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**SENATE**

**Pasay City**

# JOURNAL

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NINETEENTH CONGRESS  
FIRST REGULAR SESSION

PREPARED BY THE  
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SENATE OF THE PHILIPPINES

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**SESSION NO. 55**  
Tuesday, February 28, 2023

**CALL TO ORDER**

At 3:09 p.m., the Senate President, Hon. Juan Miguel "Migz" F. Zubiri, called the session to order.

**PRAYER**

Sen. Joel Villanueva led the prayer, to wit:

Heavenly Father, we come before You humbling ourselves knowing that apart from You, we can do nothing; but if You are with us, no one and nothing, no circumstances here on earth can be against us.

Today, as we start our session, we ask that You forgive our sins in words, in thoughts, and in deeds; and allow us to be acceptable in Your throne.

We pray for Your treasury of wisdom to be upon all of us as we perform our duties and responsibilities, not only for our country and people, but also for You, our Lord, our God, our Savior, Jesus Christ.

We continue to exalt Your Name and ask that You bless every senator, every employee of this institution, every family represented in this institution.

We praise You and thank You, as we carefully give back to You all the honor, all the glory, and all the praise.

In Jesus' Mighty Name, we pray.

Amen.

**ROLL CALL**

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

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

With 24 senators present, the Chair declared the presence of a quorum.



**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

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

- Vice Mayor Ricci Reluya of San Fernando, Cebu;
- Vice Mayor Michael Ray Villano; Councilors Warren Alcaraz, Jeff Tamayo, and Zensky Bello; and Brgy. Captain Salazar of Taal, Batangas;
- Mayor Rommel Arnado, Vice Mayor Maximo Arnado Jr., Sangguniang Bayan Members Dimakuta, Moner, Macabato, Mananggolo (A), Bandejon, Tan, Roble, Mananggolo (C), Asencion, and Marjune Carballo of Kauswagan, Lanao del Norte;
- Board Members Mario Alvares Jr., Beltran Jr., Casinabe, Benito Baguio, Joseph Palmada, Rosal, Jose Pepito Jr., and Evangelista Jr. of the Province of Bukidnon;
- Mayor Kevin Roy Macanlalay and former Mayor Mark Roy Macanlalay of Calasiao, Pangasinan;
- Councilor Virgil Jao of Tubigon, Bohol;
- Atty. Alan Panolong; and
- Mayor Gina Menil of San Benito, Surigao del Norte.

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. 54 (February 27, 2023) and considered it approved.

**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. 1923, entitled

AN ACT REQUIRING CRITICAL INFORMATION INFRASTRUCTURE  
INSTITUTIONS TO ADOPT AND IMPLEMENT ADEQUATE MEASURES TO  
PROTECT THEIR INFORMATION AND COMMUNICATIONS TECHNOLOGY  
(ICT) SYSTEMS AND INFRASTRUCTURE

Introduced by Senator Revilla Jr.

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

Senate Bill No. 1924, entitled

AN ACT CONVERTING THE BALLAY - TAWANGAN - LUSOD FARM TO  
MARKET ROAD IN THE MUNICIPALITY OF KABAYAN, PROVINCE OF  
BENGUET INTO A NATIONAL ROAD AND APPROPRIATING FUNDS  
THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1925, entitled

AN ACT ESTABLISHING IN BARANGAY TABLON, CAGAYAN DE ORO CITY,



PROVINCE OF MISAMIS ORIENTAL, A SATELLITE DISTRICT HOSPITAL OF THE NORTHERN MINDANAO MEDICAL CENTER, TO BE KNOWN AS THE BARANGAY TABLON-NORTHERN MINDANAO MEDICAL CENTER SATELLITE DISTRICT HOSPITAL, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No 1926, entitled

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

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1927, entitled

AN ACT DECLARING THE MUNICIPALITY OF SAN MARIANO AND THE MUNICIPALITY OF PALANAN, PROVINCE OF ISABELA, AS ECOTOURISM ZONES, TO BE JOINTLY KNOWN AS THE SAN MARIANO-PALANAN ECOTOURISM CORRIDOR

Introduced by Senator Villar (C)

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

Senate Bill No. 1928, entitled

AN ACT ESTABLISHING THE VIROLOGY AND VACCINE INSTITUTE OF THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Villar (C)

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

Senate Bill No. 1929, entitled

AN ACT ESTABLISHING A CANCER MEDICINE AND TREATMENT ASSISTANCE FUND FOR INDIGENT AND UNDERPRIVILEGED FILIPINOS

Introduced by Senator Villar (C)

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

Senate Bill No. 1930, entitled

AN ACT REQUIRING THE INCLUSION OF ENTREPRENEURSHIP AS A SEPARATE SUBJECT IN THE JUNIOR AND SENIOR HIGH SCHOOL CURRICULA OF THE K-12 PROGRAM

Introduced by Senator Villar (C)

**To the Committees on Basic Education; and Finance**

Senate Bill No. 1931, entitled

AN ACT IDENTIFYING TOURISM DEVELOPMENT AREAS IN THE PROVINCE OF ISABELA, MANDATING SUPPORT FOR TOURISM DEVELOPMENT, CREATING THE ISABELA TOURISM COUNCIL

Introduced by Senator Villar (C)

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

Senate Bill No. 1932, entitled

AN ACT REVITALIZING THE SALT INDUSTRY, CREATING A COMPREHENSIVE PLAN FOR ITS DEVELOPMENT, PROVIDING INCENTIVES TO SALT FARMERS AND EXPORTERS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Binay

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

Senate Bill No. 1933, entitled

AN ACT DECLARING BARANGAY KAPATAGAN IN THE CITY OF DIGOS, PROVINCE OF DAVAO DEL SUR, AN ECOTOURISM SITE, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

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

Senate Bill No. 1934, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY PULUNG BULU IN THE CITY OF SAN FERNANDO, PROVINCE OF PAMPANGA

Introduced by Senator Marcos

**To the Committees on Local Government; and Electoral Reforms and People's Participation**

**RESOLUTIONS**

Senate Concurrent Resolution No. 7, entitled

CONCURRENT RESOLUTION ESTABLISHING AND MAINTAINING AN INTEGRATED AND SECURE DIGITAL LEGISLATIVE MANAGEMENT SYSTEM FOR THE CONGRESS OF THE PHILIPPINES TO BE KNOWN AS THE eCONGRESS



Introduced by Senators Zubiri, Legarda, Villanueva, and Pimentel III

**To the Committee on Rules**

Proposed Senate Resolution No. 500, entitled

RESOLUTION URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PROPOSED CONSTRUCTION BY THE BUREAU OF CORRECTIONS (BUCOR) ON A PARCEL OF LAND LOCATED IN THE PROTECTED AREA OF THE MASUNGI GEORESERVE

Introduced by Senator Cayetano (P)

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

Proposed Senate Resolution No. 501, entitled

RESOLUTION RECOGNIZING ALL FILIPINA WOMEN SCIENTISTS, BOTH LIVING AND DEAD, IN COMMEMORATION OF THE INTERNATIONAL DAY OF WOMEN AND GIRLS IN SCIENCE

Introduced by Senator Legarda

**To the Committee on Rules**

Proposed Senate Resolution No. 502, entitled

RESOLUTION CONFERRING THE SENATE MEDAL OF EXCELLENCE TO THESPIAN DOLLY DE LEON FOR RECEIVING INTERNATIONAL DISTINCTIONS

Introduced by Senator Legarda

**To the Committee on Rules**

Proposed Senate Resolution No. 503, entitled

RESOLUTION URGING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF THE RICE COMPETITIVENESS ENHANCEMENT FUND, AND OTHER PROGRAMS OF THE DEPARTMENT OF AGRICULTURE ADDRESSING THE PLIGHT OF FILIPINO RICE FARMERS

Introduced by Senator Legarda

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

Proposed Senate Resolution No. 504, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE THIRTY-THREE (33) AWARDEES OF THE 15<sup>TH</sup> ANI NG DANGAL AWARDS

Introduced by Senator Legarda

**To the Committee on Rules**



**ADDITIONAL REFERENCE OF BUSINESS****RESOLUTIONS**

Proposed Senate Resolution No. 505, entitled

RESOLUTION REQUESTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE REPORTED FAILURE OF FORMER SAUDI OVERSEAS FILIPINO WORKERS (OFWs) TO REGISTER THEIR CLAIMS FOR BACK PAY, DESPITE EARLIER COMMITMENT MADE BY THE SAUDI GOVERNMENT TO SETTLE CLAIMS

Introduced by Senator Tulfo

**To the Committees on Migrant Workers; and Foreign Relations**

Proposed Senate Resolution No. 506, entitled

RESOLUTION RECOGNIZING AND COMMENDING THE RECIPIENT OF THE 15<sup>TH</sup> ANING DANGAL AWARD BY THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS FOR THEIR RESPECTIVE INTERNATIONAL ACCOLADES

Introduced by Senator Revilla Jr.

**To the Committee on Rules**

Proposed Senate Resolution No. 507, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO STRONGLY URGE THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB) TO POSTPONE THE PLANNED PHASE OUT OF ALL TRADITIONAL JEEPNEYS BY JUNE 30, 2023, PENDING THE RESOLUTION OF VALID AND URGENT CONCERNS RAISED BY AFFECTED OPERATORS AND DRIVERS REGARDING THE FINANCIAL VIABILITY OF THE PROGRAM

Introduced by Senator Poe

**To the Committee on Rules**

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Villanueva acknowledged the presence in the gallery of Representative Nelson Dayanghirang of the First District of Davao Oriental.

**CHANGE OF REFERRAL**

Upon motion of Senator Cayetano (P), there being no objection, the Chair referred Proposed Senate Resolution No. 500 (construction by BuCor in Masungi Georeserve), which was originally referred to the Committee on Environment, Natural Resources and Climate Change as secondary committee, instead to the Committee on Sustainable Development Goals, Innovation and Futures Thinking.

Senator Cayetano (P) stated that the reason for her motion was to enable the committee chairperson to have one hearing to discuss all similar bills.

**CHANGE OF REFERRAL**

Upon motion of Senator Legarda, there being no objection, the Chair referred Proposed Senate Resolution No. 422 (land-grabbing and illegal quarrying negatively impacting the Masungi Georeserve),





which was originally referred to the Committee on Environment, Natural Resources and Climate Change, instead to the Committee on Tourism.

Senator Legarda stated that she was bringing the matter to the Body's attention to request permission from the chairperson of the committee to which the measure was submitted, to transfer jurisdiction on the measure to another committee.

Senate President Zubiri urged his fellow senators to exercise caution on the matter of referrals, specifically with regard to filed resolutions that had to do with the issue of land grabbing, which he regarded to be outside the jurisdiction of the Committee on Tourism. He also opined that the matter of transfer of jurisdiction might be discussed and resolved in plenary.

Senator Villanueva informed the Body that, upon consulting with Senator Villar (C), chairperson of the Committee on Environment, Natural Resources and Climate Change, the latter expressed no objection to Senator Legarda's motion. Senator Legarda stated that transferring the referral of the measure to the Committee on Tourism will allow Senator Binay to hear it, along with other proposed resolutions on the subject.

#### **SENATE CONCURRENT RESOLUTION NO. 7**

Upon motion of Senator Villanueva, there being no objection, the Body considered Senate Concurrent Resolution No. 7, entitled

#### **CONCURRENT RESOLUTION ESTABLISHING AND MAINTAINING AN INTEGRATED AND SECURE DIGITAL LEGISLATIVE MANAGEMENT SYSTEM FOR THE CONGRESS OF THE PHILIPPINES TO BE KNOWN AS THE eCONGRESS.**

With the permission of the Body, only the title of the bill was read without prejudice to the insertion of its full text into the *Record of the Senate*.

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

Senate President Zubiri stated that he would submit his sponsorship speech on Senate Concurrent Resolution No. 7 for insertion into the *Journal and Record of the Senate*.

#### **SPONSORSHIP SPEECH OF SENATE PRESIDENT ZUBIRI**

Pursuant to the manifestation of Senate President Zubiri, following is his sponsorship speech on the eCongress:

I am glad to sponsor our resolution establishing the eCongress, a landmark digital platform that will streamline the legislative process and lead to the more efficient passage of laws for our people.

Having had to find new ways of working under the constraints of the pandemic, both the Senate and the House of Representatives have learned how to maximize our use of digital technologies in our respective legislative proceedings.

But while we have each begun to incorporate digital technologies in our own internal processes, we have yet to take advantage of these same technologies in our inter-Chamber processes—until now. With this eCongress, we will be able to strengthen the coordination between both Chambers and make our inter-Chamber processes much better and much faster.

It is high time that we modernize our processes between the Senate and the House of Representatives. If the Legislative branch carries the responsibility of creating timely laws, then our processes must keep up with the times as well.



The eCongress will be our way forward, and our way to a better, more responsive Legislative branch for our people.

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

In cosponsoring Senate Concurrent Resolution No. 7, Senator Villanueva delivered the following speech:

It is my honor to sponsor Senate Concurrent Resolution No. 7, filed by no less than our beloved Senate President, Juan Miguel "Migz" F. Zubiri, Senate President Pro Tempore Loren Legarda, Minority Leader Aquilino "Koko" Pimentel III, and this Representation. Senate Concurrent Resolution No. 7 seeks to establish and maintain an integrated and secure digital legislative management system for the Congress of the Philippines to be known as the eCongress. This is in line with the current administration's strong commitment to digitalize, harmonize, and standardize government services and data, with the ultimate goal of ensuring efficient and fast delivery of services to our people.

The need to digitalize our government systems and services is made even more apparent during the height of the pandemic, as demand for connectivity and online availability of various services increased. Thus, both the Senate and House of Representatives agree and commit to pursue the development of an updated digital, integrated, and secure legislative management system to further strengthen coordination between our Houses, facilitate citizen engagement in the legislative process, and provide timely, more effective, and more responsive ways of managing, monitoring, and reporting the legislative performance of the Congress of the Philippines to our dear *kababayan*.

I therefore move and urge this august Chamber to swiftly adopt Senate Concurrent Resolution No. 7.

### **COSPONSORSHIP SPEECH OF SENATE PRESIDENT PRO TEMPORE LEGARDA**

In cosponsoring Senate Concurrent Resolution No. 7, Senator Legarda delivered the following statement:

I join my distinguished colleagues in the initiative of establishing and maintaining an integrated and secure digital legislative management system for the Congress of the Philippines, to be known as the eCongress.

Now is a time better than any, for those of us upon whom our laws have assigned mandates and duties to perform as a bicameral Congress, to ensure that both Chambers of Congress have constant collaboration, coordination, communication, and sharing of knowledge, resources, and information.

The information ecosystem has found its relevance in today's world. Timely, accurate, and clear information requires the right digital infrastructure, efficient information systems, resources, and protocols.

Digital transformation has long been introduced and is welcomed by the people and governments.

The eCongress will help address the challenge of making public governance more inclusive, thus encouraging and strengthening people's participation and empowerment.

Developing a database will substantially transform public services, provide better coordination between both Chambers, and ensure alignment with the national strategy. As more data is shared and secured, it can be synthesized into useful information for decision-making.

The shared power of legislation of the Senate and the House of Representatives, as has been desired by the fundamental law of the land, is justified to exercise careful and diligent legislation, expand democratic processes, and secure orderly deliberation of both Chambers of Congress.

Where digital transformation has become inevitable in the public sector, it is appropriate for Congress to invest resources to establish public digital infrastructure, articulate strategies, and integrate advances within the system of governance.

I am honored to cosponsor the measure.



**MANIFESTATION OF SENATE PRESIDENT ZUBIRI**

Senate President Zubiri thanked the Minority Leader, Senator Pimentel, for being a cosponsor of the eCongress measure.

**COAUTHORS**

Upon motion of Senator Villanueva, there being no objection, all the Members present were made coauthors of Senate Concurrent Resolution No. 7.

**ADOPTION OF SENATE CONCURRENT RESOLUTION NO. 7**

Upon motion of Senator Villanueva, there being no objection, Senate Concurrent Resolution No. 7 was adopted by the Body, subject to style.

**PROPOSED SENATE RESOLUTION NO. 507**

Upon motion of Senator Villanueva, there being no objection, the Body considered Proposed Senate Resolution No. 507, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO STRONGLY URGE THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB) TO POSTPONE THE PLANNED PHASE OUT OF ALL TRADITIONAL JEEPNEYS BY JUNE 30, 2023, PENDING THE RESOLUTION OF VALID AND URGENT CONCERNS RAISED BY AFFECTED OPERATORS AND DRIVERS REGARDING THE FINANCIAL VIABILITY OF THE PROGRAM.

With the permission of the Body, only the title of the bill was read without prejudice to the insertion of its full text into the *Record of the Senate*.

The Chair recognized Senator Poe for the sponsorship.

**SPONSORSHIP SPEECH OF SENATOR POE**

In sponsoring Proposed Senate Resolution No. 507, Senator Poe delivered the following speech:

*Hinihingi ko ang suporta ng buong Senado para prenohan ang itinakdang phase out ng mga "hari ng kalsada" sa darating ng ika-30 ng Hunyo 2023.*

The planned phaseout is yet another sordid chapter in the PUV Modernization Program. I can say this with certainty as I chaired the committee hearings, which have generated enough transcripts to fill a jeepney. But to make the long story short, the PUV Modernization Program seeks to compel existing jeepney operators to consolidate and form fleets of 15 modern jeepneys, which will file routes established by local government units. Each modern jeepney costs P2.8 million, which will be loaned and paid out-of-pocket.

To speed up the policy, the LTFRB unilaterally converted all existing jeepney franchises into one-year provisional authorities. In its most recent Memorandum Circular No. 2023-013, the LTFRB imposed the deadliest deadline. Jeepney operators who have not joined an existing consolidated entity by June 30, 2023, or those who fail to file a petition to consolidate by October 30, 2023, will have their franchises revoked.

The LTFRB should be reminded that jeepney drivers do not have deep pockets. The most recent study estimates that their average daily take-home pay is a meager P755.

Somehow, the LTFRB still expects a gold mine of capital to the tune of P2 million per unit. *Hiwalay pa ang cost just to consolidate.* A news article estimates that jeepney operators must put up P300,000 in paid-up capital just to register as a transport cooperative. And here is the kick: the equity subsidy provided by the government is a measly P160,000, not a million. *Wala pa ito sa 7% ng bagong unit.*



*Apat na beses nang nag-extend ang LTFRB ng kanilang deadline pero kahit kailan ay hindi naman nasagot ang mga reklamo sa programa tungkol sa subsidiya para sa equity ng mga bagong units.*

To quote a recent study on the PUV Modernization Program, "It has been too focused on vehicle replacement. Sequencing in the implementation of the PUVMP is very critical. It could have started with regulator reform, local route formulation and submission, and route rationalization first before embarking on fleet modernization. This would have given stakeholders better appreciation of the program and additional grace period and more time for the operators/drivers to prepare."

To implement this program, we need route rationalization. *Taon-taon, tuwing nanghihingi ng budget para sa PUV Modernization Program, ay hinihingi natin ang route rationalization plan.* But DOTr just entered a three-year technical cooperation project with JICA in June 2022, only five years after the program was launched. Part of the JICA outputs is database of traffic volume as the basic information for the Route Rationalization Plan in Metro Manila and assessment of existing and future routes of PUVs.

Based on their 2023 budget submission, the route rationalization studies are still being finalized. *Wala pa nga iyon. Wala pang mga ruta na maaari nating sabihin. Bakit pinapahirapan ang mga driver at commuter kung hindi pa nga nagagawa ng gobyerno ang pag-aaral na ipinangako nito?*

To enforce a deadline is not only insanity but also inhumane. *Hindi makatao.* It is contrary to the constitutional directive to promote social justice in all phases of national development. It is also contrary to the public welfare, as it will compound the acute shortage of public transportation modes in the country.

*Tingnan na lamang natin ang pila tuwing rush hours. Naghahabulan. Kulang tayo sa tren* as the MRT 3 is operating beyond capacity. The reported PNR shutdown to speed up the construction of the North-South Commuter Rail will leave its 180,000 daily passengers without a ride for at least five years. *Kulang tayo sa bus,* as seen in the long queues even on weekends. *Pahirapan at tagaan din ang presyo ng Grab.*

*Pero parang bingi ang LTFRB sa kabila ng paghihirap na dinaranas ng mga commuters at drivers.* If the LTFRB proceeds with the phaseout, it might result in 50,000 jeeps being taken off the road. If transport groups proceed with their strike, that is at least 40,000 jeepneys off the streets starting March 6.

Speaking of social justice, we have a pending bill which seeks to provide a just and humane transition to the PUV modernization program. We are not against modernization. If anything, we want to make it easier to achieve. There is always a win-win solution and that begins with the united stand from the Senate.

We, thus, move for the adoption of Proposed Senate Resolution No. 507.

## INQUIRIES OF SENATE PRESIDENT ZUBIRI

Asked by Senate President Zubiri if the deadline had been repeatedly extended, Senator Poe replied in the affirmative. She said that the phaseout, which was proposed in 2017, was extended a year later because the PUV groups, in coordination with the local governments, were asked to submit a route rationalization plan. She, however, pointed out that modernizing public transportation or requiring jeepney operators and drivers to form cooperatives would be meaningless, especially because there is no guarantee that such a scheme would be in place.

Having previously chaired the Committee on Cooperatives, Senate President Zubiri informed the Body that he used to attend several meetings with transportation cooperatives where he noted that the problem was usually with the local government units that do not want to submit their route rationalization plan because the mayors or councilors prefer to operate public transportation themselves.

He noted that Senator Poe wanted to postpone the PUV modernization until there was some form of cushioning for jeepney drivers and operators who could not come up with

modern jeepneys by June 30, 2023. He asked how long the postponement could be extended. Senator Poe replied that it would be difficult to give a timeline without the submission of a route rationalization plan. She stated that JICA had made a proposal on the subject but the same needed further study.

She stated that the DOTr can intervene by being more proactive by issuing a statement regarding the matter with regard to LGUs that refuse to cooperate in the route rationalization plan.

Senate President Zubiri asked whether there is a law mandating the route rationalization plan to emanate from the LGUs. He stated that if the directive was an administrative or executive order, it might be amended.

At this juncture, Senator Escudero informed the Body that during his term as governor of Sorsogon, his province was the only one in Bicol Region with an approved route rationalization plan. He said that the bottleneck actually exists with tricycle drivers because, under the law, jeepneys are under the jurisdiction of the LTFRB, while tricycles are under the jurisdiction of the LGUs, and the route rationalization plan must include both modes of transportation, also taking into consideration the buses and other factors such as the size of the road and the distance from schools. He also stated that the DILG can issue a corresponding memorandum to the local chief executive in order to submit a route rationalization plan for jeepneys. However, he said that buses and tricycles should be included in the crafting of a comprehensive route rationalization plan.

Senate President Zubiri stated that the Senate resolution could also be used to urge the DILG to set a timeframe in order to move forward with the modernization program. Senator Escudero, however, disclosed that lack of support from the government was another issue that Sorsogon faced, thus, the LGU had to hire its own experts to come up with the route rationalization scheme. He further revealed that neither the DOTr nor the LTFRB had any experts to teach them how to prepare such a plan. Furthermore, he stated that financing such a scheme would be costly, as each modernized jeepney would be worth roughly P2.3 million, and the LTFRB could only subsidize between P100,000 to P200,000 per vehicle, depending on the province.

He then wondered how the jeepney drivers and operators could afford to pay the amortization for the jeepney, which is calculated at around P60,000 to P70,000 per month, an amount that could not even be covered by their earnings. He said that no safeguards were in place for the operators and drivers who would be displaced as a result of the proposed modernization. He also expressed concern over the replacement of the traditional jeepneys with buses from China and Russia. He disclosed that Sorsogon had a bad experience with such imported buses because 60% of them were already inoperable after less than two years of use due to lack of spare parts.

He surmised that jeepney operators would also confront the challenge of forming cooperatives in order to be included in the program. He wondered where such policy came from.

In elucidating the route rationalization plan, Senate President Zubiri explained that drivers and operators would want to get the most profitable route, such as those near schools and public places. He said that he had learned from the transportation cooperatives that their major problem was that banks would not lend to the operators until they have an approved route rationalization plan. He likewise said that the LTFRB will subsidize only the downpayment for the modern jeepney from P160,000 to P200,000, while the cooperative or individual driver would be responsible for the monthly amortization. However, he said that PUV operators cannot proceed without the route rationalization plan, which is required in obtaining a loan.

In reply to Senate President Zubiri's earlier inquiry on the time frame for phasing out the aging jeepneys, Senator Poe said that JICA would not have its proposed route rationalization plan until



around 2025. Senate President Zubiri stated that the postponement might be for as long as the concerned parties comply with the route rationalization plan. Senator Poe agreed.

#### **MANIFESTATION OF SENATOR ESCUDERO**

Senator Escudero requested that Senator Poe's resolution, as well as its discussions, be referred to the Committee on Public Services at the proper time. He expressed hope that if PUV operators and drivers are given a platform, they will postpone their participation in the transport holiday. He stated that such a collective action benefits neither the riding public nor the PUV drivers.

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

Senator Villanueva expressed his full support for the resolution urging the LTFRB to postpone the scheduled phase out of all traditional jeepneys by June 30, 2023.

He stated that he has been highlighting the matter for a long time, including throughout every DOTr and LTFRB budget deliberation. Unfortunately, he said that during LTFRB's most recent budget deliberation, the agency chief who had made some assurances to him regarding the modernization program has since transferred to the Presidential Communications Operations Office (PCOO).

He revealed that he had received numerous emails from constituents requesting assistance because their PUVs were impounded after they failed to pay their loan to modernize their vehicles. He also pointed out that some drivers were pressured into buying modernized PUVs even though their current vehicles were still new. He stated that quite a number of them had not been able to recover from their losses.

He recalled having asked the DOTr to provide support to affected drivers, but the assistance never came. He also pointed out that the DILG has been pushing the local governments for their respective route rationalization plans, but the LGUs lacked the expertise to do so.

In this regard, he stated that the issue was one of justice, especially since PUV drivers were being compelled to acquire modernized vehicles at a cost up to P2.4 million without any government post-purchase assistance. He also pointed out that the driver had to deal with rising fuel costs while still recovering from pandemic losses.

Alluding to what appeared to be unscrupulous activities of some individuals, he detailed how drivers from Bulacan would have no choice as to where they could buy the modernized vehicles and were forced to join cooperatives in order to operate.

He stated that he has been calling on the LTFRB to be more considerate of the affected drivers and their circumstances. He expressed his support for the hearings on the matter that would be conducted by the Committee on Public Services.

Senator Poe stated that it would be critical that the subject be heard as soon as possible, and suggested that the hearing be held that Thursday in order to possibly avert the strike scheduled for Monday the following week.

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

Senator Tulfo commended Senator Poe for bringing the the jeepney drivers' predicament to light. He said that the problem was caused by some unscrupulous individuals within the LTFRB. He expressed dismay that the government would only provide a subsidy of

P300,000 to jeepney drivers who would have to acquire the modernized vehicles at a cost of P2.4 million per unit. He stated that the drivers would subsequently be forced to pay back P2.1 million from their measly earnings.

He likewise chastised persons in some LGUs for manipulating PUV routes and arbitrarily apprehending PUV drivers because they wanted to own operating franchises and PUV units themselves.

He expressed his strong opposition to phase out jeepneys in favor of Chinese-made vehicles, stating that they are part of the Filipino culture and are regarded as tourist attractions.

He also cautioned the LTFRB that he would closely monitor the situation and would not hesitate to intervene if the agency commits unjust acts against the PUV driver sector.

Senator Poe thanked Senator Tulfo for his position on the matter and agreed with him on the points raised. She stated that she will inquire as to how drivers are coerced into joining specific cooperatives and purchasing vehicles only from certain dealers, as well as the agency authorized to accredit the cooperatives.

#### MANIFESTATION OF SENATOR DELA ROSA

In expressing support for the conduct of public hearings on the issue, and in investigating the syndicates behind the dubious activities and processes, Senator Dela Rosa delivered the following statement:

I stand before you today to join this august Chamber in calling the Land Transportation Franchising and Regulatory Board (LTFRB) to defer the scheduled phase out of all traditional jeepneys by June 30, 2023.

The public utility vehicle modernization program of the Department of Transportation and the LTFRB has the most notable intention, and that is to provide a safe, convenient, contemporary, and state-of-the-art public transportation system. We, in the government, are doing our best to provide the riding public a hassle-free public transportation experience. However, we should be realistic in fulfilling this dream and acknowledge the difficulties that lie ahead.

*Kaisa po ninyo ako sa paghangad ng modernong pamamaraan at palakad ng pampublikong transportasyon. Ngunit kailangan nating isaalang-alang ang limitasyon at hirap na hinaharap ng mga driver ng mga traditional na jeepney na namamayagpag sa ating mga daan sa maraming dekada nang nakalilipas.* Traditional jeepneys, otherwise known as the "King of the Roads," have been the significant symbol of our busy streets in Manila. Even in the provinces, the sights of these iconic public utility vehicles provide the needed help in transporting the commuters to their respective workplaces and to reach their families back home after a day's work.

*Sa kagustuhan natin na mabigyan ng modernong mukha ang ating mga jeepney sa lansangan, naisip ba natin ang magugugol na halaga ng mga driver, operators, at maging mga local manufacturers para maisakatuparan ang itinakdang programa ng DOTr at LTFRB para sa modernisasyon ng pampublikong sasakyan?*

We, in the Senate, are not insensitive to the plight of our drivers, operators, and local manufacturers. With the economic crisis brought by the pandemic, the transportation sector suffered much from the economic losses brought by COVID-19. With this in mind, utmost consideration therefore should be the burden that we pass on to our partners in the public transportation sector.

Hence, I add my voice in appealing to the LTFRB to give more time to carry out the phase out of our traditional jeepneys. Today, more than ever, our compassionate hearts should speak louder than the call of modernization.



**REMARKS OF SENATOR VILLANUEVA**

Senator Villanueva disclosed that former DOTr Secretary Tugade himself had informed him and his staff of the presence of corrupt syndicates or “mafias” within the LTFRB.

**INQUIRIES OF SENATOR TOLENTINO**

Senator Tolentino expressed support for Senator Poe’s advocacy in restoring the dignity of jeepney drivers, noting that two of the country’s largest jeepney manufacturers, Sarao and Malagasang jeepneys are located in Silang and Imus, respectively, both in the Province of Cavite.

He then inquired about the entire government expenditure for the Public Utility Vehicle Modernization (PUVM) Program, and if there had been revisions in the Comprehensive Automotive Resurgence Strategy (CARS) program to incorporate a hybrid jeepney modernization program. He said that he had seen various hybrid vehicles labeled as “e-Jeepneys.”

Senator Poe said that she would want to ask the same questions at the proposed hearings. She agreed that there was no standardization in what constitutes an “e-Jeepney” and that such a classification would be made at the cooperative’s discretion.

She added then that she will inquire with the relevant agencies about the total amount of expenditures that had been poured into the program.

Senator Tolentino stated that in the hearing, he will inquire whether there were imported knock-down vehicles that were repurposed as e-jeepneys. He recalled that when he was at the helm of the MMDA, he saw several exhibits of various versions of vehicles of varying sizes and forms claiming to be the modern jeep. He added that he will inquire about ongoing or any approved importation programs by the previous administration that could impact on the program outlined previously by Senator Poe. He supposed that if his queries were answered, it would simplify and explain to the Body why the planned phase out should be halted, improved, or given a longer transition period.

Given the points raised by Senator Tolentino, Senator Poe concluded that June 30, 2023 was not a reasonable deadline.

**MANIFESTATION OF SENATOR GATCHALIAN**

Senator Gatchalian stated that he initially saw merit in the modernization program because, first, it would transition the old jeepneys to a much more modern, fuel efficient, and environmentally friendly ones than the diesel-run jeepneys; second, it would increase the carrying capacity of the traditional jeepneys from 12 passengers to 30-40 passengers; and third, it would rationalize of the routes, noting that there was still no official passenger count per route. He stated that counting passenger per route would be very difficult, and that developing a route rationalization plan require a great deal of effort and science.

He noted that while he saw promise in the modernization program, its economic model had deviated from the original design due to the increase in fuel costs brought about by the Russian invasion.

He recalled that when the rationalization program was announced in 2017, a percentage of the fares earned by the jeepney drivers would be used to pay for the modern jeeps. He added that at the time, the cost of fuel was around \$20 to \$30 per barrel, while currently, it is between \$80 and \$90 per barrel, with diesel costing around P60-P70 per liter. He said that the drivers’ earnings had plummeted to the point where they would be unable to afford the modernized jeep. He emphasized that the price of petroleum products could possibly rise until the threat of global disruption is removed.





Thereafter, he expressed his support for Senator Poe's call for a thorough investigation on the matter because the spike in fuel prices has thrown the business model off. He added that because they cannot control the price of crude oil, they are caught in the middle and are unable to pay for modernized jeepneys. He emphasized the importance of reviewing the business model to see if it was still applicable. Finally, he commended Senator Poe for bringing the problem to light.

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

Senate President Zubiri informed the Body that during his meeting with Mr. Phillip Oldridge, CEO/Chairperson of the Board of the American company Envirotech Vehicles (EVT), the largest producer of electric vehicles for public utilities in the U.S., the latter expressed its intention to establish a branch in Clark, Pampanga. He said that EVT would cut cost by 80% because it does not require a single drop of fuel to operate, and a vehicle owner would simply need a plug to operate it. He said that the prices of EVT vehicles can compete with those of Fuso, Isuzu, or other minibus manufacturers. He supposed Senator Gatchalian, as the former chairperson of the Committee on Energy and author of the e-vehicles program, would consider EVT as a better model because they would have their own plant in the country. He added that for the same price of P2.3 million, it would be more cost effective to buy the electric vehicle because it eliminates the need for gasoline.

Senator Poe responded by thanking Senate President Zubiri for the information. She assumed that EVT representatives could join the hearing to convey their proposals to the committee so that they could be submitted to the DOTr. She underlined Senator Gatchalian's crucial point about fuel being cheaper at the start of the rationalization effort in 2017 compared to current pricing. She also mentioned Senator Tulfo's remark that the character of the jeep is what stimulates tourism and makes the Philippines unique.

Senate President Zubiri informed the Body that the Global Electric Transport (GET) jeepneys are currently plying routes all over the Philippines and that it recently launched its e-jeepneys in Cagayan De Oro.

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

Senator Hontiveros recalled that when the PUV modernization program was initiated, the route rationalization program was referred to as the Public Transport Route Plan or PTRP. She stated that one of the jeepney drivers' complaints was that obtaining a PTRP would be difficult if the transport cooperative is not identified with the head of the LGU's transport committee. She stated that the PTRP was an additional requirement of the banks in order to qualify for the modernization loan, in addition to being part of an organization such as a transport cooperative. She believed that operators and drivers would like to participate in the PUV modernization program because the government subsidy is less than 10%; however, they are required to form a transport cooperative and banks require them to have a PTRP.

Lastly, she expressed concern about the drivers' ability to support themselves if they take out loans while the country is still in an economic crisis, interest rates have increased, and the Russian invasion of Ukraine has exacerbated the situation. She then urged the Body to support Senator Poe's resolution.

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

Senator Cayetano (P) joined the Body in expressing concern over the transport issue raised by Senator Poe. She emphasized that although the issue begins with transportation, it is actually about the transportation woes of the drivers and their families, which falls under SDG No. 1 (no poverty) and the jeepney drivers' contribution to the economy under SDG No. 8 (decent work and economic



growth). She stressed that the drivers cannot contribute to economic growth if they lack decent employment or lose their jobs.

Aside from the issue of sustainable transportation, she recalled that during the Committee on Energy's hearings in the 18<sup>th</sup> Congress, she emphasized the importance of the jeepneys in Philippine tradition and culture. She believed that the extravagant and vibrant colors of the jeepneys represent various aspects of Filipino art, culture, and daily life. She noted that after World War II, the Philippines had a unique opportunity to transition by converting the wartime jeeps into everyday transportation.

She stated that the government should carefully consider and preserve the remarkable cultural artifacts that people created more than half a century ago. She stated that government's subsidy of P160,000 for a modern jeep that actually costs P2 million was a joke, as it contradicts SDG No. 8 by not clearly allowing the drivers to make a decent living. She also hoped that the government would recognize and support the innovations made by various Filipino companies, such as Franciso Motors, in order for them to thrive, particularly during economic downturns.

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

She stated that in addition to SDG Nos. 1 and 8, SDG No 11 includes the customs and traditions. She stated that the thrust of public transportation should be on accessibility, and that in addition to trains and buses, jeepneys should also be sustainable. She hoped that the issue would be addressed during the hearings.

#### MANIFESTATION OF SENATOR ESTRADA

In expressing his support for Proposed Senate Resolution No. 507, Senator Estrada delivered the following statement:

I am strongly associating myself with the manifestations made by our colleagues and, most especially, by the sponsor, my *kinakapatid*, my *kumadre*, Sen. Grace Poe.

With the indulgence of the sponsor, I would like to request to be made coauthor and cosponsor of Proposed Senate Resolution No. 507, entitled:

A RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO STRONGLY URGE THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB) TO POSTPONE THE PLANNED PHASE OUT OF ALL TRADITIONAL JEEPNEYS BY JUNE 30, 2023, PENDING THE RESOLUTION OF VALID AND URGENT CONCERNS RAISED BY AFFECTED OPERATORS AND DRIVERS REGARDING THE FINANCIAL VIABILITY PROGRAM.

Although we believe that it is imperative that we implement the Public Utility Vehicle Modernization Program, *hindi dapat ito magsilbing lubid na bibigti sa kanila, kundi lubid na magliligtas sa kanila at hihila sa kanila sa pangangalaga at paggabay ng ating pamahalaan.*

Our public transport sector caters to the most number of Filipinos—*ang masang Pilipino. Patuloy silang pumapasada sa kabila ng hagupit ng tumataas pang presyo ng krudo at ng mga pangunahing bilihin. Kahit na kakarampot ang naiuuwing kita ng ating mga namamasada, hindi sila tumitigil sa kanilang responsibilidad sa masang Pilipino na sa kanila umaasa para sa kanilang pang-araw araw na transportasyon. Kaya panahon na upang sila naman ang isakay natin sa maginhawang buhay.*

I am also of the belief that certain considerations have to be made. *Bumabangon pa lamang tayo sa pandemya at napakahirap po ng buhay ngayon. Malinaw naman ang posisyon at panawagan ng ating sektor ng transportasyon at sang-ayon po ako sa ating chairperson ng Committee on Public Services upang ipagpaliban muli ang implementasyon ng phaseout na ito.*



## MANIFESTATION OF SENATOR PADILLA

Senator Padilla associated himself with Proposed Senate Resolution No. 507 as he stated that the traditional jeepney was a symbol of Philippine friendship with the United States of America. He said that the Filipinos during the World War II converted the leftover U.S. military jeeps into public transport vehicles.

Senator Padilla remembered that he had endorsed the jeepney modernization in commercials. He also recalled that during the hearing of the Committee on Cooperatives, it was found that there was still no organized transport group cooperative. As such, he opined that Senator Poe was correct in recommending the postponement of the planned jeepney phaseout. He then suggested that government agencies concerned should first organize an association of jeepney drivers and assist them in the purchase of modern jeepneys.

He expressed hope that with the adoption of Proposed Senate Resolution No. 507, the Cooperative Development Authority would proactively initiate the organization of a jeepney drivers cooperative.

## MANIFESTATION OF SENATOR GO

Thereafter, Senator Go made the following manifestation on Proposed Senate Resolution No. 507:

I am one with Senator Poe, our colleagues, and our *kababayan* in raising the issue of jeepney phaseout in several parts of the country.

For the past decades, we have been dependent on PUJs and PUVs to help us commute every day. *Naging parte na rin po ito ng ating kultura bilang Pilipino—ang pagsakay ng dyip—at karaniwan din pong ginagamit na simbolo ang dyip para i-represent ang ating bansa. Katunayan lamang po na ang mga jeepney ay parte na rin po ng ating buhay bilang Pilipino.*

*Kung kaya naman po*, I personally appeal that the LTFRB delay the phase out of our jeepneys. Let us give our jeepney drivers enough time to adjust and comply with the changes that this new policy will require.

*Kapag wala na pong jeepney, parang wala na po tayo sa Cubao, parang wala na tayo sa Quezon Avenue, wala na tayo sa Pilipinas. At ako po mismo noon ay sumasakay talaga ng jeepney diyan sa E. Rodriguez, sa Kamias, sa Kamuning. At naabutan ko pa iyong Jeep ni Erap. Ngayon, inabutan na lamang ng Jeep ni JV at Jeep ni Jinggoy, nakagawian na po natin.*

When our jeepney drivers suffer, our commuters suffer with them. *Sa pagbabagong idudulot ng modernization na ito*, our commuters will also have to adjust their budgets to afford new means of transportation. *At kapag nagkaroon po ng malawakang strike ng ating jeepney at UV drivers sa iba't ibang parte ng bansa, mas lalo pong mahihirapan ang ating mga commuters na umaasa po sa public transportation araw-araw. Karamihan po sa mga drivers ay may binubuhay at pinapakain. Basta wala pong maiiwan at maagrabado.*

While we understand the need to evolve, given new challenges of the environment, climate change and the economy, let us not transfer the burden to the poor who need our help.

*Importante din po ang safety ng pasahero sa usapan dito ngunit huwag nating pabayaang ang mga ordinaryong jeepney drivers na wala po silang matakbuhan o walang pambili ng bagong pampublikong sasakyan. Lalo na ngayon, di pa tayo tapos sa krisis na dulot ng COVID-19. Huwag po nating pababayaang ang ating mga jeepney drivers na karamihan po ay mahihirap.*

## MANIFESTATION OF SENATOR EJERCITO

Senator Ejercito manifested his full support to Proposed Senate Resolution No. 507. He also commended Senator Poe's promptness in raising the consequential prodding to postpone the



jeepney phaseout. He agreed with her that it was improper to rush the modernization program at an inopportune time when the jeepney phase out was still facing many problems. He stated that it would take a considerable time before the jeepney modernization program could be realized given the ongoing full-swing construction of the North-South Commuter Railway (NSCR) projects, the five-year halt in the Philippine National Railways (PNR) operations, and the need to look at the plight of jeepney drivers. When the Body deemed that the modernization program was already attainable and in full swing, he opined that it would then be the only time that a timeframe could be given for the jeepney phaseout. He reiterated that the operation of jeepneys as a means of public transportation would have to continue while waiting for the completion of the major mass transit and railway projects.

#### **COAUTHORS**

Senator Villanueva manifested that all senators are coauthors of Proposed Senate Resolution No. 507.

#### **ADOPTION OF PROPOSED SENATE RESOLUTION NO. 507**

There being no interpellation or amendment, upon motion of Senator Villanueva, there being no objection, the Body adopted Proposed Senate Resolution No. 507.

#### **REFERRAL TO COMMITTEE**

Upon motion of Senator Villanueva, there being no objection, the Chair referred all discussions and manifestations on Proposed Senate Resolution No. 507 to the Committee on Public Services.

#### **SUSPENSION OF SESSION**

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

*It was 4:40 p.m.*

#### **RESUMPTION OF SESSION**

At 5:25 p.m., the session was resumed.

#### **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 the period of committee amendments.

Thereupon, the Chair recognized Senator Villar (C), sponsor of the measure.

#### **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.

**VILLAR (C) AMENDMENTS**

As proposed by Senator Villar, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 2, line 16, after the word "Representatives," insert the phrase WITHIN THE 3-YEAR PERIOD FROM THE EFFECTIVITY OF THIS ACT;
2. On the same page, line 27, replace 92,824 with 10,201; and replace 178,063.95 with 11,531.24;
3. On the same page, line 29, replace P119.61M with P206,247,776.41;
4. On page 3, lines 1 to 5, starting with the word "Provided" delete the whole proviso;
5. On the same page, lines 11 to 25, delete the entire Section 5;
6. On page 4, lines 27 and 31, delete the words "or judicial";
7. On the same page, line 30, delete the words "or the court"; and
8. On page 5, line 8, delete the words "or judicial."

In reply to the queries of Senator Pimentel and Senate President Zubiri, Senator Villar (C) explained that with the deletion of Section 5, the provision of the Agrarian Reform Law would stay, meaning, the awarded land shall not be transferred within ten years from the issuance of the CLOA.

**ESCUDERO AMENDMENTS**

As proposed by Senator Escudero and accepted by the sponsor, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 4, line 7, replace the phrase "mandated herein and" with the phrase PROVIDED IN THIS ACT; and
2. On the same page and line, after the word "amended," replace the period (.) with a comma (,) and thereafter insert the phrase AND IN RELEVANT PROGRAMS AND PROJECTS IMPLEMENTED BY THE DA AND GOVERNMENT FINANCIAL INSTITUTIONS CONCERNED.

**HONTIVEROS AMENDMENTS**

As proposed by Senator Hontiveros and accepted by the sponsor, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 5, line 30, on the title of Section 12, replace "*Right of the Landowner to Just Compensation*" with INTERPRETATION; and
2. On the same page, line 32, after the word "program" and the period (.), insert the following proviso: NOR SHALL IT BE INTERPRETED TO REMOVE EXISTING LIMITATIONS ON THE TRANSFER, OWNERSHIP AND AGRICULTURAL USE OF LAND.

Senator Hontiveros explained that the amendment would address the fear of agrarian reform advocates that this bill might have the unintended consequence of allowing the ARBs to use their lands for nonagricultural purpose or sell to corporations that would not utilize the same for agricultural activities. She added that the amendment emphasized that the restrictions on conversion under current law would still apply.

She said that she had wanted to propose an amendment that ARBs, whose indebtedness attaches after December 31, 2022, shall likewise be relieved of the burden of future payments, but she was made to understand that such might complicate the implementation of the bill.

However, she stressed the need to pass important legislations for the small farmers whose struggle for land remains real and daunting and, in some cases, a matter of life and death.



She mentioned that she filed a bill decriminalizing qualified theft of coconuts because it had been used as a tool by land owners in coconut plantations to suppress land rights and agrarian organization.

Finally, Senator Hontiveros expressed the hope that in the implementation of this condonation law, the qualified beneficiaries would not be excluded from the coverage because of errors in the listing by the Land Bank of the Philippines and the Department of Agrarian Reform, that mechanisms would be in place for appeal for inclusion, and that the law would be liberally interpreted in favor of the farmers and ARBs.

In reply, Senator Villar (C) gave the assurance that the remaining 350,000 hectares would be distributed to the small farmers, except that a loan that is not yet in existence could not be condoned as it would not be a good practice. She said that other farmers would need to wait for the next Congress to pass a condonation measure for the remaining lands that would be distributed.

#### **PIMENTEL AMENDMENTS**

As proposed by Senator Pimentel and accepted by the sponsor, there being no objection, the Body approved the following amendments:

1. On page 1, lines 1 and 2, delete the whole Section 1 and renumber the succeeding sections accordingly;

Senator Pimentel stated that the measure was a very simple bill condoning agrarian reform debts, thus, the short title of the bill could be dispensed with.

2. On page 4, lines 8 to 13, replace the whole Section 8 with the following, subject to style:

SEC. 8. *ESTATE TAX EXEMPTION.* – THE AGRARIAN REFORM LANDS COVERED BY THIS ACT AWARDED TO ARBs, SHALL BE EXCLUDED FROM THE COMPUTATION OF HIS/HER GROSS ESTATE IN THE EVENT OF HIS/HER DEATH.

Senator Pimentel explained that the amendment would simplify the idea that the agrarian reform land granted to an ARB would be exempted from the computation of the total estate.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pimentel, the session was suspended.

*It was 5:43 p.m.*

#### **RESUMPTION OF SESSION**

At 6:07 p.m., the session was resumed.

#### **PIMENTEL AMENDMENTS**

As proposed by Senator Pimentel and accepted by the sponsor, there being no objection, the Body approved the following amendments:

1. On page 4, Section 8, delete lines 8 to 13 and, in lieu thereof, insert the sentence to read as follows: THE LAND AWARDED TO ARB'S SHALL BE EXCLUDED FROM THE GROSS ESTATE FOR PURPOSES OF ESTATE TAX.;
2. On the same page, insert a new second paragraph on Section 10, to read as follows: CITING THIS ACT, THE DAR SHALL MOVE FOR THE DISMISSAL OF ALL ACTIONS PENDING WITH THE COURTS RELATING TO THE COLLECTION OF UNPAID PRINCIPAL AND INTERESTS OVER AGRICULTURAL LANDS COVERED BY OUR AGRARIAN REFORM LAWS.; and

3. Reword the title of the bill to read as follows:

AN ACT CONDONING ALL PRINCIPAL AND INTERESTS OF LOANS ARISING FROM THE AWARD OF AGRICULTURAL LANDS UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM AS OF DECEMBER 31, 2022 AND FOR OTHER PURPOSES.

Senator Pimentel said that the new second paragraph of Section 10 should be read together with the rest of the provision of the law about the condonation.

Senate President Zubiri said that the amendments made on the bill would be subject to style.

#### **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. 1850 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1850 was approved on Second Reading.

#### **MANIFESTATION OF SENATOR ESTRADA**

Senator Estrada expressed hope that Senate Bill No. 1849, which was on the agenda, would be taken up that day so it could be approved the next session day. Senator Villanueva assured Senator Estrada that the said bill would be considered that day.

#### **COMMITTEE REPORT NO. 9 ON SENATE BILL NO. 1470**

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1470 (Committee Report No. 9), entitled

AN ACT STRENGTHENING THE MECHANISM FOR LAND USE DEVELOPMENT AND INFRASTRUCTURE PLANNING AND BUDGETING FOR STATE UNIVERSITIES AND COLLEGES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11396, OTHERWISE KNOWN AS THE "SUCS LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN (LUDIP) ACT."

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

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

#### **INTERPELLATION OF SENATOR PIMENTEL**

In reply to Senator Pimentel's query as to the new idea being introduced in the measure considering that there was already an existing Land Use Development and Infrastructure Plan (LUDIP) for SUCs, Senator Escudero stated that Senate Bill No. 1470 provides for (1) a five-year program insofar as the local infrastructure development program was concerned; (2) a structure whereby the implantation of projects would be monitored; and (3) the appropriation of an exact amount for the purpose, to be proposed by Senator Cayetano (P) in the period of amendments.

As to whether the current law provides for a period by which the LUDIP Program would be reviewed, Senator Escudero stated that such was not mentioned anywhere in the law, the reason why the committee deemed it necessary to specify it in the bill.

Regarding the purpose for linking LUDIP with the land use plan and practice of local government units, Senator Escudero clarified that said provision was part of the original law.

Asked if SUCs were not free to come up with an LUDIP as they had to consider local government land use ordinances/plans, Senator Escudero disclosed that out of 120 SUCs, only 10 have their own LUDIP due to the lack of technical expertise in coming up with the plan as described in Republic Act No. 11396. He said that since very few LGUs have a land use plan, the DILG had been telling city and municipal mayors to submit their respective plans which had to go through a long process before securing the DENR's final approval.

On whether the measure would improve the formulation of LUDIP, Senator Escudero said that the measure would establish the precedent of completing the LUDIP before releasing any fund for infrastructure purposes. He said that such effort would bring about an organized and effective land and infrastructure plan within the SUC compound. He averred that the bill would also prevent SUCs from having full discretion of funds.

As to whether the measure might bloat the budget arising from bottom-up planning, Senator Escudero replied in the negative, as there would be consultation with NEDA, DBM and DPWH to ensure that the estimates and programs would be in line with the principles and policies of the departments concerned. He added that while the DBM could put a cap on the LUDIP, the Congress still has the power to allocate the necessary amount, based on the National Expenditure Program submitted by the Executive.

On Senator Pimentel's query whether a member of Congress would have to consider the LUDIP when proposing an amendment to the NEP for an infrastructure project in a certain SUC, Senator Escudero stated that any and all public infrastructure projects in the locality must first be approved by the Regional Development Council. He believed that the practice, which has been implemented for the past three years, made the government spending on infrastructure projects reasonable. In fact, he said, any local project which he proposed when he was governor necessitated RDC endorsement pursuant to an Executive memorandum or policy.

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

Senator Pimentel believed that before proposing budget amendments, all legislators should be aware of the rationale behind the memorandum. Senator Escudero, for his part, stated that projects that did not have the support of regional development councils (RDCs) would not be approved by the DPWH.

When asked if the described system was simply being transferred to the SUCs, Senator Escudero replied in the affirmative, but added that the act was backed by law and not just a memorandum.

Senator Pimentel questioned the phrase "all compliant SUCs," referring to page 2, lines 24 to 25 of the bill, and whether it implied the existence of non-compliant SUCs, and if so, whether they were sanctioned for their non-compliance, or if there was at least an intention to sanction them. He then read the following lines from Section 1's fourth paragraph: "The CHED shall include the LUDIP of each SUC in a five-year comprehensive LUDIP for all compliant SUCs within one year of receipt thereof."

Replying in the negative, Senator Escudero stated that there were no sanctions mentioned in the existing rules or in Republic Act No. 11396. In that regard, he believed that the sanction in that case would be that no such proposed infrastructure project would be included in the budget unless it met the requirements of LUDIP, as amended by the proposed measure.

Senator Pimentel questioned the rule's applicability to members of Congress who propose amendments to the national budget. Senator Escudero responded that while legislators were free to propose amendments, the DBM would be required to be a part of the monitoring team as well



as a part of the agencies involved in enacting the Implementing Rules and Regulations (IRR). He then surmised that similar to former Senator Lacson's earlier suggestion, the DBM might require compliance with the LUDIP for any such infrastructure projects carried out within the SUCs. Furthermore, he expressed confidence that the DBM would enforce the matter despite its limited budget. Senator Pimentel agreed with Senator Escudero's points, adding that there should be a system of prioritization, transparency, and planning in relation to the national budget.

Senator Escudero in agreeing with Senator Pimentel, stated that governance, in its most basic form, entailed allocating scarce resources. He believed that if a government could perform the function, it would be able to govern effectively.

#### **INQUIRY OF SENATE PRESIDENT ZUBIRI**

Senate President Zubiri asked Senator Escudero if he was willing to postpone the measure's discussion until the next day so that he could be further clarified on land use for SUCs and how the release of budgets was linked to the LUDIP, as Senator Legarda had previously mentioned.

Senator Escudero responded by stating that the LUDIP requirement was actually found in Republic Act No. 11396, and that the proposed bill would include the following provisions: 1) a five-year plan, rather than just a yearly plan—a matter on which the law was silent; 2) the establishment of a monitoring committee to ensure that the implementation would be in accordance with the LUDIP of the SUCs; and 3) funding would be prioritized for compliant SUCs insofar as having their own LUDIP was concerned. Furthermore, he stated that there was no provision in Republic Act No. 11396 mandating the same. He also believed that Senator Cayetano's (P) bill required SUCs to submit comprehensive plans before asking the national government for anything outside of their own budget. On that note, he stated that he was willing to discuss the bill further the following day.

Senate President Zubiri stated that he had been informed that the chairperson of the House Committee on Indigenous Peoples was forming a task force to assess the Central Mindanao University's concerns about the incursion of indigenous peoples in the area. Furthermore, he said that it was believed that the problems of SUCs with regard to land use were caused by a Supreme Court ruling involving land titles and prior rights a decade before.

When asked how SUCs could develop land use plans with issues to resolve, Senator Escudero stated that they could not, and that the government could not legally fund infrastructure projects in areas where ownership was unclear. In this regard, he informed the Body that one of the reasons the DepEd School Building Program's absorptive capacity was low was due to the agency's requirement that before any new school building could be built, there must be proof that the land was under the name of the DepEd or the Republic of the Philippines.

#### **SENATE PRESIDENT PRO TEMPORE LEGARDA'S MANIFESTATION**

Senator Legarda stated her support for the bill. She then admitted that SUCs have been dealing with the issue of underutilized land for a long time. However, she also stated that under the LUDIP Bill, forest limits should be reflected in the SUCs' land use plans, noting that the Body has not passed measures setting forest limits since her first term as a lawmaker in 1998. She stated that at the appropriate time, she would ask Senator Escudero if there were SUCs with primary forests within their jurisdictions. She also stated that she would like to learn about the SUCs' level of compliance with biodiversity conservation requirements in previous General Appropriations Acts. She also expressed hope that once the bill was passed, the sponsor would be open to amendments that would include conservation areas, or arboretums of Philippine native trees, near SUCs.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1470**

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



## ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Villanueva acknowledged the presence in the gallery of the following guests from the Province of Antique: Rep. Antonio Agapito Legarda Jr.; Board Members Ladislao, Molina, Beriong, Dimamay, Niquia, Sumande, Palacios Jr., Sanchez IV, Elio, Mark Canja, and Pamela Azucena.

Senate President Zubiri welcomed the guests to the Senate.

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

*(Continuation)*

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

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

Senator Villanueva stated that the parliamentary status was the period of individual amendments.

The Chair recognized Senator Estrada, sponsor of the measure, and Senator Pimentel for his amendments.

## INQUIRY OF SENATOR PIMENTEL

Senator Pimentel sought clarification on the one-year promotion prohibition on page 3, paragraph (C), lines 6 to 18 of the measure. He specifically stated that the prohibition only applied to the four positions listed: 1) Vice Chief of Staff; 2) Deputy Chief of Staff; 3) Unified Command Commanders; and 4) Inspector General.

Senator Estrada responded by explaining that the one-year provision, which states, "Provided, that they shall have at least one (1) year remaining of active service before compulsory retirement unless promoted as Chief of Staff: 1) Vice Chief of Staff, 2) Deputy Chief of Staff, 3) Unified Command Commanders, and 4) the Inspector General," was to avoid appointments that coincided with compulsory retirement dates. He added that while the House bill reduced the period to six months, he kept the one-year provision for the previously stated reason.

Senate President Zubiri inquired if the same one-year provision existed in the old law regarding an officer's appointment to the rank of general or higher position. Senator Estrada responded in the negative, stating that Republic Act No. 11709, or the current law, did not include the aforementioned provision. However, he pointed out that Republic Act 8186, as amended, included the one-year appointment ban.

Senate President Zubiri then recalled that several retiring generals had not been confirmed by the Commission on Appointments (CA) and were thus bypassed.

Senator Pimentel, for one, recalled that the CA confirmed some appointments even when the appointees had less than one year of active service remaining.



Senate President Zubiri recalled that an appeal had been filed in the CA during the tenure of former Senate President Sotto and Senator Lacson as the Commission's presiding officers, when a number of Members, including Senator Go, made the appeal on behalf of General Hidalgo, a retiring officer of the Philippine Marine Corps at the time. He stated that Congress was about to go on recess one month before General Hidalgo's 55th birthday. He said that an exemption was granted due to the CA's Plenary powers, which deemed it necessary to approve General Hidalgo's promotion.

Senator Pimentel stated that at the appropriate time, he would introduce an amendment that would nullify all appointments made by the CA in violation of the one-year rule.

In response, Senate President Zubiri stated that the CA's action was justified due to General Hidalgo's distinguished military career, and that the military officer's application for appointment encountered technical difficulties due to its proximity to his actual date of retirement, as well as Congress' session break. He informed the Body that as a result, the Commission compelled the AFP Board of Promotions to appoint high-ranking officers several months before their retirement from service.

Senate President Zubiri said that it was precisely why the CA occasionally held marathon hearings for the military in order to avoid the one-year ban before their 55<sup>th</sup> birthday.

At this juncture, Senator Estrada sought clarification about the circumstances that would render the appointment null and void. Senator Pimentel responded that it is when the appointee has less than one year of active service remaining. He said that the case on hand did not violate the condition of having one year remaining of active service because the appointment was extended to more than a year before the appointee's retirement.

Senate President Zubiri interjected, saying that the CA would not allow a hearing if the promotion occurred within the one-year ban. Senator Pimentel stated that the Senate President had explained that there is no more stringent language, as they had not breached the law's mandate. He stated that there was just a little confusion in recollecting the facts of the case.

Senator Estrada noted that the situation highlighted by Senate President Zubiri often involves an *ad interim* appointment on which the CA had not yet acted. Thus, he stated that the appointee was reappointed, albeit through no fault of his own. Senator Pimentel stated that reappointments that occur within the one-year ban are not allowed.

Asked by Senate President Zubiri whether the DND and the PNP have actually promoted anyone to a higher rank within the one-year restriction, Senator Estrada replied that no one had been promoted as such prior to the enactment of RA 11709.

Senator Pimentel expressed appreciation for the clarification and stated that would no longer pursue his proposal to introduce stricter language to the measure, since it has become moot and academic.

#### **SUSPENSION OF SESSION**

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

*It was 6:50 p.m.*

#### **RESUMPTION OF SESSION**

At 7:15 p.m., the session was resumed.

#### **MANIFESTATION OF SENATOR TOLENTINO**

Senator Tolentino pointed out that cadets who wish to study in overseas military schools such as the Korean Military Academy, West Point, and Annapolis, are required to complete one and

a half years of cadetship, with some requiring an extra year of language studies. He explained that their active duty would not begin until they completed their four-year program abroad, rendering the one or two years of cadetship prior to their acceptance to the military institutions abroad null and void, thereby affecting their length of service, active duty status, longevity pay, survivorship benefits, and other similar benefits. He said that his proposed amendment will eliminate the discrepancy and inequity caused by the scenario.

### TOLENTINO AMENDMENTS

As proposed by Senator Tolentino and accepted by the Sponsor, there being no objection, the Body approved the following amendments to the February 22, 2023 version of the bill:

1. On page 5, line 1, insert a new Section 3 to read as follows:

Sec. 3. Section 9(a) of Republic Act No. 11709 is hereby amended to read as follows:

“Sec. 9. *Definition of Terms.* - As used in this Act, the following terms shall mean:

“(a) *Active Duty* refers to the service or duty as a commissioned officer, enlisted personnel, cadet, probationary officer, trainee or draftee in the regular force of the AFP[-]: **PROVIDED, THAT THE PERIOD OF CADETSHIP AS CREDITABLE SERVICE FOR FOREIGN SERVICE ACADEMY/FOREIGN MILITARY TRAINING INSTITUTIONS SHALL INCLUDE THE NUMBER OF DAYS/MONTHS/YEARS OF CADETSHIP PRIOR TO ENTRY TO SUCH ACADEMY/INSTITUTION AND THE EQUIVALENT MANDATED PERIOD OF THE PROGRAM INSTRUCTIONS OF THE TRAINING INSTITUTION ATTENDED, TO INCLUDE THE REQUIRED LANGUAGE COURSE, IF APPLICABLE.**

(b) x x x.”

2. Renumber the subsequent sections accordingly.

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

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

### INSTRUCTION OF SENATE PRESIDENT ZUBIRI

At this juncture, Senate President Zubiri instructed the Senate Secretariat to invite all the senators, as well as Defense Senior Undersecretary Carlito Galvez and AFP Chief Andres Centino, to attend an all-member caucus at 1:30 p.m. of the following day.

### CLEAN COPY

Thereafter, Senate President Zubiri directed the Secretariat to prepare a clean copy of the bill, incorporating therein the approved individual amendments.

### 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 Wednesday, March 1, 2023.

*It was 7:23 p.m.*

I hereby certify to the correctness of the foregoing.

Approved on March 1, 2023

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

