



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 48**  
Monday, February 13, 2023

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

Prepared by the  
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Senate of the Philippines

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**SESSION NO. 48**  
Monday, February 13, 2023

**CALL TO ORDER**

At 3:02 p.m., the Senate President, Hon. Juan Miguel "Migz" F. Zubiri, called the session to order.

**PRAYER**

Senate President Juan Miguel "Migz" F. Zubiri led the prayer, to wit:

As we stand at the beginning of another week in the Senate, we again look to You, O Lord, as Your humble servants, committed to serving You through our stewardship of the Filipino people.

Please grant us guidance and discernment, to help us make the best choices for the good of all;

Please grant us courage, to help us face daunting challenges with undying hope and faith;

Please grant us unassailable integrity, to help us always hold ourselves accountable to our people;

Please grant us a vision for innovation, to help us build a better future for our people;

And please grant us strength, to help us unburden our people of the myriad problems they bear.

We also pray, dear Lord, for Your protection—for our people, and also for the people of Turkey and Syria as they go through this most difficult time.

We know that in Your eyes, we are all Your children, and so we humbly ask that You keep us all in Your grace and mercy always.

In Jesus' Name, Amen.

**NATIONAL ANTHEM**

The Philippine Madrigal Singers led the singing of the national anthem and thereafter rendered the Senate Hymn "*Senadong Maranga*" and the song "*Isang Bansang Mapayapa*."



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

With 22 senators present, the Chair declared the presence of a quorum.

Senator Cayetano (P) arrived after the roll call.

Senator Cayetano (A) was on official business as indicated in the February 13, 2023 letter of his chief of staff.

**REMARKS OF THE CHAIR**

Senate President Zubiri thanked the world-renowned Philippine Madrigal Singers for starting the tradition of singing the national anthem in the session hall every Monday. Senator Villanueva also commended the group which was led by its company manager and development director, Ms. Perlita Reyes, and Mr. Mark Anthony Carpio, artistic director and choirmaster.

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

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

- Phillip W. Oldridge, Marlon Bateman, and Lindbergh Farqueza, officials of Envirotech Vehicles, Inc. (EVTV), one of the largest manufacturers of electric vehicles in the United States;
- Delegates of the Institute of Integrated Electrical Engineers of the Philippines, Inc., an independent audit team for CAAP's Communications, Navigation, and Surveillance/Air Traffic Management (CNS/ATM) System, namely: Engr. Florigo C. Varona, Engr. Esperanza A. Collado, Engr. Ryan Anthony K. Umali, Engr. Egbert C. Sales, Engr. Adelino V. Garcia, Jr., and Engr. Conrado Binondo;
- Mayor Frolibar "Fromy" S. Bautista, Vice Mayor Niño Carlos Cawaling, and municipal councilors from Malay, Aklan;
- Mayor Alfredo "Pidoy" J. Cielo Jr. from Irosin, Sorsogon;
- Barangay captain Jesus G. Gabito Jr., from San Sebastian, Municipality of Santa Magdalena, Sorsogon;
- Rep. John Tracy F. Cagas from the Lone District of Davao del Sur;
- Emmannoel "Eman" Timbol, president of the Rotary Club of Quezon City;



- Delegates of Real Estate Brokers Association of the Philippines, Inc. led by Mary Nyre Dawn S. Alcantara; and
- Cavite board member Ram Revilla Bautista of the Provincial Board Members League of the Philippines (PBMLP).

Senate President Zubiri welcomed the guests to the Senate.

#### **APPROVAL OF THE JOURNAL**

Upon motion of Senator Villanueva, there being no objection, the Body dispensed with the reading of the Journal of Session No. 47 (February 7 and 8, 2023) and considered it approved.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:17 p.m.*

#### **RESUMPTION OF SESSION**

At 4:52 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. 1851, entitled

**AN ACT DECLARING THE PROVINCE OF ILOCOS NORTE AS THE GARLIC CAPITAL OF THE PHILIPPINES**

Introduced by Senator Revilla Jr.

**To the Committee on Agriculture, Food and Agrarian Reform**

Senate Bill No. 1852, entitled

**AN ACT PROVIDING ADDITIONAL TAX INCENTIVES ON GIFTS AND DONATIONS TO ACCREDITED FARMERS AND FISHERFOLK ENTERPRISES UNDER THE FARMERS AND FISHERFOLK ENTERPRISE DEVELOPMENT PROGRAM OF THE DEPARTMENT OF AGRICULTURE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11321, OTHERWISE KNOWN AS THE "SAGIP SAKA ACT"**

Introduced by Senator Revilla Jr.

**To the Committees on Agriculture, Food and Agrarian Reform; and Ways and Means**

Senate Bill No. 1853, entitled

**AN ACT CREATING AN AGRICULTURAL PENSION PROGRAM TO PROVIDE**

SOCIAL SECURITY AND PENSION BENEFITS TO FARMERS AND FISHERFOLK

Introduced by Senator Revilla Jr.

**To the Committees on Agriculture, Food and Agrarian Reform; Social Justice, Welfare and Rural Development; and Finance**

Senate Bill No. 1854, entitled

AN ACT DECLARING THE PROVINCE OF SOUTHERN LEYTE A TOURISM ZONE

Introduced by Senator Marcos

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

Senate Bill No. 1855, entitled

AN ACT PROHIBITING GAME-FIXING AND PROVIDING PENALTIES FOR VIOLATIONS THEREFOR

Introduced by Senator Villar (M)

**To the Committees on Sports; and Games and Amusement**

Senate Bill No. 1856, entitled

AN ACT ALLOWING THE USE OF DIGITAL COPY OF IDENTIFICATION CARDS IN GOVERNMENT TRANSACTIONS

Introduced by Senator Villar (M)

**To the Committees on Public Information and Mass Media; Science and Technology; and Finance**

Senate Bill No. 1857, entitled

AN ACT ESTABLISHING A GREEN PUBLIC PROCUREMENT PROGRAM FOR ALL BRANCHES OF GOVERNMENT

Introduced by Senator Villar (M)

**To the Committees on Sustainable Development Goals, Innovation and Futures Thinking; and Finance**

Senate Bill No. 1858, entitled

AN ACT INSTITUTING A NATIONAL HEALTH PROGRAM TO COMBAT SYSTEMIC LUPUS ERYTHEMATOSUS (SLE) DISEASE AND APPROPRIATING FUNDS THEREFOR

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Introduced by Senator Villar (M)

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

Senate Bill No. 1859, entitled

AN ACT DESIGNATING THE SIXTEENTH DAY OF MAY OF EVERY YEAR A SPECIAL WORKING HOLIDAY TO BE KNOWN AS THE NATIONAL EDUCATION SUPPORT PERSONNEL DAY, MANDATING THE DEPARTMENT OF EDUCATION TO CONDUCT EVENTS DURING ITS OBSERVANCE, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Villar (M)

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

Senate Bill No. 1860, entitled

AN ACT REQUIRING PERSONNEL OF THE BUREAU OF FIRE PROTECTION TO BE CERTIFIED MEDICAL FIRST RESPONDERS AND EMERGENCY MEDICAL TECHNICIANS, AMENDING FOR THE PURPOSE SECTION 4 OF REPUBLIC ACT NO. 11589, OTHERWISE KNOWN AS THE "BUREAU OF FIRE PROTECTION MODERNIZATION ACT"

Introduced by Senator Villar (M)

**To the Committees on Public Order and Dangerous Drugs; and Health and Demography**

Senate Bill No. 1861, entitled

AN ACT REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL GOVERNMENT HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A DIALYSIS WARD OR UNIT IN THEIR RESPECTIVE HOSPITAL AND PROVIDING FREE DIALYSIS TREATMENT TO INDIGENT PATIENTS

Introduced by Senator Villar (M)

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

Senate Bill No. 1862, entitled

AN ACT EXPANDING THE APPLICATION OF THE LOCAL DISASTER RISK REDUCTION AND MANAGEMENT FUND BY AMENDING REPUBLIC ACT NO. 10121, OTHERWISE KNOWN AS THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT ACT OF 2010

Introduced by Senator Ejercito

**To the Committees on National Defense and Security, Peace, Unification and Reconciliation; and Local Government**



Senate Bill No. 1863, entitled

AN ACT AMENDING SECTIONS 59, 187, 188, 195, 196, 226, 229 AND 252 OF  
REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL  
GOVERNMENT CODE OF 1991"

Introduced by Senator Ejercito

**To the Committees on Local Government; and Ways and Means**

Senate Bill No. 1865, entitled

AN ACT PROVIDING FOR A MAGNA CARTA FOR TRICYCLE DRIVERS AND  
OPERATORS, INSTITUTIONALIZING MECHANISMS FOR ITS IMPLEMENT-  
ATION AND FOR OTHER PURPOSES

Introduced by Senator Revilla Jr.

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

### **RESOLUTIONS**

Senate Concurrent Resolution No. 6, entitled

CONCURRENT RESOLUTION GRANTING CONSENT TO SENATE PRESIDENT  
PRO TEMPORE LOREN LEGARDA TO ACCEPT THE "COMMENDATORE"  
TO THE ORDER OF MERIT OF THE ITALIAN REPUBLIC CONFERRED  
UPON HER BY THE ITALIAN REPUBLIC

Introduced by Senator Zubiri

**To the Committee on Rules**

Proposed Senate Resolution No. 473, entitled

RESOLUTION COMMENDING FILIPINA CHEF JOHANNE SIY FOR BEING  
CHOSEN AS THE 2023 ASIA'S BEST FEMALE CHEF BY THE ASIA'S 50 BEST  
RESTAURANTS ACADEMY

Introduced by Senator Revilla Jr.

**To the Committee on Rules**

Proposed Senate Resolution No. 474, entitled

RESOLUTION COMMENDING PETER GROSECLOSE FOR QUALIFYING TO THE  
2024 WINTER YOUTH OLYMPIC GAMES IN GANGWON, SOUTH KOREA

Introduced by Senator Revilla Jr.

**To the Committee on Rules**



**COMMITTEE REPORTS**

Committee Report No. 26, prepared and submitted by the Committee on Higher, Technical and Vocational Education, on Senate Bill No. 1864, with Senators Lapid and Escudero as authors thereof, entitled

AN ACT PROVIDING FOR A MORATORIUM ON THE PAYMENT OF STUDENT LOANS DURING DISASTERS AND OTHER EMERGENCIES,

recommending its approval in substitution of Senate Bill No. 975.

Sponsor: Senator Escudero

**To the Calendar for Ordinary Business**

Committee Report No. 27, submitted by the Committee on Higher, Technical and Vocational Education, on House Bill No. 1456, introduced by Representative Rodriguez (R.), *et al.*, entitled

AN ACT CHANGING THE NAME OF THE UNIVERSITY OF SCIENCE AND TECHNOLOGY OF SOUTHERN PHILIPPINES INTO THE UNIVERSITY OF SCIENCE AND TECHNOLOGY OF THE PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10919,

recommending its approval with amendments.

Sponsor: Senator Escudero

**To the Calendar for Ordinary Business**

**ADDITIONAL REFERENCE OF BUSINESS****BILLS ON FIRST READING**

Senate Bill No. 1866, entitled

AN ACT PROMOTING THE USE OF BAYBAYIN AS A TOOL FOR CULTURAL DEVELOPMENT OF THE PHILIPPINES, PROVIDING FOR ITS PROMOTION, PROTECTION, PRESERVATION AND CONSERVATION, AND FOR OTHER PURPOSES

Introduced by Senator Legarda

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

Senate Bill No. 1867, entitled

AN ACT ESTABLISHING THE E-GOVERNMENT, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Legarda

**To the Committees on Science and Technology; Public Information and Mass Media; and Finance**



Senate Bill No. 1868, entitled

AN ACT PROVIDING FOR PROTECTED GEOGRAPHICAL INDICATIONS OF  
LOCALLY PRODUCED AGRICULTURAL OR NATURAL (UNPROCESSED  
OR WILD) PRODUCTS, PROCESSED PRODUCTS, OR ANY PRODUCTS OF  
HANDICRAFT OR INDUSTRY

Introduced by Senator Angara

**To the Committee on Trade, Commerce and Entrepreneurship**

### **COMMITTEE REPORT**

Committee Report No. 28, prepared and submitted jointly by the Committees on Health and Demography (upon the recommendation of the Subcommittee on the Philippine Center for Disease Prevention and Control); Finance; and Ways and Means, on Senate Bill No. 1869, with Senators Cayetano (P), Go, Poe, Zubiri, Estrada, Gatchalian, Escudero, Legarda, Ejercito, Revilla, Jr., Villanueva, and Padilla as authors thereof, entitled

AN ACT CREATING THE PHILIPPINE CENTER FOR DISEASE PREVENTION  
AND CONTROL, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 12, 195, 544, 600, 679, 825, 1039, 1113, 1163, 1427, and 1477, taking into consideration House Bill No. 6522.

Sponsor: Senator Cayetano (P)

**To the Calendar for Ordinary Business**

### **SPECIAL ORDER**

Upon motion of Senator Villanueva, there being no objection, the Body approved the transfer of Committee Report No. 28 on Senate Bill No. 1869 from the Calendar for Ordinary Business to the Calendar for Special Orders.

### **COMMITTEE REPORT NO. 28 ON SENATE BILL NO. 1869**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1869 (Committee Report No. 28), entitled

AN ACT CREATING THE PHILIPPINE CENTER FOR DISEASE PREVENTION  
AND CONTROL, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, with the permission of the Body, upon motion of Senator Villanueva, only the title of the bill was read without prejudice to the insertion of its full text into the *Record of the Senate*.

The Chair recognized Senator Cayetano (P) for the sponsorship.

### **SPONSORSHIP SPEECH OF SENATOR CAYETANO (P)**

In sponsoring Senate Bill No. 1869, Senator Cayetano (P) delivered the following speech:



I rise today to sponsor Senate Bill No. 1869, under Committee Report No. 28, entitled, "An Act Creating the Philippine Center for Disease Prevention and Control, Defining its Powers and Functions, Appropriating Funds Therefore, and for Other Purposes," which is the output of the subcommittee on Center for Disease Control, chaired by this Representation.

We had quite a few bills filed under this committee report. These are Senate Bill No. 12, filed by this Representation; Senate Bill No. 195, Senator Go; Senate Bill No. 544, Senator Poe; Senate Bill No. 600, our Senate President; Senate Bill No. 825, Senator Gatchalian; Senate Bill No. 1039, Senator Escudero; Senate Bill No. 1113, Senator Legarda; Senate Bill No. 1163, Senator Ejercito; Senate Bill No. 1427, Senator Revilla; and Senate Bill No. 1477, Majority Leader Villanueva. And, also, taking into consideration House Bill No. 6522 by Representatives Gato, Romualdez, *et. al.* This measure is also known as the Philippine Center for Disease Prevention and Control Act.

It has been three years since the country recorded its first COVID-19 case, specifically, on January 21, 2020. The COVID-19 pandemic has exposed the fragilities and gaps in the healthcare system around the world. It posed a great threat to countries with weaker health systems.

During these three years, we realize the importance of strengthening our healthcare system to protect Filipino families from existing and emerging public health emergencies that could present a threat to our lives. If there is one lesson we learned from this, it is the importance of being prepared for our future crises, including the possibility of another pandemic.

According to the Center for Global Development, there is a 47% to 57% chance of another global pandemic as deadly as COVID-19 in the next 25 years.

As a background, I also sponsored this priority legislative measure last Congress. But DOH still wanted to study it further. Thus, the bill we have today is a product of hearings and ongoing consultation that extended even till the last minute.

These are the salient features of the said measure: CDC, under the Department of Health, Office of the Secretary will act as the technical authority on forecasting, analysis, strategy, and standards development for the prevention and control of all diseases of public health importance and health security events, whether domestic or international in origin.


The function of the CDC shall include but not limited to the following: develop strategies, standards, and policies for disease prevention and control; implement disease surveillance and field epidemiology activities; perform data collection and analytics; establish and strengthen public health laboratories; recommend actions for public health threats to appropriate national government bodies; lead public health and risk communications; conduct and manage health research and evidence synthesis; build local capacity for surveillance and health research; and promote scientific integrity by ensuring that all its products are technically accurate, scientifically and ethically sound, and useful to the government and the intended population through the institutionalization of appropriate mechanisms and bodies.

The Research Institute for Tropical Medicine, otherwise known as RITM, as a whole, will be a whole body under the CDC. For those who have followed the discussions on RITM and the CDC, *sa madaling salita, hindi na po ito chop-chop*—take note that the Majority Leader is smiling, is grinning—*hindi na po ito matsa-chop-chop* as was originally presented to us. The RITM will still be a whole body, but now under the CDC.

So, instead of its various divisions being absorbed, RITM, as a whole—I repeat, as a whole—will be under the CDC.

And RITM will now be referred to as the Philippine Research Institute of Medicine. Why? Because RITM stands for Research Institute for Tropical Medicine. We have gone past that, and thus we need to rename RITM. But given all its accomplishments, we fought very hard for them to be retained as a body.

So, RITM, now known as the Philippine Research Institute of Medicine, shall continue to: perform its current functions, through its clinical research division, laboratory research division, and biological manufacturing division; perform expanded functions involving infectious and non-infectious diseases, specifically on health evidence and health laboratories; work together with the other centers of the CDC, namely, the Center for Health Statistics, and the Center for Surveillance and Epidemiology.



Through this measure, we aim to adopt a framework that fosters a whole-of-system, whole-of-government, and whole-of-society approach that would streamline science-based decision-making and policy-making, especially during public health emergencies. The function of RITM and the other centers were also harmonized with the existing offices and units within the DOH.

Globally, nations are scrambling for solutions to end the pandemic and defeat the virus, but COVID-19 is not the only health threat out there. As chairperson of the Senate Committee on Sustainable Development Goals, Innovation and Futures Thinking, it is my duty to ensure that we are on track with our targets under the SDG, including SDG 3 on good health and well-being. One of the targets under SDG 3 is to strengthen the capacity of all countries—in particular, developing countries—for early warning, risk reduction and management of national and global health risks; this is SDG 3.d.

Now, more than ever, we need to invest in our health care system to prepare us better for other possible health emergencies; and to help us build a more sustainable future beyond COVID-19.

Before I end, I would like to point out that there will be high level scientists in CDC and many others who will be participating either as consultants, as advisers. And one of the key provisions of this measure is to consider exempting them from the standard salary grades.

We all know, and there are enough news reports that tell us and show us how many of our health care workers are leaving the country because of the demand, and the very lucrative promises that are being offered to them. And it is their right, it is the right of our health workers to decide where they want to set up home; where they want to have a living. But we can do our part by strengthening our health care systems and improving the benefits we provide for them. And one good way to start is through the CDC.

With that, I will give my colleagues time to study the measure. We will be providing the Body with a briefer—something like an FAQs to help digest this very technical bill—and then we will be ready to accept interpellations after the time that they will have to study the measure.

#### **COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA**

In cosponsoring Senate Bill No. 1869, Senator Villanueva delivered the following speech:

It is this Representation's honor and privilege to cosponsor Senate Bill No. 1869, under Committee Report No. 28, creating the Philippine Center for Disease Control and Prevention or CDC, one of the priority measures of this administration.

In fact, this was also subject of our pre-LEDAC meeting held this morning, together with the Senate President, Senator Zubiri; Sen. Loren Legarda, our Senate President Pro Tempore; Sen. Sonny Angara, and this Representation.

Recognizing the importance of strengthening our healthcare system to protect our people from current and emerging health emergencies, this Representation also filed Senate Bill No. 1477, which is one of the measures considered in the committee report.

Again, let me take this opportunity to commend and thank the sponsor, Sen. Pia S. Cayetano, for working very, very hard on this very, very important piece of legislation.

It has been three years since our country recorded its first COVID-19 case. Since then, the total number of confirmed cases in the Philippines has reached more than four million, while the reported death toll due to the virus is now at more than 65,000.

The pandemic has also driven the country to its worst economic performance since World War II, with gross domestic product falling by 9.5% in 2020. About 4.5 million Filipinos have lost their jobs in the same year, with unemployment rate skyrocketing to 10.4%—the highest in 15 years—due to the pandemic and lockdown measures affecting thousands of businesses.

We do not want a repeat of this in our future. Our people have suffered enough. We have seen the necessity of strengthening our healthcare system to ensure that massive loss of lives and jobs will no longer happen should we experience another health emergency of this scale.



We have seen the necessity of strengthening our healthcare system to ensure that massive loss of lives and jobs will no longer happen should we experience another health emergency of this scale. We need to be prepared as a new study which appeared in the proceedings of the National Academy of Sciences of the United States of America found that the probability of a pandemic similar to COVID-19 is about 2% in any year, and the probability of experiencing a pandemic similar to COVID-19 in one's lifetime is about 38%.

We need to immediately pass this measure which seeks to establish the Philippine CDC. The agency under the Department of Health's Office of the Secretary shall be the technical authority on forecasting, analysis, strategy, and standards development for the prevention and control of all diseases of public health importance and health security events, whether domestic or international in origin. A whole-of-system, whole-of-government, and whole-of-society approach anchored on science-based decision-making during public health emergencies is aimed to be adopted through this measure.

*Sabi nga po nila*, "Health is wealth." We need to put in place measures to ensure that what happened in the past three years – the loss of lives, loss of jobs, and loss of income because of global pandemic—does not happen again. COVID-19 remains a threat. We are still reeling from its impact. And the last thing we need is to be caught unprepared to address another public health emergency in the future. It is high time that we invest in our healthcare system to promote and protect the health and well-being of our fellow Filipinos.

Again, we thank our sponsor, Sen. Pia Cayetano, for prioritizing this bill. The good sponsor has our full support for the passage of this measure.

#### **MANIFESTATION OF SENATE PRESIDENT ZUBIRI**

Senate President Zubiri lauded Senators Cayetano (P) and Villanueva for sponsoring the measure. He said that it was during their caucus that the Members discussed how the government can keep its Filipino healthcare workers in the Philippines despite the generous employment opportunities abroad.

#### **COSPONSORSHIP SPEECH OF SENATOR LEGARDA**

In cosponsoring Senate Bill No. 1869, Senator Legarda delivered the following speech:

It is my honor to cosponsor the bill creating the "Philippine Center for Disease Control and Prevention, Defining its Powers and Functions and for Other Purposes."

As of February 11, 2023, a total of 4,074,563 COVID-19 cases have been confirmed in the Philippines, with 65,938 deaths as reported by the Department of Health. To this day, almost three years since the virus hit our country, news reports have disclosed that there is a slight increase in a number of people testing positive for the virus. In fact, it was reported that as of February 11, the nationwide positivity rate was at 13.6%. Previously, the World Health Organization had recommended a five percent rate or less to control the pandemic effectively.

The onslaught of the pandemic highlighted the flaws in the Philippine healthcare system, exploiting the gaps in coverage, inadequate healthcare facilities, health disparities, and the country's inability to respond effectively in vulnerable environments.

The Department of Health is continuously facing difficulties as a result of the COVID-19 outbreak. Amid the outbreak of the virus, the DOH still had to manage other epidemics such as dengue and typhoid fever. Moving forward, it must be able to set up and adopt a robust healthcare system that can respond to the needs of the nation in other new health issues.

The Constitution provides for the protection and promotion of the right to health of the people and the instilment of health consciousness among them. It also provides that the State is responsible for the adoption of "an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all people at affordable cost."



Hence, it is imperative that there is a National Center for Disease Control and Prevention that will steer and coordinate the government's response to address illnesses and other threats to public health.

We have to adapt fast to the unfamiliar attributes of our new environment, as the global health emergency has now compelled us to live in the new normal. It has caused us to understand that our society, our economy, our current institutions are weaker and less effective than we had anticipated.

Let us not wait for another outbreak to completely crack our already fragile and weak healthcare system. Instead, let us focus on sustainable reforms to effectively address ongoing and new issues in the health sector.

The right to health of every Filipino must be protected by government. Everyone should have access to health services. The proposed policy will address not only the issues that COVID-19 has brought to our healthcare system, but also ensure that our healthcare system is equipped to monitor, forecast, and develop precautions to control diseases of either national or international concern.

These are the reasons why I wish to associate myself with the proposed measure.

With Sen. Pia Cayetano's assent, I wish to be a cosponsor of the measure.

### **COSPONSORSHIP SPEECH OF SENATOR EJERCITO**

Senator Ejercito likewise delivered his cosponsorship speech on Senate Bill No. 1869, as follows:

It is an honor and privilege to cosponsor Senate Bill No. 1869, otherwise known as the "Philippine Center for Disease Prevention and Control," under Committee Report No. 28.

Resilience is never a bad thing; however, it can only be achieved if we learn how to adapt to the situation and challenges brought before us. The pandemic has exacerbated the weakness of the Philippine healthcare system and so does the rest of the world. No one has ever predicted the advent of COVID-19.

Good thing for our country, when the pandemic came, the Universal Healthcare Act was already being implemented. This law that we passed during the Seventeenth Congress came just at the right time. Somehow the UHC, even in its infancy, has cushioned the physical and economic damages caused by the pandemic.

To defeat the coronavirus, our country needs all the help we can get from everyone—its own people and its government. Our people, most of the time during the height of the pandemic, has cooperated with quarantine protocols. The government did what it had to do to distribute financial aid to ensure economic survival.

But now, more than ever, prevention is indeed better than the cure. The COVID-19 pandemic has forever changed the way governments respond to a health crisis. Everyone was caught off-guard. Not even the wealthiest of countries were able to immediately contain the spread of the virus.

Most countries which decently curbed the transmission of the virus and minimize its health and devastating economic effects has a strong foundation of institution dedicated to handling infectious diseases. Japan, the United States of America, China, and the European Union have their own Center for Disease Control. Today, our country is given the opportunity to have our own.

It is unfortunate, however, that not everyone is well-informed of the benefits that a CDC can bring. Some of those who oppose the passage of this bill expressed their fear that this is a measure solely about vaccination. The CDC is beyond vaccination; it is research and development of finding cures and finding ways to prevent diseases.

Armed by the experiences we shared together with other countries and our own personal knowledge of fighting COVID-19, we seek to establish the Philippine Center for Disease Control



and Prevention. The establishment of our own CDC shall prepare our country for whatever communicable or infectious disease that might come our way in the future. We will have an agency equipped with the information and guidance we need to fight and live through another pandemic.

For these reasons, I implore this august Body for the swift approval of this bill.

## MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva manifested that Senators Binay, Gatchalian, and Estrada and Senate President Zubiri would be submitting their cosponsorship speeches on Senate Bill No. 1869.

## COSPONSORSHIP SPEECHES

Pursuant to the manifestation of Senator Villanueva, following are the cosponsorship speeches of the senators on Senate Bill No. 1869, which were deemed read and inserted into the *Journal* and *Record of the Senate*:

### *By Senator Binay*

The extent to which Covid-19 ravaged our land in 2020 exposed just how ill-prepared our healthcare system is, how lacking we are in the capacity and capability to contain the spread of infectious diseases.

Before the pandemic, we had already been dealing with the resurgence of diseases such as polio, dengue, chickenpox, and measles, among others.

We already have excellent healthcare workers and researchers, whose valiant efforts have greatly contributed to our having survived the pandemic. Now that we are on the way to recovery, we must learn from the hard lessons that of the pandemic to ensure that we prevent the loss of life and resources on a massive scale when the next highly-infectious disease comes. Because it will surely come.

This is why it is necessary to establish the Philippine Center for Disease Prevention and Control. We already have the people, now we need to put in place a working system, a unified government body that will craft strategies and policies that would be implemented in the face of emergent diseases and public health crises.

In this regard, I laud you, my colleagues in the Senate for striking a provision that would have dissolved the Research Institute for Tropical Medicine. Tutol po ako sa unang panukala na planong buwagin ang RITM. It is a valuable source of institutional knowledge and expertise, and rather than dissolving it and transferring its functions to the CDC, what we should strive for is enhancing its capacity and capability. What isn't broken need not be fixed, but may be improved. I am hopeful that under its new guise and with a greater role as the Philippine Research Institute of Medicine (PRIM), we can expect the people behind RITM to continue performing well.

### *By Senator Gatchalian*

It is my honor to cosponsor Senate Bill No. 1869 under Committee Report No. 28, otherwise known as the Philippine Center for Disease Prevention and Control Act.

Over the years, outbreaks have tested and revealed the systemic vulnerabilities of our country's healthcare system. Our reactive approach in detecting communicable diseases has proven to be fatal, evidenced by the slow response in handling COVID-19 pandemic. Consequently, it has taken lives of numerous frontline health workers and endangered millions of lives of Filipinos.

In addition to these repercussions, one thing that the COVID-19 pandemic made us realize is that these outbreaks influence the ways in which we relate to one another—the places we visit and even the pastimes we pursue.

*Sino ba naman sa atin ang hindi nabigla sa napakahabang quarantine period na naidulot ng COVID-19 pandemic? Sino ba naman ang mag-aakala na sa isang iglap, maraming oportunidad ang mawawala sa atin?*



But as history speaks for itself, it is not just about COVID-19. The outbreaks from the past make it clear that this is just part of the whole story. According to the World Health Organization, more than 8,000 people were affected all over the world by severe acute respiratory syndrome or SARS in 2003. Furthermore, the United States Center for Disease Control and Prevention estimated that up to 570,000 people died from the 2009 H1N1 influenza worldwide. These two are just among the outbreaks that we faced in the past two decades.

Despite the grave consequences of communicable diseases, the Philippines remains to be ill-equipped in dealing with the risks they pose to the public's health. *Sa madaling salita, para bang napag-iwanan na tayo sa paghahanda at pagresponde sa mga malalang sakit kung ikukumpara sa ibang bansa.*

For instance, the United States has its own Center for Disease Control and Prevention, which is likely the most well-known institution in dealing with disease surveillance and response. Evidently, it plays a critical role in the global public health system as it provides high-level research and development laboratories as it is linked to other national health agencies and the World Health Organization.

Given this context, this humble Representation seeks the passage of Senate Bill No. 1869 or the Philippine Center for Disease Prevention and Control Act, which paves the way for the establishment of our very own Center of Disease Prevention and Control or CDPC.

Through the CDPC, the government can develop standards framework, policies, and strategies for disease prevention and control through a Whole of Government Approach, involving various government agencies, local government units, and all other political units of the government.

This measure will also serve as a key to improve delivery of public health services through immediate and clear-cut delineation and complementation of efforts regarding matters related to national public health.

Institutionalizing CDCP marks the establishment of a primary disease surveillance agency that will be imbued with the capacity, competencies, ecosystem, and authority to confront health matters decisively. At the end of the day, our ultimate goal is to safeguard the health of the general public, and by passing this measure, we can achieve that.

*Sa puntong ito, nais ko lamang ding maitanong sa lahat: Ilang pandemya pa ba ang dapat dumating bago tayo tuluyang umakasyon? Ilang tao pa ba ang dapat maapektuhan bago natin masimulan ang hakbang na ito? Nasa kamay nating mga mambabatas ang solusyon.*

Lastly, allow me to express my gratitude to the sponsor of this bill, Sen. Pia Cayetano, and to my fellow coauthors — Senate President Juan Miguel Zubiri, Senate Pro Tempore Loren Legarda, Majority Leader Senator Villanueva, Senator Estrada, Senator Escudero, Senator Ejercito, Senator Padilla, Senator Go, and Senator Revilla, for their keen insights in drafting this important measure.

#### ***By Senator Estrada***

With the indulgence of the author and sponsor, Sen. Pia Cayetano, I would like to cosponsor Senate Bill No. 1869, entitled "An Act Creating the Philippine Center for Disease Control and Prevention, Defining its Powers and Functions, and for Other Purposes," under Committee Report No. 28.

This bill is among the legislative priority measures mentioned by President Ferdinand "Bong Bong" Marcos Jr. in his State of the Nation Address, and I am happy to have coauthored this measure when I filed Senate Bill No. 679.

Communicable and non-communicable diseases continue to pose serious threats to the health and lives of our people. The cure for these diseases and the continuous research on how to prevent them have been the priority of the government along with the synchronization and coordination of efforts of various government entities which have been proven to be equally important in consideration of our experience from the COVID-19 pandemic.

This CDC measure seeks to protect the people from the impact of communicable and non-communicable diseases of public health importance by adopting an integrated, comprehensive, and





evidence-based approach within a framework that fosters a whole-of-system, whole-of-government, and whole-of-society approach, ensuring clear delineation of tasks between existing agencies and maximizing their current mandates and further harnessing their capabilities.

We intend to establish the Philippine Center for Disease Control and Prevention along with the restructuring of certain offices and services to ensure clear delineation of functions and effective coordination with one another in order to ensure maximum, fast, reliable, and efficient performance, most especially in health crises and emergency response.

*Bagama't ayaw na sana nating maulit ang pandemya, hindi natin maikakaila na totoo namang pwedeng maulit ito. Sa anumang hagupit ng sakuna at krisis dulot ng epidemya o pandemya, mahusay na paghahanda ang isa sa ating maasahan na pansangga sa hagupit ng delubyong ito.*

We are hoping for the best—that all experiences and lessons learned from the COVID-19 pandemic response and crises management were all considered in this Philippine Center for Disease Control and Prevention Act.

As Stephen King once said, “There’s no harm in hoping for the best, as long as you’re prepared for the worst.”

That is why I enjoin my colleagues to pass this measure.

***By Senate President Zubiri***

We stand today at what I hope to be the tail-end of the COVID-19 pandemic. We have reopened our borders; we have allowed our children to go back to school; we have taken slow but certain steps toward normalcy.

But we cannot simply move forward without addressing the structural gaps and problems in our government institutions that emerged over the course of the pandemic.

We have to admit that we were largely unprepared for it. Our hospitals were overburdened, and our health workers were overworked. Patients were turned away from hospitals already operating over capacity, and were left with no choice but to travel from hospital to hospital, city to city, in hopes of getting urgent medical attention.

Which is why I stand here today to co-sponsor the Philippine Center for Disease Prevention and Control Act, to lead the country’s efforts in forecasting, preventing, monitoring, and controlling diseases.

The CDC will be mandated to develop overall strategies, standards, and policies for disease prevention and control. It will also be charged with implementing disease surveillance and field epidemiology efforts, as well as performing data collection and analytics, and conducting health research.

In addition to that, the CDC will also lead the charge in advising the government as to the best actions for disease control, from national government down to local government units.

With an institution dedicated solely to disease control, we will be able to properly manage and contain viral cases, and hopefully cut them down at the root before they spread the way that COVID did.

Since the COVID-19 pandemic reached our shores in 2020, the virus has claimed over 65,000 lives in the country. This bill is our move to protect the health and the life of every Filipino, and to ensure that no viral outbreak ever manages to result in such devastating numbers again.

It is with this goal that I enjoin my colleagues to support this measure and see to its urgent passage.

**COSPONSORSHIP SPEECH OF SENATOR GO**

Senator Go delivered the following cosponsorship speech on Senate Bill No. 1869:

It is my honor to cosponsor the measure establishing the Philippine Center for Disease Control and Prevention. As chairperson of the Senate Committee on Health and Demography, one of

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my priorities is to make our healthcare system better prepared to respond to future public health crises. Aside from capacitating our health facilities, it is my firm belief that we need a sole agency focus on the prevention and containment of infectious diseases in light of the impact of the COVID-19 pandemic.

I, therefore, thank Sen. Pia S. Cayetano, chairperson of the subcommittee under the Committee on Health and Demography, for reporting out this measure establishing our very own CDC. It is very fitting that the one spearheading the passage of this measure is also the very capable chairperson of the Committee on Sustainable Development Goals, Innovation and Futures Thinking.

The global outbreak of the coronavirus disease sparked the need to have a more comprehensive proactive approach and multi-disciplinary preparedness for the emergence and re-emergence of epidemics and pandemics. In other countries, centers for disease control have been instrumental in their COVID-19 response. They are considered as experts in the field of infectious diseases, which is why they are at the forefront of the battle against COVID-19. I believe it is high time for us to have our very own CDC.

Former President Rodrigo R. Duterte acknowledges this and has previously urged Congress to pass this important measure. I am glad that the administration of President Ferdinand R. Marcos Jr. also acknowledges the importance of this measure.

*Dapat one step ahead tayo. Hindi pu-pwede na hindi tayo handa kung mayroong paparating na mga kalamidad, sakuna, o emergency. Sa bawat oras na nagkulang po tayo sa paghahanda, maaaring buhay po ang maging kapalit.*

*Alam naman po natin na hindi natin masasabi kung mayroon pang pandemyang darating sa ating buhay. Sa kadahilanang ito kaya kailangan nating maging proactive.*

*Iku-kwento ko na lamang po na sa preparasyon po ng budget ng RITM noong 2020, during the budget deliberation, December of 2019, nakita ko roon sa NEP na P118 million lamang ang inilagay na budget sa RITM. Sa GAA naman po ng 2019 ay P198 million. So, ibig sabihin ay binawasan ang proposed budget ng P80 million. Sino ba naman ang mag-aakala na iyong RITM, na opisina na binawasan po nila sa proposed budget, ang ahensiyang mangunguna sa testing?*

*Noong January ay dumating ang COVID-19; nalaman natin noon Marso ay nandidito na sa Pilipinas. Hirap na hirap nga tayo sa testing—pinapadala pa sa Australia ang mga specimen at one week pa makukuha ang resulta through RITM. Sila po ang pina-importanteng opisina noong panahong iyon. Hindi natin akalain na noong panahong iyon ay darating ang COVID-19 sa buhay natin. So, the more na dapat natin silang bigyan ng pondo. Now, with CDC, mas pinapalawig pa natin sila dahil magiging under po ng CDC ang RITM.*

Dealing with the diseases promptly and appropriately requires the reorganization and strengthening of the country's health unit committed to preventing and controlling such diseases. With the establishment of our CDC, I am confident that the government will be better prepared to deal with any public health emergency in the future.


It is for these reasons that I ask this Chamber's support for the approval of this measure.

## COSPONSORSHIP SPEECH OF SENATOR REVILLA

Following is the cosponsorship speech of Senator Revilla on Senate Bill No. 1869:

I laud the senator from Taguig-Pateros, Sen. Pia Cayetano, for championing this future-proofing measure of our health system.

As one of the authors of the bills considered by the Committee, I am fully cognizant of the role preparedness plays in times of crisis. *Kaya buo po ang aking suporta sa mga panukalang magiging ating kalasag laban sa mga daluyong ng buhay.* After all, if there is one thing we have learned from the pandemic, it is this: preparedness saves lives.

Statistics do not lie. *Tinatayang hindi ang COVID-19 ang pinakamatindi at lalong hindi ito ang huling pandemya na kahaharapin natin.* Learning from the lessons the pandemic has taught must be utilized moving forward so that the lives lost in this war will not be put to waste. 

*Kung papahalagahan natin ang ating mga natutunan sa nagdaang pandemya, kahit papaano ay hindi sayang ang hirap at pagod ng mga siyentipiko at medical professionals sa pagtuklas ng mga susi upang solusyonan ang mga dinanas natin, at hindi rin sayang ang mga buhay na nasawi sa pandemya.*

*Halos tatlong taon mula noong maideklara ng World Health Organization (WHO) ang global health emergency para sa COVID-19 ay nananatili pa rin itong isang international emergency. Maaaring nasa new normal na tayo. We are learning to live with the virus, but we are not putting our guard down. We remain alert, vigilant.*

*Sa huli, tunay na magwawagi ang maagap. Panahon na para sa isang makabagong Center for Disease Control and Prevention para sa ating bansa.*

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1869**

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 5:26 p.m.*

#### **RESUMPTION OF SESSION**

At 5:27 p.m., the session was resumed.

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

At this juncture, Senator Villanueva acknowledged the presence in the gallery of the Vice Mayors' League of the Philippines, led by National Executive Director Christopher Abcede, along with the following vice mayors: Dean Domalanta, Ninong dela Cruz, El Cid Familiaran, Arvin Losaria, Erdio Valenzuela, Orlando Quito, Laarni Malibiran, John Paul Lampig, Maynard Francis Bumanglag, Dennis Sy, Kathleen Cinco, and Mike Galang, the President of the Vice Mayors' League of Central Luzon.

Senate President Zubiri welcomed the guests to the Senate.

#### **COMMITTEE REPORT NO. 23 ON SENATE BILL NO. 1849**

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1849 (Committee Report No. 23), entitled

AN ACT AMENDING SECTIONS 2, 6, 10, 11 AND 15 OF REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS FOR KEY OFFICERS THEREOF, INCREASING THE MANDATORY RETIREMENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFOR.

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

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Thereupon, the Chair recognized Senator Estrada, sponsor of the measure, and Senator Cayetano (P) for her interpellation.

### INTERPELLATION OF SENATOR CAYETANO (P)

Asked by Senator Cayetano (P) if Senate Bill No. 1849 which sought to amend Republic Act No. 11709 aimed to correct the repercussions brought about by the latter, Senator Estrada replied in the affirmative.

Senator Cayetano (P) noted that the law was passed during the Eighteenth Congress, while Senator Estrada was not in the Senate. She then mused why a two year-old statute was already being amended. She then asked for the main features of the bill that would amend the law.

Senator Estrada responded that the measure seeks to amend five provisions of RA 11709, the first amendment of which provides, that "The Chief of Staff of the Armed Forces of the Philippines shall have a maximum tour of duty of three consecutive years which shall commence on the date the appointment is signed, unless sooner terminated by the President."

He stated that after conferring with officials of the Armed Forces of the Philippines (AFP) and the Secretary of National Defense, he learned that the term "fixed term of duty" does not exist in military parlance. He said that the proposal was to use the alternative term "maximum tour of duty" instead. Senator Cayetano (P) wondered how a bill with such an infirmity could have been passed in the Eighteenth Congress.

Asked if, under the present law, the term "fixed term of duty" implied that the official had security of tenure, Senator Estrada responded affirmatively. He added that in such a scenario, the President's hands are bound because he cannot relieve a Chief of Staff who is underperforming, which should not be the case.

He also read the second proposed amendment, which states, "The following officers holding key positions in the Armed Forces shall have a maximum tour of duty of two consecutive years, which shall commence on the date the appointment is signed, unless sooner terminated by the President:

- 1) The Commanding General of the Philippine Army;
- 2) The Commanding General of the Philippine Air Force;
- 3) The Flag Officer in Command of the Philippine Navy."

He explained that the committee advocated reducing the maximum tour of duty from three years to two because it was determined that two years would be sufficient time for officials to complete their programs and initiatives. He pointed out that a three-year term would affect at least two lower classes, who would be denied the opportunity for promotion since higher positions were still held by more senior officials.

Senator Estrada then read the third proposed amendment to the law:

"C. The officers holding the following key positions may be appointed to any of the tenured key positions mentioned in Section 2 (b) and Section 3: Provided, that they shall have at least one (1) year remaining of active service before compulsory retirement, unless promoted as chief of staff:

1. Vice Chief of Staff;
2. Deputy Chief of Staff;
3. Unified Command Commanders; and
4. The Inspector General.

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- D. To be eligible for appointment to tenured key positions mentioned in Section 2 (b) and Section 3, or to key positions mentioned in Section 2 (c), the officer shall have at least one (1) year remaining of active service before compulsory retirement.”

He explained that by appointing more experienced three-star generals to tenured key positions, the proposal would provide the AFP more flexibility in responding to the country's security challenges.

On whether the term “tenured key positions” meant that the officers could not be removed from office, Senator Estrada stated that the officers with tenured key positions such as the Chief of Staff, the Commanding Officer of the Philippine Army, the Commanding General of the Philippine Air Force, and the Flag Officer in Command of the Philippine Navy would hold the position until they retire, which could be for three years for the Chief of Staff, and two years for the other three officers.

In response to another query, he explained that the term “tenured” is used to distinguish key officials from others who have not served a tour of duty or been nominated to a position.

When asked if the term “key positions” could be used instead, he responded that doing so would render the Chief of Staff and the three other key position officials indistinguishable from the lower-ranking officers. He also stated that the President can remove or terminate officials in key positions at any time.

Senator Cayetano (P) opined that the use of the term “tenured” was confusing to a layperson and to those with legal backgrounds.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Estrada, the session was suspended.

*It was 5:46 p.m.*

#### **RESUMPTION OF SESSION**

At 5:48 p.m., the session was resumed.

In response to the concern of Senator Cayetano (P) on the ambiguity of the term “tenured” as it appears in the bill, Senator Estrada explained that “tenured key positions” is a military term used within the institution. Senator Cayetano (P) suggested that they come up with a more precise definition of the word “tenured” since military terms are being utilized in a legal document.

Referring to her earlier question about Section 1 of Senate Bill No. 1849 which proposed to amend Section 2 of RA 11709 on the tour of duty of key officers, Senator Cayetano (P) expressed her appreciation of Senator Estrada's efforts to enlighten the Body on the need to amend the said law because the term “fixed tour of duty” does not exist and, therefore, should be deleted. She stated that the President should always have the power to terminate key officers from their service or to relieve them of their duties at any given time. She clarified, however, that RA 11709 was already giving the President the same power to terminate officers from holding key positions. She then cautioned the Body that the use of the word “fixed” causes confusion in understanding the law.

Senator Estrada then noted the fourth amendment proposed in Section 2 of the bill, to wit:

“(3) THOSE IN THE GRADES OF MAJOR GENERAL/REAR ADMIRAL (O-8), UPON REACHING THE AGE OF FIFTY-EIGHT (58) OR THE MAXIMUM TENURE-IN-GRADE AS DEFINED IN THIS ACT, WHICHEVER COMES EARLIER;

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"(4) THOSE IN THE GRADES OF LIUTENANT GENERAL/VICE ADMIRAL, UPON REACHING THE AGE OF FIFTY-NINE (59) OR THE MAXIMUM TENURE-IN-GRADE AS DEFINED IN THIS ACT, WHICHEVER COMES EARLIER, OR UPON RELIEF BY THE PRESIDENT."

Senator Estrada stated that rank of Major General and Rear Admiral are key positions in the armed forces. He said that the proposed amendment would include a graduated retirement age for generals and flag officers in order to strike a balance between the promotions of junior officers and the maximization of the experience and expertise of senior officers in the AFP. He added that the government has been financing and sending the officers to various courses locally and abroad, and that retiring them early at a time when they are still very capable and competent in discharging the duties and functions of their offices would not only be detrimental to the AFP but also a disservice to the country. He said that such circumstance attracted many large corporations and private entities to hire the services and expertise of officers who retire from the AFP at age 56.

Senator Estrada further stated that with the exception of Cambodia, where the retirement age for military personnel is 55, the Philippines' retirement age of 56 is the youngest in Asia. He noted that other countries, such as Indonesia, Japan, Singapore, and South Korea, set the compulsory retirement age at 60, while China is at 70.

Senator Cayetano (P) agreed with Senator Estrada that those aged 50 to 60 are still highly functioning and still have a lot to offer. She pointed out, however, that increasing the retirement age of military personnel would require consideration of legal and financial implications.

In reply, Senator Estrada cited Article XVI, Section 5 of the 1987 Constitution which states that "Laws on retirement of military officers shall not allow extension of their service." Based on the deliberations of the Constitutional Commission, he said that the provision merely prohibits the extension of military service beyond the age of retirement. He believed, however, that Congress might legislate an increase in the retirement age and the mode and manner of retirement.

Senator Estrada stated that based on consultations with military officers, the graduated age of compulsory retirement would be the best way to avoid grumblings within the military.

On the fifth amendment which proposed the deletion of Section 11 of RA 11709 regarding the forced attrition of enlisted personnel, Senator Estrada explained that the bill proposed the exclusion of enlisted personnel from the coverage of RA 11709 by reverting to the previous system of promotion, separation, and maximum allowable tenure for enlisted personnel, which is governed by DND and AFP issuances. He noted that the proposed amendment would allow the department and the military the flexibility to make policy adjustments that are more responsive to the needs and growth of their enlisted personnel. He said that prior to RA 11709, matters pertaining to enlisted personnel used to be governed by issuances of the AFP and its major services and did not require legislation. If RA 11709 would not be rectified, he stated that all enlisted personnel, or 85% of the AFP or 135,000 soldiers would be affected by forced attrition. According to him, the proposed amendment would allow the AFP to retain a certain number of personnel based on their expertise.

In addition, Senator Estrada stated that the bill retained Section 3 of RA 11709 on the four-year tour of duty of the Superintendent of the Philippine Military Academy.

At this point, Senator Cayetano (P) read Section 3 of the bill on page 6, to wit: "PROVIDED, THAT THE PRESIDENT MAY LENGTHEN THE ACTIVE SERVICE-IN-GRADE OF OFFICERS IN THE PERMANENT GRADES OF CAPTAIN, MAJOR, AND LIEUTENANT

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COLONEL, OR THEIR EQUIVALENT, UP TO TWO (2) CYCLES.” In reply, Senator Estrada explained that proviso was replicated from Title IV, Section 10 of Presidential Decree No. 1638 (Establishing a New System of Retirement and Separation for Military Personnel of the Armed Forces of the Philippines) to give the DND and AFP flexibility in maintaining the services of officers who were unable to comply with the necessary requirements for promotion due to the limited training capacities of both the department and the military’s training and educational institutions. Without the aforementioned provision and under the RA 11709, he said that the military personnel the active service-in-grade officers in the permanent grades of captain, major, and lieutenant colonel would have to retire at an earlier age.

At this juncture, Senator Binay inquired about the attrition system prior to RA 11709. Senator Estrada replied that a similar attrition system applied to enlisted personnel, but RA 11709 removed the provision on lengthening the active service-in-grade by up to two cycles, as stipulated in PD 1638, which was proposed to be reinstated in Senate Bill No. 1849.

Noting Section 7 of the bill establishes for a Congressional Oversight Committee, Senator Cayetano (P) recalled that the Members of the previous Congress agreed not to create further congressional oversight committees. She then proposed that the said provision be studied by the Committee on Rules. Senator Estrada agreed that Section 7 of the bill could be deleted at the proper time.

On the proposal to simply revert to the old law, Senator Estrada said that totally reverting to the old law would maintain the revolving-door policy, with no maximum tour of duty for the AFP chief-of-staff and no continuity in the AFP’s programs and policies. He added that the skills and expertise of the members of the AFP would not be maximized with a retirement age of 56 years old.

Senator Cayetano (P) stated that she would defer to the Body’s decision regarding the option of reverting to the old law or amending the current law to fulfill the objectives of the proposed bill. Senator Estrada stated that it could be simpler to repeal the current law and to revert to the previous one.


#### **INTERPELLATION OF SENATOR DELA ROSA**

Senator Estrada responded in the negative to Senator Dela Rosa’s query as to whether there were rumblings in the AFP prior to the enactment of RA 11709, confirming the latter’s observation that rumblings were only observed after the enactment and implementation of RA 11709.

He also affirmed that Senate Bill No. 1849 was being proposed to address the rumblings caused by the enactment of RA 11709, and that it would seek to amend five important provisions of that law. He added that repealing the current law, RA 11709, was a possibility, but that it aimed to institutionalize sound policies and implement much-needed reforms that would improve and strengthen the AFP. He stated that, as mentioned in his sponsorship speech, the spirit of RA 11709 was anchored on meritocracy and professionalization and provided the AFP with necessary room for flexibility, ensuring stability, and avoiding the revolving-door policy.

Senator Dela Rosa expressed his support to the legislation and suggested that immediate action be done on the rumblings. He said that a separate law might be introduced to explicitly address the AFP’s revolving-door policy.

Senator Estrada stated that he would take Senator Dela Rosa’s suggestions into consideration. However, Senator Dela Rosa expressed concern that several provisions in RA 8186 were



extremely out of date, which was why he would prefer to amend RA 11709. By pursuing the intent of RA 11709, he viewed it as an opportunity to enhance the organization. He believed that the five revisions to the statute represented in Senate Bill No. 1849 would resolve the rumblings in the AFP. He averred that reverting to old policies would not help the organization and could further weaken the AFP.

He stated that he had not lost faith in the DND's ability to envisage a bright future for the AFP, but he recalled that RA 11709 was passed by the previous Congress by the DND's insistence, yet it was now claiming that the revisions to the law would cure the unrest in the AFP.

Regarding the retirement age, he stated that the bill's provisions might be another source of discontent inside the AFP. To standardize the policy, he proposed that the retirement age for all officers be set at 56 years old.

Senator Estrada stated that during the interpellation of Senator Cayetano (P), he mentioned that the Philippines has the youngest retirement age, at 56, compared to Japan, Cambodia, Indonesia, and Thailand, where the retirement age is 60 years, and to China, where, according to Senator Hontiveros, the retirement age is 70. He believed that at age 60, Filipino officers are still physically capable of performing their duties and responsibilities.

Senator Estrada stated, however, that after consulting with several senior and junior military officers, they reached an agreement on a graduated retirement age: age 57 for one-star general, 58 for two-star generals, and 59 for three-star generals.

Senator Dela Rosa, however, stated that he would advocate for a uniform retirement age for all members of the AFP. In reply, Senator Estrada expressed concern that setting the retirement age at 57 could result in the early retirement of many personnel and the ballooning of the pension fund.

At this point, Senate President Zubiri remarked that extension of the retirement age was offered only to the top brass and not to the rank and file. He pointed out, however, that it might violate the equal protection clause of the Constitution.

Senator Estrada said that should Senator Dela Rosa wish to propose an amendment on the retirement age during the period of amendments, he would be open to accepting the proposal.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1849**


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

#### **CO-CHAIRPERSON OF THE SUBCOMMITTEE ON RCEP**

Senator Villanueva informed the Body that Senate President Zubiri had been designated co-chairperson of the Subcommittee on Regional Comprehensive Economic Partnership (RCEP).

#### **REFERRAL OF SENATE BILL NO. 1802**

Senator Villanueva stated that Senate Bill No. 1802 on the abolition of the Procurement Service of the Department of Budget and Management (PS-DBM), which was originally referred to the Committee on Finance as the primary committee and to the Committee on Civil Service, Government Reorganization and Professional Regulation as the secondary committee, was transferred to the Committee on Rules on February 7, 2023.





He recalled that in the Eighteenth Congress, Senator Marcos filed Senate Bill No. 2388, which also called for the abolition of the PS-DBM, and was similarly referred to the Committee on Finance as the primary committee and to the Committee on Civil Service, Government Reorganization and Professional Regulation as the secondary committee. He noted that the Committee on Finance has jurisdiction over all matters relating to public expenditures.

Thus, following such precedent, Senator Villanueva, as chairman of the Committee on Rules, manifested that Senate Bill No. 1802 would be referred to the Committee on Finance as the primary committee and to the Committee on Civil Service, Government Reorganization and Professional Regulation as the secondary committee.

The Chair took note of the manifestation.

#### **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 the following day.

*It was 6:32 p.m.*

I hereby certify to the correctness of the foregoing.

Approved on February 14, 2023

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

