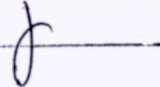


SENATE
P.S. Resolution No. 15

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Introduced by **SENATOR IMEE R. MARCOS**

RECEIVED BY



RESOLUTION
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE
PROLIFERATION OF ILLEGAL ALIENS ENTERING INTO THE PHILIPPINES
THEREBY COMMITTING VIOLATIONS OF C.A. NO. 613, OTHERWISE KNOWN
AS THE PHILIPPINE IMMIGRATION ACT OF 1940, AMONG OTHERS

WHEREAS, Article II, Sec. 5 of the 1987 Constitution states that, "the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, the Constitution further provides that in its relations with other states, the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination;

WHEREAS, the Bureau of Immigration (BI) is principally responsible for the administration and enforcement of immigration, citizenship, and alien admission and registration laws in accordance with the provisions of C.A. No. 613 (Philippine Immigration Act of 1940) and plays a role in the enforcement of R.A. No. 9208 (Anti-Trafficking In Persons Act of 2003);

WHEREAS, the Philippine Immigration Act of 1940 provides that any individual who shall bring into the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines or aids another to commit any such act, and any alien who enters the Philippines by willful, false, or misleading representation or willful concealment of a material fact shall be penalized in accordance with existing laws;

WHEREAS, from 2015 to 2018, Department of Labor and Employment (DOLE) had issued 169,893 alien working permits (AEP), 85,496 of which went to Chinese workers;

WHEREAS, during Pres. Duterte's first two (2) years in office, the number of Chinese work permit holders rose at a staggering 285% making China the highest concentration of expatriate workers in the Philippines;

WHEREAS, the BI issued 185,000 special work permits (SWPs) from January to November 2018. Of the current valid SWPs, 64,087 of the total 72,010 were given to Chinese nationals;

WHEREAS, in 2017, 1,508 foreigners were deported for violating immigration laws. BI Legal Division Chief Arvin Santos reported that Chinese nationals topped the list with 1,248 (86.13%), followed by 115 Koreans (7.94%), 33 Indians (2.28%), 29 Americans (2%), 13 Vietnamese (0.90%), and 11 Japanese (0.76%);

WHEREAS, as exposed in news reports by Ramon Tulfo, a syndicate involved in human trafficking is bogging the Ninoy Aquino International Airport (NAIA) wherein the syndicate reportedly earns a staggering ten million pesos (Php 10,000,000,000.00) to fifty million pesos (Php 50,000,000,000.00) a day;

WHEREAS, despite the BI's mandate in enforcing immigration laws, reports state that the Bureau's Port Operations Division (POD) and Special Operations Communications Unit (SOCU), previously headed by father-and-son tandem, Maynardo and Marc Red Mariñas, Maynardo as the Chief of SOCU while Marc Red as the previous Assistant Immigration Commissioner, heads the syndicate. Maynardo is allegedly known as the capo di tutti capi (boss of all bosses) and his apparent heir, Marc Red;

WHEREAS, the syndicate's lieutenants: Fidel Mendoza, Erwin Ortañez, Glenford Comia, Bien Guevarra, and Den Binsol, divide the lion's share among themselves while the 1,000 immigration officers at NAIA worked as front liners of the syndicate that facilitate the commission of the offense;

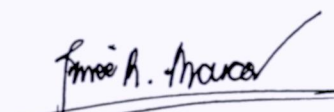
WHEREAS, Chinese hires of Philippine Offshore Gaming Operators (POGO) enter the country on a tourist visa and, upon landing, avail of the "escort services" by the syndicate at the NAIA;

WHEREAS, Secretary of Finance Carlos Dominguez estimated that the Bureau of Internal Revenue (BIR) could collect at least two billion pesos (Php 2,000,000,000.00) in tax per month from at least 100,000 offshore gaming workers;

WHEREAS, not only C.A. No. 613 or the Philippine Immigration Act of 1940 is apparently being violated, but as well as R.A. No. 8424 or the National Internal Revenue Code of the Philippines, R.A. No. 10963 or the Tax Reform for Acceleration and Inclusion (TRAIN) Act, and R.A. No. 10863 or the Customs Modernization and Tariff Act, among others;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the proliferation of illegal aliens entering into the Philippines thereby committing violations of C.A. No. 613, otherwise known as the Philippine Immigration Act of 1940, among others.

Adopted,


IMEE R. MARCOS