

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 65

Tuesday, March 1, 2005

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

•

SESSION NO. 65
Tuesday, March 1, 2005

CALL TO ORDER

At 3:42 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Aquilino Q. Pimentel Jr. led the prayer, to wit:

Lord, please save this country from predatory forces that manipulate our law and order problems to serve their own agenda.

Give us more men and women in and out of government with the integrity, the independence, and the courage of Justice Francis Garchitorena.

Save us from the fratricidal strife between and among our people who are used or who allow themselves to be used by warmongers, domestic or foreign, for their own ends.

Give us more men and women in the mold of Peter Beningson of Amnesty International so that in our quest for human rights, we respect the rights of others.

Save us from our selfish selves, from leaders who do not lead, from officials who do not serve, from people who do not care.

And finally, please lead the people of Mindanao along the ways of freedom, justice and peace.

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.	Lacson, P. M.
Arroyo, J. P.	Lapid, M. L. M.
Biazon, R. G.	Lim, A. S.
Drilon, F. M.	Magsaysay Jr., R. B.
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.	Villar Jr., M. B.
Gordon, R. J.	

With 17 senators present, the Chair declared the presence of a quorum.

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

Senator Cayetano was on official mission abroad.

Senator Defensor Santiago was also on official mission.

Senator Madrigal was absent on account of illness.

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. 64 and considered it approved.

REFERENCE OF BUSINESS

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

**MESSAGE FROM THE
HOUSE OF REPRESENTATIVES**

Letter from the Secretary General of the House of Representatives, informing the Senate that on February 28, 2005, the House of Representatives passed House Bill No. 3705, entitled

AN ACT AMENDING SECTIONS 106, 107, 108, 109, 110 AND 111 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES,

K
142

in which it requested the concurrence of the Senate.

To the Committee on Ways and Means

RESOLUTION

Proposed Senate Resolution No. 199, entitled

RESOLUTION CALLING FOR AN INVESTIGATION IN AID OF LEGISLATION ON ALLEGED ABUSIVE PRACTICES BY CREDIT CARD COMPANIES

Introduced by Senator Gordon

To the Committees on Trade and Commerce; and Banks, Financial Institutions and Currencies

PARLIAMENTARY INQUIRY OF SENATOR ENRILE

Preliminarily, Senator Enrile observed that in the past several days, sessions had been adjourned early because no bills were being considered on the floor. He said that it has been 44 days since the start of the First Regular Session but to date none of the bills that he filed as far back as July 1, 2004, had been reported out on the floor. Relative thereto, he adverted to Rule XI, Section 31 of the Rules of the Senate which provides, "Should any committee fail to render a report on any bill or resolution referred to it within thirty (30) session days after such reference, if the Senate is in regular session, or within ten (10) session days in case of special sessions, five (5) senators may move, in writing, for its inclusion in the Calendar for Ordinary Business and the President shall so order it."

Addressing his query to the committee chairs, Senator Enrile asked why bills have been pending in the committees for more than 30 session days without being reported out on the floor. Unless the committees perform their functions expeditiously, he said that the members of the *Pwersa ng Masa* in the Senate would be forced to avail of Section 31 to discharge the committees and bring all the pending bills to the floor, even without the committee reports, for discussion.

In reply, Senator Pangilinan admitted that in the past three or four session days, the Body adjourned

earlier than usual. He said that the Committee on Rules was unable to calendar some of the measures precisely because the Senate was waiting for the revenue measure that would address the fiscal deficit of the country. He emphasized that the administration senators have been conducting caucuses to put together the Senate version of said measure but it is extremely complicated that the discussions have been lengthy. Acknowledging that the members could avail of Section 31, he nonetheless appealed to the Minority to sit down with the Majority to thrash out the issues, particularly the problems with the calendar.

Senator Enrile stated that on July 1, 2004, he filed Senate Bill Nos. 1196, 1197 and 1198, all tax measures, some, but not all of which, had been heard by the Committee on Ways and Means; and Senate Bill No. 1199, the Anti-Trust Law, that has not been exposed to a public hearing in spite of its importance. He warned the Majority that the Minority would exercise their rights in accordance with the rules to make the Senate work more expeditiously on important bills.

Senator Pangilinan expressed appreciation for the observation of Senator Enrile and for the cooperation the Minority have been showing to get things done more expeditiously. He assured that the concerns of Senator Enrile would be addressed properly.

Senator Enrile cautioned the senators to be very circumspect in filing bills to ensure the efficiency of the Senate. If the committee chairs cannot work on the bills, they should be discharged so that the bills could be brought to the floor, he added.

MOTION OF SENATOR PIMENTEL

To provide an avenue for a more thorough discussion and expeditious resolution of the issue, upon motion of Senator Pimentel, there being no objection, the Chair referred the manifestation of Senator Enrile to the Committee on Rules.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:56 p.m.

RESUMPTION OF SESSION

At 3:59 p.m., the session was resumed.

Senator Pangilinan assured Senator Enrile that the Committee on Rules would make the necessary recommendations to address the issue.

**QUESTION OF PRIVILEGE
OF SENATOR GORDON**

Rising to a question of personal privilege, Senator Gordon paid tribute to former Justice Francis Garchitorena.

The full text of his speech follows:

**IN MEMORY OF
JUSTICE FRANCIS GARCHITORENA**

*"Many heroes lived before Agamemnon,
but they are all unmourned and
consigned to oblivion, because they
had no bard to sing their praises."*

— Horace

I rise on a matter of personal privilege, not to eulogize a dear friend on his death, but to pay tribute to a man who should have been honored in life. Too often, we forget or neglect to recognize greatness while good men live, and we appreciate them only in death, and then sometimes only briefly.

Shakespeare once said, "The evil that men do lives on after them; the good is oft interred with their bones."

Indeed, everyday we confront the evils in government, and a thousand stories of corruption and malice. But what about our silent heroes? What about those who have endeavored to live rightly in the face of such evil? Do we heed them? Do we give them the honor that is due them?

It is our challenge to honor all the good things that great men have labored for, and remember and learn from their example.

Today, we laid to rest Justice Francis Garchitorena. His was a life lived, not in the pursuit of fame, power and fortune, but in a

simple belief in integrity, in strength of character. His life was an example for all of us on how we should live as men, public servants, and Filipinos.

I have had the pleasure, and indeed, the honor of knowing Francis Garchitorena for over thirty years. I first met him when he was assigned by then Sen. Pepe Diokno, my father's friend and lawyer, as his assistant lawyer in charge of handling cases involving the assassination attempts on my father, including the fatal assassination in 1967. I was all of 21 years old then, the older boy in our family, and was looked upon to take care of my siblings and our mother. Because of the circumstances surrounding my father's death, it was imperative to our family that the crime be solved and the perpetrators be brought to justice. Francis was there to help us in this task, and in the process, he became to me an invaluable friend and a teacher of many lessons in law and in life.

Despite the obstacles we faced — and there were many — we did not waver in our determination to solve my father's murder. Francis believed in me, and I believed in him, and that kept us going in the right direction. I thank the Lord for bringing him into our lives, and I thank Francis for having bettered that life. His life was the inspiration that led me to the study of law and become a lawyer. In fact, when I told him I was going to be a lawyer, he said, "Why do you want to be a lawyer when you can always hire a lawyer?" And I told him that I wanted to be a lawyer because I was so impressed with his brilliance; that he reminded me of King David in the Old Testament who certainly proved that he was a man head and shoulders above many others. He demonstrated this not only by his physical size or stature but also by his mental brilliance and stalwart character. And the most literally disarming quality of Francis Garchitorena was his flair for debate. He used his fabled repartee as a keen little saber that slashed quickly into his adversaries. And as often, they drew blood as did his rhetoric, his wit and logic — Cyrano de Bergerac's swift and pointed

13

saber or sword thrust straight into the heart of argument and killed it.

I became a delegate to the Constitutional Convention in 1970 and I had the privilege of having Justice Garchitorena as my senior adviser. In that Convention, he inspired me to become true to the cause. I remember when there was a debate on the matter of allowances for Constitutional Convention delegates. That time, we were only allowed P100 a day. And we rose on the floor of the Constitutional Convention to question it. This was not popular obviously to our peers in the Constitutional Convention. And we were even accused by many of trying to grandstand. But we were true to our word, and Francis became my lawyer in the Supreme Court. Although we lost that battle in the Supreme Court, nonetheless, he taught me the value of taking a stand on the matter of the coin of integrity rather than taking the coin of popularity.

In 1975, after I passed the Bar, I went to the NBI to try and get them to arrest one of the suspects in the assassination of my father and, of course, got the advice of Francis. The NBI refused us assistance except for one agent and we had to provide our own cars and our radios. In order for justice to be served, they had to capture three personalities including this individual. It took us two weekends and finally, we personally captured this man, Narciso Cruz.

When we brought him to the NBI, we were astounded that the NBI could suggest that we pay this man so that he would reveal the names of the masterminds. Again, I went to Francis and asked him for advice. "Should we pay this man?" Because I did not really want to pay anybody for information as far as the solution of my father's case was concerned. He agreed with me and said that while paying the suspect would have helped solve the case faster, it would have been illegal and immoral. Francis advised strongly against it. Then, as in many times during the thirty years of our friendship, I heeded his advice, and I am all the better for it.

Indeed, Francis became a beacon to me, sometimes even a conscience, guiding me towards what was right and lawful. Later on, we were to go against the proposal to ban Marcos from extending his term in office.

At one time, I was called by one of the leaders of one of the parties. Of course, I was concerned that we would be pressured or given money to change our vote. I was then for the ban on Marcos. And I told Francis, "I am going to go over there and be before this man who might be offering us money, power or whatever." And Francis said, "Why not go and see Raul Manglapus and tell him that you are going to see him (the leader) so that you will be protected." And indeed, I went to Raul Manglapus who was one of my idols in my youth in Ateneo and I told him, "Sir, I am being called by this senior leader of the administration and I want to ask information, upon advice of Francis Garchitorena, so that if I came back and changed my vote, you would know that I would have been bought." Afterwards, I saw this man and indeed there was an effort to try and pressure us and give us some gratuity. Of course, I refused and was able to go back to the convention to tell Raul Manglapus that Francis Garchitorena indeed advised me well because indeed they could have been very persuasive.

As a young mayor of Olongapo City, and then as Chairman of the Subic Bay Metropolitan Authority, I turned to Francis many times for advice and counsel, not only with regard to legal matters but also with regard to policy and sometimes philosophy. He was always willing and ready to dispense advice, and even as recently as when I was Secretary of Tourism. In the last few months that I have been here in the Senate, we exchanged thoughts and ideas, and his inputs have been priceless to me.

And of course, if I did or said something that he did not agree with, I was sure to get admonished. When I became mayor in 1980, Francis came to visit Olongapo, and upon seeing an aide open my office door for me,

A
16

he said, "Why, Dick... are you not strong enough anymore to open your own door?" That's the kind of man he was, a man who didn't care for people to pander to him, to serve him, even to honor him. And even in the early days that I have known him, he had always driven his old Volkswagen. When he became the Presiding Justice of the Sandiganbayan, he drove himself to office without any bodyguards and he did so in spite of all the threats against him.

He often chided me when I spoke of our countrymen — and I do the same nowadays — in the third person. As we are wont to do, we always say something like, "Filipinos are..., the trouble with Filipinos is ..." and Francis would be swift to correct me and say, "Dick, it is *we, Filipinos, are...*" Not Filipinos in the third person but to refer to ourselves in the first person, whether singular or plural.

I will not have the privilege of hearing from him anymore, but the lessons he taught me will stay with me forever.

But for his country, he has a bigger lesson. He was courageous, compassionate, honorable and full of commitment. He was passionate about this country and about doing right by the country. To him, there was nothing more important than saying or doing what was right to the point of earning the ire of many people. Because of his personal stand against the regime of former President Marcos, Francis, as Presiding Justice of Sandiganbayan, was expected to rule against the Marcos family and its associates in the various cases presented before him.

It disappointed many when he ruled in favor of the Marcoses. But Francis, in spite of his strong personal beliefs, simply could not rule otherwise because the prosecution did not present a strong and convincing enough case. That is the kind of man Francis was — adhering to the limits of the law no matter what.

And this for a man who was the first to go to the Supreme Court the day martial

law was imposed and Senator Diokno was arrested to ask for the writ of *habeas corpus* so that Senator Diokno would be presented before the court.

He was the pathfinder, the one who brought light into the darkness. He was the one who proved that Filipinos still had backbone against insurmountable threats.

As we speak here today, many venerate Francis for his resistance to the dictatorship. Unfortunately, they do so after he has passed away.

He resisted so much more than injustice. He marched and resisted temptation and oppression and was to the end a man of rectitude and uprightness. He only not marched with his feet, he marched with his character.

The world was, indeed, better because Francis was here, and it is now lesser now that he is gone. Humanity was his business and life was his principal point.

Justice Garchitorena was a blunt and frank man who spoke his mind. Because of his overzealousness, in the pursuit of truth, he was often misunderstood. But behind his bluntness was a reverence for justice, a compassion for the common man, a love for liberty and a hatred for tyranny. In fact, even those who misunderstood him, all have a common denominator — they nonetheless respected him.

Francis Garchitorena will be long-remembered for his strong leadership of the Sandiganbayan in its formative years during which, he imbued the institution with his devotion, loyalty to justice and the courage that it needed in uncompromisingly fighting corruption in government and in society. He never saw lawyers with cases in his chamber or in his private quarters and often enough, he chided lawyers who tried to talk to his relatives about cases. To the end, his great mind prevailed.

I spoke to his doctor who said that because of the three known tumors in his

brain – and I was told that there were others they could not find – there was no reason for Francis to remain conscious and cogent, much less lucid in his final days. I had the privilege of visiting him three times. He even got my mother, who was very fond of Francis, to visit him, to sing to him and pray over him with my sisters. Finally, his will overcame the debilitating effects of his illness, sparing him the long and painful journey towards death.

As he lay dying, he had a rosary in his hand, the true blue Atenean that he was, praying the rosary all the time with his wife. And fifteen minutes before he died, true to his flair for rhetoric and drama and his love of God, he said, “Into Thy hands, I commend my spirit.”

In his final moments, Francis was surrounded by the people he loved in his life – his wife Vicky and their children. His son Jaime told me that they prayed the rosary together in the days before Francis passed on. And indeed, he reported to me the story of “Father, into Your hands, I commend my spirit.” And then he went to sleep and slowly began his journey to his Maker.

We condole with those he left behind. “There is no pain so great as the memory of joy in present grief,” Aeschylus said, and I am sure that there are many who hold dear the moments they shared with Francis.

In memory of Francis, allow me to end with his own words, and I beg the Senate to listen to this; perhaps, we could learn from this and I quote:

*Let not my friend write the epitaph
on my headstone
Lest his kindness lend him to perjury;
Let none whom I have hurt write
in memory of me
Lest he only recall his undeserved injury.*

*Let my tale instead be told
By the stranger who shall have trod
To the path that I have walked
That my pitfalls he shall see
And thereby a better person be.*

*Let my tale instead be told
In the gentleness of distant memory
By a father to a child before
he grows too old,
But in him this father might see
The goodness I longed to see in me.*

This is vintage Francis Garchitorenal! Indeed, to the end, he was a man not just of words, but of deed, man of character, a man to emulate in this country of wretched behaviors and statesmanship.

In the darkness of the night, when we look to the stars, it is the stars that we see. Today, he belongs to the stars that we see. *Ad astra per aspera* were words that we learned in Latin when we were in our favorite school.

Let us keep Francis’ example of competence, compassion, courage, love of country, and pride of being a Filipino in the gentleness of our memory for generations to come.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended to allow the senators to go into caucus.

It was 4:17 p.m.

RESUMPTION OF SESSION

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

MOTION OF SENATOR PANGILINAN

Pursuant to Section 121, Senator Pangilinan moved that the Rules be suspended to enable the senators to consider House Bill No. 3154.

Senator Roxas stated that the Body should first recall the Senate panel in the Bicameral Conference Committee before suspending the Rules.

Senator Pangilinan did not object.

RECALL OF SENATE PANEL

Upon motion of Senator Roxas, there being no objection, the Body recalled the Senate panel

in the Bicameral Conference Committee on the disagreeing versions of House Bill No. 3154.

SUSPENSION OF THE RULES

Upon motion of Senator Pangilinan, there being no objection, the Body suspended the Rules so that it could consider House Bill No. 3154.

Senator Pangilinan said that the Senate has retained jurisdiction over the measure considering that the Bicameral Conference Committee has not convened.

RECONSIDERATION OF THE APPROVAL OF HOUSE BILL NO. 3154 ON THIRD READING

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval of House Bill No. 3154, as amended, on Third Reading.

RECONSIDERATION OF THE APPROVAL OF HOUSE BILL NO. 3154 ON SECOND READING

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval of House Bill No. 3154, as amended, on Second Reading.

REMARKS OF SENATOR VILLAR

Senator Villar underscored that a budget is very important because it is necessary for the efficient operations of any country, particularly in economic development. He said that the national budget is the only piece of legislation that the Constitution mandates the Congress to enact.

Senator Villar lamented that it was already March and the government was still operating under a budget that had been reenacted twice. He emphasized the need to approve the measure now because Congress owes it to the country to have a budget as soon as possible in view of the fiscal crisis. He moved that the measure be adopted without amendments.

APPROVAL OF HOUSE BILL NO. 3154 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 3154 was unanimously approved on Second Reading.

APPROVAL OF HOUSE BILL NO. 3154 ON THIRD READING

In view of the Presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, House Bill No. 3154.

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

AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY-ONE, TWO THOUSAND FIVE, AND FOR OTHER PURPOSES.

Secretary Yabes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lapid
Arroyo	Lim
Biazon	Magsaysay
Drilon	Osmeña
Ejercito Estrada (J)	Pangilinan
Ejercito Estrada (L)	Pimentel
Enrile	Recto
Flavier	Revilla
Gordon	Roxas
Lacson	Villar

Against

None

Abstention

None

With 20 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 3154 approved on Third Reading.

EXPLANATIONS OF VOTES

By Senator Angara

Senator Angara stated that his affirmative vote was a necessary vote because the national budget

has been reenacted in the past two years without the Senate's intervention. The reenactment of the budget, he pointed out, makes the whole budget a big pork barrel since the projects and programs funded under the old budget had already been substantially completed, and the money therefor would become savings which could be realigned under the Constitution, thus, giving the Executive department a huge pork barrel fund.

Senator Angara believed that this is not good government and neither is it a sound fiscal and financial management. He asserted that the country could not afford to operate without a national budget and he expressed hope that the people would understand that the Senators acted in the interest of the country that is far greater than personal and political interests. He hoped that the Executive department and the Bigger House would see it as an act of statesmanship.

By Senator Enrile

Senator Enrile stated that he voted in favor of the measure not because he recognizes the superior prerogative of the Bigger House in enacting the measure, nor is he surrendering an equally superior prerogative of the Senate to amend, modify or even replace a measure enacted by the House. He stressed that he voted "yes" in recognition of the primordial national interest which requires the country to have a budget. He said that the people are entitled to have some stability in the financial operations of government, and legislators should show these people a responsible Congress.

In view of the impasse between the two Houses of Congress because of the disagreeing provisions on the budget measure, Senator Enrile believed that the Senate must forego its own version and adopt *in toto* the budget presented by the President that is embodied in the House bill.

By Senator Lacson

Senator Lacson said that he has no objection to the approval of the measure provided that the P240 million allocated to him and Senate President Drilon, which is effectively now part of the national budget, would be communicated to the President, through the DBM, not to be released for any purpose so that at the end of 2005, the budget deficit shall have been reduced by P240 million.

The Chair confirmed Senator Lacson's statement.

By Senator Lim

Senator Lim stated that while the enactment of the national budget takes precedence as the Senate's utmost priority and in answer to the allegation that all those who opposed the budget's approval are saboteurs of the administration, the Opposition approved the budget in the interest of the country.

Senator Lim stated that he would not avail of the pork barrel just like Senator Lacson, pointing out that the pork barrel should not be used by any government official so that it could be used to alleviate the financial crisis.

By Senator Roxas

Voting in favor of the measure, Senator Roxas acknowledged that the national budget is the most important piece of legislation that the Senate could work on in any given year. He said that it is a road map of where the nation decides to allocate its collective resources, prioritizes its needs, and provides its people with a document upon which they could plan their own lives and undertakings.

Senator Roxas pointed out that the Senate spent nearly three weeks in scrutinizing every peso of the budget, but even as the Senators wished to further refine and improve the measure, the disadvantages of not having a budget far outweigh whatever improvements that could be made through the Bicameral Conference Committee.

By Senator Biazon

Senator Biazon said that while there is a need to rebuild the institution of the country, the institution is presently under siege. He stated that under a bicameral legislature, any measure has to go through the same process in both Houses.

Senator Biazon admitted that he wanted to vote against the measure but he bowed to the collective wisdom of the Senate to address the crisis that the government is facing, as he expressed hope that the extreme action that the Body had just taken would not define what Congress, as an institution, would be in the future.

By Ejercito Estrada (J)

Senator Ejercito Estrada (J) said that he voted in favor of the measure because a reenacted budget

would be more disastrous for the country. He lauded his colleagues in the Senate, especially Senate President Drilon, for initiating the passage of House Bill No. 3154.

By Senator Magsaysay

Explaining his affirmative vote, Senator Magsaysay said that the unqualified unity that the members have shown in passing the 2005 budget meant that the government has just been strengthened, particularly the President so that she could address the fiscal problem. He said that if only the rating agencies waited for the approval of the budget measure, the credit standing of the Philippines would not have been downgraded.

By Senator Ejercito Estrada (L)

Senator Ejercito Estrada (L) said that she voted in favor of the measure because she did not want to be cowed by the House of Representatives, which until now, was still sitting on the measure. She pointed out that a reenacted budget would be more dangerous for the country.

By Senator Osmeña

Voting in favor of the measure, Senator Osmeña nonetheless expressed concern that for the second time, the Senate may have allowed itself to be manipulated and bullied by the House of Representatives whose conferees refused to meet with the Senate conferees so that the House version would be passed.

Emphasizing that the budget is a very important tool for any government, business or religious organization in husbanding limited resources for the benefit of the people or its stockholders, Senator Osmeña said that there is no one in the world that does not use a budget as a planning and control mechanism. He said that it is a way to ensure that an organization would not spend more than what it earned, and it helps determine the level of profits that a corporation would make at the end of the year. Thus, he said, the failure of an entity or a government to pass its budget sends the worst signal. Having been downgraded several times in the last twelve months, he underscored that the failure to enact the 2005 budget would send another wrong signal to those who wanted the Philippines to put its fiscal house in order. He warned the Bigger House that the charade could not and should not go on.

Senator Osmeña pointed out that the Senate had proven to the world today that it was prepared to take drastic action to correct an irresponsible move on the part of the House of Representatives. He lamented that by its inaction, Congress had not seen fit to exercise its yearly responsibility of ensuring that the monies collected from the taxpayers are properly budgeted, prioritized and presented to the people in a transparent manner.

By Senator Pimentel

Senator Pimentel said that he voted in favor of the extraordinary action which had never happened before in the annals of the history of the Senate. It was, he added, a drastic solution to a very serious problem that arose in the course of the deliberations on the budget.

He said that with this single act, the Senate had shown the President that it is committed to set the economy in order since the budget measure is the first among the priority legislations that should be enacted.

In this regard, he said that based on what he read in the newspapers he got the impression that the President wanted Congress to enact the VAT and there were rumblings from the House of Representatives that the Senate should first pass the amendment to the VAT before the 2005 budget. If these were true, he said that it is an irresponsible way of looking at priorities.

Senator Pimentel said that he could have voted against the motion and thereby delay the enactment of the budget, but he did not. Nobody, he stated, could accuse the Senate of delaying the enactment of the budget because after the approval on Third Reading, the Senate panel was immediately constituted and was prepared to meet with its House counterpart.

He reiterated that he would always stand up for the rights of the people as he expressed the belief that while additional revenues are needed, the approval of an additional 2% on the VAT would not solve the fiscal problems of the government.

By Senator Pangilinan

Explaining his affirmative vote, Senator Pangilinan stated that the people have been demanding results in the area of governance for many feel that they have been shortchanged even in the delivery of basic services.

Handwritten marks: a checkmark and the number 16.

• He said that the people are tired of problems left unresolved, thus, the decision of the Senate to approve the 2005 budget was a way of showing results and fulfilling a constitutional mandate.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 5:49 p.m.

RESUMPTION OF SESSION

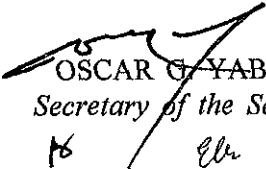
At 5:49 p.m., the session was resumed.

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 5:50 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate

ts

Elu

W

Approved on March 2, 2005