



**Republic of the Philippines**  
**SENATE**  
**Pasay City**

# JOURNAL

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FIRST REGULAR SESSION

PREPARED BY THE  
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SENATE OF THE PHILIPPINES

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**SESSION NO. 54**  
Monday, February 27, 2023

**CALL TO ORDER**

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

**PRAYER**

Sen. Joseph Victor G. Ejercito led the prayer, to wit:

Heavenly Father, we come before Your mighty presence once more to offer this august Chamber and its works to Your Holy Name.

In the laws that we write, inspire us with Your compassion and sense of justice. In the debates that we take part in, grant us Your wisdom and calmness. In the exercise of our mandate as servants of God and country, free us from the yoke of selfish wants, empower us to shun any sinful desire, and lead us to the fulfillment of Your will in our words and our deeds.

Heavenly Father, as we deal with different woes besetting our nation at present, fill us with Your love and set our hearts on fire so that we can vanquish our doubts and anxieties and face our collective destiny with hope and optimism. Embrace the weary, the troubled, and the disillusioned among our people and show them the fullness of life and the certainty of our healing and salvation, made full and true by Your mercy and grace.

As we wait for Your return, we beseech You, O Lord, forgive us our sins, protect us from all harm, and deliver us from our tribulations.

All this, we ask and pray in Your Mighty Name.

Amen.

**NATIONAL ANTHEM**

The Coro Cantabile led the singing of the national anthem and thereafter rendered the song, entitled “*Dahil Sa Iyo.*”



**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.	Tolentino, F. T. N.
Gatchalian, W.	Tulfo, R. T.
Go, C. 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.

Senators Cayetano (A) and Cayetano (P) arrived after the roll call.

**MANIFESTATION OF SENATOR VILLANUEVA**

Senator Villanueva thanked the Coro Cantabile, a non-profit organization composed of singers and volunteers from various Christian churches in the Philippines, led by their conductor, Ms. Sharon Abesamis.

**BIRTHDAY GREETING**

On behalf of the Body, Senator Villanueva greeted Senator Hontiveros who celebrated her birthday on February 24, 2023.

**SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:11 p.m.*

**RESUMPTION OF SESSION**

At 3:20 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 following guests:

- Cong. John Tracey Cagas of Davao del Sur;
- Former Vice Mayor Boy Seles of San Juan, Metro Manila, and his party;
- Mayor Amy Alvarez of San Vicente, Palawan;
- Councilor Tina Perez of Hagonoy, Bulacan;
- Mayor Jomapher Alvarez of Luisiana, Laguna;

- Former Mayor Olivier Dator of Lucban, Quezon; and
- Councilor Tata Granados of Tacloban City.

Senate President Zubiri welcomed the guests to the Senate.

### **APPROVAL OF THE JOURNALS**

Upon motion of Senator Villanueva, there being no objection, the Body dispensed with the reading of the Journals of Session Nos. 52 (February 21, 2023) and 53 (February 22, 2023) and considered them approved.

### **REFERENCE OF BUSINESS**

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

#### **MESSAGE OF THE PRESIDENT OF THE PHILIPPINES**

Letter of His Excellency President Ferdinand R. Marcos, Jr. dated 20 February 2023, submitting for the Senate's consideration and concurrence the Agreement between the Government of the Republic of the Philippines and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, which was signed on 16 July 2021 in Bandar Seri Begawan, Brunei Darussalam.

**To the Committee on Foreign Relations**

#### **BILLS ON FIRST READING**

Senate Bill No. 1913, entitled

**AN ACT INSTITUTIONALIZING THE INCOME CLASSIFICATION OF PROVINCES, CITIES AND MUNICIPALITIES, AND FOR OTHER PURPOSES**

Introduced by Senator Revilla

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

Senate Bill No. 1914, entitled

**AN ACT INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND NATURAL CAPITAL ACCOUNTING SYSTEM (PENCAS), APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

Introduced by Senator Revilla

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

Senate Bill No. 1915, entitled

**AN ACT CREATING THE HEALTH EMERGENCY AUXILIARY REINFORCEMENT TEAM UNDER THE DEPARTMENT OF HEALTH AND APPROPRIATING FUNDS THEREFOR**



Introduced by Senator Lapid

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

Senate Bill No. 1916, entitled

AN ACT AMENDING SECTION 73 AND 76 OF REPUBLIC ACT NO. 6975 OTHERWISE KNOWN AS AN ACT ESTABLISHING THE PHILIPPINE NATIONAL POLICE UNDER A REORGANIZED DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AND FOR OTHER PURPOSES, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committees on Public Order and Dangerous Drugs; Local Government; and Finance**

Senate Bill No. 1917, entitled

AN ACT ESTABLISHING A GENERAL HOSPITAL IN THE CITY OF ILIGAN, PROVINCE OF LANA DEL NORTE, TO BE KNOWN AS THE ILIGAN GENERAL HOSPITAL AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1918, entitled

AN ACT ESTABLISHING A TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TRAINING AND ASSESSMENT CENTER IN BARANGAY CAMAMAN-AN, CAGAYAN DE ORO CITY, TO BE KNOWN AS THE CAGAYAN DE ORO CITY TESDA TRAINING AND ASSESSMENT CENTER, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

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

Senate Bill No. 1919, entitled

AN ACT CONVERTING THE MUNICIPALITY OF MALAY IN THE PROVINCE OF AKLAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF MALAY

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1920, entitled

AN ACT REQUIRING FREE PARKING IN COMMERCIAL ESTABLISHMENTS FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, AND VALIDATED CUSTOMERS

Introduced by Senator Tulfo

**To the Committees on Trade, Commerce, and Entrepreneurship; and Social Justice and Development**

Senate Bill No. 1921, entitled

AN ACT PROVIDING FOR HOSPITAL BENEFITS AND OTHER PRIVILEGES FOR PUBLIC SCHOOL TEACHERS AND THEIR DEPENDENTS AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Tulfo

**To the Committees on Civil Service, Government Reorganization and Professional Regulation; and Basic Education**

Senate Bill No. 1922, entitled

AN ACT INCREASING COMPENSATION OF SOCIAL WORKERS IN GOVERNMENT SERVICE, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBER 9433, ENTITLED, AN ACT PROVIDING FOR A MAGNA CARTA FOR PUBLIC SOCIAL WORKERS

Introduced by Senator Estrada

**To the Committee on Social Justice, Welfare and Rural Development**

**RESOLUTION**

Proposed Senate Resolution No. 499, entitled

RESOLUTION CONGRATULATING AND COMMENDING FILIPINO OLYMPIAN ERNEST JOHN "EJ" UY OBIENA FOR HIS IMPRESSIVE MEDAL HAUL IN THE OPENING OF THE 2023 POLE VAULTING COMPETITIONS

Introduced by Senator Revilla

**To the Committee on Rules**

**COMMITTEE REPORT NO. 24 ON SENATE BILL NO. 1850**

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1850 (Committee Report No. 24), entitled

AN ACT EMANCIPATING AGRARIAN REFORM BENEFICIARIES FROM THE DEBT BURDEN ARISING FROM THE AWARD OF AGRICULTURAL LANDS UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Villar (C), sponsor of the measure, and Senator Escudero for his interpellation.



## INTERPELLATION OF SENATOR ESCUDERO

Senator Escudero deduced from Land Bank of the Philippines' (LBP) data that 80% of Agrarian Reform Beneficiaries (ARBs) do not pay their loans, while 20% have either fully paid their debts or just a portion of it.

He noted that while the bill intends to benefit non-paying ARBs through debt condonation, it leaves those who fulfilled their obligations as getting the raw end of the deal. He then asked if there were any provisions in the measure that would reward the latter.

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

In response, Senator Villar (C) stated that the measure's goal was to condone the non-payment of ARBs, and not to reward those who had fulfilled their obligations.

Senator Escudero, however, pointed out that nothing precludes the Body from inserting a provision benefitting fully-paid ARBs, such as assistance from the Department of Agrarian Reform (DAR). Senator Villar (C) replied that, indeed, such ARBs would be getting assistance from the Department.

When asked whether the measure provides for such an arrangement, Senator Villar stated that fully-paid ARBs are transferred to the jurisdiction of the Department of Agriculture (DA), where they will receive the necessary support and assistance. She emphasized that Section 7 (*Preference to Credit Facilities and Support Services for Beneficiaries with Paid Amortizations*) addressed his concern.

He then stated that he would submit his amendments on the measure at the proper time.

## INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel whether Senator Villar (C) was willing to revisit the short title of the bill to reflect its nature as a condonation measure rather than using the word "emancipation" as its description, Senator Villar said that she would welcome any suggestions for improving it.

Asking further why the measure demanded two separate lists of ARBs who were to benefit from it, as indicated in Sections 2 and 3, Senator Villar (C) explained that the LANDBANK already had a detailed list of ARBs with individual Certificates of Land Ownership Awards (CLOAs).

She did, however, mention "collective CLOAs," which would still need to be split into individual CLOAs in order to establish the individual beneficiaries. She further stated that the World Bank had committed P19 billion to fund the undertaking in the next three years, with the Philippine government's equity pegged at P5 billion. She pointed out that the bill imposes a three-year waiting period before converting collective CLOAs to individual CLOAs, which would eventually be condoned.

Sought for more details, Senator Villar (C) stated that the 263,622 ARBs mentioned in Section 2 of the bill referred to those with individual CLOAs, the names of which were already on file with the LANDBANK, totaling P14.5 billion and spanning 409,206.91 hectares.

She stated that the list mentioned in Section 3 of the bill refers to ARBs that were part of the Voluntary Land Transfer (VLT) scheme. However, she stated that the number of such ARBs would be reduced from 92,824 to 10,201. She said that the latter number amounted to P206,240.47, covering 11,531 hectares.





Explaining further, Senator Villar (C) said that the original figure of 92,824 represented the total number of ARBs under VLT, and included those that were already fully paid. She said that after validation activities, the number of remaining beneficiaries of the condonation stood at 10,201, the list of which was with the LANDBANK as well.

Relative thereto, she said that the committee would be introducing the amendments at the proper time.

Senator Pimentel asked if it was wise for the measure to be particularly specific in terms of the number of beneficiaries that would be considered, given that some errors could have been made in coming up with the figures. Senator Villar (C) responded that the figures mentioned in the bill represent actual and identifiable individual ARBs who would benefit from the condonation. She stated that being specific would prevent any unnecessary additions to the list and posited that the measure did not preclude the formulation of another condonation measure in the future should the need arise. He added that she can provide Senator Pimentel with the updated lists.

On whether the list mentioned in Section 3 [*Termination of Payment of Compensation by ARBs Under Voluntary Land Transfer (VLT) and Direct Payment Schemes (DPS)*] has been submitted to the concerned committees of both Houses of Congress, Senator Villar replied that it was included in her list of proposed amendments.

Senator Pimentel then sought clarification on the meaning of the term “thereafter” found on page 2, line 19 of Section 2 (*Condonation of the Agrarian Reform Debt*). Senator Villar (C) stated that after the bill is passed, the DAR would issue a Certificate of Condonation, which will be annotated on the title. She said that Senator Pimentel could introduce amendments to Section 2 at the proper time.

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

Senator Pimentel noted that the bill would condone beneficiaries who have failed to pay their amortization, principal, interest, or penalties for land provided to them under the Agrarian Reform Program (ARP), which covers three laws – Presidential Decree 27, and Republic Act Nos. 6657 and 9700.

On whether all the beneficiaries were given uniform 30-year amortization grant, Senator Villar (C) clarified that the three laws have different lengths of time – 20 years for PD 27, and 30 years each for RA 6657 and RA 9700.

Asked if there were more beneficiaries under PD 27, Senator Villar (C) replied in the affirmative. However, she said that individuals who still owed amortization will be compensated by the condonation.

Senator Pimentel stated that he agrees with the spirit of the measure despite the fact that there were still farmer-beneficiaries who were unable to pay the amortization with the passage of time. He believed that while the beneficiaries were in good faith to pay, they just could not afford to do so.

Regarding the concern of Senators Hontiveros and Escudero about people who were able to comply with their legal obligation, he stated that the only thing that the bill might offer is to give preferential treatment with credit facilities or loans. Senator Villar (C) stated that support services such as mechanization, seeds, fertilizers, trainings, and financial assistance will be prioritized. She stated that Senator Pimentel was welcome to propose an amendment to Section 7 at the proper time.

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

Senator Villar (C) stated that there will be no refunds for individuals who have paid in full or in part because there is no law requiring refund payments. She emphasized that individuals who have fully or partially paid have priority access to credit facilities and support services.

Asked how much has been paid to the government, Senator Villar informed the Body that a total of P9 billion has been collected from fully paid beneficiaries, and that the amount does not include those who have partially paid as their unpaid loan will be covered by the bill.

On Section 8 (*Estate Tax Exemption*), Senator Pimentel expressed concern on the possibility of exempting the lands from Real Property Tax (RPT). Senator Villar believed that it is not within the ambit of the bill to cover such tax. She said that the DAR could request the LGUs to pass a local legislation that would exempt them.

Senator Pimentel opined that Congress could pass a law exempting certain lands from RPT. Senator Villar (C) believed that if Congress were to pass such law, it would be amending the Local Government Code.

As regards Section 5, Senator Villar (C) stated that it will be completely deleted from the bill.

As to Section 9 (*Issuance of Agrarian Reform Title*), she stated that the DAR will request the Register of Deeds to issue the title within 60 days and the individual CLOA with the certificate of condonation annotated. She said that the existing law does not state any timeline. She added that the DAR would follow the 10-year rule of banning the sale of the title from the time of issuance of CLOA.

Senator Pimentel noted that Section 9 provides for the condonation to be annotated to the title within 60 days, and that the first sentence of Section 9 orders the Register of Deeds to register the Emancipation Patent (EP) or any other title issued pursuant to the Agrarian Reform Law within 60 days from issuance thereof to the name of the ARB beneficiary.

Senator Villar (C) stressed that the current law does not state a timeline, and that the proposed measure gives the Registry of Deeds 60 days to register the EP, CLOA, and other title issued in the name of the ARB beneficiary.

As regards Section 10, Senator Pimentel expressed reservations on whether Congress could pass a law that would order the courts to dismiss cases. He believed that the DAR, who is involved in the case, would just file a motion to dismiss the case due to the passage of the law condoning the debt or infraction. Senator Villar (C) stated that at the proper time, the committee would propose to amend to make it the DAR rather than the court.

Regarding funding, Senator Villar (C) informed the Body that Section 15 covers the Agrarian Reform Fund (ARF) lodged in two accounts – P382 million in Land Bank of the Philippines, and P50 billion with the Bureau of Treasury. She said that the foreseen spending in the implementation of the Act would amount to P57 billion which would come out in about three years. She said that the current spending is at P15 billion, which is deducted from the P57 billion. She assured the Body that there is enough money in the ARF.

As to how the P57 billion spending was reached, Senator Villar (C) explained that most of the CLOAs issued were collective, and that the DAR would implement a split program that would

divide the CLOAs individually. She stated that the program would take about three years to complete. She reiterated that the ones to be condoned first would amount to P15 billion.

Asked if there would be a cash out for the condonation, Senator Villar (C) replied in the negative. However, she stated that there will be foregone income in the future. Senator Pimentel supposed that there are incidental expenses that would be considered as foregone income.

On the repealing clause, Senator Pimentel noted that Section 17 (*Repealing Clause*) mentioned that "Section 21 of RA 6657, as amended, is hereby modified." He stated that Section 21 of RA 6657 is about payments under Voluntary Land Transfer (VLT). He then inquired how Section 21 of RA 6657 would be modified by the bill.

Responding thereto, Senator Villar (C) stated that government will assume the responsibility of paying the monthly amortization of the loan to the landowner and that it is not paid in lump sum.

As regards the cut-off date of the condonation program, Senator Villar (C) informed the Body that it will be on December 31, 2022 as it will be the end of the year.

On the status of the Agrarian Reform Program, Senator Villar (C) stated that based on the findings of the Committee on Agriculture, Food and Agrarian Reform, there is still 173,000 hectares of land to be distributed; and with the addition of 200,00 hectares of government land, the total would be 373,000 hectares for distribution.

Based on the findings of the Senate Committee on Agriculture, Food, and Agrarian Reform, Senator Villar (C) stated that the remaining balance that would still have to be distributed was 173,000 hectares, plus the additional 200,000 hectares of unused government lands under President Duterte's administration, or a total of 373,000 hectares of land for distribution under the government's Agrarian Reform Program, after the passage into law of Senate Bill No. 1850.

On whether the new ARBs could already expect to get the land that would be awarded to them for free, Senator Villar (C) replied in the negative, explaining that there were still no existing loans on the 373,000 hectares of land for distribution, so Congress would have to pass another bill that would condone the agrarian reform debt of future beneficiaries. She reiterated that the proposed measure was seeking the condonation of payments of ARBs submitted as of December 31, 2022.

As to whether the Body could change the policy such that the government would continue the Agrarian Reform Program at no obligation on the part of the future beneficiaries to pay for the land cost, Senator Villar (C) replied that the bill speaks about condonation, and the government cannot condone something that is not yet existing.

Senator Pimentel surmised that future beneficiaries of the same program would expect to be given the same relief. Senator Villar (C) then suggested that future beneficiaries lobby with the next Congress to pass a law emancipating them from the same debt or obligation. Senator Pimentel then requested guidance from the DAR experts on land reform in coming up with a solution.

#### **SUSPENSION OF SESSION**

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

*It was 4:05 p.m.*



**RESUMPTION OF SESSION**

At 4:07 p.m., the session resumed.

**INTERPELLATION OF SENATOR PIMENTEL**

*(Continuation)*

Senator Pimentel stated that he earlier suggested emancipating future ARBs but he acknowledged the desire of Senator Villar (C) to keep the bill simple and explicit in condoning existing loans. He noted that the sponsor was nevertheless open to the senators' proposed amendments on the bill.

With the understanding that the bill was limited to the condonation of unpaid existing loans—its penalties and interest—of ARBs under the three agrarian reform laws, Senator Pimentel expressed his full support for the bill's intention to emancipate ARBs who, in good faith, could no longer comply with their financial obligations under Presidential Decree No. 27, RA 6657, and RA 9700.

**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. 1850**

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

**SUSPENSION OF SESSION**

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

*It was 4:10 p.m.*

**RESUMPTION OF SESSION**

At 4:50 p.m., the session was resumed with Senate President Zubiri presiding.

**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 the period of amendments.

Thereupon, the Chair recognized Senator Gatchalian, sponsor of the measure for the amendments.



**TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS**

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

**MANIFESTATION OF SENATOR CAYETANO (P)**

Senator Cayetano (P) stated that she submitted her amendments on time upon request by Senator Gatchalian considering the other important measures that the Body would take up in the next session days. She said that Senator Gatchalian would read the amendments on her behalf but would interject to explain the amendments.

**GATCHALIAN AMENDMENT**

On page 2, line 16, after the word "social," as proposed by Senator Gatchalian, there being no objection, the Body approved the deletion of the comma (,) and, in lieu thereof, the insertion of the article AND.

Senator Gatchalian explained that the amendment would emphasize social and emotional as one concept and not compartmentalized ideas.

**CAYETANO (P) AMENDMENTS**

At the instance of Senator Cayetano (P), Senator Gatchalian proposed the following amendments which, there being no objection, were approved by the Body, one after the other:

1. On page 1, transpose Section 3 (DECLARATON OF POLICY AND OBJECTIVES) as the new Section 2; and renumber the succeeding sections accordingly;
2. On page 4, line 5, after the word "Program," insert the phrase THE DEPED SHALL ENSURE THAT THE, and delete the word "shall" after "tutors";
3. On the same page and line, after the word "training", insert a comma (,) and the phrase AS NEEDED and a comma (,); and
4. On the same page, line 7, delete the comma (,) and the phrase "as may be deemed necessary."

Senator Cayetano (P) explained that the amendment aimed to ensure that the agency tasked to conduct the training would be identified, that is, DepEd, as she noted the questionable activities in the past.

As regards the phrase "training, as needed," she believed that every teacher may have different backgrounds and different talents, so the training programs for tutors should be based on their needs to become effective tutors.

As further proposed by Senator Gatchalian, on behalf of Senator Cayetano (P), there being no objection, the Body approved the deletion of page 4, lines 30 to 31 and in lieu thereof, the insertion of the following: THE DEPED SHALL DETERMINE THE LEARNERS AND TUTORS IN FINANCIAL NEED AND ENSURE THAT THEY ARE PROVIDED SUBSIDIZED DATA PLANS FOR THE USE OF THESE APPLICATIONS;

Senator Cayetano (P) explained that the aim of the amendment was to provide flexibility to many proactive LGUs which might already have programs in place and might not anymore require data plans. She added that flexibility would be given to DepEd to provide data plans, as necessary.



Senator Gatchalian agreed that the amendment would give DepEd the flexibility to prioritize those who are in greater need of gadgets or subsidy.

### SUSPENSION OF SESSION

Upon motion of Senator Cayetano (P), the session was suspended.

*It was 4:59 p.m.*

### RESUMPTION OF SESSION

At 5:00 p.m., the session was resumed.

Upon resumption, Senator Cayetano (P) stated that she had concerns or observations about the other sections but she did not propose amendments thereon because the provisions were already aligned with her views. However, she wanted to ensure that the bill would be implemented as intended.

On Section 4, Senator Cayetano (P) believed that the duration of the implementation of the program would go on for as long as it would be needed and Congress should ensure that the budget, especially for the tutors' compensation, would be allocated so that the program could continue.

Asked if there would be additional cost to upscale the teachers for the intervention, Senator Gatchalian surmised that more target programs would be identified during the assessment of the students' levels of proficiency and the necessary interventions.

On whether the assessment would be national in scope, Senator Gatchalian affirmed that the assessment would be done per school level nationwide so that DepEd would have a full view as to the number of students who would be part of the program, which would not be one-size-fits-all but would depend on the different levels of proficiency per student.

Senator Cayetano (P) then asked as to the estimated number of students who would undergo the program. She also asked whether it would be compulsory for the teachers to be tutors or they could opt out. In reply, Senator Gatchalian recalled that during the period of interpellations, the highest estimated number of students who need intervention would be seven (7) billion, according to the learning poverty numbers of the World Bank. As regards the cost, he said that the committee adopted the benchmark cost, following a model from Ghana, at P550 per learner per year, as recommended by the World Bank in the different models implemented in other countries.

Asked whether the parents would not spend on the intervention if the government would allocate a budget for the program, Senator Gatchalian replied in the affirmative. He also said that the program should emphasize a learner-centered approach instead of a one-size-fits-all program so that the learners should get what they needed.

Asked by Senate President Zubiri whether the program was following the model from Ghana, Senator Gatchalian replied in the affirmative. As to why the program was patterned after Ghana which was also last, together with the Philippines, in the World rankings, he explained that the committee looked at different models and because Ghana is a developing and poor nation, the World Bank recommended to follow their intervention program which cost about P550 per student. He added that the Ghana model was quite successful and cost-effective on a per-peso value. He also stated that it would be difficult to pattern after the U.S. or the UK because their resources were quite unlimited when it comes to education.

On whether the cost-effective intervention program in Ghana would be imitated by the Philippines, Senator Gatchalian clarified that the P550 cost in Ghana was cited only as basis of the current operating cost in the Philippines which was P250 per student.

For her part, Senator Cayetano (P) remarked that there were other cheap cost-effective interventions as in Portugal where people can speak and understand English, Spanish, and French because all the American movies and TV programs shown there were in foreign language, particularly English, but with Portuguese subtitles. In the Philippines, however, she noticed that the cartoons and movies which were used to be shown in English are now dubbed in Filipino. Senate President Zubiri recalled that even the popular super robot show, Voltes V, was dubbed in English. Senator Cayetano (P) enjoined the senators to support her in filing a resolution addressing the issue, so that everyone would be more familiar with the English language.

Senator Gatchalian supposed that the reason why cartoons and sitcom shows shown in English before were suddenly translated in Filipino was for TV station ratings. Senator Cayetano (P) wondered why TV shows would have to be dubbed in a different language when it should be English that Filipinos must learn more, being an international language.

Senate President Zubiri also pointed out that before, other countries were hiring Filipino educators to teach English to their schoolchildren. However, he lamented that the Philippines was losing the advantage as other ASEAN countries were able to catch up with their English proficiency.

As to whether teachers or para-teachers could choose not to be a tutor although Section 7 provides that they shall be responsible for tutoring learners under the ARAL Program, Senator Gatchalian replied that teachers would be tapped as tutors for practicality as they already exist within the DepEd system. He noted that other potential tutors like tertiary education students, students who were taking Education course, and volunteers would also be tapped in order expand the core of tutors.

As regards the meaning of "para-teacher," Senator Gatchalian said that its definition could be found on Section 7 (*Tutors under the ARAL Program*).

Disclosing that her mother used to own Montessori pre-school, Senator Cayetano (P) said that she taught Reading and Math to preschoolers during summer. She agreed senior high school students could also be made tutors especially if they intend to proceed in the Academic Track, subject to DepEd's standards and guidelines.

Adverting to Section 14 which grants NSTP credits to tertiary level students who would serve as tutors, Senator Cayetano (P) said that she would propose a similar provision for senior high school students, or those taking or intend to take Engineering or Science courses. Senator Gatchalian averred that it would increase the number of potential tutors considering the four million senior high school students ages 17 to 18 who could be tapped for the ARAL Program.

To the suggestion of including as tutors the individuals who retired early or those who set aside their profession, subject to DepEd's accreditation system, Senator Gatchalian agreed.

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

Thereupon, on Section 7, Senator Cayetano (P) proposed the inclusion of senior high school students and other individuals who qualify under DepEd requirements, and on Section 14, that senior high school students who serve as tutors be given commensurate recognition, including but not limited to NSTP credits. Senator Gatchalian accepted the amendments which, there being no objection, were approved by the Body, subject to style.

As to why Republic Act No. 8370 (Children's Television Act of 1997) was mentioned in the bill, Senator Gatchalian stated that DepEd could come up with TV programs in line with the ARAL Program. Senator Cayetano (P) remarked that at a future time, the Body could consider granting incentives for airtime.

As an aside, Senator Gatchalian suggested the conduct of an oversight hearing on Republic Act No. 8370 so the law would be more responsive to present technology. Even the provisions of the National Book Law should be revisited because children now use digital and audio books to learn, he said.

Concurring in the observation that laws must be updated with the times, Senator Cayetano (P) stated that the budget for traditional yet interesting books must still be maintained, as she recalled how the Senate fought to ensure the setting up of libraries all over the country.

Senator Gatchalian thanked Senator Cayetano for her suggestions that further improved the bill.

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

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

#### **APPROVAL OF SENATE BILL NO. 1604 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1604 was approved on Second Reading, subject to style.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1604**

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

#### **PRIVILEGE SPEECH OF SENATOR TULFO**

Availing himself of the privilege hour, Senator Tulfo delivered the following speech:

*Noong nakaraang linggo, lumapit po sa aking tanggapan si Nanay Theresa Meregildo, 65 years old, maybahay at misis ng isang SSS pensioner na si Tatay Maximo Meregildo. Si Tatay Maximo po ay umutang sa EverFirst Loan Corporation noong 2019 hanggang June 2022. Ang EverFirst Loan Corporation ay isang lending company na nagpapautang sa mga SSS at GSIS pensioners, at ginagamit nila ang ATM ng mga pensioners bilang collateral. Noong December 16, 2022, namatay po si Tatay Maximo. Nahirapan na pong kunin ni Nanay Theresa ang ATM ni Tatay Maximo. Umiiyak si Nanay Theresa sa akin dahil nawalan na nga siya ng katuwang sa buhay, hindi pa niya makuha ang ATM, kahit sa pagkakaalam niya ay bayad na ang utang ni Tatay Maximo. Nagmamatigas ang EverFirst Loan at iniipit pa rin ang ATM.*

*Akin na pong natulungan si Nanay Theresa at maayos na pong nakausap ang EverFirst, pero ang mas nakakaantig sa puso ko ay ang sitwasyon ng ating mga mahihirap na kababayan na kinakailangang isangla ang kanilang Pension ATM para mangutang. Ang kwento po ni Nanay Theresa ay hindi bago. Madami na akong narinig na kwento ng matatanda na kailangang bumili ng gamot, pero hindi sila makabili dahil nandoon at nakasangla ang kanilang ATM.*

*Sa kaso po ni Nanay Theresa, P9,500 po ang kaniyang pension, at ang kinakaltas ng EverFirst ay P 9,000 kada buwan bilang hulog sa utang nila. At ang "sukli" na P500 ay kailangan niyang dayuhin sa opisina ng EverFirst upang pangtawid niya buong buwan. Nawalan sila ng freedom of access sa kanilang mga pera.*





*Maraming pensioners po ang lumalapit sa programa ko, o dito sa opisina natin sa Senado, para maitawid ang kanilang mga pangangailangan para sa gamot o pang-ospital. Hindi man sapat ang nakukuha ng mga kababayan natin sa kanilang pension, malaking tulong pa rin ito sa mga mahihirap nating kababayan na talagang walang ipon. Kaya kapag ito ay naipit dahil sa Sangla-ATM, walang-wala na talagang pinagkukunan itong mga lolo at lola natin.*

*Bakit ba nagkakaganito ang mga pensioners? Una, wala silang ipon. Hindi naman kaila na ang karamihan sa ating mga kababayan ay isang kahig at isang tuka. Kung ano ang kinita ngayon ay sapat lamang sa pang-araw-araw.*

And that is why, we have laws establishing the SSS and GSIS. We have RA 11199, or the Social Security Act of 2018; and RA 8291, or the Government Service Insurance System Act of 1997. In these laws, we enforce and regulate a means for our people to save through monthly contributions supplemented by shares from their employers. In these insurance systems, our people will have something to rely on for health, death, and other unforeseen incidents. Through these laws, they do not have to become charity cases. They grow old with some form of dignity.

*Pero ang problema po ay kulang na kulang ang pension ng mga retirees natin. Hindi ito sapat para sa kanilang sariling pangangailangan at sa kanilang mga pamilya, kaya napipilitan po silang mangutang.*

But, it is very difficult for the poor to secure loans from banks and other financial institutions. They just take loans from relatives or friends; but, if none could give them, these Sangla-ATM lending institutions provide an easy mode for securing a loan. They just turn over the ATM and their PIN code, and they are able to secure a loan, with the Pension ATM as their collateral.

The problem, which I have encountered so many times with the complaints that I receive, is that our elderly pensioners are being taken advantage of. Their scheming children, relatives, or caregivers take their Pension ATMs and take on a loan on their behalf, sometimes forging their signatures. These pensioners are unaware that loans have been taken under their name, or sometimes, they are coerced to agreeing to their able-bodied caregiver or relatives. *At kapag kailangan talaga nila ng pera para sa kanilang pagkain, utilities, gamot o pang-doktor, sila ang walang napagkukunan.*

*Karapatan naman ng bawat tao na umutang kung gusto nila, basta't naaayon sa batas ang mga kasunduan. Wala namang masama rito. Ang hindi ko po matanggap ay ang binigay natin sa ating batas upang maprotektahan ang ating mga pensioners sa kanilang pagkatanda ay nawawala dahil sa Sangla-ATM. Kung tutuusin, itong pagbigay ng pension sa pamamagitan ng ATM ay para sana mapadali ang pagkuha ng pension ng ating mga lolo at lola. Pero ngayon, ito ay napapasama pa dahil sa Sangla-ATM.*

Let us remember that the policy behind the creation of the SSS and GSIS is social justice. This is a mandate of the Constitution. Social justice, according to Jose P. Laurel, is the humanization of laws and the equalization of social and economic forces by the State. To put it simply, as stated by my favorite President, Ramon Magsaysay, "those who have less in life should have more in law."

Pursuant to this mandate, we established the SSS and GSIS with a goal in mind to establish a sound and viable tax-exempt social security system suitable to the needs of the people, which shall promote social justice through savings, and ensure meaningful social security protection to members and their beneficiaries against the hazards of disability, sickness, maternity, old age, death, and other contingencies resulting in loss of income, or financial burden. *Ang pension po na nakukuha sa SSS at GSIS is a matter of public policy. This is not your regular insurance. This is provided by law, pursuant to our public policy on social justice. Now, if this public policy is being hindered by schemes such as Sangla-ATM, then we have to do something.*

What exactly is Sangla-ATM? It is a form of informal lending wherein the ATM card is used as the collateral, and where the lender uses the ATM card or debit card to withhold the payment from the salary payment, on every pay day until the entire amount is repaid. According to the Bangko Sentral survey in 2014, 39.9% of collaterals used for loan are Sangla-ATMs. This is bigger than the use of land, appliances, vehicles, or harvest as collateral.

Given this data, and the fact that SSS has 1,946,029 retirement pensioners while the GSIS has 372,992 old-age pensioners, we must look if there is a need to regulate the use of the Pension ATM as collateral in the Sangla-ATM system. At the moment, there is no prohibition or regulation governing these Sangla-ATM transactions.

During the Seventeenth Congress, the matter of Sangla-ATM was already raised by our courageous Sen. Grace Poe, in Senate Resolution No. 632. She emphasized our State policy to regulate the establishment of lending companies, and to prevent and mitigate, as far as practicable, practices prejudicial to public interest. But to balance this policy, the resolution recognized that access to finance is an inseparable component of ensuring inclusive growth and poverty reduction. *Tama po*, we have to regulate Sangla-ATM, but we also acknowledge that, to the poor, this is their only means to secure fast loans. *Kailangan din pong i-balanse*.

The matter was taken up by the Committee on Banks, Financial Institutions and Currencies, presided by its then Chair, Sen. Francis G. Escudero. During the hearing, the concerns regarding Sangla-ATM were raised; but in the end, it was concluded that it is a legitimate means of securing loan. The BSP held its opinion on whether there is a need to prohibit it outright. But the said hearing was held in 2018, or almost five years ago. I believe that there are still legitimate concerns regarding this mode of securing loans. And given new laws governing our banks and other related matters, maybe it is time to conduct an inquiry whether the system of Sangla-ATM is a matter that needs regulation or even legislation.

I am looking into proposing the prohibition or regulation of the use of SSS and GSIS Pension ATM as a collateral, and providing corresponding penalties. And while we are on this matter, I would like to find out the stand of the Central Bank and the Monetary Board regarding the use of ATMs or Debit Cards as collateral for loans by lending companies. What are the implications of Sangla-ATM to the security of our banking system and its compliance with all our other laws? And let us see, if there are abusive lending practices in these transactions.

Finally, seeing the plight of our elderly, regarding securing loans, an inquiry on the possibility of providing lower interest rates for our pensioners, and a ceiling on the loans they take, should also be conducted. The opinion of our economists and financial experts would be key to the development of policies surrounding this matter.

I ask for the support of my dear colleagues, for us to provide genuine social justice for our people. *Hindi po iyong salita-salita lang, or batas sa papel*. Let us make them feel what it really means to have more in law.

## MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva expressed his full support for Senator Tulfo's statement, especially on the matter of taking care of the marginalized sectors of society such as the senior citizens. In this regard he also recalled how the previous Congress, in which he was also a member, worked hard to pass Republic Act No. 11916, increasing in the social pension of indigent senior citizens. He added that during the deliberation of the 2023 national budget, the Body was so passionate about the issue as to include P50 billion that was meant to increase the monthly benefits of indigent senior citizens.

## REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Tulfo and the manifestation thereon to the Committee on Banks, Financial Institutions and Currencies as the primary committee, and to the Committee on Social Justice, Welfare and Rural Development as the secondary committee.

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

**PRIVILEGE SPEECH OF SENATOR EJERCITO**

Availing himself of the privilege hour, Senator Ejercito delivered the following speech on the unpaid services of retired employees of the City Government of San Juan:

*Isang mapagpalayang hapon sa ating lahat.*

*Nitong nakaraang taon, lumapit sa aking opisina ang ilan sa mga retiradong empleyado ng Pamahalaang Lungsod ng San Juan. Ayon sa kanila, hindi pa rin sila nababayaran sa serbisyo na kanilang inilaan sa paglilingkod sa lungsod.*

*Humigit kumulang sa dalawampung empleyado po ang dumulog at nagsumbong na rin ng kani-kanilang hinaing. Kagaya po ng ibang mga kawani ng lokal na pamahalaan sa iba't ibang panig ng bansa, pagsi-serbisyo publiko na po ang kanilang naging buhay. Karamihan sa kanila ay mga dalaga't binata pa noong sila'y pumasok at nagsimula ng kanilang career sa local government service. Sa city hall na po naligawan ang iba sa kanila at nakapag-asawa; doon na rin po sila tumanda.*

*Karamihan po sa mga nabanggit na mga retiradong empleyado ng San Juan City Hall ay nakapaglingkod pa noong aking termino bilang mayor, at maging panahon ng panunungkulan ng aking ina, si Gng. Guia Gomez; maging ng akin pong kuya at kapatid na si Sen. Jinggoy Estrada, at ng dating Mayor Joseph "Erap" Estrada. Sila po ay mga personal kong kakilala at mga nakatrabaho. Masasabi ko pong mabubuti silang mga tao at huwaring mga kawani ng pamahalaan.*

*Noong naglilingkod pa ang mga nabanggit na retired employees sa San Juan ay hindi sila namili ng tutulungan at pagsisilbihan, anuman ang partido o grupo na kinabibilangan ng nangangailangan. Dahil ganoon naman po dapat, hindi po ba? Ngunit noong sila po ay nagretiro, mistulang tiningnan at minasama ang kanilang mabuting ugnayan sa aming pamilya.*

*Tumindig po ako ngayon hindi lamang para sa mga inaping retired employees ng San Juan City Hall, kundi para na rin sa lahat ng mga kawani na pinagkaitang matanggap kung anuman ang nararapat para sa kanila. Tunay nga pong nakakadismaya ang hindi pagbabayad ng terminal pay sa mga retirees. Ngunit higit pong nakaalarma, kung ang pagharang ay sa kadahilanang hindi kaalyado ang mga kawani.*

*Ang kasalukuyang dinaranas ng mga retiradong empleyado ng San Juan ay ang malungkot na larawan ng lokal na politika sa ating bansa tuwing nagkakaroon ng pagpapalit ng liderato: may kulay at pagkakahati-hati.*

*Ang akin lamang panawagan, dahil bago po ako mag-deliver ng privilege speech, ay nagpaabot si Mayor Zamora, na bakit daw po ako titindig at titirahin po sila. Hindi po ito pagtira—ito po ay pakikiusap upang maibigay na ang terminal pay ng mga empleyado; na halos apat na taon na mula nang sila po ay nagtapos ng serbisyo sa San Juan, hanggang ngayon ay hindi pa po nila nakikita. Ang sa aking pagkakaalam din, these are services rendered. Ang terminal pay o terminal leave pay ay kanila pong pera na pinagpaguran habang nagsisilbi sila empleyado ng San Juan.*

As chairman of the Senate Committee on Local Government, this humble Representation cannot tolerate this practice of taking hostage the terminal pay of local government employees. Ibigay na natin dapat ang pera na pinaghirapan nila nang ilang taon sa serbisyo. My own office reached out to the Civil Service Commission to seek assistance for the above-mentioned retired employees.

We still await for a favorable response from the commission. The retirees also filed a complaint in the Anti-Red Tape Authority. However, up until now, there is no decision or resolution.

Two months ago, just a week before Christmas, I was, once again, visited by the said employees. I was hoping that during the Christmas season *baka may maganda ng balita, baka nakuha na po nila ang kanila ng mga terminal pay* after three years, but unfortunately, it seems that after exhausting all efforts to possibly amicably resolve their monetary claims, there was still no significant progress.



In fact, I had a chance when I saw Mayor Zamora in one event. I reiterated a couple of times *na sana naman ibigay na nila ang terminal pay. Ang sabi po niya ay wala daw kasi sa budget.* But it is just prioritizing. If they were able to bring the department heads, barangay officials, and some leaders to Caramoan for a team building, that could have defrayed already probably five or six terminal leaves of these employees.

It is very difficult to comprehend the unreasonable delay in the payment of terminal pay of retired employees who have satisfactorily complied with all the requirements asked from them. In fact, there is a law which ensures the early release of retirement pay, pensions, gratuities, and other benefits of retiring government employees: Republic Act No. 10154. It was back then sponsored and coauthored by our colleague here in the Nineteenth Congress, Sen. Ramon "Bong" Revilla. The law categorically states that retirement benefits should be released within 30 days from the actual retirement of the employees. Section 2 of RA 10154 acknowledges in its Declaration of State Policy that "public officers and employees who spent the best years of their lives serving the government and public should not be made to wait to receive benefits which are due to them under the law."

Further, it was also reiterated that "highest priority shall be given to the payment and/or settlement of the pensions, gratuities, and/or other retirement benefits of retiring government employees." There is even a penalty of suspension from service without pay from six months to one year in the event of unjustified failure or refusal to release retirement benefits due to an employee.

*Malinaw po: ang sabi ng batas ay within 30 days of actual retirement, the employees should already get their terminal pay. It has been almost four years, and they are still waiting for their terminal pay.*

*Para sa atin po siguro ay maliit na bagay po iyon, pero para sa ordinaryong kawani o empleyado ng pamahalaan ay napakalaking bagay po ng terminal pay sa kanilang pareretiro na magagamit pa nila sa kanilang pamilya o sa kanilang hanapbuhay sa kanilang pagreretiro.*

It is, indeed, fair to say that the most productive years of their careers in their lives were dedicated to service. These are years of opportunities that can never be brought back. If they are not paid what is due to them, there is no other way to describe this but as political vendetta.

To the retirees of San Juan and all other government units from one public servant to another, we thank you for your service to our people and our country.

*Kaya nga po, ako po ay tumayo, and I know that this is a local matter, but sabi ko sa kanila, "Kanino pa ho sila lalapit, na gayong pumunta na po sila sa mga ahensiya, sa ARTA, nagpunta na rin tayo sa Civil Service Commission, pero mag-a-apat taon na po ay hinihintay pa ho nila ang kanilang mga terminal pay.*

*Nandito po ang iba sa kanila.*

- *Si Dante Santiago, dati po naming konsehal at naging department head, 18 years of service;*
- *Si Ms. Emaculada Mauricio, dati pong chief administrative officer ng amin pong San Juan Medical Center—12 years of service;*
- *Dr. Apolinario Esquivel, dati po naming medical director, is also here—25 years of service;*
- *ang dati kong vice mayor, naging konsehal ng San Juan, si Leonardo Boy Celes – 31 years of service;*
- *Konsehal William Go—nine years of service;*
- *at ito po si Tita Violy. Iyan po ay pumasok ng San Juan noong si Mayor Erap, ang aking ama, pa ang mayor—naka-shorts pa ho ako noon. Nakita naman ninyo si Tita Violy, very frail na po. Hindi na nga po nakapag-asawa dahil kahit Linggo ay nandoon po iyan nagtatrabaho sa aming city hall. Ganoon po ka-dedicated si Tita Violy—31 years of public service. Naputol pa ito. Kung ito ay isusuma, baka 40 years ang kaniyang total in public service;*
- *At ang isa pa ay si Viña Monteagudo, 18 years of public service; at*
- *si Morell Decena, 17 years.*

*Iyon lamang po.*

*Kaya nga ako ay tumayo siguro ay para matingnan natin kung ano ang puwede nating gawin sa batas, para naman doon sa magiging biktima rin. I am sure hindi lamang naman sa San Juan ito nangyayari, doon din sa ibang lugar kung saan nagkaroon ng pagbabago ng administrasyon ay madalas nangyayari ang ganito.*

*Buti na lamang ay nakasama natin si idol Sen. Raffy Tulfo na talagang isinumbong ko na kay Tulfo ito para magkaroon ng aksyon at baka para bumilis-bilis naman.*

*Idol Raffy, nakakaawa naman ang mga nagsilbi nang matagal sa aming lungsod—20 years, 30 years, 17 years—at hanggang ngayon ay hindi pa nila nakukuha ang kanilang terminal leave, which, I believe, that is their money earned for services rendered. Kanila ang perang iyan kaya hindi dapat ipagkait sa kanila.*

*Iyon lamang po. I know that the Senate is always fair and we have to look into this so that it will not happen again to other employees who have worked and gave the right service to this government.*

### **INQUIRIES OF SENATE PRESIDENT ZUBIRI**

Asked by Senate President Zubiri how many former employees of San Juan City Hall have not received their terminal pay, Senator Ejercito replied that more than 20 employees have complied with the required documents and clearances, while some had already been given their dues but with certain conditions.

As to the accrued terminal leave benefits due them, Senator Ejercito responded that the total claim would be about P40 million including the claims of the following personnel: Dr. Esquivel, P2.5 million (25 years in service); Emil Solisa, P3 million (32 years in service); Leonardo Boy Celes, P2.2 million (30 years in service); Tita Violy, P2 million (31 years in service); Morell Decena, P600,000 (17 years in service); and Dr. Magalit, P2.8 million (20 years in service).

He disclosed that when he asked the mayor about the claims, he was told that there were no appropriations for them. As the appropriation is stated in the law, he stated that it is the local government's responsibility to pay the employees for their services. He recalled that before former Mayor Guia Gomez stepped down as mayor of the city, there were already appropriations for the payment of the retirement benefits.

Senate President Zubiri stated that such a situation would never occur in the Senate while under his watch, as the wellbeing of employees and other Senate staff, including the Commission on Appointments, would always be a top priority.

Senator Ejercito clarified that he was not attempting to politicize the situation, but was only requesting the mayor to release the employees' terminal pay, as it would be of tremendous help to their families. Senate President Zubiri responded by giving assurance that he would speak to Mayor Zamora about the matter, but believed that it would also be taken up by the appropriate committee.

Senator Villanueva stated that the issue would apply not only to San Juan City but to every city, province, and municipality of the country. He then took note of Senate President Zubiri's statement regarding the inflationary assistance that had been recently announced to Senate employees.

Relative thereto, Senate President Zubiri clarified that the additional financial aid, which translates to only P130 per day, was in response to the request of the *Samahan ng Empleyadong Nagkakaisa sa Adhikain at Demokratikong Aksyon* (SENADO), or the employees' union, which had been pushing for the increase the past ten years, particularly since the last adjustment had been made way back in 2007. He stated that if he were the country's President, he would also provide financial assistance to all government employees and would do whatever he could for the benefit of everybody. He added that he would even coauthor Senator Tulfo's bill for a legislated wage hike because people needed a living wage and not merely a daily wage.

Senator Ejercito stated that Senate President Zubiri has been quite fair in providing financial assistance to the Senate employees who frequently work long hours without complaint, particularly during budget season. Similarly, he attributed the rapid development of San Juan to the hard work of its employees, who are genuine catalysts for growth. He stated that it is because of such diligence that a small city like San Juan is enjoying revenues of P2.5 billion to P3 billion annually.

He then reiterated his appeal to Mayor Zamora for the release of the terminal pay of the retired employees of the city, who had served and so significantly contributed to San Juan's development over the years.

#### **REMARKS OF SENATOR TULFO**

In expressing his full support for Senator Ejercito's appeal, Senator Tulfo stated that he too had been able to help many individuals in the same predicament by communicating with the relevant authorities, and had even been successful in some cases.

He then called on Mayor Zamora to provide the necessary compensation to the retiring San Juan employees, as there is a statute in place for such benefits. If the local government does not take action, he believed a complaint against the mayor can be made with the Office of the Ombudsman. He added that Mr. Zamora's constituents in San Juan to also be informed about the issue so that they could determine whether or not to vote for him in the next elections.

Senator Ejercito thanked Senator Tulfo for the latter's expression of support. He also believed that the employees of San Juan should not be caught in the middle of such issues because they were merely performing their duties as public servants.

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

Senator Villanueva stated that had he been informed of the situation, he would have talked to the mayor about it during the FIBA games the other day. He believed that all parties involved should be given the opportunity to clarify what transpired in order to determine the truth and ensure that justice would prevail, especially in protecting the right of the workers.

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

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Ejercito as well as the inquiries and remarks thereon to the Committee on Civil Service, Government Reorganization, and Professional Regulation.

#### **PRIVILEGE SPEECH OF SENATOR HONTIVEROS**

Availing herself of the privilege hour, Senator Hontiveros delivered the following statement on Senator Leila De Lima:

I rise on a matter of personal and collective privilege.

One afternoon six years ago, anxiety enveloped the Senate as news that law enforcement agents were in the vicinity. They were here to arrest our colleague, Senator Leila De Lima.

February 24th *po ang anibersaryo ng kanyang pagkapiit*, and in detention, former Senator Leila has survived public vilification, lewd innuendos on her supposed sex life; the ravages of a pandemic; turning 60, and thus, becoming a "dual citizen"; the death of loved ones; and a shocking hostage attack, the details of which are still undergoing investigation.

Last year *po, sunod sunod na din ang mga recantation ng mga key witnesses:*

- April 28th, 2022 - Drug lord Kerwin Espinosa retracted his previous allegations that he had drug dealings with De Lima through Ronnie Dayan in Bilibid, stating, in his sworn affidavit, that he was coerced, pressured, intimidated, and seriously threatened by the police;



- April 30th, 2022 - Former Bureau of Corrections Chief Rafael Ragos retracted his testimonies that he personally delivered money from Bilibid inmates to De Lima through Dayan on two occasions in 2012. He claimed that then-Justice Secretary Vitaliano Aguirre coerced him “to admit something that did not happen”;
- May 13, 2022 - Ronnie Dayan, the former bodyguard of De Lima and a coaccused also recanted his allegations. He claimed he was told by the late House Justice Committee Chairperson Reynaldo Umali to lie about receiving drug money for De Lima;
- June 1, 2022 - De Lima’s camp shared copies of the two counter-affidavits of Marcelo Adorco, another government witness, executed in 2020 and 2022, in which he also withdrew his testimonies against the senator. Adorco said he was forced to make the claims for fear of his life.

*Ang pinakamahalagang recantation ay iyong kay* Former Bureau of Corrections chief Rafael Ragos. *Sa pag-recant ni* Chief Ragos, there is no longer any evidence against Senator Leila to prove that she was involved in illegal drug trade in the *Bilibid*.

There are other developments that bear upon the case of our former colleague.

In *Reyes vs. Director*, or whoever was in-charge of Camp Bagong Diwa, the Supreme Court granted Ms. Gigi Reyes’s Petition for *Habeas Corpus* stating that her continued incarceration “has become oppressive thus infringing upon her right to liberty.” It said that, “[w]hile the writ is generally not available to a person whose liberty is under custody of an officer under process issued by a court or judge, when such custody becomes vexatious, capricious, and oppressive amounting to an infringement on the constitutional right to speedy trial of an accused, the writ of *habeas corpus* may be provisionally availed of.”

The right to speedy trial is an actionable right. It is a right afforded to all citizens, and a right that Senator Leila may legitimately avail of. This is not about being in the opposition. This is not about the past or present administrations. This is simply the invocation of a human right that all Filipinos are entitled to.

The oldest and largest organization of parliaments in the world, the Inter-Parliamentary Union, has renewed its call for the release of Sen. Leila De Lima. *Kasama nila ang napakaraming* local and international organizations that asked for the same release.

If the Senate, as a body, can recommend the filing of charges against individuals and personalities that violate the laws of this land, surely, we can recommend the dropping of charges against those who are victimized by these laws and those who need the law and the Constitution’s protective mantle.

A few days after we commemorated the 6<sup>th</sup> anniversary of her detention, I say – and I hope this Chamber will say with this Representation: “Free Leila Now.”

## REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Ejercito, there being no objection, the Chair referred the privilege speech of Senator Hontiveros to the Committee on Justice and Human Rights.

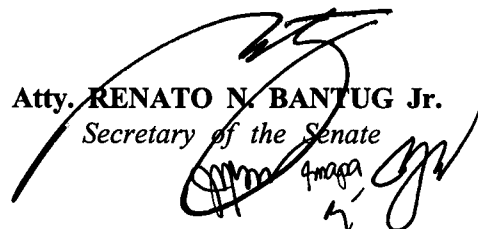
## ADJOURNMENT OF SESSION

Upon motion of Senator Ejercito, there being no objection, the Chair declared the session adjourned until three o’clock in the afternoon of Tuesday, February 28, 2023.

*It was 6:16 p.m.*

I hereby certify to the correctness of the foregoing.

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



Approved on February 28, 2023