Commerce

Senate Bill No. 824, entitled

AN ACT UPGRADING THE BENEFITS AND INCENTIVES OF BARANGAY TANOD MEMBERS WHO HAVE RENDERED AT LEAST ONE YEAR OF SERVICE IN THE BARANGAY GOVERNMENT

Introduced by Senator Villar Jr.

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

Senate Bill No. 825, entitled

AN ACT PROVIDING FOR A MINIMUM SUBSISTENCE ALLOWANCE FOR BARANGAY HEALTH WORKERS, AMENDING FOR THE PURPOSE SECTION 6 (b) OF REPUBLIC ACT NO. 7883, ENTITLED AN ACT GRANTING BENEFITS AND INCENTIVES TO ACCREDITED BARANGAY HEALTH WORKERS AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Health and Demography; Local Government; and Finance

Senate Bill No. 826, entitled

AN ACT PROVIDING RETIREMENT BENEFITS FOR THE PUNONG BARANGAY AND MEMBERS OF THE SANGGUNIANG BARANGAY WHO HAVE SERVED THREE (3) CONSECUTIVE TERMS AS SUCH OFFICIALS

20 10

Introduced by Senator Villar Jr.

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

Senate Bill No. 827, entitled

AN ACT SETTING ASIDE TWENTY-FIVE PERCENT (25%) OF THE LOCAL GOVERNMENT UNITS' CALAMITY FUNDS FOR PREPARATORY ACTIVITIES, AMENDING FOR THE PURPOSE THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED

Introduced by Senator Villar Jr.

To the Committee on Local Government

Senate Bill No. 828, entitled

AN ACT INCREASING THE AMOUNT OF SUPPLIES WHICH MAY BE PROCURED BY LOCAL GOVERNMENT UNITS THROUGH PERSONAL CANVASS, THEREBY AMENDING FOR THE PURPOSE SECTION 367 OF REPUBLIC ACT NO. 7160

Introduced by Senator Villar Jr.

To the Committee on Local Government

Senate Bill No. 829, entitled

AN ACT PROVIDING FOR GREATER FISCAL AUTONOMY IN FAVOR OF LOCAL GOVERNMENT UNITS (LGUs) IN THE CHOICE OF DEPOSITORY BANKS, AMENDING SECTION 311 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Villar Jr.

To the Committee on Local Government

Senate Bill No. 830, entitled

AN ACT CONSTITUTING ANGELES CITY IN THE PROVINCE OF PAMPANGA INTO A LONE CONGRESSIONAL DISTRICT SEPARATE AND DISTINCT FROM THE FIRST DISTRICT OF PAMPANGA AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Villar Jr.

To the Committee on Rules

Senate Bill No. 831, entitled

THE ANTI-TERRORISM ACT OF 2004

Introduced by Senator Lacson

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

Senate Bill No. 832, entitled

AN ACT TO AMEND SECTION 2 OF REPUBLIC ACT NO. 1405, OTHERWISE KNOWN AS THE "SECRECY OF BANK DEPOSITS LAW," EXEMPTING GOVERNMENT OFFICIALS AND EMPLOYEES FROM THE PROHIBITION AGAINST DISCLOSURE OF OR INQUIRY INTO DEPOSITS WITH ANY BANKING INSTITUTION AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committee on Banks, Financial Institutions and Currencies

Senate Bill No. 833, entitled

AN ACT INSTITUTING A NATIONAL REFERENCE CARD SYSTEM AND CREATING THEREFOR THE NATIONAL REGISTRATION COORDINATING COMMISSION

✓ 176

Introduced by Senator Lacson

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

Senate Bill No. 834, entitled

AN ACT ESTABLISHING A PHILIPPINE NATIONAL POLICE TRUST FUND TO BE UTILIZED FOR THE PNP PROGRAMS AND PROJECTS HEREIN SPECIFIED, AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committees on Public Order and Illegal Drugs; and Finance

Senate Bill No. 835, 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 Lacson

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

Senate Bill No. 836, 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 Lacson

To the Committee on Education, Arts and Culture

Senate Bill No. 837, entitled

AN ACT DEFINING THE CRIME OF FIREARMS SMUGGLING, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committees on Public Order and Illegal Drugs; and Finance

Senate Bill No. 838, entitled

AN ACT ESTABLISHING THE PHILIPPINE AIR FORCE ACADEMY (PAFA) AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lacson

To the Committees on National Defense and Security; Education, Arts and Culture; and Finance

Senate Bill No. 839, entitled

AN ACT CONVERTING THE SULTAN KUDARAT POLYTECHNIC STATE COLLEGE IN THE CITY OF TACURONG, PROVINCE OF SULTAN KUDARAT, INTO A STATE UNIVERSITY, TO BE KNOWN AS CENTRAL COTABATO STATE UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lacson

To the Committee on Rules

Senate Bill No. 840, entitled

AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC

X / 16

ATTORNEY'S OFFICE (PAO),
AMENDING FOR THE PURPOSE
THE PERTINENT PROVISIONS
OF THE ADMINISTRATIVE CODE
OF 1987

Introduced by Senator Lacson

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

Senate Bill No. 841, entitled

AN ACT AMENDING SECTION 3 OF
REPUBLIC ACT 4200, OTHERWISE
KNOWN AS AN ACT TO PROHIBIT
AND PENALIZE WIRE TAPPING
AND OTHER RELATED
VIOLATIONS OF THE PRIVACY
OF COMMUNICATION, AND FOR
OTHER PURPOSES

Introduced by Senator Lacson

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

Senate Bill No. 842, entitled

AN ACT AMENDING REPUBLIC ACT
NO. 6963, ENTITLED AN ACT
GRANTING SPECIAL FINANCIAL
ASSISTANCE AND BENEFITS
TO THE FAMILY OR
BENEFICIARY OF ANY POLICE
OR MILITARY PERSONNEL OR
FIREMAN KILLED OR
PERMANENTLY INCAPACITATED
WHILE IN THE PERFORMANCE
OF HIS DUTY OR BY REASON
OF HIS OFFICE OR POSITION
AND FOR OTHER PURPOSES

Introduced by Senator Lacson

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

Senate Bill No. 843, entitled

AN ACT REVISING REPUBLIC ACT
NUMBERED 6939, CREATING
THE COOPERATIVE DEVELOP-
MENT AUTHORITY

Introduced by Senator Lacson

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

Senate Bill No. 844, entitled

AN ACT UPGRADING THE
BENEFITS AND INCENTIVES OF
BARANGAY TANOD MEMBERS
WHO HAVE RENDERED AT
LEAST ONE YEAR OF SERVICE
IN THE BARANGAY
GOVERNMENT

Introduced by Senator Lacson

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

Senate Bill No. 845, entitled

AN ACT REGULATING THE SALE
OF PRE-PAID SUBSCRIBER
IDENTITY MODULE (SIM)
CARDS, PROVIDING PENALTY
FOR VIOLATION THEREOF AND
FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committee on Public Services

Senate Bill No. 846, entitled

AN ACT TO PROTECT INVESTORS
BY IMPROVING THE ACCURACY
AND RELIABILITY OF
CORPORATE FINANCIAL
REPORTING AND DISCLOSURES,
AND FOR OTHER PURPOSES

✓ 146

Introduced by Senator Lacson

To the Committee on Banks, Financial Institutions and Currencies

Senate Bill No. 847, 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 FOR A 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 Lacson

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

Senate Bill No. 848, entitled

AN ACT INCREASING THE MONTHLY SALARY OF CONTRACTUAL WORKERS BY FIFTY PERCENT (50%) OF THEIR MONTHLY AND/OR DAILY COMPENSATION AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committee on Labor, Employment and Human Resources Development

Senate Bill No. 849, entitled

AN ACT AMENDING SECTIONS 472 AND 473 OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Lacson

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

Senate Bill No. 850, entitled

AN ACT UPGRADING THE BENEFITS AND INCENTIVES OF BARANGAY TANOD BRIGADES, AMENDING FOR THE PURPOSE SEC. 393 (d) OF REPUBLIC ACT 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Jinggoy Ejercito Estrada

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

COAUTHOR

Upon his request, Senator Gordon was made coauthor of Senate Bill Nos. 817 and 818.

ADDITIONAL REFERRAL

At the instance of Senator Gordon, there being no objection, Senate Bill No. 818 was also referred to the Committee on Tourism, as the secondary committee.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:34 p.m.

RESUMPTION OF SESSION

At 4:41 p.m., the session was resumed.

COMMISSION ON APPOINTMENTS

Upon nomination by Senator Pangilinan, on the part of the Majority, and Senator Pimentel, on the

part of the Minority, there being no objection, Senators Biazon, Defensor Santiago, Recto, Roxas, Gordon, Lapid, Pangilinan, Angara, Enrile, Ejercito Estrada (L), Osmeña and Lacson were elected members of the Commission on Appointments.

SENATE ELECTORAL TRIBUNAL

Upon nomination by Senator Pangilinan, on the part of the Majority, and Senator Pimentel, on the part of the Minority, there being no objection, Senators Flavio, Magsaysay, Villar, Revilla, Ejercito Estrada (J) and Pimentel were elected members of the Senate Electoral Tribunal.

ANNOUNCEMENT OF THE CHAIR

At this juncture, the Chair announced that a caucus of the Commission on Appointments will be held the following day at 12:00 noon at the Padilla Room, after which the plenary session will take place at 2:00 p.m.

COMMITTEE MEMBERSHIP

Upon nomination by Senator Pangilinan, on the part of the Majority, and Senator Pimentel, on the part of the Minority, there being no objection, the Body elected the following senators to the Committee on Civil Service and Government Reorganization:

Chairman:

Lacson

Members:

Ejercito Estrada (L)	Revilla
Madrigal	Magsaysay
	Recto
	Biazon

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:44 p.m.

RESUMPTION OF SESSION

At 4:50 p.m., the session was resumed.

PROPOSED SENATE RESOLUTION NO. 56

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 56, entitled

RESOLUTION CALLING A CAUCUS
OF ALL SENATORS TO IDENTIFY
STRATEGIC MEASURES AND
PRIORITY LEGISLATION TO
EFFICIENTLY AND EFFECTIVELY
SOLVE THE MOST URGENT
PROBLEMS OF OUR NATION.

SUSPENSION OF SESSION

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

It was 4:50 p.m.

RESUMPTION OF SESSION

At 4:52 p.m., the session was resumed.

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

WHEREAS, in the privilege speech of Senator Juan Ponce Enrile on 23 August 2004 entitled *Bayan ang Bida*, he reiterated that our country is like a ticking bomb that needs to be defused given the widespread poverty stalking our land, the burgeoning unemployment affecting our people, and the dire condition of law and order in our country, including our weak and unhealthy economy, our huge borrowings and alarming fiscal deficit, and the rising power rates, water charges, fuel costs, transportation fares, and escalating prices of basic and essential commodities;

WHEREAS, Senator Enrile urged the Senate to be the fulcrum of unity for our nation to respond with dispatch to the urgent demands of our people;

WHEREAS, Senator Enrile also suggested to explore new roads to progress and to adopt unorthodox solutions to our national ills;

WHEREAS, Senator Enrile expressed his preparedness and readiness to cooperate and help and work with the majority;

WHEREAS, in the interpellation of Senator Enrile by the undersigned Senators from the Senate majority and the Senate minority, respectively, Senator Enrile's offer of cooperation was pleasantly accepted;

WHEREAS, in the absence of a united legislative agenda by the Senate containing our basic principles, thrusts and priority legislation, the undersigned Senators further proposed a truly unconventional approach in solving our country's problems by setting aside partisan political parties and working collectively as one Senate for the common good of our people;

WHEREAS, in a report of August 2004 by the UP School of Economics entitled *The deepening crisis: the real score on deficits and the public debt*, it is acknowledged that the national government's total debt stood at 3.36 trillion pesos as of the end of 2003, as large as 78 percent of the GDP in 2003 and continues to escalate;

WHEREAS, to avoid an economic collapse in the next two years, the UP School of Economics expressed the need for an unprecedented cooperation and open-mindedness among the country's political elite;

WHEREAS, in view of the foregoing reasons, there is indeed a pressing need for unity and cooperation in the Senate now more than ever to address the momentous tasks that lie before us;

WHEREAS, to secure our people's well-being, we, as statesmen, patriots and

public servants, must work together for the ultimate good which is the good of our people and the ultimate interest which is the interest of our nation; and

WHEREAS, motivated primarily by our will to serve the people: Now, therefore, be it

Resolved, as it is hereby resolved, by the Senate of the Philippines, to call a caucus of all Senators to identify strategic measures and priority legislation to efficiently and effectively solve the most urgent problems of our nation.

MANIFESTATION OF SENATOR GORDON

Senator Gordon manifested that Senator Pangilinan is a coauthor of the resolution.

SPONSORSHIP REMARKS OF SENATOR GORDON

In sponsoring the resolution, Senator Gordon noted that all sorts of alarms were being raised in the forefront today.

He thought he heard it wrong when the President said that the country was in a fiscal crisis. Knowing the President, he believed that her intention was really to create an atmosphere so that people and the national leadership would realize that the country is approaching a problem scenario that could have devastating effects on everyone, big or small.

Yesterday, he recalled, the Members heard of the UP School of Economics study that indicates the country was approaching a scenario where the political leadership must have a consensus on the things that must be done. The object of the study was to make the public aware of the economic crisis that is being faced by the country, he said.

Sen. Juan Ponce Enrile, he noted, spoke of the need for the Majority and the Minority to get together so that they could solve the problems of the country in a most imaginative and innovative, even unorthodox way.

Senator Gordon stated that the Members are being asked questions everyday about what they are going to do or what their thoughts are on the deficit and the financial problems of the nation. He said that people have heard of the tax credit scams, the peace and order problems, the killings of judges and journalists and there seems to be no solution.

It is therefore time for change, he emphasized, even as he observed that many of the country's leaders have said it before.

He stressed that in reality, what is really needed is for the Members to show the people, by way of example, that they could get together and talk as a Senate body that is neither Majority nor Minority, rally to uplift the people from their problems and woes, and try to talk about the things needed to be done to prioritize the problems of the country today.

Senator Gordon stated that the Ramos Administration set a precedence when the Majority and the Minority reached a consensus that led to enactment of laws: the Central Bank law, the emergency power bill, and other legislations that included the PhilHealth law, the DepEd reorganization law and CHED and TESDA laws. These are examples of what a country should do — a country that should not fix the blame alone but fix the problems, he emphasized.

It is important therefore, he stressed, that the philosophy of fixing the problems of the country rather than perorating about what ails it must immediately be undertaken by the Senate.

He said that it is easy to say what one does not want, but most of the time, he noted, one does not really know what one wants. This is the call of the times, he declared, a call upon the Members — whether they are neophyte senators or seasoned senators, whether or not they have titles as lawyers, doctors or actors — to work together, each one contributing to prioritize the needs of the country by way of legislation so that they can arrive at the scene with the virtual purpose and the solitary benefit that the country needs.

He proposed that the Senate get together and talk about formulating the list of bills or topics that

should be undertaken by way of legislation, especially during these important times.

He asserted that the legislators should not really be in a state of panic, but they should now be in a state of tremendous concern for the crisis today is different from that of 1990. During that time, he recalled, it was simply power, it was simply a challenge of peace and order. Certainly, he pointed out, the country was coming out of a period of coup d'etats at that time; but this time, it is coming out with a situation where the public is rising. It is important to get together as a community of senators and talk about the problems that beset everyone, he underscored.

He observed that thousands of bills would be filed out of sincerity. But, he said, the senators still need to identify those bills that should be tackled first so that at the end of the day, they could face the people and say that the laws that have been passed answered the call of the times, the call for solutions not blame, the call for unity not disunity, and the call for active, passionate advocacy of the things that needed to be done, instead of just passive, cynical indifference that are seen on the faces of the people today.

In closing, Senator Gordon urged the Senate to act on the matter.

COSPONSORSHIP REMARKS OF SENATOR ANGARA

In cosponsoring the resolution, Senator Angara stated that in a situation where the country is facing a terrible future, it is about time that the senators worked together. The price of crude oil which is hitting US\$50 a barrel, he pointed out, would inflict tremendous damage on the country. He said that the rise in interest rate is already being felt in the Philippines, and in Europe, the interest rate has been increased to stem a perceived inflation. He disclosed that it has been predicted that after the U.S. elections in November, the U.S. Federal Board would increase its interest rate and this would add almost half a billion dollars to the country's debts, dealing a final blow that would cripple the economy.

Senator Angara stated that if there is any virtue that the people are looking for at present, it is the sign of solidarity and the Senate should take the

lead and demonstrate to the people that it can do its task. As regards the concern that there might be a conflict if the senators would take the initiative of putting together an agenda, he believed that while the President should always welcome new ideas, the senators would not formulate ideas that would conflict with the agenda which the government intends to pursue.

In closing, he urged the Body to adopt the resolution.

MANIFESTATION OF SENATOR ANGARA

Senator Angara manifested that Senator Pimentel is a cosponsor of the resolution.

REMARK OF SENATOR ENRILE

Senator Enrile expressed gratitude to the sponsors for mentioning his name in the resolution.

INTERPELLATION OF SENATOR OSMEÑA

In reply to a query of Senator Osmeña, Senator Gordon clarified that the resolution calls for sacrifice on the part of the Members to set aside partisan consideration so that they could seek solutions to the country's problems.

Senator Osmeña asked whether it would be more logical to have a small group meet to determine what the agenda of the caucus should be and, thereafter, give the senators a copy of the agenda that has been decided upon so that they would be able to do some work before they meet in caucus. In response, Senator Gordon said that the suggestion is well taken as he believed that the senators should make use of their verbal and mental skills, and talk about the problems with the interest of the country at heart.

Asked what the Members would be talking about in the caucus, Senator Gordon said that the Members would be guided by the agenda presented by President Macapagal Arroyo in her State of the Nation Address, the legislative agenda set forth by Senate President Drilon and the suggestions of the other senators.

Senator Osmeña pointed out that while officially, it is Malacañang that prioritizes bills, it is

the committee chairman who decides which bills to be considered, hence, it would be very difficult for the Members to discuss matters and make priorities without a bill to start with. He cited the first seven points in the President's agenda that all need money which the country does not have, while the last three points have to do with credibility which the President does not have. But he underscored that the Minority have already stated that they would engage in constructive collaboration with the administration for the good of the people.

Senator Gordon observed that some are very imaginative in trying to find out what is wrong with the country but they lack the imagination to come out with the consensus of building something good for the country. He lauded Senator Enrile for calling on the Majority and the Minority to work together.

Senator Gordon clarified that he was not questioning the intelligence of the Members, saying that what is important is that they should start to work right away by looking for new ideas or enact new legislations that would help the President.

Senator Osmeña agreed that the resolution would present an image that the Members are trying to work together but he was hoping that the list of topics to be discussed would be narrowed down so that the Members could focus and do some homework before going into a caucus.

Senator Gordon agreed. However, he appealed to Senator Osmeña to be open-minded to assure the public that the Members are all willing to sit down and find common solutions to the problems of the country instead of just listening to their protestations on issues like the unsolved killing of newsmen and judges, the huge budget deficit, the tax scams and the like.

Asked what the President meant when she said that the country is in a fiscal crisis, Senator Gordon believed that the President was merely informing the people that the country has fiscal problems that have to be addressed. He said that she made the statement to show a sense of urgency in finding solutions to problems. He believed that the resolution is apropos to present conditions.

W 10

Senator Osmeña agreed that the country might face a fiscal crisis in a couple of years, however, he thought that it would be better to request the professors of the UP School of Economics to give the Members a one-day briefing on the most immediate problem of the impending fiscal crisis rather than going into a broad-ranging discussion on different topics without a set agenda. He said that a focused discussion would enable senators to act faster on the problems at hand, for example, enacting tax measures.

Senator Gordon commented that Senator Osmeña's suggestion would be a worthwhile undertaking as he recalled the precedence set by the Ramos Administration when a consensus was reached on the priority measures that were enacted immediately.

Senator Osmeña expressed the view that if the tax measures would be enacted as soon as possible, the Senate could attend to the other items in the 10-point program of the President.

Senator Gordon recalled that as mayor of Olongapo City, as Chairman of the Subic Bay Development Authority and as former Secretary of Tourism, he never had enough money but with new ideas and great determination, he succeeded in making sure that the right things were done which could also be applied to the pressing problems of the country.

REMARKS OF SENATOR RECTO

Senator Recto informed the Body that the Committee on Ways and Means would hold a hearing on Thursday, August 26, 2004, with the Department of Finance, the Bureau of Internal Revenue, BOC, NEDA, the Department of Budget and Management and the professors from the UP School of Economics presenting their respective papers on the fiscal situation of the national government.

INTERPELLATION OF SENATOR BIAZON

At the onset, Senator Biazon recalled that in the Ninth Congress, 17 opposition senators led by then Senate President Angara acted as fiscalizers and helped the Ramos Administration address the energy crisis by enacting Republic Act No. 7648 or the

Electric Power Crisis Act of 1993, which gave emergency powers to President Ramos and created an oversight committee to ensure that everything was done properly.

On whether it would be better to first define the problems in clearer terms before discussing the possible solutions, Senator Gordon replied in the affirmative.

Asked whether the first step should be to invite resource persons from the academe and the Executive to attend a meeting of the Committee of the Whole to determine whether there is indeed a fiscal crisis, Senator Gordon replied that the suggestion of Senator Biazon, including the request of Senator Osmeña and the information of Senator Recto, could precisely be handled by a caucus of the Majority and Minority.

Asked if he had been invited to the LEDAC meeting, Senator Gordon replied that he was invited to a LEDAC meeting on the problem of graft and corruption but has not been invited to its recent meetings. Nonetheless, he believed that all the Members should educate themselves on the proposals and studies of the World Bank, the Asian Development Bank, the Bangko Sentral ng Pilipinas, the Department of Finance, the UP School of Economics and other institutions. He expressed concern that even if the Members could hold meetings, nothing would happen if there is no consensus on what should be done.

Asked if he was aware of any LEDAC meeting wherein the fiscal problem of the government was discussed, Senator Gordon replied in the negative as he expressed the view that the Senate could enact its own measures if it feels that the action of the Council thereon is unsatisfactory.

Senator Biazon believed that even before the Senate can determine what should be done, the senators should have a clear definition of the problem and an examination of the other issues like the implementation of the GATT-WTO policies that affect the local industries and the agricultural sector, and the possible loss of 3,000 jobs in Iraq.

Senator Gordon said that he has the highest respect for the Members who he was certain were already aware of the problems of the country.

Handwritten signature/initials

He said that if hearings would be conducted at all, he would like to find out how government corporations like the SSS, GSIS, SBMA and Clark Field Development Authority are contributing to ease the huge budget deficit. He expressed the hope that Senator Enrile would be very active in helping the Committee on Government Corporations and Public Enterprises.

Finally, Senator Biazon requested that he be made a coauthor of the resolution. Senator Gordon acceded to the request.

STATEMENT OF SENATOR ANGARA

Senator Angara agreed with Senator Osmeña that a small bipartisan committee be formed to identify major strategic problems as the whole Senate could not just walk into a meeting without an agenda. On the other hand, he said, Senator Biazon's suggestion that the Body constitute itself into a Committee of the Whole was also sound, where resource persons like agency heads would be invited to enlighten the Members on strategic and priority problems previously identified by the preparatory committee.

Senator Angara noted that the problems could be divided into the following thematic areas: fiscal, job creation, social reform including education and health, housing, and the peace process, for each of which, the small group could define specific proposals. He recalled that in 1992 and 1993, the strategic themes were identified, after which, bills pending in Congress were gathered, consolidated, refined and classified. He believed that even solutions could be defined into immediate, short-term, medium-term, and long-term. He said that solution to the fiscal problem as well as revenue and cost-cutting measures could be considered immediate but at the same time the people should be assured of getting jobs and earning income by pushing for rural infrastructure. He considered the issue of the peace process as both immediate and long-term while education and health reform as medium-term.

Senator Angara asserted that the attraction of the proposed resolution was the chance to sit down and pool all insights and suggestions from the Members which would benefit the Senate and send a signal of hope to the people.

REMARKS OF SENATOR PANGILINAN

Senator Pangilinan disclosed that he had discussed with Senators Gordon, Pimentel and Angara the possibility of holding a strategic conference. He concurred with the suggestion to form a small committee.

COAUTHOR

Upon his request, Senator Ejercito Estrada (J) was made a coauthor of the resolution.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 56

Thereafter, there being no objection, Proposed Senate Resolution No. 56 was adopted by the Body.

CREATION OF COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Body constituted the small committee composed of Senators Angara, Gordon, Pimentel and Pangilinan to meet within the week in order to work out the details of the strategic conference.

COAUTHOR


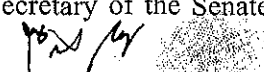
At the instance of Senator Magsaysay, Senator Pangilinan manifested that Senator Cayetano is coauthor of Proposed Senate Resolution No. 23.

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 the following day.

It was 5:43 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate


Approved on August 30, 2004