

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 27

Monday, October 1, 2007

**FOURTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 27
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CALL TO ORDER

At 2:34 p.m., the Senate President, Hon. Manny Villar, called the session to order.

PRAYER

The Body observed a minute of silent prayer.

NATIONAL ANTHEM

The Senate Choir led the singing of the national anthem.

**DEFERMENT
OF THE ROLL CALL**

Upon motion of Senator Pangilinan, there being no objection, the Chair deferred the roll call to three o'clock in the afternoon.

**DEFERMENT OF THE CONSIDERATION
AND APPROVAL OF THE JOURNAL**

Upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 26 to a later hour.

**DEFERMENT
OF THE REFERENCE OF BUSINESS**

Upon motion of Senator Pangilinan, the Body deferred the Reference of Business to a later hour.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 2:36 p.m.

RESUMPTION OF SESSION

At 2:38 p.m., the session was resumed.

**PRIVILEGE SPEECH
OF SENATOR LEGARDA**

Availing herself of the privilege hour, Senator Legarda delivered the following speech:

CPR FOR MOTHER EARTH

Let me start this privilege speech by telling you a story about how a grandson spent in just ten days what took his grandfather 82 years to accumulate, to show how we, as a people, intend to destroy what took billions of years to form, unless we change our mindset and undertake a paradigm shift on the environment.

A grandfather died intestate and left his only grandson P100 million as inheritance. Prior to his death, he told his grandson to spend only the income of his inheritance and preserve the capital of P100 million. However, contrary to his grandfather's wishes, the grandson gambled and spent P10 million a day on losses. Thus, by the end of the tenth day, the whole inheritance was gone. But instead of treating this as a loss, the grandson asked that the money he spent for gambling be reported by his accountant as losses that are allowable deductions on his gross income.

This story demonstrates how we treat the environment.

The Earth has taken 4.5 billion years to put together; Man, 1 million years, and Civilization, 6,000 to 7,000 years.

However, the Industrial Revolution, which started only 200 years ago, intends to destroy what took thousands of years to form. The rate of extraction and consumption is way, way faster than the rate at which the Earth can replenish her resources.

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The air we breathe – we have polluted it to alarming levels – that we have exposed ourselves to respiratory and pulmonary diseases.

Our waters – what have we done with the source of life? We did not only use it but we also used it up. We have even dirtied it. We all know about the recent Blacksmith-Green Cross Report that includes Meycauayan City and Marilao, Bulacan among the world's 30 dirtiest places. Into the river system that is the source of drinking and agricultural water for 250,000 residents, untreated wastewater laced with hexavalent chromium is dumped by tanneries. So are other heavy metals from lead battery recycling and gold refineries, pesticides and solid waste from so-called "guerrilla" dumpsites.

What about our minerals that took 55 million years to form? We intend to extract these minerals in 30 to 50 years even if future generations of Filipinos will have nothing left.

Imagine, 55 million years to form and in 30 to 50 years, they are all gone.

We have extracted the bounty of the natural environment to provide for our overly consumptive population at the expense of depleting the capital – the land, air, water that took billions of years to form and perfect.

This is how we treat the benefits we receive from our natural resources. This is the mindset of an extractive and consumptive economics, a flawed model for progress and development that, unfortunately, official policies and actions espouse.

The Philippines' GDP grew by 5% in 2005, followed by a 5.4% growth in 2006. It was reported in midyear that 7.5% was the growth rate for this year and the government is optimistic of achieving a milestone 8% growth in 2008.

Yet, the value of goods and services turned out by our market economy – which government economists translate into GDP or GNP growth – conveniently factors out one thing: the toll these activities exact on our natural environment.

This is the unreported truth in our growth stories: For every percentage rise in our economic activity, for every point up in the NEDA charts, hectares of wondrous and thriving biodiversity are extracted from our natural environment.

The Worldwatch Institute, in its Vital Signs Report for 2007-2008, tracked 44 trends that illustrate how 6.6 billion humans are pushing the limits of ecosystem services. In 2006, the world

used 3.9 billion tons of oil. In 2005, 7.6 billion tons of emissions were released and more wood was removed from forests than ever before.

Economic gains from exploiting and extracting through unsustainable mining, illegal logging, overfishing and unabated industrial production enter into statistical columns for gain and growth.

In contrast, irreparable harm or lasting damage are not made part of the gain/loss equation. We live in a delusional world in which nature suffers no depreciation despite the greed-induced savagery we inflict on it.

We build our growth statistics on the bloodied, tortured corpse of our natural environment.

The skewed emphasis on the gains has caused government to fail on a policy imperative – to provide the necessary measures to enhance the restorative capacity of our ecosystems: to nurture nature, to bring our soil, seas, forests and mountains back to health and vibrancy, to heal Mother Earth.

The despoliation of the environment and the sustained destruction abetted by official neglect is the urgent matter that I want to bring to the attention of this Chamber.

Anatomy of an ailing ecosystem

The recent dry spell and the destruction that it left in its wake is an eye-opener on the sad state of the Philippine environment.

As we know, from late May, June and even July, should have been rainy season. Rainfall was below normal. For more than two months, the sun blazed, its scorching heat drying up the dams, turning farmlands into cracked, brown earth.

The countryside's season for planting and celebration where we have a lot of our fiestas, its season of joy, turned into a season of grief.

A total of 127,000 hectares of land for rice, corn and other crops reported crop failure. Roughly 40,000 of fishpond areas, the main growth sub-sector of fisheries, reported fish kill.

Had the rains not come in August and in September, the dry spell would have triggered massive power failures and inflicted more damage to the agriculture sector. The nation only knows too well what comes with power failures: economic paralysis, political instability, mass panic.

We ask ourselves: What has happened to a country which, according to conventional

knowledge, has abundant water supply for, after all, we are an archipelago? The water crisis from late May to July, though short-lived, brought into the national consciousness an element of shock. The days of water abundance are over.

It is perhaps both convenient and cavalier to put the blame on the usual suspects: rapid population growth, an urban sprawl built on former farmlands and forest areas, water consumed by irrigation and power needs, and natural deterioration of our usually dependable water sources.

But at the root of our water crisis is the deterioration of the country's forest areas. Under nature's wondrous order of things, watershed areas store water for release into the water receptacles during the dry months, ensuring a continuity of water supply.

Illegal loggers plunder hardwood wherever they are: in precious and life-giving watershed areas, and even in national parks and forest reservations, in protected areas.

Most of the 125 proclaimed watershed areas covering a total of 1.499 million hectares have been classified as deteriorating or dying and this comes from a JICA report. We lose 1.4% of our forest cover a year and in the ASEAN only Myanmar deforests at this furious pace.

A prodigious destroyer of forest areas is almost always a weak protector and this is the sad case of the Philippines. Total protected area is only 2.5 million hectares or just 9% of total land area in the country. Protection is nominal. There is only one forest guard for every 4,000 hectares.

As of December 2004, only 52.8% of the country's total land area is so-called classified forest land and less than a dozen provinces have forest cover of 40% and above.

Unsustainable mining inflicts the same lethal harm on the environment. To make way for mining operations, there is extensive clearing of vegetation and earth-moving in forest areas. Worse, the toxic effluents that mining generates poison rivers and arable lands.

From 1990 to 1999, more than 130 million metric tons of tailings spilled over into our water sources and farmlands.

Our atmosphere is in the same perilous state. Air pollution is a serious urban problem, the air Metro Manilans take in is laced with harmful pollutants that are generated by the burning of fossil fuel, making Metro Manila one of the most polluted cities in the world.

The combustion of fossil fuels from vehicles and factories has been on a steady rise, one of the major sources of increased air pollution that aggravate respiratory ailments, like asthma, bronchitis, tuberculosis.

If pollutants in the atmosphere are silent killers, there are massive garbage piles at ground level which are as poisonous to the environment. The giant dumpsites in Payatas and elsewhere in Metro Manila dramatize our Third World status. There are garbage piles everywhere, on sidewalks, on rivers, on the sewerage system causing our annual perennial floods.

Metro Manila alone generates 4,600 tons of garbage daily, much of which is not properly disposed of. From these mounds, poisonous leachate is generated, which is absorbed by the ground below. Who knows what strays into our underground water and who knows the quality of the water that we drink?

Nature's wrath

Nature has a way of reminding man of his great folly and the savage abuse of the natural environment. Disasters of biblical magnitude, which cause death and destruction on unimaginable levels, upset the social system, wipe out whole communities, and destroy the fabric that makes up a functioning society.

Who can forget the Ormoc tragedy, the recent disaster in Daraga, the mudslides that uprooted logs, wrecked homes and killed people in Infanta and Real in Quezon and Dingalan in Aurora in December of 2004? In 2001, the mountains of garbage in Payatas collapsed, creating a mini-Armageddon. Today, far greater disasters worldwide loom in our not-too-distant horizon with accelerated global warming. This is not just in the Philippines. Look what happened to New Orleans. Look what happened in Europe. Look what happened to the floods in China and elsewhere.

Nature suffers from our abuse silently but has a way of reminding us of its terrifying, vindictive force.

But it would be wrong policy to ignore the symptoms. We should assist the healing of nature now.

An action agenda for the environment

We have passed many laws in this Chamber way before my time, perhaps too many. After spending some 20 years of studying and compiling all the environmental laws of the

Philippines resulting in a book of 850 pages, 8.5" x 11", an author, Atty. Tony Oposa, an international renowned environmental lawyer who is a United Nations awardee, present in this Hall today, in his dedication said: TO FILIPINOS – MAY WE LEARN TO MAKE LESS LAWS...

It is toward this end that I respectfully seek the help of my esteemed colleagues in this Body. I humbly seek your help to make the laws that we made work just a little bit more. My agenda is *actually quite simple and will focus on a few very basic facts.*

Let me share with you a little formula for a simple action agenda for the environment. In our presence today are NGOs representing the *environment all over the country* and LGU representatives, mayors like Mayor Hagedorn, who have proven to us that we can make these laws work.

What do I mean? What we need is CPR for Mother Earth. CPR stands for the conservation, protection and restoration (of the Earth). It is the product of EEE – education, engineering, and enforcement.

As early as 1977, there is a law that mandates that "environmental education must be incorporated in all levels of the curriculum." This is in the Philippine Environmental Code. I was only fourth-year high school when this law or code was enacted. It has been 30 years. Is the DepEd implementing this law? This is one generation ago. I am on my second term as a senator, maybe some of those who are younger than me were simply in grade school. But has the DepEd complied with this law?

We understand that environmental educators have prepared a complete module for primary and secondary education. *It is a matter for the Department of Education to adopt and implement it throughout the country – in all public and private schools hopefully by June next year.* In this regard, we will seek the assistance of the educators in this Body to help us realize this vision and there are many. There was a former UP president, Senator Angara. There was a UP professor, Senator Escudero. There is Senator Pangilinan. I think he also used to teach. And there are many other educators like Senator Defensor Santiago. All of us actually are educators in our own right.

In this regard, I humbly seek the help of our colleagues to help us formulate and even produce mass media educational tools to raise the level of environmental awareness of our people, especially the young. It is said that a

great movement may be born in the minds of a few, but it must be spoken by the mouths of many, and must be carried on the shoulders of all – of every man, woman and child.

Mass media and mass education is what we need. There are many celebrities in this Chamber -- Senate President Pro Tempore Jinggoy Ejercito Estrada, Sen. Lito Lapid, who is known and loved nationwide, Sen. Bong Revilla, including Senator Honasan, who was the principal author of the Clean Air Act, and all others who have appeared in various mass media. They can use their power, their celebrity status. We can use our power, our celebrity or popularity and utilize mass media to be able to tell the young, the old, the new and those still learning that we must implement the laws that we enact.

All the education – formal and informal – result in a very important engineering marvel: the re-engineering of the mind. With a changed mindset, we will begin to think differently and then act accordingly. We will then no longer debate on the why of the things that we need to do for the CPR of our country. We will not debate why it happened and who is to blame. Rather, we will only cooperate, we will work together on the when, the where, the who and the how we can do the job faster, better, and with greater effect.

We have other environmental advocates. Sen. Pia Cayetano can use her triathlon and go into eco-sports. Sen. Migz Zubiri, who is also an athlete as well as an environmentalist and the author of the Biofuels Act, can also help us in this endeavor.

There is so much to do, so little time and so few hands.

In the matter of our lands — our forests, and watersheds, the recurring floods and droughts have taught us, or so I hope, that unless we CPR the forests and the watersheds, the situation will only get worse in the years to come. But then again, a basic question and I am sure Senator Escudero would be interested in this because there are many forests in the Bicol region: How can we protect something if we do not even know where it is? That question is so basic, and so obvious it is a wonder why it has escaped us for so long. Perhaps, it is true that that is the difference between the obscure and the obvious. The obscure is figured out sooner or later; it is the obvious that takes a little longer.

Yes, it is so basic that 20 years ago, the framers of the 1987 Constitution precisely wrote that:

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Congress shall, as soon as possible, determine by law the specific limits of the forest lands and national parks, marking clearly their boundaries on the ground.

Yet 20 years hence, Congress has not complied with this constitutional mandate.

Many may say it is expensive, others say it is time-consuming, others say it cannot be done. But no one will dispute that it must be done like many other things in this nation. In fact, if Congress started doing it 20 years ago, it would have been finished before our time.

There is nothing that says we must do it all at once. What is needed is that it must be done. Mayor Edward Hagedorn, who is here today, did it in his critical watershed in Puerto Princesa – the Irawan Watershed with an area of more than 4,000 hectares. We may ask how they did it. How much did he spend out of his own budget? Did he get a foreign grant from China in the billions of dollars like ZTE? It is an amount that we, in this Body – so used to talking in hundreds of millions and even billions of dollars – may find insignificant. Believe it or not, Mayor Hagedorn, a UNEP awardee, like Attorney Oposa, did it by only spending P350,000 for the first time and another P350,000 for the second time. For less than P1 million, he was able to delineate all the forest boundaries in Puerto Princesa City in Palawan. Yes, this is what we call political will.

Government must closely monitor mining in our country. There is a need to ensure strict enforcement of the provisions of the Philippine Mining Act of 1995, particularly those for environmental protection and rehabilitation.

On this note, I have filed a resolution looking into the state of compliance of existing grantees of exploration permits and contractors under mineral agreements to safety and environment protection.

In the matter of water, we recently saw the serious dangers of a prolonged drought. But a law has been in place since 1989, almost 20 years ago, for the collection of rainwater and for protection of springs so that adequate potable water is made available to every barangay. Have we complied with this law? I am hereby filing a resolution to inquire into the level of compliance with this law, and then, again, without necessarily pinpointing blame and finding fault, proceed with helping the DPWH and local communities – especially in areas that are critically and perennially water short – establish cisterns and rainwater collection receptacles. The DENR

and the DPWH must also begin to think of these simple and basic mechanisms in the review and revision of the Building Code and as conditionality in the Environmental Compliance Certificate (ECC).

In the matter of the sea, yes, we are the center of the center of marine biodiversity or wealth on Earth, the Amazon of the Seas, so to speak. The sooner we understand that, the sooner we will begin to protect and restore it.

In Chinese, the character for “crisis” represents two other characters – “danger” and “opportunity.” We have seen that the Visayan Sea – the geographic epicenter of marine wealth on Earth – is now in crisis. To the great honor and pride of the Philippines, the valiant efforts of two men to protect the Visayan Sea from illegal and destructive fishing practices was recently featured in a full-length documentary in the prestigious British Broadcasting Corporation (BBC) and beamed several times to some 130 countries all around the world.

Perhaps this is the only time that our country’s efforts to protect its natural wealth have been featured in a positive light. For once, the do-gooders and those who mean well for the country have been featured around the world. But these men have paid a high price for it, not in terms of money but in terms of their lives. One of them – Jojo de la Victoria – paid the ultimate price for their advocacy. Last April 12, 2006, as he was entering his house after work, he was shot four times with a .45 caliber and died.

But the now world-famous Visayan Sea Squadron is undaunted. With dedicated NBI operatives from Region VII and volunteer fishermen, they have achieved the impossible by eliminating illegal fishing in significant parts of the Visayan Sea. These ordinary men and women have made it their life’s mission to protect and restore this body of water of unparalleled wealth.

In the area of solid wastes, we have a law I authored that on January 2001, the first law signed by President Gloria Macapagal Arroyo on January 20 right after she assumed office. We have a law, yet the implementation and enforcement has been very wanting. We will inquire from the DENR and from the local government units why this is so. But we will not seek to find fault; rather, we will see how we can help them strengthen their efforts to comply with the law.

In this regard, I would like to make mention of the recent commendable initiative of the Office of the Ombudsman and the Law of Nature Foundation to conduct an environmental compli-

ance assessment/audit of the compliance with basic environmental laws, beginning with the Solid Waste Management Law. We commend them and express our fullest support to this initiative.

We must also inquire into the state of implementation of Republic Act No. 8749 which Senator Honasan, an advocate of the environment, had so painstakingly defended on the floor way back in 1999 when he was chairman of the environment committee. This is the Clean Air Act. This law has provisions which, if fully implemented, would have improved the air quality of the country during the last eight years. Compliance with the tightened standards on industrial emissions and motor vehicle exhaust and the encouragement of citizens' arrest must be monitored and assessed.

CPR of water

We must inquire also into the implementation of Republic Act No. 6716, otherwise known as the Rainwater and Spring Development Act of 1989. Why has the DPWH not constructed wells and rainwater collectors, developed springs and rehabilitated existing water wells in all barangays during the last 18 years? If it had, DPWH would have mitigated the effect of the recent dry spell which caused an estimated P600 million to P1 billion loss to our country.

I also urge the Department of Environment and Natural Resources to immediately undertake efforts to declare the Visayan Sea as a protected area. It is admittedly an ambitious difficult project because the area is a sea surrounded on three sides by the islands of the Visayas — bounded on the north by Masbate, on the east by Leyte, on the south by Cebu and Negros, and on the west by Panay, connected to the Sibuyan Sea, the Samar Sea, the Camotes Sea, the Bohol Sea, and the Sulu Sea. As the stewards of this crown jewel of the Earth's natural treasures and a common heritage of humankind, we must ensure its protection.

The state of the Philippine environment has deteriorated from a gloomy "Silent Spring" as Rachel Carson said in a book I read when I was in grade school, into the next stage, an apocalyptic one. All around us we are witnessing the birth of death, the refusal of life forms to flourish and to thrive, the black curtains that hang over former enclaves of bio-diversity.

Only after the last tree has been felled, the last river poisoned, and the last fish caught, will man ever know that he cannot eat money.

We have to reverse the onslaught to life, to usher in an environmental springtime, the surge of new life forms, the explosion of forested mountains, clean air, clear rivers and bountiful seas.

Let it be said that during our watch, while gifted with intelligence and insight, with privilege and position, with the wealth of wisdom, and with the freedom and power of the human will, we did our share. And maybe, just maybe, we will make a little difference.

SUSPENSION OF PRIVILEGE HOUR

Upon motion of Senator Pangilinan, there being no objection, the Body suspended the privilege hour and consequently, interpellations on the speech of Senator Legarda were deferred to a later hour.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Emma Lirio-Reyes, called the roll, to which the following senators responded:

Aquino III, B. S. C.	Lapid, M. L. M.
Arroyo, J. P.	Legarda, L.
Cayetano, C. P. S.	Madrigal, M. A.
Defensor Santiago, M.	Pangilinan, F. N.
Ejercito Estrada, J.	Pimentel Jr., A. Q.
Escudero, F. J. G.	Revilla Jr., R. B.
Gordon, R. J.	Roxas, M.
Honasan, G. B.	Villar, M.
Lacson, P. M.	

With 17 senators present, the Chair declared the presence of a quorum.

Senators Angara, Biazon, Cayetano (A), Enrile and Zubiri arrived after the roll call.

Senator Trillanes was unable to attend the session.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:13 p.m.

RESUMPTION OF SESSION

At 3: 14 p.m., the session was resumed. *AS*

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APPROVAL OF SENATE BILL NO. 1620 ON THIRD READING

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1620, printed copies of which were distributed to the senators on September 25, 2007.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Pangilinan, there being no objection, Secretary Reyes read only the title of the bill, to wit:

AN ACT GRANTING ADDITIONAL
RETIREMENT BENEFITS TO
MEMBERS OF THE JUDICIARY,
AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 910, AS
AMENDED, AND FOR OTHER
PURPOSES.

Secretary Reyes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Aquino	Lacson
Arroyo	Lapid
Biazon	Legarda
Cayetano (P)	Madrigal
Defensor Santiago	Pangilinan
Ejercito Estrada	Pimentel
Enrile	Revilla
Escudero	Roxas
Gordon	Zubiri
Honasan	Villar

Against

None

Abstention

None

With 20 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1620 approved on Third Reading.

MANIFESTATION OF SENATOR DEFENSOR SANTIAGO

Senator Defensor Santiago stated that she would have to respectfully decline to take interpellation on her speech because she has just received another bone marrow injection as she had been doing for the past three months for her chronic fatigue syndrome which consists of extreme and prolonged fatigue, nausea and dizziness. She indicated that she would be filing a motion to refer the speech to the Committee on Rules.

QUESTION OF PRIVILEGE OF SENATOR DEFENSOR SANTIAGO

On a matter of personal privilege, Senator Defensor Santiago delivered the following speech:

I WAS HIT ON A PERSONAL LEVEL

In the accepted rules of debate, it is considered unfair and unethical to argue on the basis of personalities. The debater is only ever required to limit himself to the merits of the issue. Under the principle of *sub judice*, when a matter is still pending before a judge, reporters may only report the facts, but may not even comment on the merits of the case, much less on the personalities involved.

Last Sunday, I was subjected to a personal attack by an alleged contributor, which was carried on the front page of a daily newspaper. There were several senators attacked, and there were some three senators who were praised. But in my case, it is very obvious that the writer was just engaging in character assassination. He did not refute my arguments, but concentrated on my personality, and on my personal characteristics. I was hit on a personal level, which is unethical, unfair, and implies that the writer is a hired gun, shooting me down for money. This is beneath despicable.

There are dead giveaways to the so-called contributor's poison piece, which has to be part of a sustained and corrupt media blitz by a certain political group against the ZTE loan agreement, presumably so that the group could get its dirty hands on the P1.5 billion – with a “b” as in “*baboy talaga*” — kickback.

I suspect that this is a political group behind Mr. Jose de Venecia III, rather than Comelec Chair Benjamin Abalos. Mr. De Venecia has taken an aggressive media position, while Abalos has been on the defensive and even ~~AB~~

reportedly resigned this morning. Both their allegations were substantially diminished by the point I raised during the ZTE hearing – that often, in trial, both sides could be telling half-lies and half-truths. This was also the point made by former Supreme Court Justice Isagani Cruz in his own opinion column in the very same issue of the same newspaper. Perhaps Mr. De Venecia felt stung, although in effect what I said was that this point could be true for all sides in the controversy.

Maybe this group could be temporarily allied with the political opposition. Maybe this political group is also partly funded by private service providers, who would lose billions in income, if the government stopped hiring their services, and instead government operated its own national broadband. Or maybe this political group is also partly funded by the “Oust Gloria” group. Maybe it is all of the above.

Here are the obvious detective clues:

1. *Telltale Mark No. 1.* The writer was expressing a personal opinion, but somehow it was sneaked into the Sunday front page news. This is a common tactic of black propaganda tacticians, so that the victim cannot issue a rebuttal on the same day, because offices are closed. Its proper place should have been in the opinion-editorial or op-ed page. In effect, the detractor was editorializing in a news page. Sometimes such editorials are carried on the front page, but only when they analyze issues, not disguised personal attacks on the personalities involved in the issue.

2. *Telltale Mark No. 2.* In maligning me, the critic used at least three negative and emotionally-laden adjectives in describing my personality. He was not interested in evaluating the merits of my argument, but in holding me up to ridicule, mocking my voice, my face, and my expression. Can we no longer make allowances for righteous indignation? That was a personalistic attack, which he knows full well is prohibited by the journalistic code of ethics.

3. *Telltale Mark No. 3.* The critic ended his poison piece by singing sycophantic praise for three senators, who just happened to be opposition senators who are against the ZTE loan, and are rumored to be presidential candidates. I grant that the three senators concerned may have had no connection with the media blitz, but may only have been used as a camouflage by the political group bent on a media scorched-earth campaign against those opposed to its kickbacks.

4. *Telltale Mark No. 4.* If the critic just wanted to evaluate the performance of senators during the hearing, then he should have given the plus and minus of each senator. Instead, he just gave a minus to all his adversaries, and then toward the end, where it could be conveniently inconspicuous, he gave a plus to all his protégés, thus betraying his political bias.

5. *Telltale Mark No. 5.* The proceedings to which he referred were widely televised, in some cases live, both here and in Filipino communities abroad. Did he hit me personally, because he could not answer my arguments, and was reduced to name-calling? Is an unseen hand paying for the media blitz, trying desperately to distract the public from the point I raised as a former RTC judge – that both sides in any case, may be telling half-lies and half-truths?

In conclusion, I call attention that when the Supreme Court is collectively or singly attacked by the media on a personal level, or even just when a pending case is publicly discussed on the merits, as a matter of practice under the principle of *sub judice*, the court orders the writer to show cause why he should not be held for contempt. Similarly, I respectfully propose to the Committee on Rules that we should amend our Senate Rules Governing Inquiries in Aid of Legislation. When Senate proceedings are still pending, reports and alleged observations should be limited to the facts and may even include the merits of the matter. Thus, the Senate would be adopting a more liberal rule than the *sub judice* principle of the judicial branch.

But if the attack is personal, the reporter should be ordered to show cause why he should not be cited for contempt of the Senate. Under Senate Rules, even a senator is not allowed to launch a personal attack against another senator.

I have been in national politics since I ran for president in 1992, for over 15 years now. I was an RTC judge, and thus for some five years, applied and practiced the Rules of Evidence everyday. I am sick to my eyeballs of these corrupt and expensive media campaigns, always trying to destroy me personally, particularly when I have just scored a point that meets with approval of the general public.

I challenge the shadowy faces behind this corrupt media blitz. Come on you hypocrites, stop being sneaky. Be men, come out of the bushes, and reveal yourselves. Since you have chosen to engage in character assassination, let us all have a showdown at the OK Corral – in full view of the TV public. I am sure my traitorous

and hidden detractors will make asses of themselves.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the speech of Senator Defensor Santiago to the Committee on Rules.

APPROVAL OF THE JOURNAL

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 26 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. 1649, entitled

AN ACT ESTABLISHING THE CAREER EXECUTIVE SYSTEM

Introduced by Senator Loren Legarda

To the Committee on Civil Service and Government Reorganization

Senate Bill No. 1650, entitled

AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

To the Committees on Environment and Natural Resources; Local Government; and Finance

Senate Bill No. 1651, entitled

AN ACT CREATING THE PHILIPPINE RUBBER RESEARCH INSTITUTE TO DEVELOP THE PHILIPPINE

RUBBER INDUSTRY AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

To the Committees on Agriculture and Food; Civil Service and Government Reorganization; and Finance

Senate Bill No. 1652, entitled

AN ACT STRENGTHENING THE REGULATORY CAPACITY OF THE BUREAU OF FOOD AND DRUGS (BFAD) BY ESTABLISHING ADEQUATE TESTING LABORATORIES AND FIELD OFFICES, UPGRADING ITS EQUIPMENT, AUGMENTING ITS HUMAN RESOURCE COMPLEMENT, GIVING AUTHORITY TO RETAIN ITS INCOME AND FOR OTHER PURPOSES AMENDING CERTAIN SECTIONS OF REPUBLIC ACT 3720, AS AMENDED AND APPROPRIATING FUNDS THEREOF

Introduced by Senator Loren Legarda

To the Committees on Health and Demography; and Finance

Senate Bill No. 1653, entitled

AN ACT ADOPTING AN OMNIBUS JOB CLASSIFICATION AND COMPENSATION STANDARDIZATION SYSTEM IN THE CIVIL SERVICE, APPROPRIATING FUNDS THEREFOR, PROVIDING PENAL SANCTIONS FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

To the Committees on Finance; and Civil Service and Government Reorganization

Senate Bill No. 1654, entitled

AN ACT REQUIRING MANDATORY BASIC IMMUNIZATION SERVICES AGAINST HEPATITIS-B FOR INFANTS, AMENDING FOR THE PURPOSE

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PRESIDENTIAL DECREE NO. 996
AS AMENDED, AND APPROPRIATING
FUNDS THEREFOR

Introduced by Senator Compañera Pia S.
Cayetano

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

ADDITIONAL REFERENCE OF BUSINESS

BILL ON FIRST READING

Senate Bill No. 1655, entitled

AN ACT ESTABLISHING THE AURORA
INTEGRATED PROTECTED LAND-
SCAPE, PROVIDING FOR ITS
MANAGEMENT AND FOR OTHER
PURPOSES

Introduced by Senator Angara

**To the Committees on Environment and
Natural Resources; and Finance**

RESOLUTION

Proposed Senate Resolution No. 156, entitled

RESOLUTION ADVISING THE HOUSE
OF REPRESENTATIVES, WITH DUE
CONSENT, THAT THE SENATE WILL
ADJOURN ON OCTOBER 3, 2007

Introduced by Senator Pangilinan

To the Committee on Rules

SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 3 on Senate Bill No. 1646 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 3
ON SENATE BILL NO. 1646**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading,

Senate Bill No. 1646 (Committee Report No. 3),
entitled

AN ACT TO PROMOTE ENTREPRENEURSHIP BY STRENGTHENING DEVELOPMENT AND ASSISTANCE PROGRAMS TO MICRO, SMALL AND MEDIUM SCALE ENTERPRISES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6977, AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR SMALL ENTERPRISES" AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rule of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, 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 Legarda for the sponsorship.

**SPONSORSHIP SPEECH
OF SENATOR LEGARDA**

In her sponsorship of Senate Bill No. 1646, Senator Legarda delivered the following speech:

Your Committee on Economic Affairs, jointly with the Committees on Banks, Financial Institutions and Currencies, and Finance, is pleased to submit for this Chamber's consideration Senate Bill No. 1646 entitled, "An Act to Promote Entrepreneurship by Strengthening Development Assistance Programs to Micro, Small and Medium Enterprises, Amending for the Purpose Republic Act No. 6977, as Amended, Otherwise known as the 'Magna Carta for Small Enterprises' and For Other Purposes."

This bill is a consolidation of the following Senate bills: Senate Bill No. 108, authored by Senator Mar Roxas, Senate Bill No. 169, authored by Senator Revilla, Jr., Senate Bill No. 703, introduced by Senator Jinggoy Estrada, Senate Bill No. 1380, introduced by this Representation, and Senate Bill No. 1577 authored by Senator Manuel Villar.

A similar bill has been passed on Third Reading in the 13th Congress last June 5, 2007. And your Committee for the 14th Congress conducted a public hearing last September 10, 2007, and a Technical Working Group last September 14, 2007. Pursuant to the agreement forged in our all-senators' caucus, and the priorities set forth during the same, this Committee is pleased to

submit this Senate Bill No. 1646 for your consideration.

This bill expands the definition of micro, small and medium enterprises (MSME) to the following: for micro enterprises, not more than P3,000,000; small, P3,000,000 – P15,000,000; and medium P15,000,001 – P100,000,000.

It also renames the Small and Medium Enterprises Development Council to the Micro, Small and Medium Enterprises Development (MSMED) Council to emphasize the importance of micro enterprises, that are said to comprise 92% of the total enterprise population of around 800,000 in the country. The revitalized MSMED Council shall have additional members, to emphasize the policy that MSME are major contributors to the country's economic performance, and that labor is an important component of MSMEs. The additional members of the council are:

- a. Department of the Interior and Local Government;
- b. Department of Finance; and
- c. One representative from the labor sector.

Moreover, the Secretary of the Department of Trade and Industry, as the chairman of the Council, shall not be allowed to designate a permanent representative, to reflect the importance that must be given to MSME.

To enable the MSMED Council to be more effective in discharging its functions, the Council shall be given a separate annual appropriation for its activities and operational expenses.

Aside from the present functions of the SMED Council, the MSMED Council is tasked to:

- a. Ensure that there will be plans and programs that would address specific needs of each sector and encourage MSME to graduate from one category to another;
- b. Formulate a 3-year MSME Development Plan which shall form part of the Medium-Term Development Plan;
- c. Establish an MSME Academy for training, support, consultation and capability-building;
- d. Establish and operate a small business incubation program to provide space for start-up and expanding firms, shared use of work areas and daily management support services;

- e. Conduct nationwide information campaign with the Philippine Information Agency to inform the public of all programs and services available to MSMEs;
- f. Provide local and international network and linkages for MSME Development;
- g. Compile and integrate statistical databank on Philippine MSMEs; and
- h. Set up new MSME Centers and revitalize already established MSME Centers that will accept and act on all registration applications of MSMEs, streamline registration process, and provide all information and referral services necessary for MSME development.

Another amendment introduced by this bill is to allow MSMEs to grow while still being eligible for government assistance by permitting them to accept subcontracts or enter into franchise agreement with large enterprises or to join cooperative activities with other MSME.

This bill also includes micro and medium enterprises among the enterprises entitled to a share of at least 10% of the total procurement value of goods and services supplied to the government, which the present law only limits to registered small enterprises. The Department of Budget and Management shall monitor the compliance of government agencies to this share and submit the report to the MSMED Council.

This bill also renames the Small Business Guarantee and Finance Corporation to Small Business Corporation and reinforces its mandate, namely:

- a. It shall be the primary agency responsible for implementing policies and programs that will assist MSME in all areas, including but not limited to finance and information services;
- b. It is tasked to extend all forms of financial assistance to qualified and registered MSMEs;
- c. It shall guarantee all loans obtained by MSMEs;
- d. Its authorized capital stock shall be increased to P10 billion; and
- e. To allow it to build up its capital, the Small Business Corporation shall be given a 5-year grace period on dividend commitments.

This bill also establishes a Limited Sovereign Guarantee for Small Business Corporation. *Handwritten initials*

The MSME credit guarantee obligations contracted and incurred by the Small Business Corporation shall be guaranteed by the Republic of the Philippines, both as to principal sum and interest payment, but not to exceed 300% of the net worth of the corporation. This reaffirms a government policy to support the growth and development of MSME as a vital component of the country's economic progress.

The bill also extends the present law's provision of mandatory allocation of credit resources by all lending institutions to MSMEs for another ten years, increasing to ten percent (10%) of the total loan portfolio of the bank such mandatory allocation for MSME credit. To provide for more flexibility in the mix of loans and easier compliance with the mandatory allocation, the banks may distribute the 10% allocation in any manner among qualified and registered MSMEs. It also limited the alternative compliance to the mandatory extension of credit to MSMEs into four instances:

- a. Actual extension of loans to qualified and registered MSMEs;
- b. Actual subscription of preferred shares of stock of the Small Business Corporation;
- c. Subscription/purchase of liability instruments as may be offered by the Small Business Corporation; and
- d. The alternative forms of compliance prescribed by the *Bangko Sentral ng Pilipinas*, subject to the approval of the MSMED Council.

Finally, it designates the second week of July of every year as MSME Development Week and creates a Presidential Award for Outstanding MSMEs.

It is vital to properly address the development of micro, small and medium enterprises of the country. *Micro, small and medium enterprises* play a very important and significant role in the economic and social development of a country. As a sector, SMEs account for 99 percent of total establishments in the country and employ 69 percent of our labor force.

The histories of advanced and developing economies, including Japan and the United States, continue to exhibit the important role that MSMEs play as the backbone of our country's economic growth. By their sheer overwhelming number and inescapable presence alone, addressing SMEs concerns will certainly accelerate the growth and development of our

nation's economy and lead to a better way of life for our people.

With this, I respectfully urge this Chamber to approve Senate Bill No. 1646.

MANIFESTATION OF SENATOR ROXAS

Senator Roxas associated himself with the sponsorship remarks of Senator Legarda as he acknowledged that MSMEs are indeed the backbone of the country's economy considering that they make up 95% of the nearly one million firms registered with the SEC.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:40 p.m.

RESUMPTION OF SESSION

At 3:41 p.m., the session was resumed.

Upon resumption, Senator Pangilinan manifested that Senator Enrile would interpellate Senator Legarda in the next day's session.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1646

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

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:42 p.m.

RESUMPTION OF SESSION

At 3:44 p.m., the session was resumed.

MANIFESTATION OF SENATOR GORDON

Senator Gordon recalled that after the members agreed in last week's caucus not to postpone the barangay election, he manifested that there was no longer need for the Body to take up House Bill

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No. 2417. However, he said that upon the advice of Senators Enrile and Arroyo to accord respect to a coequal branch of Congress, there is need for the Senate to act on the bill, and so as chair of the Committee on Constitutional Amendments, Revision of Codes and Laws, he did call a hearing last September 27.

The Committee, he said, has prepared a report that already bears the signature of majority of the members. Owing to the nearness of the election on October 29, 2007, he appealed to the Body to act on the committee report even while he is away in Geneva to attend a board meeting of the International Red Cross.

He pointed out that 9,642 barangay chairmen are serving their third and final term and the barangay election is the chance for the people to install new leaders with fresh mandates.

Senator Gordon recalled that when he defended RA 9340 which postponed the 2005 barangay polls to October 29 this year, he vowed that it would be the last postponement because he believed then that another postponement would give the impression that it is not as important as the local and national elections when, in fact, the citizen's first recourse in the resolution of their problems is the barangay officials. He asserted that Congress is now at a crossroad as it decides whether or not to postpone the barangay election and that, to him, postponement would mean postponing the implementation of RA 9369, the Automated Election Law.

Senator Gordon said that a number of senators have already objected to the proposal of the House to postpone the barangay election to 2009. However, in view of the fact that two members of the Comelec would have retired by February and Chairman Abalos had reportedly resigned, he said that he is amenable to postponing the barangay election to February or May 2008, at the latest, when a new set of Comelec commissioners shall have been appointed and to afford the Comelec enough time to put in place the automated election system as mandated by RA 9369, otherwise, the next chance for automating the election will come in the ARMM election.

Senator Gordon recalled that in 1996, a year before the passage of the Automated Election Law, the Comelec purchased 68 automated machines for

the ARMM election, at US \$15,000 per unit, or a total of US \$1,020,000, which were used in Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi and later stored in a warehouse. He recalled that when Congress turned down the request of Comelec for funds to repair the defective machines because it was more expensive than buying new units, a bill was filed amending the 1997 Automation Law. He said that Comelec again bought new machines in 1997 at the cost of P1.3 billion but these were not used because the Supreme Court ruled that there was a failure of bidding and it ordered Comelec to recover the money and return the machines to the supplier, which it never did. He disclosed that presently, the optical mark readers are in storage at the cost of P329,355 rental per month, or P3,952,260 per year.

He noted that common in every election period are claims that there are no losers but only winners and those who were cheated. He explained that the Committee on Constitutional Amendments, Revision of Codes and Laws has proposed the postponement of the barangay polls to give Comelec enough time to purchase the necessary automation machines. He said that among the various agencies consulted, it was only the Comelec that did not approve of the postponement. On that basis, he stated that the Committee has proposed the resetting of the barangay and sangguniang kabataan elections to the second Monday of May 2008 and to ensure automation, it has provided the following adjustments in the Automated Election Law to be applied to the coming barangay and sangguniang kabataan elections:

- ◆ The area of implementation shall be at least two highly urbanized cities and two provinces in Luzon, Visayas and Mindanao, to be chosen by Comelec.
- ◆ The certification required under Republic Act No. 9369 from the Technical Evaluation Committee certifying that the automated election system chosen is operating properly shall be given not later than four (4) weeks before election date instead of the three-month period, as provided by law. If the Comelec uses an uncertified automated system, a written explanation must be submitted to the Joint Congressional Oversight Committee not less than two (2) weeks before election day. Comelec must undertake a voter education program within a reasonable period of time, and immediately upon effectivity of the law following its publication. *AS*

Senator Gordon maintained that the automated elections would end the cycle of uncertainty in the electoral process and finally modernize the antiquated system. He stressed that the Committee does not have any other agenda except to automate the country's election process to achieve fast, fair and credible results. He said that the Committee has already done its job and it is up to the Members to discuss the measure and vote on it.

REMARKS OF SENATOR PANGILINAN

Senator Pangilinan gave the assurance that the bill would be calendared as soon as the committee report thereon is filed with the sufficient number of endorsements from the members of the committee.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:05 p.m.

RESUMPTION OF SESSION

At 4:06 p.m., the session was resumed.

COMMITTEE REPORT NO. 2 ON SENATE JOINT RESOLUTION NO. 4 (Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Joint Resolution No. 4 (Committee Report No. 2), entitled

JOINT RESOLUTION DIRECTING THE DEPARTMENT OF JUSTICE (DOJ), THE PHILIPPINE NATIONAL POLICE (PNP), THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), ALL LAW ENFORCEMENT AGENCIES AND OTHER GOVERNMENT AGENCIES TASKED TO ENFORCE PEACE AND ORDER TO ISSUE RULES AND REGULATIONS ON PRESENTATION OF SUSPECTS UNDER THEIR CUSTODY TO THE MEDIA.

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

Thereupon, the Chair recognized Senator Escudero, sponsor of the resolution.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

After conferring with Senator Enrile who indicated that he was waiving his reservation to interpellate, upon motion of Senator Escudero, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

COMMITTEE AMENDMENT

In the resolutive clause, between the words "other" and "engaged," as proposed by Senator Escudero, there being no objection, the Body approved the insertion of the word AGENCIES.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

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

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE JOINT RESOLUTION NO. 4 ON SECOND READING

Submitted to a vote, there being no objection, Senate Joint Resolution No. 4 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF JOINT RESOLUTION NO. 4

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the resolution.

COMMITTEE REPORT NO. 4 ON SENATE BILL NO. 1647 (Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1647 (Committee Report No. 4), entitled *HP*

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AN ACT PROVIDING FOR GOOD CONDUCT TIME ALLOWANCE (GCTA) TO DETENTION PRISONERS AND THOSE SERVING SENTENCE BY VIRTUE OF FINAL JUDGEMENT, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Escudero, sponsor of the measure.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

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

AQUINO AMENDMENT

On page 2, after Section 4, as proposed by Senator Aquino and modified by the Sponsor, there being no objection, the Body approved, subject to style, the insertion of the following:

NO PROVISION OF THIS ACT WILL BE CONSTRUED TO APPLY TO CRIMINALS WHO ARE RECIDIVISTS IN CHARACTER AND HABITUAL DELINQUENTS.

Senator Aquino explained that the provision seeks to rehabilitate prisoners who ended up in prison for committing just one mistake; it is not meant as a perpetual reward for those who keep coming back to prison.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1647 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1647 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1647

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

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:12 p.m.

RESUMPTION OF SESSION

At 4:15 p.m., the session was resumed.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Pangilinan acknowledged the presence of Mayor Edward Hagedorn of Puerto Princesa City, Palawan; Director Romeo Acosta of the Department of Environment and Natural Resources; Commissioner Elsie De Veyra of the National Solid Waste Management Commission; Director Theresa Mundita Lim of the Parks and Wildlife Protection Bureau; Ms. Odette Alcantara of Mother Earth Foundation; Mr. Roger Birosel of the Earth Savers Movement; Dr. Metodio Palaypay of the the Zero Waste Recycling Movement of the Philippines; Ms. Ester de Tagle of the Concerned Citizens Against Pollution (COCAP); and Sr. Maria Velasquez, head of *Lingkod Tao Kalikasan*.

PRIVILEGE SPEECH OF SENATOR MADRIGAL

Availing herself of the privilege hour, Senator Madrigal stated that her speech was related to the speech delivered by Senator Legarda as it concerns the illegal fishing activities in Coron, Palawan. She pointed out that while the local authorities in Puerto Princesa are known to be strict in apprehending illegal poachers, the local government officials of

Coron are doing the exact opposite as they have tolerated, abetted and encouraged illegal fishing activities such as poaching, cyanide fishing, smuggling of endangered species such as the *Napoleon wrasse* to Hong Kong via airplanes, as well as encouraged the reclamation of Coron Bay which resulted in the massive destruction of coral reefs for economic return.

She recalled hearing reports that local government officials including DENR officials, have intimidated people who opposed their plan to reclaim 30 hectares of Coron Bay which would destroy the coral reefs.

In closing, Senator Madrigal requested that her speech be referred primarily to the Committee on Local Government, and secondarily to the Committee on Environment and Natural Resources.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel suggested that the speech of Senator Madrigal be referred primarily to the Committee on Local Government and secondarily to the Committee on Environment and Natural Resources since it concerns the action of some local government officials.

For his part, Senator Pangilinan requested that the suggestion be taken up with the chair of the Committee on Environment and Natural Resources.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:21 p.m.

RESUMPTION OF SESSION

At 4:23 p.m., the session was resumed.

SECOND ADDITIONAL REFERENCE OF BUSINESS

The Deputy Secretary for Legislation read the following matters and the Chair made the corresponding referrals:

RESOLUTIONS

Proposed Senate Resolution No. 157, entitled

RESOLUTION DIRECTING THE PROPER
SENATE COMMITTEE TO CONDUCT

AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED RECEIPT BY SIX MANILA COUNCILORS OF P1.6 MILLION EACH FROM THE PUBLIC COFFERS AND PURSUANT TO A CITY ORDINANCE, PURPORTEDLY AS REWARD FOR SERVING THREE CONSECUTIVE TERMS, TO DETERMINE THE LIABILITY OF THE PUBLIC OFFICIALS INVOLVED AND TO REFER THEM TO THE OMBUDSMAN FOR CRIMINAL PROSECUTION AND POSSIBLE SUSPENSION AND EVENTUAL REMOVAL FROM OFFICE

Introduced by Senator Miriam Defensor
Santiago

To the Committees on Accountability of Public Officers and Investigations; and Local Government

Proposed Senate Resolution No. 158, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON HEALTH AND DEMOGRAPHY; AND TRADE AND COMMERCE, AND OTHER APPROPRIATE COMMITTEES IN THE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE WIDESPREAD USE OF THE SUGAR SUBSTITUTE NEOTOGEN, WITH A SCIENTIFIC NAME OF SODIUM CYCLAMATE, OTHERWISE KNOWN AS MAGIC SUGAR AS SWEETENER FOR MANY JUICE DRINKS, BEVERAGES AND FOOD PRODUCTS IN THE COUNTRY AND URGING ITS IMMEDIATE WITHDRAWAL FROM THE SHELVES AND BANNING FROM THE MARKET, WITH THE END IN VIEW OF PROTECTING THE HEALTH AND WELL BEING OF THE GENERAL PUBLIC AGAINST THIS CARCINO-GENIC PRODUCT

Introduced by Senator Manuel "Lito" M.
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**To the Committees on Trade and Commerce;
and Health and Demography** *MS*

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Proposed Senate Resolution No. 159, entitled

RESOLUTION AUTHORIZING SENATOR AQUILINO Q. PIMENTEL JR. TO ARGUE, TOGETHER WITH THE COUNSEL-OF-RECORD, THE PETITION FOR PROHIBITION AND CERTIORARI WITH PRAYER FOR A TEMPORARY RESTRAINING ORDER AND PERMANENT INJUNCTION FILED AGAINST THE SENATE OF THE PHILIPPINES, REPRESENTED BY THE SENATE PRESIDENT, THE HONORABLE MANNY VILLAR

Introduced by Senator Pangilinan

To the Committee on Rules

Proposed Senate Resolution No. 160, entitled

RESOLUTION AUTHORIZING ALL PERMANENT COMMITTEES OF THE SENATE TO HOLD MEETINGS, HEARINGS OR CONFERENCES DURING THE RECESS OF THE CONGRESS FOR THE PURPOSE OF STUDYING AND PREPARING ANY PROPOSED LEGISLATION OR TO INVESTIGATE ANY MATTER OR SUBJECT FALLING UNDER THEIR JURISDICTION AND AUTHORIZING THE PRESIDENT OF THE SENATE, IN HIS DISCRETION, TO ALLOW ANY SPECIAL COMMITTEE TO HOLD MEETINGS, HEARINGS OR CONFERENCES DURING THE RECESS FOR THE SAME PURPOSE

Introduced by Senator Pangilinan

To the Committee on Rules

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:25 p.m.

RESUMPTION OF SESSION

At 4:26 p.m., the session was resumed.

PROPOSED SENATE RESOLUTION NO. 159

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 159, entitled

RESOLUTION AUTHORIZING SENATOR AQUILINO Q. PIMENTEL JR. TO ARGUE, TOGETHER WITH THE COUNSEL-OF-RECORD, THE PETITION FOR PROHIBITION AND CERTIORARI WITH PRAYER FOR A TEMPORARY RESTRAINING ORDER AND PERMANENT INJUNCTION FILED AGAINST THE SENATE OF THE PHILIPPINES, REPRESENTED BY THE SENATE PRESIDENT, THE HONORABLE MANNY VILLAR.

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

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 159

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 159 was adopted by the Body.

RESUMPTION OF THE PRIVILEGE HOUR

Upon motion of Senator Pangilinan, there being no objection, the Body resumed the privilege hour proceeded to the interpellations on the speech of Senator Legarda.

REMARKS OF SENATOR ZUBIRI

At the outset, Senator Zubiri commended Senator Legarda for bringing up the fight against environmental degradation. He recalled having brought similar issue to the Senators' attention last August. He expressed support for her cause even as he stressed the need to strictly enforce environmental laws such as the Solid Waste Management Act, Clean Air Act, Wildlife Conservation Act, and Clean Water Act.

Moreover, Senator Zubiri declared his support for Senator Legarda's call to declare the Visayas Sea as a protected area as it has long been exposed to various illegal fishing activities. *AS*

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For her part, Senator Legarda expressed her appreciation for the efforts exerted by Senator Zubiri in the battle against the destruction of the environment and his expression of support for her cause.

She explained that she used the term "CPR" to illustrate the gravity of the nation's environmental problem which is akin to an individual needing cardio-pulmonary resuscitation. She noted that while the Senate has been busy undertaking various investigations such as the ZTE broadband deal and the Garci tapes, it has neglected the problem of the environment.

SUSPENSION OF SESSION

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

It was 4:31 p.m.

RESUMPTION OF SESSION

At 4:31 p.m., the session was resumed.

REFERRAL OF SENATOR MADRIGAL'S SPEECH TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the privilege speech of Senator Madrigal primarily to the Committee on Local Government.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel informed the Body that he had received a message from a Burmese priest asking for intercessory prayers in light of the rampant violence in Burma which has resulted in the killing of over 10,000 monks. He said that the government should be concerned over the situation as both Burma and the Philippines are members of the Association of Southeast Asian Nations (ASEAN). He pointed out that the Philippines, which is considered the bastion of freedom and democracy in Asia, is obligated to do everything possible to prevent the brutalization and deaths of the Burmese people.

INTERPELLATION OF SENATOR PIMENTEL

Senator Pimentel asked Senator Legarda for the source of statistics on the annual 1.4% rate of depletion of forest cover because, to him, it is a terrible indictment of the lack of attention and concern

regarding the need of preserving the country's forest cover. To Senator Pimentel's observation that everyone is put to risk by the unwarranted and cruel destruction of such resources. Senator Legarda affirmed, as she disclosed that according to the DENR and the JICA Report, the Philippines is second to Myanmar in terms of losses in forest resources.

Asked on the remaining forest cover of the country, Senator Legarda replied that of the country's 30 million-hectare land area, 15,038,991 hectares or 50.13% is classified as forest land; as of 2003, the total forest cover was 7.168 million hectares or 48.5% of the total classified forest land, excluding virgin forest which is less than one million hectares.

Senator Pimentel noted that only 2.5 million hectares or 9% of the total land area is protected. Senator Legarda commented that government seems to be more concerned with economic gains than with the renewal or rehabilitation of resources. Noting that government has not done any audit of all ODA programs on environment, she urged the concerned agencies to conduct a mining and reforestation audit to ensure that all those resources are properly used.

Upon further query, Senator Legarda affirmed that as of December 2004, only 52.8% of the total land area was classified as forest land but she pointed out that the forest cover is much less. She cited the ten provinces whose forest cover is more than 40%: Apayao, 58.16%; Benguet, 43.7%; Cagayan, 46.92%; Nueva Vizcaya, 45.06%; Quirino Province, 43.32%; Aurora, 73.71%; Oriental Mindoro, 51.14%; Palawan, 48.61%; Biliran, 42.54%; and Lanao del Sur, 45.12%. She said that she was surprised that the province of Aurora has the largest forest cover, as she recalled the December 2004 mudslides brought about by illegal logging that resulted in thousands of homes, livelihoods and lives lost. She agreed to the observation that the implementation of selective logging ban was faulty.

On a related matter, Senator Legarda informed the Body that in the annual World Economic Forum in Davos, Switzerland, an environmental sustainability index is presented and the Yale Center for Environmental Sustainability also comes up with its own ESI. She stated that in 2005, out of the 146 countries surveyed in terms of environmental sustainability, the Philippines ranked 125th, North Korea, 146th and Finland, 1st. This, she said, implies that the Philippines has many environmental laws that are not

implemented, the people simply lack interest in the matter, or government does not have a proactive stand on it.

Senator Pimentel agreed, saying that there is no need to enact more laws and that what is needed is to properly implement them.

Senator Legarda said that she would give Senator Pimentel a copy of a book containing all the laws on environment that were passed in the last 20 years. Had the government implemented these laws, she believed that the country would not have lost almost P1 billion during the dry spell last summer.

To Senator Pimentel's observation that air pollution is the main cause of asthma today, Senator Legarda agreed as she lamented the government's failure to address vehicular emissions that are hazardous to health, specifically by the LTO. She said it is quite unfortunate that a city and a town near Metro Manila are in the top 10 of the 30 dirtiest places in the world.

As regards mining, Senator Pimentel opined that the international safeguards against destructive and pollutant mining activities should be implemented in the country. Senator Legarda stated that while she is against mining *per se*, she is for sustainable mining and forest management and the proper implementation of laws. She believed that there should be a balanced progress – development on one hand and environmental sustenance and rehabilitation on the other.

Senator Pimentel adverted to an e-mail that he received a few days ago informing him that 69,000 trees were cut in Sibuyan Island in Mindoro not only for logging but also for mining purposes. He recalled that sometime last year, a delegation from the U.K. led by Clare Short, MP, visited parts of the Visayas, Luzon and Mindanao and came out with a report that the mining operation in the country would not only devastate the landscape of the country but also affect the people, citing the case of the mining operations in Boac, Marinduque, which has affected the livelihood of the fisherfolk. Considering the long-term deleterious effect of mining, he believed that government should impose international standards on mining operation.

Senator Legarda stated that the country's mineral resources took hundreds of years to form but at the present rate of mining, in 30 to 50 years, nothing would be left for the next generation.

Adverting to that part of the speech where Senator Legarda mentioned that more than 130 million metric tons of tailings spilled into water sources and farmlands from 1992 to 1999, Senator Pimentel asked what "tailings" means in layman's term. Senator Legarda said that tailings are sediments left after extracting gold from the soil. She stressed the need for a mine tailings pond as well as waste water treatment as chemicals are also used in the extraction process.

Senator Pimentel noted that following international standards more modern countries have developed a way to minimize the spillage of tailings into the water systems. Relative thereto, Senator Legarda adverted to Section 71 of the 1995 Mining Act which states:

"Section 71. *Rehabilitation.* – Contractors and permittees shall technically and biologically rehabilitate the excavated, mined-out, tailings-covered and disturbed areas to the condition of environment safety, as may be provided in the implementing rules and regulation of this Act. A mine rehabilitation fund shall be created, based on the contractor's approved work program, and shall be deposited as a trust fund in a government depository bank and used for physical and social rehabilitation of areas and communities affected by mining activities and for research on the social, technical and preventive aspects of rehabilitation.

Senator Legarda believed that the 1995 Mining Law Act is a good law which needs to be followed as it provides the manner by which people could rehabilitate mined-out areas. She wondered whether the DENR and other government agencies are monitoring and assessing the implementation of the Act, especially during the renewal of environmental compliance certificates (ECCs).

Senator Pimentel lauded Senator Legarda for raising a very timely issue since one of the thrusts of the government is to attract mining investors. As a matter of fact, he said, it is one of the priority areas that are being opened up for the purpose of generating work and financial benefits for the people. He recalled that after a mining disaster in Rapu-Rapu, the President appointed a bishop to inquire into the circumstances surrounding the operations of the mining company and he came out with an honest-to-goodness report expressing the need to ensure that pollutive effects of mining would not result from the operation. He wondered if there

has been any follow-up on the recommendations of the bishop. He bemoaned that the mining company is operating again and the fisherfolk of Rapu-Rapu could no longer fish within a few kilometers from the shoreline because the sea water has been poisoned by toxic wastes and the people have to go far out into the sea to fish. He inquired whether the government has done anything to address the problem. Senator Legarda replied that she has not been to Rapu-Rapu and that she learned only of the incident in the papers. Nevertheless, she proposed that the local government officials, the Mines and Geo-Sciences Bureau (MGB) and the PENRO conduct an investigation into the status of the mining activities there.

Senator Pimentel clarified that he was not against the entry of mining corporations into the country to help develop and make use of the mineral resources of the nation; however, he emphasized that foreign companies undertaking mining operations in the Philippines should adopt protective measures that are being applied in their own countries.

Senator Legarda said that mining companies operating in Rapu-Rapu are violating the Mining Act if they have not rehabilitated the place. She said that the provisions of the Act are comprehensive enough, citing, in particular, Section 69 states:

Every contractor shall undertake an Environmental Protection Enhancement Program covering the period of the mineral agreement or permit and such program shall be incorporated in the work program which a contractor or permittee shall submit as an accompanying document to the application for a mineral agreement permit. The work program shall not include only plans relative to mining operations but must include rehabilitation, regeneration, revegetation, reforestation of all mineralized areas, slope stabilization of mined-out and tailings-covered areas, aquaculture, watershed development and water conservation and socioeconomic development.

Senator Pimentel expressed disappointment over the Rapu-Rapu incident. He said that he has been informed by a friend that a foreigner is also planning to put up mining operations in Benguet without consulting the people. While people in Benguet are saying "*mamatay na muna kami*" before any miner can start work, he believed that it is more of a plaintive call for government to help them get out of the predicament. He believed that the people are not opposed to mining and what they needed was proper

consultation because they are the ones who would directly bear the brunt of pollution arising from the mining operations.

Senator Legarda agreed, explaining that before an ECC is granted for any mining permit, social acceptability through consultation with the local communities and the LGUs must be done first. In fact, she said that it is the local government unit who would chart its own work plans and destiny, as Mayor Hagedorn did in Palawan.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 5:07 p.m.

RESUMPTION OF SESSION

At 5:08 p.m., the session was resumed.

SUSPENSION OF THE PRIVILEGE HOUR

Upon motion of Senator Pangilinan, there being no objection, the Body suspended the privilege hour and as a consequence, the interpellations on the privilege speech of Senator Legarda were deferred to a later time.

SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 5 on Senate Bill No. 1648 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 5 ON SENATE BILL NO. 1648

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1648, (Committee Report No. 5) entitled

AN ACT EXTENDING THE UTILIZATION PERIOD OF THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THIS PURPOSE SECTION 8 OF REPUBLIC ACT NO. 8178, ENTITLED "AN ACT REPLACING QUANTITA-

TIVE IMPORT RESTRICTIONS ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND," AND FOR OTHER PURPOSES.

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

The Chair recognized Senator Angara for the sponsorship.

**SPONSORSHIP SPEECH
OF SENATOR ANGARA**

In his sponsorship of Senate Bill No. 1648, Senator Angara delivered the following speech:

The Agricultural Competitiveness Enhancement Fund (ACEF), enacted in 1996, is a funding facility aimed at supporting those whose livelihood depends on our primary sector, agriculture. It enables farmers and fisherfolk, cooperatives and agribusiness entrepreneurs to compete in an extremely competitive and increasingly globalized agriculture market.

The fund was created by replacing quantitative import restrictions on agricultural products, except rice, with tariffs. Collections then became the ACEF. The program was given nine years to exist, beginning in April 1996 when a special account for the purpose was set up in the Treasury.

The ACEF is particularly special to me, because it was during my time as Secretary of Agriculture that ACEF was first created and operated, alongside the Agriculture and Fisheries Modernization Act (AFMA).

What makes ACEF special is that it makes credit available to small farmers and fisherfolk and agriculture entrepreneurs—which the regular credit market does not provide. It is intended to augment the support for selected agricultural products in terms of farm-to-market roads, post-harvest equipment and facilities, research and development, marketing infrastructure, training and other extension services.

In short, it is intended to support projects to make selected agricultural products and services competitive and sustainable.

However, despite efforts to complete the program on time, the fund was not made fully available until 1999. First, the ACEF special account was set up only on that year, and the funds were not for its original purpose but used for national budgetary support. Collections from 1996-1998 went to the general fund because there was no special account that the collections could be credited to.

It was only in 1999, through my initiative as Agriculture Secretary, that the Department of Budget and Management (DBM) was able to assign a special account number, fund 183.

Second, the DBM imposed a maximum expenditure cap for ACEF, rendering it unable to release the entirety of this accrued funds.

Notwithstanding the four lost years from 1996-1999, the P5.81 billion-worth ACEF was able to fund 93 sugar projects and 136 regular projects on livestock, poultry, and fruits and vegetable subsectors worth P3.94 billion.

As of this month, the ACEF coffer has a balance of P1.90 billion, an amount still pending at the Bureau of Treasury.

Of this, DA has requested the release of P185 million from DBM to fund 14 new projects, but has yet to receive it.

But, as RA 8178 mandates that the Fund will have a life of nine years, the ACEF will expire at the end of this year.

As a consequence, ACEF's P1.9 billion will be reverted back to the general fund, and can no longer be used to support agricultural modernization and competitiveness projects for which it was created.

The Philippines is still a primarily agricultural country. Agriculture contributes a fifth of our total GDP, providing jobs and support to tens of thousands of families, and almost one half of our labor force.

We live today in an open trade regime where quality products at competitive prices are required to sell in the market. The farming sector needs safety nets to cushion it from the impact of liberalized trade in the agriculture sector. The ACEF is one of them.

Throughout the years, we have seen how our economy has been rescued from collapse, time and again, by our farmers. Raising their living standards is decided largely by the priority and investment we make in this crucial sector.

For these reason, I therefore seek this chamber's support for the extension of the

ACEF's utilization period for another nine years, or until 2015. We cannot afford to slow down further development of agriculture by cutting this vital lifeline.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO 1648**

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

REMARK OF SENATOR ANGARA

Senator Angara stated that legislators owe it to the OFWs, through their remittances, and the farmers to make the lending fund available for the next nine years.

RESERVATION TO INTERPELLATE

Senator Pangilinan manifested that Senator Pimentel has made reservation to interpellate on Senate Bill No. 1648 at a later date.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1648**

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

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 5:16 p.m.

RESUMPTION OF SESSION

At 5:17 p.m., the session was resumed.

**THIRD ADDITIONAL
REFERENCE OF BUSINESS**

The Deputy Secretary for Legislation read the following matters and the Chair made the corresponding referrals:

BILLS ON FIRST READING

Senate Bill No. 1656, entitled

AN ACT REGULATING THE PRACTICE
OF REAL ESTATE SERVICE IN THE

PHILIPPINES, CREATING FOR THE
PURPOSE A PROFESSIONAL
REGULATORY BOARD OF REAL
ESTATE SERVICE, APPROPRIAT-
ING FUNDS THEREFOR, AND FOR
OTHER PURPOSES

Introduced by Senator Antonio "Sonny" F.
Trillanes IV

**To the Committees on Civil Service and
Government Reorganization; Urban Planning,
Housing and Resettlement; and Finance**

Senate Bill No. 1657, entitled

AN ACT TO ENCOURAGE SOCIAL
AND ECONOMIC DEVELOPMENT
THROUGH MONTHLY FINANCIAL
ASSISTANCE TO THE NEEDY
SENIOR CITIZENS, APPROPRIAT-
ING FUNDS THEREFOR AND FOR
OTHER PURPOSES

Introduced by Senator Angara

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

RESOLUTION

Proposed Senate Resolution No. 161, entitled

RESOLUTION COMMENDING THE
PHILIPPINE DRAGON BOAT
FEDERATION FOR DISPLAYING
EXCELLENCE IN SPORTS IN
WINNING IN THE 8TH INTER-
NATIONAL DRAGON BOAT
FEDERATION, DRAGON BOAT
CHAMPIONSHIP IN AUSTRALIA

Introduced by Senator Manny Villar

To the Committees on Rules

PROPOSED SENATE RESOLUTION NO. 156

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 156, entitled

RESOLUTION ADVISING THE HOUSE
OF REPRESENTATIVES, WITH DUE *AC*

CONSENT, THAT THE SENATE WILL
ADJOURN ON OCTOBER 3, 2007.

Secretary Reyes read the text of the resolution,
to wit:

WHEREAS, Concurrent Resolution No. 2 providing for the Legislative Calendar for the First Regular Session of the Congress of the Philippines states that the adjournment of sessions shall be on October 13, 2007 to resume on November 4, 2007;

WHEREAS, pursuant to the provisions of Section 16, Article VI of the Constitution, "Neither House during the sessions of the Congress shall, without the consent of the other, adjourn for more than three (3) days nor to any other place than that in which the two Houses shall be sitting";

WHEREAS, the Senate will adjourn on October 3, 2007 to which it requests the consent of the House of Representatives: Now, therefore, be it

Resolved by the Senate, To advise the House of Representatives, with due consent, that the Senate will adjourn on October 3, 2007.

**ADOPTION OF PROPOSED
SENATE RESOLUTION NO. 156**

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 156 was adopted by the Body.

PROPOSED SENATE RESOLUTION NO. 160

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 160, entitled

RESOLUTION AUTHORIZING ALL PERMANENT COMMITTEES OF THE SENATE TO HOLD MEETINGS, HEARINGS OR CONFERENCES DURING THE RECESS OF THE CONGRESS FOR THE PURPOSE OF STUDYING AND PREPARING ANY PROPOSED LEGISLATION OR TO INVESTIGATE ANY MATTER OR SUBJECT FALLING UNDER THEIR JURISDICTION AND AUTHORIZING THE PRESIDENT OF THE SENATE, IN HIS DISCRETION, TO

ALLOW ANY SPECIAL COMMITTEE TO HOLD MEETINGS, HEARINGS OR CONFERENCES DURING THE RECESS FOR THE SAME PURPOSE.

Secretary Reyes read the text of the resolution,
to wit:

Resolved by the Senate of the Philippines, To authorize, as it hereby authorizes, all permanent committees of the Senate to hold meetings, hearings or conferences during the recess of the Congress for the purpose of studying and preparing any legislation or to investigate any matter or subject falling under their jurisdiction and to authorize the President of the Senate, in his discretion, to allow any special committee to hold meetings, hearings and conferences during the recess for the same purpose;

Resolved, further, To authorize the committee to issue subpoena or subpoena duces tecum to any person, corporation, entity or its officers, to testify and/or produce such documents which may be needed in the meetings, hearings or conferences of the Committee;

Resolved, finally, To require the Committee which has held any meeting, hearing or conference to file a report of its studies, hearings or investigations to the Senate in its regular session, with such recommendation which it may deem necessary and advisable.

**ADOPTION OF PROPOSED
SENATE RESOLUTION NO. 160**

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 160 was adopted by the Body.

PROPOSED SENATE RESOLUTION NO. 154

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 154, entitled

RESOLUTION COMMENDING VINA MORALES AND KJWAN BAND FOR WINNING IN THE ASEAN IKON INTERNATIONAL SONG COMPETITION HELD IN KUALA LUMPUR, MALAYSIA, THEIR VICTORIES REFLECTING FILIPINOS' WORLD CLASS TALENTS AND MUSICALITY. *AC*

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

**ADOPTION OF PROPOSED
SENATE RESOLUTION NO. 154**

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 154 was adopted by the Body.


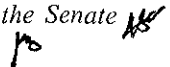
ADJOURNMENT OF SESSION

Upon motion of Senator Pangilinan, there being no objection, the Senate President Pro Tempore

declared the session adjourned until three o'clock in the afternoon of the following day.

It was 5:21 p.m.

I hereby certify to the correctness of the foregoing.


EMMA LIRIO-REYES
Secretary of the Senate 

Approved on October 2, 2007