

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'16 NOV 18 P3:46

SENATE
S. B. No. 1246

RECEIVED BY:

Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
SEGREGATING PARCELS OF LAND WITHIN THE LIBINGAN
NG MGA BAYANI ALLOCATED FOR THE REMAINS OF
FILIPINO HISTORICAL FIGURES TO BE KNOWN AS THE
LIBINGAN NG MGA MAKASAYSAYANG PILIPINO

The Libingan ng mga Bayani was established by the Philippine Government in 1947 as a fitting tribute to the gallant men who brought honor to the country for the sake of freedom and democracy. It was then called the Republic Memorial Cemetery.

A year after, in 1948, *Republic Act No. 289* was enacted which had for its purpose the construction of a National Pantheon wherein shall be interred the remains of all Presidents of the Philippines, national heroes, and patriots, to perpetuate their memory for the inspiration and emulation of generations of Filipinos.

In 1954, President Ramon Magsaysay, through *Proclamation No. 86*, changed the name of the Republic Memorial Cemetery to Libingan ng mga Bayani because the name Republic Memorial Cemetery "*is not symbolic of the cause for which our soldiers have died, and does not truly express the nation's esteem and reverence for her war dead.*"

On July 12, 1957, President Carlos P. Garcia issued *Proclamation No. 423*, which reserved for military purposes, under the administration of the AFP Chief of Staff, the land where LNMB is located. The LNMB was part of a military reservation site then known as Fort Wm McKinley.¹

In 1967, President Ferdinand E. Marcos issued *Proclamation No. 208* reserving 142.88 hectares from the Fort Bonifacio Military

¹ Ocampo, et al. v. Enriquez, et al., G.R. No. 225973, November 8, 2016.

Reservation for national shrine purposes, particularly for the future expansion of the LNMB. President Marcos likewise issued *Presidential Decree No. 1076* in 1977 which placed the administration of the LNMB under the Department of National Defense. At present, the LNMB is being administered and maintained by the Grave Services Unit of the Army Support Command, Philippine Army, Armed Forces of the Philippines.

The National Pantheon authorized to be constructed under R.A. 289 is a memorial shrine separate from the LNMB. However, since no new National Pantheon was constructed pursuant to the said law, LNMB served as the National Pantheon envisioned under the law to be the burial place of the mortal remains of all the Presidents of the Philippines, national heroes, and patriots. Thus, in **AFP Regulation G 161-375**, qualified to be interred in the LNMB are the remains of those with military service², Filipinos of historical interest³, and others⁴ whose remains were allowed to be interred therein.

This bill seeks to segregate the parcels of land within the LNMB allocated for Filipinos of historical interest, such as the Presidents of the Philippines, statesmen, dignitaries, and national artists and scientists, to be known as the Libingan ng mga Makasaysayang Pilipino (LNMP).

This effectively preserves the Libingan ng mga Bayani as a military memorial consistent with the purpose for which it was established in 1947 and renamed as such in 1954.

The preferential consideration of this bill is therefore sought.


AQUILINO "KOKO" PIMENTEL III

² Medal for Valor Awardees; Chiefs of Staff, AFP; Generals/Flag Officers of the AFP; Active and Retired Military Personnel of the AFP to include active draftees and trainees who died in the line of duty, active reservists and CAFGU Active Auxiliary (CAA) who died in combat operations or combat related activities; Former members of the AFP who laterally entered or joined the Philippine Coast Guard (PCG) and the Philippine National Police (PNP); Veterans of Philippine Revolution of 1890, WWI, WWII, and recognized guerrillas.

³ Presidents or Commanders-in-Chief, AFP; Secretaries of National Defense; Government Dignitaries and Statesmen; and National Artists and Scientists (by virtue of *Executive Order No. 131* issued in 1993 by President Fidel V. Ramos).

⁴ Widows of former Presidents, Secretaries of National Defense, and Chiefs of Staff; and Other deceased persons whose internment or reinternment has been approved by the Commander-in-Chief, Congress, or the Secretary of National Defense.



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4 FILIPINO HISTORICAL FIGURES TO BE KNOWN AS THE
5 LIBINGAN NG MGA MAKASAYSAYANG PILIPINO

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

6 SECTION 1. *Declaration of Policy.* – It is hereby declared as the
7 policy of the State to honor and perpetuate the memory of Filipino
8 historical figures who have led lives worthy of inspiration and emulation.

9 SEC. 2. *Creation of the Libingan ng mga Makasaysayang Pilipino.*
10 – The parcels of land within the Libingan ng mga Bayani (LNMB)
11 allocated for the remains of Filipino historical figures such as the
12 Presidents or Commanders-in-Chief, AFP (Section A); Secretaries of
13 National Defense, Government Dignitaries, and Statesmen (Section B);
14 and National Artists and Scientists (Section XIII) are hereby segregated
15 from the LNMB to be henceforth known as the Libingan ng mga
16 Makasaysayang Pilipino.

17 SEC. 3. *Appropriations.* – The amount necessary to implement the
18 provisions of this Act shall be included in the annual General
19 Appropriations Act.

20 SEC. 4. *Implementing Guidelines.* – The Department of National
21 Defense shall issue the guidelines necessary to implement this Act.

22 SEC. 5. *Repealing / Modification Clause.* – Republic Act No. 289,
23 Proclamation No. 86 series of 1954, Executive Order No. 131 series of
24 1993, AFP Regulation G 161-375, and all other laws, decrees,

1 proclamations, executive orders, rules and regulations, or parts thereof
2 inconsistent with this Act are hereby repealed or modified accordingly.

3 **SEC. 6. *Separability Clause.*** – Should any clause, provision,
4 paragraph, or part hereof be declared unconstitutional or invalid, the
5 remaining provisions of this Act not affected by such declaration shall
6 continue to be valid and effective.

7 **SEC. 7. *Effectivity Clause.*** – This Act shall take effect fifteen (15)
8 days after its complete publication in the *Official Gazette* or in at least two
9 (2) newspapers of general circulation.

Approved,