



**REPUBLIC OF THE PHILIPPINES**  
**Senate**  
Pasay City

# Journal

**SESSION NO. 24**

Wednesday, September 21, 2022

**NINETEENTH CONGRESS**  
**FIRST REGULAR SESSION**

Prepared by the  
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Senate of the Philippines

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**SESSION NO. 24**  
Wednesday, September 21, 2022

**CALL TO ORDER**

At 3:34 p.m., the Senate President, Hon. Juan Miguel F. Zubiri, called the session to order.

**PRAYER**

Sen. Joel Villanueva led the prayer, to wit:

*Dakilang Diyos, Ama naming sumasalangit, kami po ay naninikluhod at muling lumalapit sa Iyo. Tulungan Ninyo po kami at basbasan ang araw na ito ng Iyong pagpapala at pagkalinga. Sa araw pong ito, inihahain namin ang aming mga sarili upang paglingkuran Ka at ang sambayanang Pilipino.*

*Sa Iyong mga kamay, muli naming ibinabalik ang lahat ng papuri at pasasalamat sa Pangalan ng aming Panginoong Hesus.*

*Ang lahat po ay makiisa at magsabi ng "Amen."*

**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Renato N. Bantug Jr., called the roll, to which the following senators responded:

Angara, S.	Legarda, L.
Binay, M. L. N. S.	Marcos, I. R.
Cayetano, A. P. C. S.	Padilla, R. C.
Dela Rosa, R. B. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Poe, G.
Estrada, J. E.	Revilla Jr., R. B.
Gatchalian, W.	Tolentino, F. T. N.
Go, C. L. T.	Tulfo, R. T.
Hontiveros, R.	Villanueva, J.
Lapid, M. L. M.	Zubiri, J. M. F.

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With 20 senators present, the Chair declared the presence of a quorum.

Senator Villar (M) was on official business as part of the Philippine business delegation in New York City, USA, from September 18-24, 2022 as per the letter of Atty. Rafael Gregorio V. Sta. Maria, Acting Chief of Staff, dated 19 September 2022.

Senator Cayetano (P) arrived after the roll call.

Senators Escudero and Villar (C) were absent.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

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

- Board Member Rey Noel Amante of Masbate;
- Councilor Rose Ann Añonuevo of Lumban, Laguna;
- Rep. Ciriaco Gato Jr. and Mayor Edralyn Joy Salvame of Batanes;
- Sec. Mabel Sunga Acosta of the Mindanao Development Authority;
- Atty. Tony Roman, Provincial Board Member of Bataan; and
- Usec. Cielo Magno of the Department of Finance.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:57 p.m.*

#### **RESUMPTION OF SESSION**

At 4:00 p.m., the session was resumed.

#### **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. 1311, entitled

**AN ACT PROVIDING FOR THE REVISED LABOR CODE OF THE PHILIPPINES"**

Introduced by Senator Hontiveros

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

Senate Bill No. 1312, entitled

**AN ACT INSTITUTING THE MAGNA CARTA OF FILIPINO SEAFARERS**

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Introduced by Senator Dela Rosa

**To the Committee on Migrant Workers**

Senate Bill No. 1313, entitled

AN ACT DECLARING APRIL 7 OF EVERY YEAR AS BARANGAY HEALTH AND NUTRITION WORKERS DAY

Introduced by Senator Hontiveros

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

Senate Bill No. 1314, entitled

AN ACT STRENGTHENING THE REGULATORY SYSTEM IN THE COUNTRY TO COMBAT COUNTERFEIT PHARMACEUTICAL PRODUCTS, DECLARING THE MANUFACTURE, IMPORTATION, DISTRIBUTION, SALE OR OFFER FOR SALE, OR POSSESSION OF COUNTERFEIT PHARMACEUTICAL PRODUCTS AS AN OFFENSE INVOLVING ECONOMIC SABOTAGE, PROVIDING FOR THE PROHIBITIONS AND PENALTIES FOR VIOLATIONS AND REVISING FOR THE PURPOSE REPUBLIC ACT NO. 8203 OR THE "SPECIAL LAW ON COUNTERFEIT DRUGS"

Introduced by Senator Hontiveros

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

Senate Bill No. 1315, entitled

AN ACT PROVIDING FOR THE DEVELOPMENT OF HEALTHCARE AND MANUFACTURING INDUSTRIES IN THE PHILIPPINES TO STRENGTHEN THE COUNTRY'S READINESS AND PROTECTION AGAINST PANDEMICS AND PROVIDING FUNDS THEREFOR

Introduced by Senator Hontiveros

**To the Committees on Health and Demography; Trade, Commerce and Entrepreneurship; Ways and Means; and Finance**

Senate Bill No. 1316, entitled

AN ACT STRENGTHENING PHILIPPINE HEALTH SECURITY AND EMERGENCY PREPAREDNESS, READINESS AND RESPONSE AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Hontiveros

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

Senate Bill No. 1317, entitled

AN ACT ESTABLISHING THE PHILIPPINE GERIATRIC CENTER UNDER THE DEPARTMENT OF HEALTH AND APPROPRIATING FUNDS THEREFOR



Introduced by Senator Hontiveros

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

Senate Bill No. 1318, entitled

AN ACT INSTITUTIONALIZING A NATIONAL PSORIASIS CARE PROGRAM  
AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Hontiveros

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

Senate Bill No.1319, entitled

AN ACT INSTITUTING A PHILIPPINE NATIONAL AUTISM CARE PLAN FOR  
THE SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES

Introduced by Senator Hontiveros

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

### RESOLUTIONS

Proposed Senate Resolution No.209, entitled

RESOLUTION COMMENDING AND CONGRATULATING RUBILLEN AMIT,  
CARLO BIADO, AND JOHANN CHUA FOR WINNING THE PREDATOR  
WORLD TEAMS 10-BALL CHAMPIONSHIP IN KLAGENFURT, AUSTRIA

Introduced by Senator Villanueva

**To the Committee on Rules**

Proposed Senate Resolution No. 211, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT  
AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE  
COUNTRY'S SALT SUPPLY AND IMPORTATION WITH THE OBJECTIVE  
OF INTRODUCING NEW POLICIES AND REVIEWING EXISTING MEASURES  
AND PROGRAMS TO CREATE SALT SELF-SUFFICIENCY

Introduced by Senator Binay

**To the Committees on Agriculture, Food and Agrarian Reform; and Trade, Commerce  
and Entrepreneurship**

Proposed Senate Resolution No. 213, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO  
CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED  
OVERPRICED PROCUREMENT OF FARM TRACTORS AMOUNTING TO  
PHP 1.737 BILLION BY THE DEPARTMENT OF AGRICULTURE

Introduced by Senator Marcos

**To the Committee on Accountability of Public Officers and Investigations**

Proposed Senate Resolution No.214, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE GILAS PILIPINAS  
WOMEN FOR WINNING BRONZE AT THE 2022 FIBA UNDER-18 WOMEN'S  
ASIAN CHAMPIONSHIP

Introduced by Senator Lapid

**To the Committee on Rules**

Proposed Senate Resolution No.215, entitled

RESOLUTION CONGRATULATING AND COMMENDING PHILIPPINE SCIENCE  
HIGH-SCHOOL STUDENT GWEN LIANNA VALIMENTO FOR HER WIN AT  
THE 2022 INTERNATIONAL CLEAN TECH COMPETITION

Introduced by Senator Lapid

**To the Committee on Rules**

Proposed Senate Resolution No.216, entitled

RESOLUTION CONGRATULATING AND COMMENDING TEAM PHILIPPINES  
FOR THEIR SUCCESSFUL PARTICIPATION AT THE 2022 INTERNATIONAL  
GEOGRAPHY OLYMPIAD, ORGANIZED BY THE INTERNATIONAL  
GEOGRAPHICAL UNION, HELD IN PARIS, FRANCE

Introduced by Senator Lapid

**To the Committee on Rules**

Proposed Senate Resolution No. 217, entitled

A RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO  
CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE LOAN AND  
SALE OF MOBILE WALLET OR E-WALLET ACCOUNTS WITH THE END  
IN VIEW OF PROTECTING CONSUMERS IN THE COUNTRY FROM  
CYBERCRIMINALS

Introduced by Senator Gatchalian

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

Proposed Senate Resolution No. 218, entitled

RESOLUTION URGING THE JOINT CONGRESSIONAL OVERSIGHT COMMITTEE  
ON PANTAWID PAMILYANG PILIPINO PROGRAM OR 4Ps OVERSIGHT  
COMMITTEE TO CONVENE, WITH AN END IN VIEW OF, CONDUCTING A  
SUNSET REVIEW OF REPUBLIC ACT 11310

Introduced by Senator Hontiveros

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

Proposed Senate Resolution No. 219, entitled

RESOLUTION CALLING FOR THE SENATE TO CONVENE THE CONGRESSIONAL OVERSIGHT COMMITTEE ON THE COMPREHENSIVE TAX REFORM PROGRAM FOR THE PURPOSE OF REMEDYING THE APPARENT INCONSISTENCY BETWEEN THE CREATE LAW AND ITS IMPLEMENTING RULES AND REGULATIONS

Introduced by Senator Hontiveros

**To the Committee on Ways and Means**

**ADDITIONAL REFERENCE OF BUSINESS**

**BILLS ON FIRST READING**

Senate Bill No. 1320, entitled

AN ACT STRENGTHENING THE LOCAL TAXATION AND THE FISCAL CAPACITY OF LOCAL GOVERNMENT UNITS BY INCREASING THEIR TAX GENERATION CAPACITY, AMENDING SECTION 150 OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991," AND FOR OTHER PURPOSES

Introduced by Senator Gatchalian

**To the Committee on Local Government**

Senate Bill No. 1321, entitled

AN ACT ESTABLISHING SPECIALTY CENTERS IN DEPARTMENT OF HEALTH HOSPITALS, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Go

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

Senate Bill No. 1322, entitled

AN ACT ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND TECHNOLOGY INSTITUTE, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

**To the Committees on Science and Technology; and Finance**



Senate Bill No. 1323, entitled

AN ACT EXEMPTING QUALIFIED INDIGENTS FROM THE PAYMENT OF PROFESSIONAL EXAMINATION FEES AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

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

Senate Bill No. 1324, entitled

AN ACT REQUIRING THE PLACEMENT OF AUTOMATED EXTERNAL DEFIBRILLATORS (AED) IN PUBLIC SPACES AND INCREASING PUBLIC AWARENESS ON ITS ROLE IN SAVING LIVES

Introduced by Senator Lapid

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

Senate Bill No. 1325, entitled

AN ACT INSTITUTIONALIZING A RAPID RE-HOUSING PROGRAM TO END HOMELESSNESS AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lapid

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

Senate Bill No. 1326, entitled

AN ACT IMPLEMENTING A LIFELINE RATE FOR INTERNET SERVICES, AMENDING FOR THIS PURPOSE SECTION 17 OF REPUBLIC ACT NO. 7925, OTHERWISE KNOWN AS THE "PUBLIC TELECOMMUNICATIONS POLICY ACT OF THE PHILIPPINES"

Introduced by Senator Marcos

**To the Committee on Public Services**

Senate Bill No. 1327, entitled

AN ACT MANDATING THE PROPER INSTALLATION AND MAINTENANCE OF OVERHEAD ELECTRIC DISTRIBUTION, COMMUNICATION LINES, AND RELATED STRUCTURES

Introduced by Senator Marcos

**To the Committees on Public Services; and Urban Planning, Housing and Resettlement**

Senate Bill No. 1328, entitled

AN ACT RECOGNIZING MOTORCYCLES AS PUBLIC UTILITY VEHICLES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE

KNOWN AS THE "LAND TRANSPORTATION AND TRAFFIC CODE" AND  
REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL  
GOVERNMENT CODE," AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

**To the Committees on Public Services; and Local Government**

Senate Bill No. 1329, entitled

AN ACT IMPOSING A TOTAL BAN ON THE IMPORTATION OF WASTE AND  
ITS BY-PRODUCTS OR RESIDUES, AND PROVIDING PENALTIES THEREFOR

Introduced by Senator Marcos

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

Senate Bill No. 1330, entitled

AN ACT CREATING THE PHILIPPINE RISE DEVELOPMENT AUTHORITY,  
DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR,  
AND FOR OTHER PURPOSES

Introduced by Senator Marcos

**To the Committees on Economic Affairs; and Finance**

Senate Bill No. 1331, entitled

AN ACT GRANTING PHILIPPINE CITIZENSHIP TO BRIAN TO

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1332, entitled

AN ACT GRANTING CIVIL SERVICE ELIGIBILITY TO GOVERNMENT  
EMPLOYEES WHOSE STATUS OF APPOINTMENT IS EITHER CASUAL OR  
CONTRACTUAL, AND WHO HAVE CONTINUOUSLY RENDERED AT LEAST  
SEVEN (7) YEARS OF EFFICIENT SERVICE

Introduced by Senator Marcos

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

## RESOLUTIONS

Proposed Senate Resolution No. 221, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE FILIPINO  
STUDENT DELEGATES THAT COMPETED IN THE 2022 NEWTONIAN  
INTERNATIONAL PHYSICS OLYMPIAD CHALLENGE

Introduced by Senator Lapid

**To the Committee on Rules**

Proposed Senate Resolution No. 224, entitled

RESOLUTION COMMENDING AND CONGRATULATING THE PHILIPPINE NATIONAL NETBALL TEAM – SIKLAB PILIPINAS FOR WINNING THE PLATE TITLE IN THE 12TH ASIAN NETBALL CHAMPIONSHIPS IN SINGAPORE”

Introduced by Senator Go

**To the Committee on Rules**

Proposed Senate Resolution No. 225, entitled

RESOLUTION DIRECTING THE COMMITTEE ON WAYS AND MEANS AND OTHER APPROPRIATE COMMITTEE/S OF THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION ON THE REVENUES GENERATED BY THE GOVERNMENT FROM PHILIPPINE OFFSHORE GAMING OPERATORS (POGOS) VIS-À-VIS THE SOCIAL COSTS ATTENDANT TO THE OPERATION OF POGOS IN THE COUNTRY

Introduced by Senator Villanueva

**To the Committees on Ways and Means; and Games And Amusement**

Proposed Senate Resolution No. 226, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON YOUTH TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE REPORTED DECLINE IN THE PHYSICAL AND MENTAL WELL-BEING OF OUR YOUTH WITH THE END IN VIEW OF CRAFTING A WHOLE-OF-GOVERNMENT STRATEGY TO ADDRESS THESE ISSUES AND PROMOTE QUALITY OF LIFE FOR OUR YOUNG PEOPLE

Introduced by Senator Angara

**To the Committee on Youth**

Proposed Senate Resolution No. 227, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE GOVERNMENT’S REVENUE COLLECTION FROM THE IMPLEMENTATION OF REPUBLIC ACT NO. 11590 AND THE ECONOMIC AND SOCIAL COSTS INCURRED BY THE GOVERNMENT IN ADDRESSING CRIMES RELATED TO THE PHILIPPINE OFFSHORE GAMING OPERATIONS INDUSTRY

Introduced by Senator Gatchalian

**To the Committees on Ways and Means; and Games and Amusement**



**COMMITTEE REPORT NO. 4 ON SENATE BILL NO. 1306***(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1306 (Committee Report No. 4), entitled

AN ACT POSTPONING THE DECEMBER 2022 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923, REPUBLIC ACT NO. 10952, AND REPUBLIC ACT NO. 11462, AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Marcos, sponsor of the measure, and Senator Hontiveros for her interpellation.

**INTERPELLATION OF SENATOR HONTIVEROS**

Senator Hontiveros stated that Congress had already passed several laws postponing the barangay and SK elections, effectively overextending the terms of office of barangay officials. She stated that her office had received a position paper from barangay youth leaders, signed by over a hundred Model SK Network members, and she would like to put on record their position on the measure, that "*Ang muling pagpapaliban ng halalan ay may implikasyon sa makabuluhang demokrasya.*" She stated that the postponement of the election, which is not the first, is a setback to democracy and a disincentive to participation.

She agreed with the young barangay leaders that elections are essential in strengthening democracy, especially at the grassroots. She also agreed in principle with the young leaders' assertion that holding elections guarantees the right to vote, creates opportunities to hold barangay leaders accountable, and incentivizes leaders' performance for good barangay governance.

Senator Marcos thanked Senator Hontiveros for her manifestation and said that the Committee will consider the position even up to the bicameral level.

Senator Hontiveros asked Senator Marcos if she would be amenable to reconsider holding the barangay and SK elections in May 2023 rather than December 2023. She stated that she spoke with barangay leaders, people's organizations, and other stakeholders who are inclined to support the holding of the elections in May 2023 for the following reasons: 1) it is within the COMELEC's required seven-month preparatory time; 2) it will have less than the required additional funding to support the elections; 3) it will allow barangay and SK leaders to serve office for five years, although not nearly double the original three-year term; and 4) it will align the next election dates with that of the three-year period, which was also proposed in the committee report. She stated that she will be proposing the amendment at the proper time.

Senator Marcos thanked Senator Hontiveros for her suggestion. She stated that, while there has been much discussion about postponing the elections to May 2023, the main reason for the postponement to December 2023 is to allow for reforms to be debated, properly formulated, and finally enacted. She stated that there is insufficient time available because the Body will be confronted with the passage of the 2023 budget in the coming months. She stated that there is still much unfinished business, and that the seven-month preparation for the elections will begin in 2023 with the full release of the delayed funding.

Senator Hontiveros reiterated Senator Pimentel's statement during his interpellation on the bill that if the implementation of the electoral system reforms is the main reason for deciding on the bill, then the performance of those reforms cannot simply be made a part of it right after either scheduled or earlier scheduled barangay and SK elections. She also stated that, consistent with the preference of the Model SK Network's young leaders, the proposed amendment on the election date will inevitably become a prejudicial question from her end.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

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

#### **TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS**

There being no committee amendment, upon motion of Senator Villanueva, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

#### **CAYETANO (A) AMENDMENT**

On page 2, line 20, as proposed by Senator Marcos on behalf of Senator Cayetano (A), there being no objection, the Body approved, subject to style, to delete the quotation mark ("") after the period (.), and to insert the phrase *PROVIDED FURTHER*, THAT INDIVIDUALS OTHERWISE ELIGIBLE AS CANDIDATES IN THE DECEMBER 2022 SANGGUNIANG KABATAAN ELECTIONS SHALL STILL BE QUALIFIED TO RUN FOR THE DECEMBER 2023 SANGGUNIANG KABATAAN ELECTIONS.

#### **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

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

#### **APPROVAL OF SENATE BILL NO. 1306 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1306 was approved on Second Reading.

#### **MANIFESTATION OF SENATOR PIMENTEL**

Senator Pimentel manifested that he was abstaining from voting on Senate Bill No. 1306.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1306**

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

#### **SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:57 p.m.*

**RESUMPTION OF SESSION**

At 4:00 p.m., the session was resumed.

**RECONSIDERATION OF THE APPROVAL  
OF SENATE BILL NO. 1306 ON SECOND READING**

Upon motion of Senator Villanueva, there being no objection, the Body reconsidered the approval, on Second Reading, of Senate Bill No. 1306, entitled

AN ACT POSTPONING THE DECEMBER 2022 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923, REPUBLIC ACT NO. 10952, AND REPUBLIC ACT NO. 11462, AND FOR OTHER PURPOSES.

As a consequence thereof, upon motion of Senator Villanueva, there being no objection, the Body reopened the period of individual amendments.

Thereafter, the Chair recognized Senator Marcos, sponsor of the measure, and Senator Hontiveros for her additional amendments.

**PROPOSED AMENDMENT OF HONTIVEROS**

On page 3, line 5, Senator Hontiveros proposed to change the date of elections from December 2023 to May 2023.

Senator Marcos did not accept the amendment, but thanked Senator Hontiveros for suggesting a different date for the barangay and SK elections, assuring her that the issue would be raised during the bicameral conference committee hearing.

**TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

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

**APPROVAL OF SENATE BILL NO. 1306 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1306 was approved on Second Reading.

**MANIFESTATION OF SENATOR PIMENTEL**

Senator Pimentel manifested that he was abstaining from voting on Senate Bill No. 1306.

**MANIFESTATION OF SENATOR HONTIVEROS**

Senator Hontiveros manifested that she was also abstaining from voting on Senate Bill No. 1306.

**SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 4:03 p.m.*



**RESUMPTION OF SESSION**

At 4:23 p.m., the session was resumed with Senator Ejercito presiding.

**SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1306**

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

**COMMITTEE REPORT NO. 3**

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration of Committee Report No. 3 Re: Privilege speech of Senate President Zubiri, entitled "Fiasco Behind Sugar Order No. 4," delivered on August 15, 2022.

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

Thereupon, the Chair recognized Senator Tolentino, chairperson of the Blue Ribbon Committee, and Senator Hontiveros for the continuation of her interpellation.

**INTERPELLATION OF SENATOR HONTIVEROS**


Continuing with her interpellation, Senator Hontiveros recalled that during the last hearing by the committee, there was a dispute as to whether or not a consultation meeting took place on August 4, 2022 via Zoom. She then read the statement given by former Executive Secretary Victor Rodriguez on page 164 of the transcript of the said committee hearing dated September 6, 2022, to wit:

**"MR. RODRIGUEZ.** Your Honor, *makakaasa po kayo*. I will determine whether there was a hybrid or there were participants in this Zoom meeting. *At kagaya po ninyo, wala rin ho kaming layunin o pakay na paratangan ang kung sinuman at ng kung anumang mga pinatawag po ng Committee. Aalamin ko po iyon, Your Honor, and what I can assure you, at kung may naganap man hong hybrid o may participant doon sa via Zoom, malalaman po ninyo.*"

Asked if he had already heard from the former Executive Secretary, Senator Tolentino responded that he is unaware of any information regarding the former Executive Secretary's definitive response to the inquiry. However, during the latter part of the discussion, he surmised that the former Executive Secretary was certain that no Zoom meeting had taken place. He stated that he could verify the details of the hearing if he would be handed a copy of the transcript.

Senator Hontiveros stated at that point that "It appears that the said meeting was conducted via a hybrid arrangement, a mix of physical and virtual online attendance," citing page 20, lines 9 to 11 of Committee Report No. 3. Noting that the committee report itself mentioned the meeting, she reiterated her request for a copy of the Zoom recording of the meeting. Senator Tolentino replied that he expects the former Executive Secretary to honor his commitment to clarify whether or not a Zoom meeting took place.

On whether or not he requested the former Executive Secretary to give a response through a formal letter, Senator Tolentino said that he would have to check how he responded based on the hearing's transcripts. Nonetheless, he assured that the committee report never deviated from what transpired in the hearing when the appearance of the former Executive Secretary was summoned.



Senator Hontiveros expressed disappointment that the former Executive Secretary has yet to comply with the Blue Ribbon Committee's request for a copy of the Zoom meeting recording. Senator Tolentino explained that the words "it appears" was used on line 9 of page 20 of the committee report because there had been no response from the Executive Secretary, possibly due to a confluence of events that must have overtaken his ability to confront his daily activities, not to mention the fact that he had just resigned from his position a few days before. Senator Hontiveros stated that the former Executive Secretary's failure to respond could be misconstrued as disrespect for the institution.

When asked for his opinion if the Zoom meeting mentioned in the committee report actually transpired on August 4, 2022, Senator Tolentino stated that he is not privy to any meetings that took place because he is not part of the Executive branch. He also stated that he was present at the hearing to objectively sort through the documents and evidence and not to answer as a resource person or witness.

Senator Hontiveros stated that a question had surfaced as to whether or not Administrator Serafica was telling the truth when he disclosed that the President mentioned rather than ordered the importation of 600,000 metric tons of sugar. While former Administrator Serafica was branded a liar after making such a statement, she stated that his testimony was actually corroborated by former Board Member Valderrama.

Senator Tolentino stated that it was during the August 2, 2022 hearing when he heard for the first time about the said sworn statement by the former Board Member which he, in fact, questioned because it had only recently been released in the form of supplemental affidavit.

Senator Hontiveros thanked Senator Tolentino for confirming that former Administrator Serafica's testimony is consistent with that of former Board Member Valderrama, and expressed hope that they would find out more about the truth behind the issue.

She averred that if former Administrator Serafica's testimony was corroborated by the former Board, what remains uncorroborated is the former Executive Secretary's testimony that the figure 600,000 metric tons was not mentioned during the meeting.

Senator Tolentino stated that if there is any concern about the lack of corroboration of the 300,000 figure mentioned by the witnesses present during the investigation, it can be gleaned from contemporaneous reports by media organizations, the Sugar Regulatory Administration (SRA), the Executive Branch, President Marcos himself, and similarly, the stakeholders themselves, that the initial importation in the aftermath of the fiasco was to be reduced to 150,000 from the base figure of 300,000. He also recalled that the value was divided in half, resulting in two equal figures of 150,000.

Senator Hontiveros explained that her query was in response to the former Executive Secretary's denial that the President mentioned the figure "600,000 metric tons." She noted that no other testimonies had been made that corroborated the figure.

Senator Tolentino pointed out that no mention of the value was made because the prevailing figure discussed during the hearing was only 300,000 metric tons. He stated that he was surprised to hear the former Executive Secretary mention 600,000 metric tons, and that it was the first time he had heard the figure mentioned. He reiterated that the manner of corroboration regarding the former Executive Secretary's mention of the 300,000 metric tons was contemporaneous in nature, and that even the House of Representatives' investigation into the matter bore the same figure.



Senator Hontiveros clarified that she was not disputing the amounts mentioned during the hearing, which generally point to 300,000 metric tons, but that she wanted to put on the *Record* the former Executive Secretary's denial that the President did not mention the 600,000 figure, which no one could corroborate.

She stated that if it is decided that former Board Member Valderrama and former Administrator Serafica should be penalized for failing to immediately disclose to the Blue Ribbon Committee about the 600,000 metric tons, it is only fair that the former Executive Secretary face the same penalties.

As to how much imported sugar was actually confiscated as a result of the raids, Senator Tolentino stated that he does not know the exact amount. However, he stated that while the committee was conducting its final investigation into the matter, the Bureau of Customs (BOC) in Nasugbu, Batangas conducted a raid where 400,000 sacks of sugar were discovered in a sugar plantation warehouse. He stated that there had been other raids, as evidenced by news reports, but he could not provide the figures because the BOC Chief was not present during the last committee hearing.

When asked how much imported sugar was auctioned off following its confiscation, Senator Tolentino recalled that during the committee's first hearing, the investigation was limited to Sugar Order No. 4 (SO 4). While there are collateral issues, he stated that the committee was not after the smugglers, hoarders, and BOC records, but had confined its investigations on the crafting of SO 4, its legal basis, and the individuals involved, among others things. Had the committee focused on smuggling, he assumed it would still be occupied with its investigations at the moment.

Aware of the investigation's direction, Senator Hontiveros, however, stated that the Minority needs clarification as to why one of the offenses alleged against the four former SRA officials was a violation of the Anti-Agricultural Smuggling Law, given that the committee did not even focus on the smuggling side of the fiasco. She surmised that the committee was unable to determine how much imported sugar was confiscated or auctioned after its confiscation because there was none to begin with. She then stated that the zero figure for confiscated and auctioned imported sugar was confirmed in the Lower House's September 8 investigation on the same subject, with the same subject appearing in a BOC internal briefing. As such, she stated that sugar shortage is real, and that available evidence refutes the notion that large-scale hoarding is the cause of the high price of sugar. Furthermore, she believed that, despite the committee's efforts to punish, charge, and issue immigration lookout orders, the country continues to suffer from the high price of sugar.

Finally, she lamented the former Executive Secretary's lack of candor in not complying with the Blue Ribbon Committee's request. She stated that many things are left unsaid, including the truth about the August 4 meeting, and the fact that a statement was made regarding the figure 600,000 metric tons, which she considers a "badge of bad faith." She then expressed her hope that history would judge all the public officials involved, and that the Filipino consumers, as well as the farmers and laborers, be served and given utmost priority. Senator Tolentino responded that he shares Senator Hontiveros' advocacy for the rights of Filipino consumers.

#### **SUSPENSION OF SESSION**

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

*It was 4:46 p.m.*

#### **RESUMPTION OF SESSION**

At 4:48 p.m., the session was resumed with Senate President Pro Tempore Legarda presiding.



### SUSPENSION OF CONSIDERATION OF COMMITTEE REPORT NO. 3

Upon motion of Senator Villanueva, there being no objection, the Body suspended consideration of the committee report.

### SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

*It was 4:50 p.m.*

### RESUMPTION OF SESSION

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

### PRIVILEGE SPEECH OF SENATOR CAYETANO (P)

Availing herself of the privilege hour, Senator Cayetano (P) delivered the following speech on the wearing of PPE by some departing OFWs at the airport:

[Photo Slideshow]

I have two photos to show. One is grabbed from the Instagram account of Sam YG. It is a better photo than mine, which is why I showed it first, and I will also share my photo as well.

That is mine. *Siguro, mas maaga iyong dating ko.* Not on the same day, actually, because my photo was taken a few weeks ago. I was not able to deliver the speech on this, as there were other matters on the floor at the time.

But, anyway, this is in our airport, and I was shocked to see groups of Filipinos in complete PPE. I was also rushing to get to line up and get to my gate on time, so I was not able to converse with them. Sometimes, we have time to take pictures and chat with them, but, unfortunately, that was not one of those days. So, I just asked around and was told later on that they are OFWs.

I would like to point out that they are in complete PPE, including the footsies that we only see in operating rooms. It was the height of ridiculousness that they have to wear those footsies because they are walking around the whole airport where thousands of people enter and walk around every day. So, there is nothing hygienic about being in footsies as opposed to being in regular rubber shoes or walking shoes.

So, the first thing that came to my mind was to inform Sec. "Toots" Ople. She is a friend; and so, I messaged her and asked her if she is aware of any requirement for our departing OFWs to be in PPE. *Ang sabi niya, parang wala naman,* but she will check; and I sent her these photos.

*Tingnan ninyo naman. May gloves pa, and then my face shield pa. Nakakaiyak.*

I would like to put context here. My very first conference since the pandemic started was when I represented the Senate in November in the Inter-Parliamentary Union, or IPU, that was held in Spain. If I am not mistaken, and I hope I am not confusing the dates, but on my way back, the airline was handing out face shields to me and all the other passengers; and I had to tell the airline attendant this was November, so I hope my dates are right, and I am happy to be corrected if I am wrong that there is no longer any face shield requirement, if I am not mistaken, and I am asking my staff to check it, that was November of last year. And they were not properly informed, *kaya* they were handing the passengers, including me, or anyone returning to the Philippines.

So, *hindi maganda ang communication sa kanila na wala ng face shield requirement.* In fairness to the airline, I guess they were kind enough to provide us with face shields thinking that it is a requirement.

It was end of last year *mag-i-isang taon na* and here we have our OFWs *naka-full PPE* – with face shield, footsies, and gloves. It is ridiculous. I feel so bad for them because

ga

it is not comfortable wearing these. And that is why *tayo ay hangang-hanga sa mga doktor* that they had to wear this. I am not sure what the protocols are now. But our OFWs are wearing it when they travel. *Ang hirap kaya magbanyo na ganiyan ang suot mo. Isipin lamang natin iyon. Doon pa lamang.* And I wonder how much they were charged to comply with whoever's requirement this is.

I would like to put on record some information that I have gathered on the requirements in different countries: in the UAE, the requirement is a vaccination certificate containing a QR code. They are not required to present a negative result of RT-PCR test for COVID. *Wala na ngang RT-PCR test na result na ipakikita, tapos may PPE papunta roon.* To be clear, *hindi ako 100% sure kung saan sila papunta*, but most of our OFWs go to this area. So, we kind of assume that some of these pictures I have, their destinations are one of these areas; for Kuwait, travelers are no longer required to get tested for COVID-19 before traveling to Kuwait; the pre-departure testing requirement has been removed; and then for Riyadh, all non-Saudis who have not been vaccinated against COVID must abide by the following institutional quarantine procedures for seven days. So, there is quarantine. All non-Saudis who are immunized are allowed to enter Saudi without the need for a quarantine period provided that they present an official vaccination certificate and submit a negative RT-PCR. *Wala akong nakikitang nakalista rito na naka-full PPE sila.* Have I read Qatar?

*Mayroon din akong Hong Kong*, I am just assuming because my photos, at least I believe, are in the evening, so usually *ang palabas noon* are the countries I have mentioned—but in Hong Kong, there are quarantine measures: negative PCR, confirmation of a room reservation *kasi*, as we know, *sa Hong Kong ay mayroong* quarantine requirement, although I just read in the papers that they are planning to make it home-based. Again, there is no PPE requirement.

Just to complete the information—not just information—but I would like to spread into the *Record* one more thing. Bear with me, I am going through this lengthy notes that I have.

The records will reflect that I had the opportunity to interpellate when our colleague, Senator Tulfo, had a privilege speech on migrant workers and at that point I mentioned the United Nations' International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

I would like to include in this speech Article 7 of the said Convention, which states that: "States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status."

I believe that this is discrimination if, in fact, there is such a requirement. I am not saying that there is a requirement but I am just putting on record that we are protected by this convention that if based on the rules for entering the countries that I mentioned, as I gathered from the website, are correct, I did not see anything about Filipinos, other OFWs, or any other nationality entering their countries to be in full PPE. So, either there is discrimination against our own nationals, or *mayroong rumaraket; mayroong nakikinabang, nag nagti-take advantage ng COVID-19 situation na pinipilit ang ating mga OFWs na maghirap kasi hindi ho madaling magsuot ng ganiyan at malamang may bayad.* *Wala na yata akong idadagdag;* let me just check.

Actually, let me put on record Article XVI of the International Labor Organization, on Occupational Safety and Health Convention of the ILO, which states that "Employers have duties concerning the provision and use of PPE at work. PPE should only be used as a last resort. If PPE is still needed after implementing other controls, employers must provide these for their workers free or charge." So, I am just putting all of these on record *para kung may maririnig akong mga palusot at dahilan na requirement iyan, requirement ng kahit anong bansa o requirement ng kahit anong kompanya na nag-recruit ng ating mga OFWs, nilalagay ko na po iyan sa record para klaro ang lahat.*

Finally, I think that is what I have for today. So, I leave this to our better, more in depth scrutiny. I hope we can help out our OFWs so that they will not have to pay extra to travel for work, and they do not have to travel in this kind of discomfort.

## MANIFESTATION OF THE CHAIR

The Chair (Senate President Pro Tempore Lagarda) stated that if a government agency or an entity requires full PPE for departing Overseas Filipino Workers (OFWs), the Body must investigate the matter during the committee hearings of the Department of Labor and Employment (DOLE) or other relevant government agencies, as it would undoubtedly be an additional expense on the part of the OFWs and a clear discrimination.

She stated that OFW lanes are even provided for the expeditious processing of OFWs, who are referred to as modern-day heroes, but they are put in a difficult situation by wearing PPEs on long-haul flights. She then inquired as to the distinction between Filipino travelers who do not need to wear PPEs and OFWs who are required to wear PPEs, as well as which government agency is responsible for such a requirement. Given Senator Villanueva's familiarity with the Pre-Departure Orientation Seminar (PDOS), Senator Lagarda believed that they should learn more about the issue as soon as possible to avoid unnecessary expense on the part of OFWs. She then thanked Senator Cayetano (P) for bringing the issue to the attention of the Body.

## INTERPELLATION OF SENATOR VILLANUEVA

Senator Villanueva thanked Senator Cayetano (P) for bringing up the issue of OFWs being required to wear PPEs at the airport, which he is unaware of despite chairing the Committee on Labor, Employment and Human Resources Development for six years. He shared the sentiment of Senator Lagarda on the issue.

Asked by Senator Villanueva on the destinations of the OFWs, Senator Cayetano (P) replied that they have different destinations, but all are Middle East countries. She stated that she would not name any specific countries, but she discovered that the OFWs are all seafarers. She informed the Body that she has yet to receive information from a friend who works for Associated Marine Officers' and Seaman's Union of the Philippines (AMOSUP) about the PPE requirement of seafarers.

Senator Villanueva asked Senator Cayetano (P) why, in the photos she had taken recently, the OFWs were required to wear face shields. He also asked if she had the opportunity to speak with Secretary Susan "Toots" Ople about the OFWs wearing full PPE. Senator Cayetano (P) responded that Secretary Ople had expressed concern about the situation and stated that it was definitely not a policy of the Department of Migrant Workers (DMW) and the Philippine Overseas Employment Administration (POEA), and that she even asked which agency had issued the policy.

Regarding PDOS, Senator Villanueva stated that when the DMW Act was passed, the orientation became so extensive that their reintegration program became a full cycle, not just before the migrant workers leave the country but even while they are abroad. He added that they even published the OFW Handbook, which includes a reintegration program for the OFWs when they return to the country or are repatriated by the government.

On another matter, Senator Villanueva raised the issue of the fifth wave of COVID-19 cases in Hong Kong brought about by the Omicron variant in the early part of the year. He inquired whether there had been any reports about the 60 OFWs in Hong Kong who were tested positive for COVID-19, and whether some of them are actually living in the streets because their employers would not allow them to live in their residences. In that regard, he emphasized the importance of properly orienting every OFW on what to do in such a situation.

Regarding the photos showing OFWs wearing PPEs at the airport, he stated that there is clearly discrimination. He questioned why they were required to wear PPEs when tourists

who visit the country are not. He then inquired whether the matter should be addressed by the DMW Act.

Replying in the affirmative, Senator Cayetano (P) stated that it is something that the DMW should look into immediately. She said that there should be a whole-of-government approach on the matter, yet noted that not even a single airport official was able to notice it. She stated that she had been wanting to deliver her privilege speech about it earlier but was unable to because she had to defend her Safe Pathways Bill and had to interpellate on the other bills. She lamented the fact that not one airport official noticed the problem and wondered if anyone cared about the situation that OFWs had to deal with on a daily basis at the airport. She then noticed Senator Villanueva raising his hands and letting out a long sigh of despair.

Concerning the OFWs in Hong Kong who contracted COVID-19, Senator Villanueva pointed out that when the DMW Act was passed, it included a provision that would establish the *Agarang Kalinga at Saklolo para sa mga OFWs na Nangangailangan (AKSYON) Fund*. He stated that the OFWs should benefit from the fund, and that he was looking forward to participating in the deliberations of the particular issue in the committee hearings and asking questions about it when the budget is considered.

As to how government could ensure that OFWs are protected despite the different health protocols of host countries, Senator Cayetano (P) answered that she has always relied on international relations, especially when they are defined by official agreements, such as the United Nations Convention on the Rights of Migrant Workers. She emphasized that it is the ideal treaty for protecting the welfare of OFWs because it is the obligation of its signatories, as stated in Article 7, to ensure their rights “without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.”

Senator Cayetano (P) further stated that she also relies on the Philippines’ bilateral relations with the receiving countries, as well as the country’s official representations in those territories, such as ambassadors and government agency officials.

She asked Senator Villanueva to expound on the presence of such representations in countries considered entry points of OFWs, as well as the existing arrangements in receiving them in those countries. She expressed particular concern for first-time overseas workers and possibly underaged individuals who would benefit from the presence of Philippine officials tasked with checking their status as soon as they arrive in their destination country. She averred that having DMW personnel undertake such work would allow for easier monitoring of OFW arrivals. She stated that if the DMW was set up in such a manner, issues such as OFWs being required to wear full PPEs would be noticed and addressed more quickly. She felt sorry for the OFWs who had to travel in full PPEs, saying she could only imagine how they are perceived by people in the receiving countries.

Senator Villanueva agreed with Senator Cayetano (P) and understood her concern about requiring OFWs to wear PPEs, which would be discriminatory if imposed only on them and not on other travelers. He also wondered if the said requirement only applied to Filipino nationals, particularly OFWs.

Senator Cayetano (P) stated that Article 25 of the same convention stated that “Migrant workers shall enjoy treatment not less favorable than that which applies to nationals of the state of employment in respect of remuneration,” and went on to enumerate various working conditions, which, she stated, could include the burden of OFWs traveling to their place of work in PPEs.

Senator Villanueva stated that with the establishment of the DMW, the Senate should be kept informed of its strategies, plans, and actions to assist OFWs in the preparation and compliance of their travel and work documents. He stated that manpower and recruitment agencies should also be held accountable for the safety of OFWs. He mentioned the possibility and likelihood that the agencies were the ones requiring OFWs to wear PPEs while traveling. He stated that the humiliation of having to wear such gear while traveling is unacceptable.

Senator Cayetano (P) agreed and revealed that netizens who responded to Sam Y.G.'s post indicated that they were aware of agencies that require the wearing of PPEs. She expressed hope that the practices of such agencies would be exposed and addressed.

Senator Villanueva concluded by recounting his recent travels and noting that the Philippines has the strictest travel requirements. He lamented that he had to scour New York City for a facility that offered RT-PCR testing in order to be able to fly back to the country.

He also recalled an incident in Dubai airport where he saw an OFW crying and when asked why, she said that the airline company was asking for too many requirements for her to board the plane. He stated that he intervened and asked the airline personnel about the situation, and was given a long list of requirements for travelers flying to the Philippines. He added that the airline employees informed him that other countries did not have such a long list of requirements as the Philippines.

He then asked Senator Cayetano (P) if she had any information on whether the list of requirements she had seen and experienced in his previous travels had changed. Senator Cayetano (P) responded that based on her own experience, countries such as Spain, Hong Kong, and South Korea also had stringent travel requirements, such as COVID-19 testing and quarantine periods. However, she stated that there are countries with more lax policies, like Finland, which she stated did not require anything from her.

She asserted that if the Philippines maintains its strict travel rules, the same should be known and circulated to all who travel in and out of the country. She stated that she recently had her passport stamped with a "Home Quarantine" notice as she re-entered the country and expressed surprise at the incident given that the country no longer had a quarantine policy for incoming travelers in place at the time. She stated that the same incident of "Home Quarantine" notice occurred again upon her own son's recent return to the Philippines.

Senator Villanueva then requested that Philippine airport officials be invited to the eventual hearing on the matter in order to shed light on the various dubious processes that OFWs must go through. He also emphasized the importance of the DMW staying on top of the situation so that incidents like those depicted in Sam Y.G.'s social media posts do not occur again.

Similarly, he stated that the DMW must investigate the accountability of manpower and recruitment agencies in the facilitation of OFWs' travel and work processes in order to reduce the possibility for corruption. He emphasized that OFWs deserve to be treated with dignity and fairness because they make the difficult sacrifice of leaving family and loved ones behind in order to provide a better future for them.

Finally, he thanked Senator Cayetano (P) for bringing up such an important issue, and expressed his willingness to participate in the upcoming hearings.

#### **MANIFESTATION OF SENATOR TULFO**

At the outset, Senator Tulfo thanked Senator Cayetano (P) for her concern for OFWs, whom he regards as heroes of the country. However, he surmised that the situation depicted in Sam

Y.G.'s photograph might have been taken months ago as he had recently traveled to Thailand to meet with OFWs and had not encountered any such incidents.

He did agree, however, that the country's OFWs faced numerous burdensome requirements in their travels during the pandemic. He also stated that manpower and recruitment agencies treated OFWs like cash cows, requiring them to wear PPEs in order to profit from each PPE set purchased from suppliers.

He also revealed the complaints of OFWs that they were served meager meals of canned sardines, dried fish, and eggs in mandatory quarantine facilities upon their return to the country, despite the fact that the Overseas Workers Welfare Administration (OWWA) had clearly allocated, budgeted, and paid for more than the said provision. He said that the OFWs had to endure seven to 10 days of quarantine in Manila, followed by another seven to 10 days of quarantine in their provinces. Furthermore, he confirmed that, as reported by the OFWs, quarantine facilities are filthy and unsanitary. He averred that the process opened opportunities for corruption.

He lamented that Filipinos are discriminated against in many parts of the world and that, at times, it is the Filipino himself who discriminates against his fellow Filipinos. During his visits to the United States, he noticed that fellow Filipinos laughed at the Philippine government's COVID response of requiring people to wear face shields; in foreign airports, it was easy to spot a Filipino from afar because they are the only ones wearing face masks, face shields, and, in the case of OFWs, PPEs. He expressed doubt that agencies are paying attention to such an absurd practice because there are certain people in government who want to profit from the plight of OFWs.

He assured the Body that such practices will not occur during his tenure as chairperson of the Committee on Migrant Workers. He reiterated his campaign promise to do everything in his power to protect the OFWs, fight for their rights, and ensure they are not on the losing end.

Senator Cayetano (P) thanked Senator Tulfo for his intervention. However, she stated that the incident that she mentioned in her speech occurred recently. She stated that while she did witness such a scene at the airport, because the Instagram post of Sam Y.G. was published a day before she would deliver her speech, it does not mean that it did not occur.

Senator Tulfo stated that if such an incident occurred recently, his office would have known about it since OFWs would always call or text his Action Center hotlines for assistance; and because his office did not receive such complaints, he would assume that the incident occurred months ago.

However, he clarified that his assumption was based on a lack of complaint in recent days, adding that he had just returned from Bangkok. He described leaving NAIA Terminal 2 in the morning and seeing about 20 OFWs to whom he was able to speak, and none of them mentioned being required to wear PPEs. He agreed with Senator Cayetano (P) that the time of day and place of deployment could be factors in such a requirement.

He reiterated that, as chair of the Committee on Migrant Workers, he will not tolerate the abuse of OFWs. He expressed his delight at the appointment of Secretary Ople, who has extensive experience working with OFWs, to lead the Department of Migrant Workers. He stated that her department and his committee will collaborate to improve the lives of migrant workers.

Senator Cayetano (P) thanked Senator Tulfo for his insights and asked that the committee keep her informed as well. She stated that many times people are victims without realizing it. She stated that it is possible that some people did not report the incident because they are ignorant of discrimination. Furthermore, she stated that most Filipinos are so eager to work abroad that they

do not bother to question whether it is appropriate to require PPEs. She urged the public to speak up if they observe OFWs being burdened by the use of PPEs such as gloves, footsies, and face shields.

#### **MANIFESTATION OF SENATOR VILLANUEVA**

Senator Villanueva stated that the manning or recruitment agencies should be held accountable for any PPE that OFWs are required to wear and pay for.

#### **MANIFESTATION OF SENATOR HONTIVEROS**

Senator Hontiveros stated that while the privilege speech of Senator Cayetano (P) touched on the difficulties of requiring OFWs to wear PPEs before leaving the Philippines, her brief manifestation was a bit tangential but urgent, as the issue also involves the hardships OFWs face while away from home.

She informed the Body that over the weekend, her office received a very disturbing case of a Filipina who was deployed to Saudi Arabia on November 2, 2021 to work as a domestic helper. She stated that according to the report, when the employer discovered she was pregnant, she was sent back to her recruitment agency, Manabe Aleklas Recruitment Office, which then gave her an abortifacient drug to induce labor, causing her death.

*At this juncture, a picture showing the remains of the victim in a pouch bearing the name "Jovelyn Tang Andres" was shown on the screen.*

She stated that Jovelyn's family doubted the cause of her death because it was reported that she had an incision from her neck down to her stomach, and her tongue and brain were removed. She stated that the remains of Jovelyn arrived at the Davao International Airport in a small pouch on September 17, 2022.

She emphasized the importance of addressing gender-differentiated needs of women workers, as it was the second case that she had heard of a pregnant worker being forced to abort her baby; the first case was related to a human trafficking case from Syria.

She then inquired about the mechanisms that must be in place in order to conduct a prompt and meaningful investigation in such cases. She stated that the family had requested an autopsy report, but they were unable to obtain it. She contended that while it is difficult for local workers to find justice from abusive employers, it is even more difficult for OFWs, particularly women.

She stated that the family's immediate request is for the Senate to investigate Jovelyn's death, an autopsy of her body, and financial assistance from the appropriate agencies because they were told she was ineligible for benefits because she only worked for three months in Saudi Arabia prior to her death.

She then thanked Senator Cayetano (P) for her indulgence and expressed gratitude for whatever legal advice she could provide to the family.

#### **MANIFESTATION OF SENATOR CAYETANO (P)**

Senator Cayetano (P) thanked Senator Hontiveros for bringing up the issue of the death of Jovelyn. She stated, though, that while the story is not similarly situated to that of the OFWs in the airport, it was only proper that Jovelyn's story be brought to the floor. She also expressed her gratitude for the opportunity to assist Jovelyn's family.



Speaking on behalf of the Body, she stated that no words could express the Members' sympathies and pain over the news shared by Senator Hontiveros.

She stated that despite the fact that Secretary Ople is in the U.S., she could easily communicate the matter with her. She stated that she informed the Secretary prior to her speech that she would speak about the plight of OFWs in order to assist the government in meeting its objectives. She stated that she would include Jovelyn's case and asked Senator Hontiveros to provide her with relevant case information.

Asked about Jovelyn's whereabouts, Senator Hontiveros stated that her remains are already in Davao with her family.

Senator Cayetano (P) stated that she will instruct one of her full-time staff, a doctor, to coordinate with the Southern Philippines Medical Center to see what can be done. However, she believed that whatever assistance the Senate can provide would never truly be enough to alleviate the family's pain. However, she urged the Members to support her and to see to it that justice is served in the aftermath of such a heinous crime. She assured Senator Hontiveros that her office will work with her to assist the family and will notify Secretary Ople about the situation.

#### **MANIFESTATION OF SENATOR VILLANUEVA**

Senator Villanueva joined Senators Hontiveros and Cayetano (P) in expressing heartfelt condolences to Jovelyn's family. He recalled that when the DMW assumed the role of the POLO, one of the discussions was for the department to be aware of the plight of OFWs. He expressed his desire to be associated with the issue and offered to help Jovelyn's family.

He assured Jovelyn's family that they will be eligible for OWWA benefits because each embassy has a legal assistance fund. He stated that the DMW can investigate, initiate, pursue, and help in the prosecution of criminal cases in collaboration with the Department of Justice.

#### **MANIFESTATION OF SENATOR TULFO**

Senator Tulfo also expressed his willingness to work with Senator Cayetano (P) on the matter, citing his extensive experience and 20 years of work as a broadcaster in helping solve cases involving OFWs. He stated that the Body does not need to bother Secretary Ople, who is a member of the President's delegation to the United States, and that he and Senator Cayetano (P) can work together to resolve the case of Ms. Andres. He reiterated that his vast experience in dealing with such cases, combined with his staff's knowledge and expertise, could help in getting to the bottom of the problem. He stated that he would also seek information from Senator Hontiveros and assured the members that the results of the investigation would be communicated to them.

The Chair acknowledged and thanked Senator Tulfo for his prompt action and believed that his generosity, experience, and decades of work would hasten the resolution of OFW issues. It assured the Body that such atrocious incidents would not occur again, and that a policy involving the DOLE, DMW, DFA, and other relevant agencies would be instituted for the benefit of the OFWs.

Senator Villanueva stated that existing laws would be put to a test as a result of the incident, and policymakers should ensure that they exercise their oversight functions.

#### **REFERRAL OF SPEECH TO COMMITTEE**

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Cayetano (P) and the interpellations thereon to the Committee on Migrant Workers.

## MEMBERSHIP IN THE COMMITTEE ON ETHICS AND PRIVILEGES

Upon nomination by Senator Villanueva, there being no objection, the following senators were elected to the Committee on Ethics and Privileges:

*Vice Chairman:* Tulfo  
*Members:* Dela Rosa  
Escudero

## CHANGE OF REFERRALS

Upon motion of Senator Villanueva, there being no objection, the Body approved the change of referrals of the following:

- Senate Bill Nos. 1281 and 63 (*Anti-Online Gambling Act*), from the Committee on Games and Amusement to the Committee on Ways and Means;
- Senate Bill No. 1263 (*Philippine Heart Center Act*) and Senate Bill No. 1267 (*Visayas Kidney Institute Charter Act*), from the Committee on Rules to the Committee on Health and Demography; and
- Senate Bill No.1274 (*Founding Anniversary of Rosario, Cavite*), Senate Bill No. 1299 (*Founding Anniversary of Island Garden City of Samal*), and Senate Bill No. 1153 (*Araw ng Marinduque*), from the Committee on Rules to the Committee on Local Government.

## COAUTHOR

Upon motion of Senator Villanueva, there being no objection, Senator Revilla was made coauthor of Senate Bill No. 1310, or the Subscriber Identity Module (SIM) Registration Act.

## MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva stated that Senator Revilla had requested that his remarks regarding the privilege speech of Senator Cayetano (P) be deemed read and inserted into the *Journal* and *Record of the Senate*.

## REMARKS OF SENATOR REVILLA

Pursuant to the manifestation of Senator Villanueva, following is the remarks of Senator Revilla on the privilege speech of Senator Cayetano (P):

I would like to associate myself with the pronouncements made by the Senator from Taguig and Pateros.

*Ang ating mga OFWs ay mga "bagong bayani." Ang mga remittances nila ang tumutulong sa ating pamahalaan na magpadaloy ng mga serbisyo sa taumbayan.*

*Huwag naman natin silang pandirihan, pahirapan, at itrato na mas higit silang nakakahawa.* Provided they are vaccinated and boosted, their homecoming to the country and their departure should be with least inconvenience to them.

*Huwag naman natin payagan na pagkakitaan pa ang ating mga OFWs sapagkat ang dagdag na gastos sa mga PPE na ito ay malaking bagay na maaari pa sana nilang iuwi sa kanilang mga pamilya.*



Discriminatory practices against our OFWs should not be tolerated. Let us not treat them differently. *Siguraduhin natin na kung ano ang minimum standards and protocols sa ibang bansa ay naibababa natin ang impormasyong ito sa kanila—nothing more, nothing less. Let us not require more than what is necessary to the extent that leaving and coming home become too burdensome.*

*Kung may nakikinabang at kumikita diyang sa mga unreasonable requirements na iyan, kailangan na nating supilin.*

*Isipin naman natin ang ilang taong pangungulila sa dayuhang bansa—malayo sa pamilya at mga mahal sa buhay. Kung ano ang kaya nating maitulong, gawin na natin. Ngayon na.*

#### **CREATION OF A SUBCOMMITTEE ON SENATE BILL NO. 129**

Pursuant to Section 18, Rule X of the *Rules of the Senate*, upon motion of Senator Villanueva, there being no objection, a subcommittee was created, upon the instruction of the chairperson of the Committee on Economic Affairs, in relation to Senate Bill No. 129, or the “*Trabaho para sa Lahat ng Pilipino Act*,” to be chaired by Senator Villanueva.

#### **ADJOURNMENT OF SESSION**

Upon motion of Senator Villanueva, there being no objection, the Chair declared the session adjourned until three o’clock in the afternoon of Monday, September 26, 2022.

*It was 5:56 p.m.*

I hereby certify to the correctness of the foregoing.

Atty. **RENATO N. BANTUG, Jr.**  
*Secretary of the Senate*

Approved on September 27, 2022