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SESSION NO. 49
Tuesday, February 14, 2023

NINETEENTH CONGRESS
FIRST REGULAR SESSION

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Senate of the Philippines

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CALL TO ORDER

At 3:06 p.m., the Senate President, Hon. Juan Miguel “Migz” F. Zubiri, called the session to order.

PRAYER

Sen. Sonny Angara led the prayer, to wit:

Heavenly Father, we thank You for everyone gathered here today, for the purpose of working for the people and to move this Chamber forward.

Once again, we are here to ask for Your presence and take center stage as we go along our tasks as our country’s backbone of legislation.

We come before You today, O Lord, not only to ask for more but to also thank You for all that You have done for us and for everyone that we care for.

Heavenly Father, we know that life’s obstacles are endless and so we ask for more strength, more wisdom, and more understanding as we go through our troubles and tribulations. Please send down Your Holy Spirit to fuel us and restore our strength. We are forever in need of Your power, our dear Lord.

Dalangin din po namin sa Inyo, Panginoon, na pagpalain ninyo ng ibayong lakas ng damdamin ang mga mamamayan ng Turkey at ng Syria. Balutin ninyo po ng pagmamahal ang mga naulila at tanggapin sa Inyong kaharian ang kaluluwa ng mga namayapa. Sana ay Inyong pawiin ang matinding pighati at turuan Ninyo silang maging matapang na harapin ang mga pagsubok na ito.

Nawa, Panginoon, manatiling ligtas ang 83-kataong search and rescue team na ipinadala ng aming gobyerno sa Turkey upang tumulong sa mga rescue efforts doon. Sana ay gabayan po Ninyo, Lord, ang mga pamilyang hindi lamang nawalan ng mga mahal sa buhay, kung hindi nawalan din ng kanilang mga tahanan at ng kanilang

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pag-asa sa buhay. Nahaharap po sila ngayon sa buhay na walang katiyakan, kaya sana po ay ibuhos Ninyo sa kanila ang inyong tulong at paggabay.

May the missing be found sooner and be reunited with their grieving loved ones.

This we pray, in the Name of Your Son, Jesus.

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.	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.
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.	Villar, M. A.
Legarda, L.	Zubiri, J. M. F.

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

Senator Cayetano (A) arrived after the roll call.

Senator Cayetano (P) was absent and out of the country as indicated in the letter dated February 14, 2023 of her Chief Legislative Officer.

Senator Escudero was not able to attend the session as he was on official business as indicated in the letter dated February 14, 2023 of his chief of staff.

Senator Villar (C) was absent.


ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Villanueva acknowledged the presence in the gallery of the following guests:

- Vice Mayor Ricky James D. Balansag of Lantapan, Bukidnon;
- Vice Mayor Johnny “Maroboth” A. Chavez of Impasug-ong, Bukidnon;
- Brig. Gen. Acmad Omar Jr., Chief of the AFP Office of the Legislative Affairs (OLA); and Col. Jude Ejercito also of OLA; and
- Ms. Lulu Fernandez and Ms. Bell dela Fuente.

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. 48 (February 13, 2023) and considered it approved. 

REFERENCE OF BUSINESS

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 31 January 2023, the House of Representatives passed the following House bills and House joint resolution in which it requested the concurrence of the Senate:

House Joint Resolution No. 14, entitled

JOINT RESOLUTION EXTENDING THE LIFE OF THE CONGRESSIONAL OVERSIGHT COMMITTEE ON DANGEROUS DRUGS, CONSTITUTED PURSUANT TO SECTION 95 OF REPUBLIC ACT NO. 9165, AS AMENDED, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002," TO ANOTHER TEN (10) YEARS FROM JULY 4, 2022 TO JULY 4, 2032

To the Committee on Public Order and Dangerous Drugs

House Bill No. 206, entitled

AN ACT LOWERING THE OPTIONAL RETIREMENT AGE OF GOVERNMENT WORKERS FROM SIXTY (60) YEARS TO FIFTY-SIX (56) YEARS, AMENDING FOR THE PURPOSE SECTION 13-A OF REPUBLIC ACT 8291, OTHERWISE KNOWN AS "THE GOVERNMENT SERVICE INSURANCE SYSTEM ACT OF 1997"

To the Committees on Civil Service, Government Reorganization and Professional Regulation; Government Corporations and Public Enterprises; and Finance

House Bill No. 5702, entitled

AN ACT PROVIDING FOR THE RESTRUCTURING AND CONDONATION OF UNPAID INTERESTS, PENALTIES, AND SURCHARGES ON LOANS SECURED BY FARMERS, FISHERFOLKS, AND AGRARIAN REFORM BENEFICIARIES FROM THE DEPARTMENT OF AGRARIAN REFORM, THE DEPARTMENT OF AGRICULTURE, THE PEOPLE'S CREDIT AND FINANCE CORPORATION, THE COOPERATIVE DEVELOPMENT AUTHORITY, THE NATIONAL FOOD AUTHORITY, AND THE QUEDAN AND RURAL CREDIT GUARANTEE CORPORATION

To the Committee on Agriculture, Food and Agrarian Reform

House Bill No. 6505, entitled

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO INTERCONTINENTAL BROADCASTING CORPORATION UNDER REPUBLIC ACT NO. 8954, ENTITLED "AN ACT GRANTING THE INTERCONTINENTAL BROADCASTING CORPORATION A FRANCHISE



TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES”

To the Committee on Public Services

House Bill No. 6572, entitled

AN ACT ESTABLISHING THE PUBLIC SCHOOLS OF THE FUTURE IN TECHNOLOGY AND APPROPRIATING FUNDS THEREFOR”

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

House Bill No. 6574, entitled

AN ACT STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION THROUGH THE HIRING AND DEPLOYMENT OF MENTAL HEALTH PROFESSIONALS, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; Health and Demography; and Finance

House Bill No. 6579, entitled

AN ACT CREATING FIVE (5) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED IN THE CITY OF MUNTINLUPA AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (D) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS “THE JUDICIARY REORGANIZATION ACT OF 1980,” AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6580, entitled

AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF SILANG, PROVINCE OF CAVITE, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS “THE JUDICIARY REORGANIZATION ACT OF 1980,” AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6581, entitled

AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED IN THE CITY OF PARAÑAQUE, METRO MANILA, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS “THE JUDICIARY REORGANIZATION ACT OF 1980,” AS AMENDED

To the Committees on Justice and Human Rights; and Finance

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House Bill No. 6582, entitled

AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SECOND JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF CABAGAN, PROVINCE OF ISABELA, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (B) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6583, entitled

AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE TENTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF DINAGAT ISLANDS, AND TWO (2) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN THE TENTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITIES OF SAN JOSE AND BASILISA, PROVINCE OF DINAGAT ISLANDS, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (K) AND SECTION 30 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6584, entitled

AN ACT CREATING ONE (1) ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT, TO BE DESIGNATED AS A SPECIAL COURT FOR DRUGS CASES, IN THE EIGHTH JUDICIAL REGION TO BE STATIONED IN THE CITY OF BAYBAY, PROVINCE OF LEYTE, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (I) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6585, entitled

AN ACT CREATING SIX (6) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NINTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF DIPLAHAN, PROVINCE OF ZAMBOANGA SIBUGAY, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (J) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6586, entitled

AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE TENTH JUDICIAL REGION TO BE STATIONED IN THE CITY OF VALENCIA, PROVINCE OF BUKIDNON, AND APPROPRIATING

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FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (K) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6587, entitled

AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE EIGHTH JUDICIAL REGION TO BE STATIONED IN THE CITY OF TACLOBAN, PROVINCE OF LEYTE, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (I) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6588, entitled

AN ACT CREATING TWELVE (12) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF LOS BAÑOS AND IN THE CITY OF CABUYAO, PROVINCE OF LAGUNA, AND ONE (1) ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN CITIES IN THE FOURTH JUDICIAL REGION TO BE STATIONED IN THE CITY OF CABUYAO, PROVINCE OF LAGUNA, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (E) AND SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6589, entitled

AN ACT CREATING ELEVEN (11) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN CITIES IN THE ELEVENTH JUDICIAL REGION TO BE STATIONED IN THE CITY OF DAVAO, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED

To the Committees on Justice and Human Rights; and Finance

House Bill No. 6630, entitled

AN ACT PRESCRIBING THE GUIDELINES FOR THE ESTABLISHMENT AND OPERATION OF LOCAL UNIVERSITIES AND COLLEGES

To the Committees on Higher, Technical and Vocational Education; and Local Government

House Bill No. 6680, entitled

AN ACT GRANTING FULL INSURANCE COVERAGE TO ALL QUALIFIED

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AGRARIAN REFORM BENEFICIARIES OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6657, AS AMENDED BY REPUBLIC ACT NO. 9700, OTHERWISE KNOWN AS THE "COMPREHENSIVE AGRARIAN REFORM LAW OF 1988"

To the Committees on Agriculture, Food and Agrarian Reform; and Finance

House Bill No. 6688, entitled

AN ACT RENAMING THE URDANETA CITY BYPASS ROAD, TRAVERSING BARANGAYS NANCAYASAN, SANTO DOMINGO, SANTA LUCIA, CAMANTILES, AND ANONAS IN THE CITY OF URDANETA, PROVINCE OF PANGASINAN, TO AMBASSADOR EDUARDO "DANDING" M. COJUANGCO JR. AVENUE

To the Committee on Public Works

House Bill No. 6694, entitled

AN ACT RENAMING THE TAMBACAN BRIDGE TRAVERSING THE ILIGAN RIVER LOCATED IN BARANGAY TAMBACAN, CITY OF ILIGAN IN THE NORTHERN MINDANAO REGION, AS THE MARIANO LLUCH BADELLES SR. BRIDGE

To the Committee on Public Works

House Bill No. 6695, entitled

AN ACT CONVERTING THE HIBAO-AN ELEMENTARY SCHOOL IN BARANGAY HIBAO-AN SUR, MANDURRIAO DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE HIBAO-AN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; and Finance

House Bill No. 6696, entitled

AN ACT CONVERTING THE NABITASAN ELEMENTARY SCHOOL IN BARANGAY NABITASAN, LA PAZ DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE NABITASAN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; and Finance

House Bill No. 6697, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BOLILA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL TO BE KNOWN AS THE BOLILA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; and Finance

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House Bill No. 6699, entitled

AN ACT SEPARATING THE ADDANG ELEMENTARY SCHOOL – AMBATUTONG EXTENSION IN BARANGAY BUNOT, MUNICIPALITY OF PARACELIS, PROVINCE OF MOUNTAIN PROVINCE FROM THE ADDANG ELEMENTARY SCHOOL, CONVERTING IT INTO AN INDEPENDENT ELEMENTARY SCHOOL TO BE KNOWN AS THE AMBATUTONG ELEMENTARY SCHOOL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; and Finance

House Bill No. 6700, entitled

AN ACT SEPARATING THE BACOR NATIONAL HIGH SCHOOL – TABING DAGAT ANNEX IN BARANGAY TABING DAGAT, BACOR CITY, PROVINCE OF CAVITE FROM THE BACOR NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE MARIANO GOMES NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Basic Education; and Finance

House Bill No. 6704, entitled

AN ACT ESTABLISHING A COLLEGE OF MEDICINE IN THE BENGUET STATE UNIVERSITY LOCATED IN THE MUNICIPALITY OF LA TRINIDAD, PROVINCE OF BENGUET, TO BE KNOWN AS THE BENGUET STATE UNIVERSITY-COLLEGE OF MEDICINE, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance

Letter from the House of Representatives, informing the Senate that on 31 January 2023, the House of Representatives concurred with the Senate amendments to House Bill No. 3968, entitled

AN ACT CONVERTING THE MUNICIPALITY OF CARMONA IN THE PROVINCE OF CAVITE INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CARMONA.

To the Archives

COMMITTEE REPORT NO. 17 ON SENATE BILL NO. 1604

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1604 (Committee Report No. 17), entitled

AN ACT ESTABLISHING AN ACADEMIC RECOVERY AND ACCESSIBLE LEARNING (ARAL) PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

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

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Thereupon, the Chair recognized Senator Gatchalian, sponsor of the measure, and Senator Pimentel for the continuation of his interpellations.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 3:20 p.m.

RESUMPTION OF SESSION

At 3:22 p.m., the session was resumed.

INTERPELLATION OF SENATOR PIMENTEL

At the outset, Senator Pimentel recalled that the term “mandatory” was established in his previous interpellation of the ARAL Bill.

Senator Gatchalian confirmed that he indeed used the term “mandatory.” However, he clarified that the word “required” is more appropriate than “mandatory” when referring to students, especially those who do not meet the minimum requirement or minimum proficiency levels and those who were unable to attend school in 2020 and beyond.

Asked if the bill would use the term “required” in lieu of “mandatory” and what the significant difference would be, Senator Gatchalian responded that the term “mandatory” implies that the students will be penalized if they do not attend the intervention program, whereas the term “required” does not.

Senator Pimentel stated that the purpose of the bill was for the students and that he wanted them to have a basic sense of responsibility to strive to improve themselves, such as by passing a required school exam.

Senator Gatchalian stated that intervention programs would help students cope up with their studies, especially those with family or financial problems.

As to the grade levels of the intervention program, Senator Gatchalian said that it would be available from Kindergarten to Grade 10 (K-10).

As to why senior high school students were not included in the program despite the fact they also need to learn the fundamentals in order to transition to higher education, Senator Gatchalian replied that based on a study, learners in Grades 11 and 12 are already independent, having managed to keep up using self-learning modules (SLMs) during the pandemic. Noting that their regression was not as severe as that of younger learners, he suggested that regular schooling or face-to-face classes could help them in staying on track academically.

When asked to explain the earlier chart, he stated that, according to the 2020 World Bank Report on the effectiveness of SLMs, 70% to 80% of learners in public schools came from low income households, and that the younger the learners, the more difficult it was for them to learn the SLMs because they would need their parents’ assistance, whereas older learners were more independent and could learn on their own, the reason why the ARAL program was targeting learners ages six to 10 years old.

Regarding the estimated number of learners covered by the ARAL Program if Section 2 is retained, Senator Gatchalian said that the committee used a proxy from the World Bank’s survey

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on learning poverty in the absence of an actual assessment. By multiplying the proxy that 90.9% of learners could not read by the number of learners, he calculated that the K to 6 would cover 12.7 million learners and K to 10 would cover 19.5 million learners.

He responded to the suggestion of reviewing the curriculum if 90 out of 100 students in one grade level were required to undergo the ARAL intervention, which entails an extra day or extra hours in the school premises, by revealing that the DepEd was actually re-engineering the curriculum in light of the numerous subjects and competencies that the students had not been learning due to the lack of time to study on their own. He stated that Vice-President Duterte elaborated on the same in her Basic Education report, stating that Key Stage I, which includes learners from Kindergarten to Grade 3, would focus on numeracy and literacy.

Senator Pimentel proposed that schools slow down the pace of classes so that 90% of learners who do not meet the minimum proficiency level can catch up during regular class hours, rather than continuing at the current pace where only 10% of learners understand SLMs, and to prevent the 10% gap from widening.

Adverting to the assessments conducted by the Committee on Basic Education which showed that the Comprehensive Rapid Literacy Assessment (CRLA) conducted in the NCR by the DepEd and USAID, Senator Gatchalian noted that 40% of learners were not grade-ready in Grade 1, 36% in Grade 2, and 25% in Grade 3 which means that the 90% proxy in terms of readiness varies and would eventually ultimately be broken down in other regions, cities, and schools. Given the ARAL Program's goal of closing learning gaps and allowing schools to address learners who were not grade-ready, he said that the number of learners who were not grade-ready in Valenzuela City was lower because the LGU implemented a regular intervention program every summer. He further explained that the 90% proxy was used to ensure proper program planning despite differences in learner readiness across schools.

Senator Pimentel believed that the number of learners who do not meet the required minimum proficiency level required in Language, Mathematics, or Science was significant; otherwise, the intervention program would not have been proposed. He inquired as to what percentage would be considered substantial enough to warrant the implementation of the ARAL intervention program. Senator Gatchalian responded by stating that the success rate of the intervention program launched in Valenzuela City increased from 60% to 90% and that 10% of learners were assisted during regular class hours.

On whether the ARAL Program would be optional, Senator Gatchalian stated that school principals and divisions would be given flexibility based on assessment and the number of learners who need the intervention program, whether 1:1, 25:1 as in Valenzuela City, or 10:1 student-tutor ratio.

Asked if the ARAL Program would be required and made available to all, Senator Gatchalian replied in the affirmative, noting that one of the program's most important provisions was Section 7, which expanded the types of tutors who could be tapped by DepEd; for example, a student taking up Education could earn credits for his/her practicum or on-the-job training, or a college student serving as tutor could earn credits equivalent to his/her Literacy Training Service (LTS) under the National Service Training Program (NSTP). He said that through the bill, concepts could be used by various divisions and schools nationwide, such that a school in Nueva Ecija could now tap college students, which was previously not possible.

As to whether the teacher would have the flexibility to slow down the pace of the lesson plan to allow 90% of the learners to catch up with the 10%, Senator Gatchalian revealed that the issue had been debated, and that there was even an allegation that DepEd was still passing students to the next level who could not read nor count. He stated that if 90% of learners were not helped,

the subject teacher would either fail all 90% of learners who would be carried over to the same grade level, or provide a remedial class or some form of intervention program. Nonetheless, stated that the subject teacher would require assistance in locating additional tutors or teaching aides.

Senator Pimentel maintained that there was currently no flexibility because the teacher would have to follow the lesson plan and communicate with only 10% of the students while relying on the ARAL intervention program to allow the remaining 90% of learners to catch up, implying that either the teacher or the lesson plan was ineffective. He then hoped for some leeway to slow down the pace, such as going back to basics for the next two weeks to allow the remaining 90% of learners to catch up.

Senator Gatchalian said that he understood Senator Pimentel's position. He opined that the DepEd could only slow down up to the extent that it could utilize the 200 schooling days of the year. He said that the pace could be slowed to the point where 90%, or the majority of students, could catch up. He stated that eventually, they would have to conduct examinations, where they would then decide whether to pass or fail the students. Typically, he said, teachers could employ intervention programs such as providing remedial classes, tutoring activities, and communication with the parents of the concerned students. He said that the bill could make such tools available to the teachers.

Senator Pimentel remarked that the activities mentioned were similar in principle to after-class interventions. He then clarified that his query was more concerned on incorporating in-class intervention strategies. Senator Gatchalian responded that teachers would have freedom with regard to in-class intervention activities, but surmised that they would be limited in their ability to implement their lesson plans due to the little time, of about 200 days, allotted to them.

Noting that the program would be required from K to 10 grade levels in all public schools and made available to private schools upon request, Senator Pimentel believed that its execution would require a huge pool of teachers, para-teachers, and student tutors mentioned in the bill. Asked if the tutors would be compensated for their time, Senator Gatchalian replied in the affirmative.

At this juncture, Senate President Zubiri relinquished the Chair to Senator Angara.

At this juncture, Senator Gatchalian showed a slide regarding the budget projection for an effective ARAL program, stating that in the absence of an actual assessment, the measure used a benchmark figure of P550 per learner, which was a recommendation from the World Bank based on their study on intervention programs around the world. He disclosed that the DepEd, through its MOOE, pays approximately P250 per year for elementary pupils and P480 per year for junior high students. He added that the amount of P550 was considered the optimum allocation per student.

In reference to another slide, Senator Pimentel inquired whether a tutor supervising 10 students might expect to earn P5,500. In response, Senator Gatchalian said that the budget he mentioned earlier referred to the entire program, which he would explain later on.

Asked if the MOOE allocation shown on the slide was the government's total budget for the DepEd that would be further divided with the learners, Senator Gatchalian replied that the amount on the slide was what the State was spending to operate the schools, which, Senator Pimentel noted, catered to elementary and junior high school students.

Senator Gatchalian then showed another slide containing relevant data showing how much some developed and developing nations have spent on their academic intervention programs, namely: 1) the United States, US\$122 billion, or about US\$2,400 per learner; 2) the United Kingdom, \$1.2 billion, or about \$333 per learner in secondary school and \$175 per student in primary school; 3) Bangladesh, \$8, or about P400 per learner; and 4) India, \$6, or about P300 per learner.

Asked if the benchmark figure should be multiplied by 19 million, Senator Gatchalian replied in the affirmative. He stated that in order to cover the K to 6 grade levels, P7 billion would be required, whereas, around P10 billion would be needed to cover the K to 10 grade levels. In addition, he stated that on a NEDA analysis, the country stands to lose over P10.1 trillion over the next 40 years in terms of productivity and income loss if no intervention program is implemented. In addition, he stated that assuming that government would only target priority grades with P7 billion, dividing the aforementioned amount by P10 trillion, a one-year intervention program to mitigate productivity losses would be around 0.07%.

Referring to Section 5 of the measure, Senator Pimentel explained that the ARAL program will address fundamental abilities such as language and mathematics from Grades 1 to 10, and science for students from Grades 3 to 8. He believed that at least P10 billion was necessary to fully implement the program. Senator Gatchalian replied in the affirmative. In addition, he said that although the resource persons called to the committee hearing underscored the need to prioritize the K to 6 grade levels, the program did extend to Grade 10. Senator Pimentel proposed to amend the language of Section 5 of the bill to reflect the prioritization. Senator Gatchalian welcomed the suggestion.


Senator Tolentino interjected at this point, recalling the previous debates on the measure, on the concept of an executive program, which Senator Gatchalian accepted. Senator Tolentino then queried if the concept of an abbreviated ARAL program was included in any calculations. Senator Gatchalian responded in the negative and stated that a shorter ARAL program was not accounted for in the calculation. Moreover, he noted that the calculations incorporated the high cost of the program, emphasizing intervention centered on the student. He then emphasized the necessity to prioritize the requirements of the learners, noting that the length of the program would depend on the learner's response to the interventions. He stated that the bill simply provided the schools with the resources necessary to initiate internal intervention programs.

Senator Tolentino also queried about who would evaluate the students and the tutors, as well as whether or not such assessments were already factored into the cost estimates. Additionally, he inquired about the parameters for evaluating the program's effectiveness.

In response, Senator Gatchalian stated that the learners would be assessed by the DepEd. As the infrastructure was already in place, he stated that rapid assessments would be a typical way for determining students' proficiency levels. To illustrate his point, he stated that in Section 7, tertiary level students who volunteer as tutors must be in the top 75%, or the cream of the crop, of their respective institutions. Despite the requirement, he stated that the DepEd would nonetheless provide training programs to ensure that the tutors would be effective under the program. Additionally, he stated that master teachers, school principals, and the whole DepEd infrastructure per school may be used to administer the training, hence removing the need for the trainees to travel to Metro Manila for sessions.

Asked if he was suggesting an abridged licensure exam for tutors, certifying them and paving the way for them to eventually become LET practitioners, Senator Gatchalian replied in the negative. He explained that college students possess the basic reading and math skills necessary for tutoring.

Senator Tolentino stated that there were inevitably instances in which tutors who display a passion for teaching would be persuaded to enter the teaching profession, allowing them to become additional members of the country's teaching force. Senator Gatchalian concurred, stating that during the committee hearing, it was revealed that those who served as tutors should be awarded some type of merit priority in the DepEd, and that Section 15 of the bill duly takes their experience as tutors into account as part of a "merit selection plan promulgated by the CSC" when they apply in the DepEd.



In addition to the incentive offered by Section 15 of the bill, Senator Pimentel emphasized that tertiary level students who become tutors would also receive credit under the Literacy Training Service (LTS) of the National Service Training Program (NSTP).

Senator Gatchalian stated that it was the purpose of the proposal that, pursuant to the aforementioned section, the CHED would also consider awarding NSTP credits to program volunteers. He added that if a volunteer tutor was enrolled in the LTS component of the NSTP, it would count toward their credit because the majority of students who enroll in the LTS also major in education.

He informed the Body that the target of the LTS student volunteers would depend on the colleges where they are enrolled. He added that the students could be deployed to geographically isolated areas, where they would teach basic education to out-of-school youths (OSY), while others would be recruited for the alternative learning system (ALS). Senator Pimentel wondered whether, under the current LTS, a college student may teach basic education to pupils in Grades K to 10. Senator Gatchalian responded in the affirmative.

As to whether the ARAL Program, which would provide compensation to tertiary level student volunteers, had the potential to affect the LTS under the NSTP, which, in contrast, do not compensate its volunteers teaching K to 12 students, Senator Gatchalian opined that the LTS would remain unaffected by the ARAL program. To illustrate, he stated that student volunteers could use their time as tutors to apply for credits under the LTS, which would be their incentive. He added that the ARAL program would only provide added options.

On whether tertiary level students (TLS) who will tutor under the ARAL program would receive compensation, Senator Gatchalian stated that they would only receive credits equivalent to their Literary Training Service.

Adverting to Section 5 (*Essential Learning Competencies in Language, Mathematics, and Science*), Senator Pimentel asked why the development of foundational skills to strengthen the literacy and numeracy competencies of children was not included in the kindergarten curriculum. Senator Gatchalian replied that kindergarten is part of a child's formative years; therefore, it is important to boost the learner's foundational skills, especially in literacy and numeracy. He said that the experts had even devised an intervention program to improve the math, science, and reading skills of kindergarten students who had not attended school in the last two years.

Responding to another query, Senator Gatchalian explained that enhancing the reading and numeracy skills of such students is a component of the kindergarten curriculum, despite the fact that some students have fallen behind in their subjects and proficiency levels even at such a young age.

Senator Pimentel proposed modifying the kindergarten curriculum so that kindergarten learners are taught basic subjects rather than being required to spend extra hours in school or report to school on non-school days for the ARAL program. Senator Gatchalian, however, noted that teaching professionals and the DepEd want to make the tutoring program available from kindergarten to Grade 10 so that they can tap into tools for additional intervention when necessary.

In addition, he noted that Japanese schools do not give grades up to a certain level because they want the children to first learn social skills, etiquette, and good behavior.

Responding to further queries, Senator Gatchalian clarified that the measure seeks to give the DepEd the necessary tools, either through tutors or incentives, to help strengthen the foundational skills of kindergarten students.

In response to the observation that young learners should not only be introduced to fundamental subjects but should also be allowed time for play and socialization, Senator Gatchalian clarified that only tutorials in Reading and Mathematics are included in the ARAL program in kindergarten since Science is taught to Grade 3 students.

Senator Pimentel stated that the program should not aim to improve the foundational skills of kindergarten learners, as it is only at that stage where the students are first taught the basics.

Asked if the training of the TLS to become efficient tutors is included in the P10 billion budget for the program, Senator Gatchalian replied that it would be covered by the proposed allocation of P550.00/learner, which includes training, deployment, and materials.

Responding to further queries, Senator Gatchalian affirmed that ARAL is only made available to students in Grade 10 because the learners above that level could already rely on the self-learning modules, even if they are below the necessary competency. He said that based on their analysis, the self-learning modules are effective for independent learners, and there is a very little risk of regression in Grade 11 and 12 students. He said that the program targets to assist learners from ages six to 16 years old.

On the notion that after Grade 10, students might rely more on their self-learning modules, Senator Pimentel remarked that some college students still need tutorials, especially in Algebra or Calculus. He said that there are also some students who lack the minimum proficiency level required in Science, Language, and Mathematics.

Senator Gatchalian said that the program would solely focus on foundational skills in Mathematics, Science, and Reading; hence, students in Grades 11 and 12 should already be able to read, count, and comprehend fundamental scientific concepts. He added that the purpose of the ARAL Bill is to reinforce the students' educational foundation. He noted, however, that the program will no longer include the more complicated topics being taught in senior high school.

On whether ARAL could be ended before Grade 10, Senator Gatchalian replied that it was just the initial idea, but the DepEd and other experts proposed expanding the program to that level. He said that based on their rapid assessment surveys, students in Grades 6 to 10 still need assistance in foundational subjects, and experts in education want tutoring tools to be included in the law when intervention programs are implemented.

Given the limited fiscal space, Senator Pimentel expressed hoped that Senator Gatchalian could accept some modifications to the measure to make it more practical.

Asked on the projected productivity losses if the proposal is not adopted, Senator Gatchalian replied that it would be P10.1 trillion over the next 40 years.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Villanueva, there being no objection, the Body closed the period of interpellations.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1604

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

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SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 4:22 p.m.

RESUMPTION OF SESSION

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

ADDITIONAL 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. 1870, entitled

AN ACT STRENGTHENING AND REVITALIZING THE DEVELOPMENT OF THE SALT INDUSTRY IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AMENDING REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998," AND FOR OTHER PURPOSES

Introduced by Senator Legarda

To the Committees on Agriculture, Food and Agrarian Reform; Trade, Commerce and Entrepreneurship; Ways and Means; and Finance

Senate Bill No. 1871, entitled

AN ACT DECRIMINALIZING QUALIFIED THEFT OF COCONUTS AND RECLASSIFYING IT AS A SIMPLE THEFT UNDER ARTICLE 308, FURTHER AMENDING FOR THIS PURPOSE ARTICLE 310 OF THE REVISED PENAL CODE, AS AMENDED"

Introduced by Senator Hontiveros

To the Committee on Justice and Human Rights

Senate Bill No. 1872, entitled

AN ACT REQUIRING THE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE ('EPF') LITERACY COURSE AS AN ELEMENTARY, SECONDARY, TERTIARY GRADUATION REQUIREMENT IN PUBLIC AND PRIVATE SCHOOLS, LOCAL UNIVERSITIES AND COLLEGES, STATE AND PRIVATE COLLEGES AND UNIVERSITIES"

Introduced by Senator Tulfo

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

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Senate Bill No. 1873, entitled

AN ACT MANDATING THE INSTALLATION OF TIMERS IN TRAFFIC LIGHTS

Introduced by Senator Tulfo

To the Committees on Public Works; Public Services; and Finance

Senate Bill No. 1874, entitled

AN ACT AMENDING SECTION 13, ARTICLE XVI OF REPUBLIC ACT NO. 11054, OTHERWISE KNOWN AS THE ORGANIC LAW FOR THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO, AS AMENDED BY REPUBLIC ACT NO. 11593, FOR THE PURPOSE OF EXTENDING THE TRANSITION PERIOD TO ENSURE THE SUCCESSFUL IMPLEMENTATION OF THE ANNEX ON NORMALIZATION UNDER THE FRAMEWORK AGREEMENT ON THE BANGSAMORO (FAB), AND ALLOWING THE FIRST REGULAR ELECTION FOR THE BANGSAMORO PARLIAMENT TO BE SYNCHRONIZED WITH THE 2028 NATIONAL ELECTIONS

Introduced by Senator Tulfo

To the Committee on Local Government

Senate Bill No. 1875, entitled

AN ACT CREATING THE PHILIPPINE RENEWABLE ENERGY CORPORATION, DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Tulfo

To the Committees on Energy; Government Corporations and Public Enterprises; Ways and Means; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 475, entitled

RESOLUTION EXPRESSING SINCERE CONDOLENCES OF THE SENATE OF THE PHILIPPINES ON THE DEATH OF WRITER AND WOMEN'S RIGHTS ADVOCATE, LUALHATI TORRES BAUTISTA

Introduced by Senator Revilla Jr.

To the Committee on Rules

Proposed Senate Resolution No. 476, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON LABOR TO CONDUCT AN INQUIRY IN AID OF LEGISLATION TO REVIEW EXISTING POLICIES ON THE MINIMUM WAGE INCREASES WITH THE END VIEW OF

of

IMPROVING THE STANDARD OF LIVING AND QUALITY OF LIFE FOR WORKERS, PARTICULARLY THOSE IN THE LOWER INCOME BRACKET

Introduced by Senator Tulfo

To the Committee on Labor, Employment and Human Resources Development

Proposed Senate Resolution No. 477, entitled

A RESOLUTION DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RAMPANT AND UNABATED AGRICULTURAL SMUGGLING IN THE PHILIPPINES

Introduced by Senator Pimentel III

To the Committee on Accountability of Public Officers and Investigations

Proposed Senate Resolution No. 478, entitled

RESOLUTION DIRECTING THE SENATE PROPER COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO ADDRESS THE FAST TRANSMISSION OF HAND, FOOT AND MOUTH DISEASE AMONG FILIPINO CHILDREN IN THE COUNTRY

Introduced by Senator Binay

To the Committee on Health and Demography

Proposed Senate Resolution No. 479, entitled

RESOLUTION COMMENDING GLENN SUERTE BANAGUAS FOR BECOMING THE FIRST FILIPINO SCIENCE DIPLOMAT NAMED AS FELLOW AT THE ROYAL SOCIETY FOR THE ENCOURAGEMENT OF ARTS, MANUFACTURES AND COMMERCE (RSA) IN THE UNITED KINGDOM

Introduced by Senator Binay

To the Committee on Rules

Proposed Senate Resolution No. 480, entitled

RESOLUTION EXPRESSING THE PROFOUND SYMPATHY OF THE PHILIPPINE SENATE TO THE CASUALTIES OF THE DEVASTATING EARTHQUAKES IN TURKEY AND SYRIA

Introduced by Senator Tulfo

To the Committee on Rules

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 4:26 p.m.

RESUMPTION OF SESSION

At 4:29 p.m., the session was resumed.

COMMITTEE REPORT NO. 19

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration of Committee Report No. 19 on Proposed Senate Resolution No. 120, entitled

A RESOLUTION DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED OVERPRICED AND OUTDATED LAPTOPS PROCURED BY THE DEPARTMENT OF EDUCATION (DEPED) THROUGH THE DEPARTMENT OF BUDGET AND MANAGEMENT PROCUREMENT SERVICE (DBM-PS),

and Proposed Senate Resolution No. 134, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PROCUREMENT BY THE DEPARTMENT OF EDUCATION, THROUGH THE PROCUREMENT SERVICE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT, OF LAPTOPS FOR TEACHERS FOR USE IN DISTANCE LEARNING.

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

Thereupon, the Chair recognized Senator Tolentino, sponsor of the report.

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.

OMNIBUS COMMITTEE AMENDMENT

On pages 93, 108, and 169 of the committee report, as proposed by Senator Tolentino, there being no objection, the Body approved to replace the word and figure "Rule 7.7.3" with SECTION 7.3.3.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other 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.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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



APPROVAL OF COMMITTEE REPORT NO. 19

Submitted to a vote, with the majority of the senators voting in favor, Committee Report No. 19, as amended, was approved by the Body.

MANIFESTATION OF SENATOR ESTRADA

Senator Estrada manifested his negative vote, stating that it was consistent with his having signed a dissenting opinion on the committee report.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel stated that he had no objection to the committee report's approval provided that the separate opinion that he had filed would be attached to it.

Senator Tolentino assured him that the minority report would be part of the committee report.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 4:33 p.m.

RESUMPTION OF SESSION

At 4:53 p.m., the session was resumed.

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 still the period of interpellations.

Thereupon, the Chair recognized Senator Estrada, sponsor of the measure, and Senator Pimentel for the continuation of his interpellation.

INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel as to what RA 11709, which was enacted on July 1, 2022, intended to address, Senator Estrada replied that the law caused a marked increase in forced attrition of officers by fixing the terms of 14 key positions in the AFP, reducing the number of generals, and shortening the tenure-in-grade of officers. He noted that the career bottleneck, which prevented

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AFP officers from ascending the organizational ladder, had a significant and negative impact on their career advancement.

Senator Pimentel noted that the primary intent of RA 11709 was to address the practice of revolving door promotions in the AFP leadership, which entails frequent changes owing to the retirement of AFP Chiefs of Staff. However, he conceded that the law did have the unintended consequences mentioned by Senator Estrada.

When asked if Senate Bill No. 1849, which was intended to solve the bottlenecks caused by the implementation of RA 11709, would address the challenges caused by the "revolving door" policy in the appointment of AFP chiefs, Senator Estrada replied in the affirmative. He clarified, however, that RA 11709 was a good law with the purpose of preventing the "revolving door" policy.

Senator Estrada noted that, as was customary whenever a new President begins his or her term, or before the incumbent President leaves office, the latter would pick a new chief of staff, who happens to be a friend of the President and would retire in two months.

Regarding the specific provision in the bill that tackles the "revolving door" policy, Senator Estrada highlighted Section 1 of the bill, which proposes to amend Section 2 of RA 11709, as follows:

"SEC. 2. Tour of Duty AND APPOINTMENT of Key Officers.

"(A) THE CHIEF OF STAFF OF THE ARMED FORCES OF THE PHILIPPINES SHALL HAVE A MAXIMUM TOUR OF DUTY OF THREE (3) CONSECUTIVE YEARS, WHICH SHALL COMMENCE ON THE DATE THE APPOINTMENT IS SIGNED, UNLESS SOONER TERMINATED BY THE PRESIDENT;

"(B) THE FOLLOWING OFFICERS HOLDING KEY POSITIONS IN THE AFP SHALL HAVE A MAXIMUM TOUR OF DUTY OF TWO (2) CONSECUTIVE YEARS, WHICH SHALL COMMENCE ON THE DATE THE APPOINTMENT IS SIGNED, UNLESS SOONER TERMINATED BY THE PRESIDENT:

- (1) COMMANDING GENERAL, PHILIPPINE ARMY;
- (2) COMMANDING GENERAL, PHILIPPINE AIR FORCE; AND
- (3) FLAG OFFICER IN COMMAND, PHILIPPINE NAVY."

He stated that the maximum tour of duty and appointment of the Commanding Generals of the Philippine Army and the Philippine Air Force, as well as the Flag Officer in Command of the Philippine Navy, were also contained in the bill. He noted that Senate Bill No. 1849 limited the fixed tour of duty to only five key positions, the Chief of Staff, the top positions of the three major services of the AFP, and the PMA Superintendent, whereas RA 11709 provides a fixed tour of duty for 14 key officers.

Senator Pimentel remarked that RA 11709 attempted to rectify the revolving door policy by setting fixed tour of duties for 13 other key officers, not just the AFP Chief of Staff. Senator Estrada clarified that Senate Bill No. 1849 would amend the phrase "fixed term of duty" in RA 11709 by using the term "maximum tour of duty."

In reply to another query, Senator Estrada admitted that he had no idea why RA 11709 did not limit the fixed term of three years to the Chief of Staff alone and included 13 other key officer positions, despite the apparent problem with the "revolving door" policy in which the President, during his six-year term, appoints one Chief of Staff after another who are all approaching the mandatory retirement age. He stated that he was not a party to the bill when it was debated and

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passed by the Senate. He maintained that the three-year fixed term for 14 key officers exacerbated the promotions bottleneck and considerably increased the attrition rate in the AFP.

Senator Estrada said that appointing AFP Chiefs of Staff for brief terms should be avoided since it prevents the leadership from instituting reforms in the AFP, noting that appointments for a few months to a year accomplishes nothing. Hence, he said that Senate Bill No. 1849 proposed an amendment to set the Chief of Staff's tour of duty to a maximum of three years, since it would provide sufficient time to implement the reforms that the leadership desires to institute in the AFP.

At this juncture, Senator Ejercito relinquished the Chair to Senate President Zubiri.

Senator Estrada remarked that, according to independent surveys, the AFP was the most trusted institution in the Philippines.

Senator Pimentel believed that the rumblings were caused by RA 11709. However, he stated that the complaints decreased when the former AFP Chief of Staff, who returned to his position as chief of staff, was quoted as saying in his speech, "Stop complaining. Let us be a professional organization and do our job."


Responding to another query, Senator Estrada explained that before the President appoints a chief of staff, the board of generals, the Secretary of National Defense, and the incumbent AFP Chief of Staff recommend a candidate from the AFP's "cream of the crop," making any nominee acceptable to the military officers.

When asked if it was important to address the AFP's revolving door policy, Senator Estrada replied in the affirmative, stating that the security sector requires stability to address national security concerns. Given the administrative, procurement, training, and policy-making responsibilities of the three major services, he believed that the Philippine Army, Philippine Navy, and Philippine Air Force must be included in the measure.

Senator Pimentel stated that RA 11709 extended safeguards against the revolving door policy to 14 positions. He opined that the unrest in the AFP was a result of the 14 positions having fixed three-year terms. Senator Estrada expressed concern that many would be subjected to attrition and that junior officers might not be eligible for promotion.

Senator Pimentel believed that the increase in the mandatory retirement age for all brigadier generals, from 56 to 59 under RA 11709, contributed to the unrest in the AFP. Senator Estrada averred that the measure would have a minor effect on retirements for the next three years because at least two batches would be deprived of the opportunity to compete for promotions.

Senator Pimentel added that the bill proposes to decrease the 14 positions under RA 11709 to five positions, and to change the term "fixed term of duty" to "maximum tour of duty," implying that the President could terminate the officer at any time. In reply, Senator Estrada stated that a graduated age of compulsory retirement, as outlined in the committee report, would nevertheless allow officers occupying positions below that of the key officials to serve for the maximum tour of duty. He stated that according to information from the simulation commissioned by the AFP, if the proposed amendments to the graduated retirement age were pursued, only 117 colonels rather than 134 would be attrited, 43 brigadier generals rather than 93, 20 major generals rather than 32, and only seven lieutenant generals rather than nine. He said that the figure was much less than the attrition rate brought about by RA 11709. Thus, he stressed that the graduated retirement age would minimize the effect of fixing the terms of certain key positions, and based on consultations with junior and senior AFP officers, as well as simulation data, it would be the best option for upholding the intention of RA 11709 and addressing its unintended consequences.



In response to queries regarding the conduct of the simulation, Senator Estrada said that Cocolife Actuarial of San Miguel Corporation conducted the simulation and confirmed that there was no simulation conducted in connection with the passage of RA 11709. On further inquiry regarding the change in retirement age, he disclosed that according to General Rommel Roldan and General Acmad Omar Jr. of the Philippine Air Force, the AFP welcomed the increase in mandatory retirement age from 56 to 59 under RA 11709 because it would promote continuity of programs.

Senator Pimentel observed that under RA 11709, all generals ranked 07 or higher were expected to serve until the age of 59; however, Senate Bill No. 1849 sought to change the mandatory retirement age and make the change retroactive.

When asked how the 192 affected generals would feel about the change in the retirement age, Senator Estrada reaffirmed that the graduated retirement age was the result of consultations with senior and junior AFP officers, who viewed it as the most effective means of preventing unrest within the military.

Senator Pimentel noted the concept of forced attrition of officers and the maximum tenure and grade for the general admiral which was three years for the 09, 08, and 07. He asked whether the bill proposed an additional two years to make the maximum tenure-in-grade to five years, to which Senator Estrada answered in the affirmative, explaining that such proposed maximum tenure-in-grade was already provided for under RA 9188 but was amended by Republic Act No. 11709. He said that the bill sought to restore the maximum tenure-in-grade to five years because three years was too short to be promoted to major general given the limited positions.

Senator Pimentel surmised that an officer could only hold the rank of brigadier general or commodore for a maximum of three years. He inquired at what age officers be attrited if they were not promoted within three years. Senator Estrada replied that brigadier generals have three years but only have two years to compete for promotion, otherwise, they would not be promoted because the law prohibits promotion with one year left in service. With the proposal, he said that officers would have four years to secure a promotion.

Senator Pimentel proposed to introduce stricter language regarding the prohibition on promotion or appointment one year before compulsory retirement. He noticed that some officers were able to get the nod of the Commission on Appointments for promotion before retiring. Senator Estrada replied that he would welcome the proposal.

Senator Pimentel also proposed changing the term "SERVICE-IN-GRADE" on line 3 of page 6 to "TENURE-IN-GRADE," as it was used earlier in the measure. Senator Estrada agreed, saying that there was no real distinction between the terms.

Senator Pimentel also stated that the tenure-in-grade for O6 (colonel, or captain in the Philippine Navy) was increased from eight to 10 years. Senator Estrada confirmed that RA 9188 provided for a 10-year period, and that the eight-year period under RA 11709 was too short a time for a colonel to be promoted given the limited positions for the rank of brigadier general. He said that the committee decided to maximize the experience and expertise by giving them two more years to compete for promotions. He added that by reverting to the 10-year tenure-in-grade for a colonel, a major concern about the rumblings or unintended adverse consequences in the implementation of RA 11709 would be addressed.

Asked if the measure to extend tenure-in-grade would have a negative impact on officers, Senator Estrada admitted that the negative impact could not be avoided, but it would affect a smaller number of officers.

Senator Pimentel also mentioned that the bill added the phrase **IN CONSULTATION WITH THE ARMED FORCES OF THE PHILIPPINES** in Section 5 to amend Section 15 of RA 11709. He inquired as to the rationale of the amendment and whether such consultation would be required. In reply, Senator Estrada believed that it would incumbent upon the Secretary of National Defense to consult the hierarchy of the Armed Forces of the Philippines, which consultation was not provided for in the existing law.

When asked who would prevail if there would be a difference in opinion, Senator Estrada replied that it would be the Secretary of the National Defense. He assumed that the consultation meeting would be officially documented.

In reply to another query, Senator Estrada stated that the opinion of the Chief of Staff would not necessarily be the opinion of the entire AFP. But he assumed that the Chief of Staff would conduct his own consultation within the ranks of the AFP.

Senator Pimentel noted the insertion of the words on page 6, line 21, Section 15 (*Officer Grade Distribution*), Senator Pimentel noted the insertion of the words **INCREASE OR**, so that the Secretary of National Defense could implement the gradual increase in the number of officers in each rank. He believed that the policy had long been determined to reduce the number of officers in each rank, but the measure sought to make it more flexible by decreasing or increasing the number of officers in each rank. He believed that increasing the number of officers would result in a top-heavy organization with more officers than enlisted personnel.

Senator Estrada explained that the insertion of the phrase **INCREASE OR** was in reference to the AFP Modernization Program. He pointed out that RA 11709 allowed the decrease to 1%, although it was 1.125% prior to the said law. He affirmed that the old law's percentage would be restored.

At this juncture, Senator Hontiveros noted that Section 5 of the bill provided that the officer grade distribution shall be in accordance with the AFP Modernization Program, with the corresponding percentages under the AFP Table of Organization. She assumed that the Philippine Army had the greatest number of officers. With the current dispute with China in the West Philippine Sea, she asked if the AFP should prioritize rebuilding navy and air force assets, as well as increasing personnel and officers for the two major services. She said that her question might not be directly related to the bill, but the Senate was always trying to support the AFP in its modernization program, and that the Senate is the treaty-making body and President's partner in expressing foreign policy.

Senator Estrada replied that the subsequent modernization programs would be geared toward addressing external defense, which was why the committee was pushing for the Table of Organization.

He adverted to Section 15 of RA 11709, which states that the Secretary of National Defense shall implement the gradual reduction in the number of officers, with the original 1.125% reduction further reduced to 1%, Senator Estrada pointed out that the 1% decrease was equivalent to a reduction of 160.

Asked whether the bill would empower Secretary of National Defense to increase or decrease the percentages mentioned in Section 15 of RA 11709, Senator Estrada replied that the Secretary could increase but only up to the percentages specified.

Asked if the Secretary could increase to 6.5% given that subparagraph 2 mandated only 6% in the grade of colonel/captain based on total officer strength under the AFP Table of Organization, Senator Estrada answered in the negative, adding that it was part of the safeguards included in the current measure.

Senator Pimentel questioned the significance of inserting the words INCREASE OR as proposed in the measure because RA 11709 mandated a 1% decrease and the bill sought to restore it to 1.125%. He suggested that the phrase "increase or decrease" be avoided.

Senator Estrada agreed to the suggestion, noting that certain percentages had yet to be reached and that the figures provided were simply reintroduced from RA 9188.

Senator Pimentel proposed amending the introductory paragraph, to wit: THE SECRETARY OF NATIONAL DEFENSE, IN CONSULTATION WITH THE ARMED FORCES OF THE PHILIPPINES, SHALL PRESCRIBE THE AUTHORIZED NUMBER OF OFFICERS IN THE ACTIVE FORCE IN EACH GRADE AND IN EACH MAJOR, TECHNICAL, OR ADMISSION SERVICE AS PART OF AND IN LINE WITH THE MODERNIZATION PROGRAM OF THE AFP. He reasoned that the use of the word "decrease" did not actually empower the Secretary of National Defense to decrease, but was merely a description because the number was actually reduced by the law.

Senator Estrada stated that allowing the increase or decrease in the number of officers would provide the AFP flexibility to address an uncertain and volatile security environment, and the percentages would provide for the cap, though it would not necessarily be reached.

Asked by Senator Pimentel if the percentage provided under Section 15(4) could be increased by the Secretary of National Defense, Senator Estrada replied in the negative. Senator Pimentel remarked that introducing the words "increase" or "decrease" creates more confusion and unintended consequences. Senator Estrada said that the latter could propose amendments to the bill at the proper time.

Inquired if the maximum tour of duty could be limited to the AFP Chief of Staff, Senator Estrada explained that the tour of duty granted to the three major commanders was on account of their roles as administrative and program directors which promote policy continuity and procurement. Senator Pimentel averred that the tour of duty for major service commanders was a relatively new concept that deprives junior officers a faster opportunity to advance to the three major positions.

Asked what the best practices of officer-to-enlisted personnel ratio were under Section 5, which states that the decrease in the number of officers in each officer rank was in line with the AFP Modernization Program, Senator Estrada gave as an example the purchase of new helicopters, where the number of Air Force pilots would be increased from two to four because they fly the helicopters even at night, similar to the purchase of modern warships in the Philippine Navy that likewise require more naval officers to operate its weapon system.

Asked what "two (2) cycles" meant in Section 3, Senator Estrada said that it meant two years of promotion. He added that the rank of captains, majors, and lieutenant colonels could be extended for up to two cycles since the prohibition only applies to colonels and brigadier generals.

Asked if the (O-5) tenure-in-grade of seven years plus two years as allowance would be granted only by the President, Senator Estrada replied in the affirmative.

To the suggestion of a wholesale increase in the compulsory retirement age from 56 to 57 or 58 years old since the overall health, life expectancy, and productivity of a 56-year old had improved, he said that such an adjustment entails minimum retirement in the service for the next three years, and two batches would be denied competing for promotions. He noted that the graduated age of compulsory retirement would allow officers in ranks lower than the key officials with the maximum tour of duty to move.

dH

SUSPENSION OF SESSION

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

It was 5:56 p.m.

RESUMPTION OF SESSION

At 5:57 p.m., the session was resumed.

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.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1849

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

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 5:58 p.m.

I hereby certify to the correctness of the foregoing.

Approved on February 15, 2023

Atty. **RENATO N. BANTUG Jr.**

Secretary of the Senate

