

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 52

Tuesday, January 18, 2005

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 52
Tuesday, January 18, 2005

CALL TO ORDER

At 3:58 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Miriam Defensor Santiago led the prayer, to wit:

I asked the Lord, that I might grow
In faith and love and every grace;
Might more of His salvation know,
And seek more earnestly His Face.

I hoped that in some favored hour
At once He'd answer my request,
And by His love's constraining power
Subdue my sins, and give me rest.

Instead of this, He made me feel
The hidden evils of my heart;
And let the angry powers of hell
Assault my soul in every part.

Yea more, with His own hand He seemed
Intont to aggravate my woe;
Crossed all the fair designs I schemed,
Blasted my gourds, and laid me low.

"Lord, why is this?" I trembling cried
"Wilt Thou pursue Thy worm to death?"
"Tis in this way," the Lord replied,
"I answer prayer for grace and faith.
These inward trials I employ
From self and pride to set thee free;
And break thy schemes of earthly joy,
That thou may'st seek thy all in me."

Amen.

ROLL CALL

Upon the direction of the Chair, the Secretary of the Senate, Oscar G. Yabes, called the roll, to which the following senators responded:

Angara, E. J.	Lacson, P. M.
Arroyo, J. P.	Lapid, M. L. M.
Biazon, R. G.	Madrigal, M. A.
Cayetano, C. P. S.	Osmeña III, S. R.
Defensor Santiago, M.	Pangilinan, F. N.
Drilon, F. M.	Pimentel Jr., A. Q.
Ejercito Estrada, J.	Revilla Jr., R. B.
Ejercito Estrada, L. L. P.	Roxas, M.
Enrile, J. P.	Villar Jr., M. B.
Flavier, J. M.	

With 19 senators present, the Chair declared the presence of a quorum.

Senators Lim, Magsaysay and Recto arrived after the roll call.

Senator Gordon was absent.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Pangilinan acknowledged the presence of students of Human Ecology of the University of the Philippines, Los Baños, headed by Ms. Carla Jimena; and members of the Historical Society of Sienna College, Quezon City, headed by Mr. Ben Atienza.

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. 51 and considered it approved.

REFERENCE OF BUSINESS

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

MESSAGE OF THE PRESIDENT OF THE PHILIPPINES

Letter of Her Excellency, President Gloria Macapagal Arroyo dated 14 January 2005,

submitting anew, for the Senate's consideration and concurrence, a certified true copy of the *International Labour Organization Convention concerning Forced or Compulsory Labor (Forced Labor Convention)*, which was adopted in Geneva on 28 June 1930 during the 14th Session of the General Conference of the International Labor Organization (ILO).

To the Committee on Foreign Relations

RESOLUTIONS

Proposed Senate Resolution No. 156, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE ALLEGED RECRUITMENT-FOR-A-FREE SCAM IN THE PHILIPPINE NATIONAL POLICE (PNP), WITH THE END VIEW OF RECOMMENDING THE FILING OF APPROPRIATE CRIMINAL AND ADMINISTRATIVE CHARGES AGAINST ERRING PNP PERSONNEL, AND REVIEWING AND/OR AMENDING REPUBLIC ACT NO. 8551, OTHERWISE KNOWN AS THE PNP REFORM AND REORGANIZATION ACT OF 1998

Introduced by Senator Villar Jr.

To the Committee on Public Order and Illegal Drugs

Proposed Senate Resolution No. 157, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON SCIENCE AND TECHNOLOGY; ENVIRONMENT AND NATURAL RESOURCES; AND URBAN PLANNING, HOUSING AND RESETTLEMENT, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED FOR THE GOVERNMENT TO CALL FOR A SCIENTIFIC RESEARCH ON A NATIONAL SCALE ON THE

POSSIBILITY OF PREVENTING OR MINIMIZING THE ILL-EFFECTS, PARTICULARLY HUMAN CASUALTIES, BROUGHT ABOUT BY NATURAL DISASTERS SUCH AS TYPHOONS, EARTHQUAKES AND TSUNAMIS, AND FOR OTHER PURPOSES

Introduced by Senator Magsaysay Jr.

To the Committees on Environment and Natural Resources; and Science and Technology

Proposed Senate Resolution No. 158, entitled

RESOLUTION CREATING AN OVERSIGHT COMMITTEE ON INTELLIGENCE AND CONFIDENTIAL FUNDS, PROGRAMS AND ACTIVITIES

Introduced by Senator Gordon

To the Committee on Rules

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:03 p.m.

RESUMPTION OF SESSION

At 4:04 p.m., the session was resumed.

COMMITTEE REPORT NO. 8 ON SENATE BILL NO. 1286

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1286 (Committee Report No. 8), entitled

AN ACT CREATING THE RANK OF FIRST CHIEF MASTER SERGEANT/FIRST MASTER CHIEF PETTY OFFICER IN THE ENLISTED RANKS OF THE ARMED FORCES OF THE PHILIPPINES (AFP), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

W

MS

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 into the Record of the Senate.

The Chair recognized Senator Biazon for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR BIAZON

In sponsoring Senate Bill No. 1286, Senator Biazon delivered the following speech:

The Committees on National Defense and Security; and Finance today present for the Chamber's consideration Senate Bill No. 1286 under Committee Report No. 8, entitled AN ACT CREATING THE RANK OF FIRST CHIEF MASTER SERGEANT/FIRST MASTER CHIEF PETTY OFFICER IN THE ENLISTED RANKS OF THE ARMED FORCES OF THE PHILIPPINES (AFP), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES which was originally authored by this Representation.

This bill was discussed in a public hearing on 30 September 2004 and, in addition, position papers were also submitted to the committee.

The committee report thereon, which was filed on 24 November 2004, now contains the original bill with amendments.

Senate Bill No. 1286 is a very simple piece of legislation. It seeks to create a rank appropriate to the enlisted personnel with the highest position, the AFP Command Sergeant Major. The objective is to make him distinct from the rest of the enlisted personnel and dignify his role as the model of discipline and morale.

But first, perhaps a brief illustration of the ranks given to enlisted personnel is necessary. At present, there are nine ranks available to them, and these are, in ascending order: Private or E-1; Private

First Class or E-2; Corporal or E-3; Sergeant or E-4; Staff Sergeant or E-5; Technical Sergeant or E-6; and Master Sergeant or E-7.

Before, the ranks of the enlisted men were only up to E-7. Because of another law, we added two. These are the Senior Master Sergeant or E-8 and Chief Master Sergeant or E-9.

The proposed rank will be known as First Chief Master Sergeant for the Army and Air Force and First Chief Master Petty Officer for the Navy or E-10.

This new rank will be occupied by only one enlisted personnel, the AFP Command Sergeant Major, who is the highest ranking enlisted personnel in the whole Armed Forces of the Philippines, in the event that this bill is enacted into law. By having a higher and different rank, he will now be distinguished from the other Sergeant Majors of each major service who are now carrying the rank of E-9.

There will now be ten ranks available to the enlisted personnel, very much like in the corps of officers from Second Lieutenant or O-1 to General or O-10.

The AFP Command Sergeant Major has a very important role in the military organization. As the link between the officer corps and the enlisted personnel, he is the most important adviser to the Chief of Staff on matters of morale and discipline of the troops. He looks after the welfare of the soldiers in whatever unit they may be.

Under the bill, the AFP Command Sergeant Major shall be selected from among the Chief Master Sergeants or Master Chief Petty Officers and shall serve for a maximum term of three years. He shall receive a monthly base pay equivalent to the monthly base pay of a Chief Master Sergeant or Master Chief Petty Officer, which is Salary Grade 18, plus one-half (1/2) of the difference between the monthly base pay of a Second Lieutenant or Ensign (O-1), which is Salary

18

18

Grade 21, and a Chief Master Sergeant or Master Chief Petty Officer (E-9). In real terms, this will be equivalent to P14,870.50. The computation of their quarters allowance shall also be based on the same scheme.

With respect to retirement and separation, the enlisted man who attains the rank of First Chief Master Sergeant or First Master Chief Petty Officer shall, upon retirement, be entitled to the retirement pay and benefits of a First Lieutenant or Lieutenant Junior Grade (O-2); Provided, that he may opt to receive a monthly retirement pay in lieu of gratuity, the computation of which shall be based on the same scheme; Provided, further, that upon his retirement, he shall be entitled at his option to receive in advance his lump sum annual retirement pay payable in equal monthly installments as they accrue, as is now being implemented according to rules and laws presently in effect; Provided finally, that if he dies within the three-year period following his retirement and is survived by beneficiaries as defined in Presidential Decree No. 1638, the latter shall only receive the derivative benefits thereunder starting the first month after the aforesaid three-year period, as is now being implemented.

This is a very simple piece of legislation. It is so uncomplicated that to many of our countrymen, this will probably not amount to something which will interest them. It will neither construct a farm-to-market road in their poverty-stricken municipality nor put food on their table. It will neither improve their purchasing power nor send their children to school. But to 100,000 or so enlisted personnel of the Armed Forces, this bill will mean something to aspire for in their military career. It shall enhance the morale of our soldiers, something which is not easy to bring about.

In view of these considerations, the Committee on National Defense and Security humbly submits for the Chamber's consideration Senate Bill No. 1286 under Committee Report No. 8.

INTERPELLATION OF SENATOR ENRILE

Asked by Senator Enrile if he could recall the ranks of enlisted personnel under the National Defense Act of 1935, Senator Biazon replied in the affirmative. He informed the Body that the ranks were patterned after the United States rank structure for enlisted personnel, that is from E-1 to E-7 or private to master sergeant.

Senator Enrile noted that before the war, the ranks were only private first class, corporal, sergeant and master sergeant. He said that the ranks of staff sergeant and technical sergeant were created during the war.

Asked if creating all the rankings would improve the efficiency of the military organization, Senator Biazon replied that the objective of the bill is to distinguish the proposed rank from the others. He then cited the ascending order in the rankings as follows:

Platoon Sergeant with the rank
of Technical Sergeant

First Sergeant of the Rifle Company
with the rank of Master
Sergeant (E-7)

Battalion Sergeant Major

Brigade Sergeant Major

Division Sergeant Major

Major Service Sergeant Major

AFP Sergeant Major

He explained that in all the levels of responsibility and authority starting from First Sergeant all the way to AFP Sergeant Major, an enlisted non-commissioned officer carries one rank which is Master Sergeant (E-7).

Senator Biazon disclosed that presently, there are six stratifications of responsibilities that are given one rank and the bill seeks to give the appropriate rank according to the stratifications of responsibilities in the enlisted ranks.

In reply to further queries, Senator Biazon stated that at present the Sergeant Major of a battalion is still the Master Sergeant or E-7, while there is no Sergeant Major for a company.

W
ms

Asked if a company has its own Sergeant Major, Senator Biazon said that it only has a First Sergeant or Master Sergeant with the rank of E-7.

As to the distinction of functions between a Master Sergeant and a Sergeant Major, Senator Biazon explained that "Master Sergeant" is a rank while "Sergeant Major" is a position. For instance, he said, the AFP Sergeant Major is merely a job description; he performs the general function of assisting the AFP Chief of Staff in all matters pertaining to the maintenance and enhancement of morale, welfare and discipline of enlisted personnel of the whole armed forces.

Senator Enrile asked on the difference between an ordinary Master Sergeant and a Sergeant Major on the battalion level. Senator Biazon said that while there are differences in position, rank, responsibility and insignias, *there are no differences in pay and in honors.*

On the distinction between a Brigade Sergeant Major and a Battalion Sergeant Major, Senator Biazon said that the Battalion Sergeant Major and the Brigade Sergeant Major perform functions similar to the AFP Sergeant Major but with respect to the battalion, in the case of the former, and the brigade, in the case of the latter. He added that the Brigade Sergeant Major is responsible for the entire brigade which is comprised of three or four battalions.

Asked on the purpose of a Brigade Sergeant Major, Senator Biazon said that he serves as the link between the troops of the whole brigade and the brigade commander. Senator Enrile, however, said that the Battalion Sergeant Majors are precisely there to serve as a link. Senator Biazon explained that the Battalion Sergeant Major is the link between the battalion's troops and the battalion commander and his staff.

Senator Enrile posited that the battalion commander represents the entire battalion in the brigade. Senator Biazon said that each of the Battalion Sergeant Majors attends to the concerns of his own battalion that may not necessarily be uniformly identical to those of the other battalions.

Senator Enrile pointed out that the assumption was that the commander of a battalion or a brigade, the staff officers, company commanders and platoon

leaders were not concerned about the welfare of their men, that was why the position of a Battalion Sergeant Major was established to serve as the link between the enlisted personnel and the staff. He said that he would not agree to such a complex hierarchy for the AFP.

Senator Biazon explained that the purpose of the Sergeant Major, as well as the other noncommissioned officers of the battalion, brigade or division, is to provide a direct linkage between the commanders and their troops without passing through the chain of command or the corps of officers. He said that since the military organization has a structured and regimented culture, it is easier for an enlisted man to talk to his Battalion Sergeant Major than to the Battalion Commander.

But Senator Enrile noted that this would establish another chain of command other than the formal chain of command, that is, from the President to the AFP Chief of Staff, to the major service commanders, brigades, and down to the last man in the organization. He said that establishing such a parallel chain of command composed of sergeants, with the Sergeant Major at the top, would mean putting a parallel rank of 10 officer ranks as against 10 enlisted ranks, a duplication of the chain of command.

Senator Biazon said that the "chain of command" referred to does not have the same connotation as the formal "chain of command" with all its operational and administrative controls, but a channel through which the troops could bring their concerns to the topmost level.

Asked if the AFP Sergeant Major could talk to the Chief of Staff or to the Secretary of National Defense about the welfare of the enlisted personnel, Senator Biazon said that the AFP Sergeant Major should talk to the Chief of Staff through channels.

Senator Enrile recalled that in his 17 years in the DND, the Sergeant Major he played golf with never talked to him about the welfare of the enlisted personnel. Senator Biazon said that the channel used by the Sergeant Majors ends at the Office of the Chief of Staff and does not project all the way up to the Office of the Minister or Secretary of National Defense. Senator Enrile said that he also never even heard the Sergeant Major talk about the welfare of his men to General Romeo Espino

148

who played golf with them. He opined that the objective of the military hierarchy might be to have an "errand boy" who deals with the problems of enlisted personnel because they could not attend to these themselves.

Senator Biazon said that while the assumption could be true, the channel works both ways—the Chief of Staff or a battalion commander might want the Sergeant Major to explain matters to the enlisted men in a language they can understand.

In reply to further queries, Senator Biazon said that if the bill is passed into law the AFP Sergeant Major, who must be a Master Sergeant, would be designated as First Chief Master Sergeant, in the case of the Army and Air Force, or First Master Chief Petty Officer, in the case of the Navy. He, however, clarified that there would be only one person to be designated as such in the AFP.

Asked on the need to legislate for one rank, Senator Biazon said that the purpose is to supplement the existing structure. He affirmed that the AFP Sergeant Major is the enlisted personnel that would parallel the Chief of Staff.

To the information that some heads of state of other countries, particularly in Africa, had once been sergeants and even corporals, Senator Biazon said that it happens only in exceptional cases.

Senator Biazon said that in the present structure, the AFP Sergeant Major and the Sergeant Majors of the major services carry the same rank, yet they differ in terms of responsibilities. Hence, he said, the AFP Sergeant Major as the top man should be distinct from the rest not only in rank but also in benefits.

On whether the rank is permanent or simply a brevet, Senator Biazon said that it is a permanent rank.

Senator Enrile asked whether the establishment of such rank could not cause more division among the ranks of the enlisted personnel considering that those who aspired for the position of Chief of Staff have severed or injured their ties with friends and relatives and destroyed each other's

reputation because of ambition. Senator Biazon said that the bill actually seeks to establish an additional rank to which all enlisted men could aspire. He expressed confidence that it would not cause division among the men.

As regards the selection of the person to fill the rank, Senator Biazon said that there is a board that selects the Sergeant Major, in the same manner there is a Board of Generals that selects the Chief of Staff. He added that the person shall occupy a confidential position.

Asked if the AFP Sergeant Major, who would hold office in Camp Aguinaldo, would be provided with his own staff composed of junior enlisted personnel, Senator Biazon replied in the affirmative, adding that such structure is presently followed and shall not be changed. He then presented the organization as follows: (1) an administrative section; (2) plans and policies section; (3) an operations section; (4) programs and budget branch; and (5) enlisted personnel assistance and development section.

As regards the inputs taken into account in the preparation of any AFP program, Senator Biazon noted that office of the AFP Sergeant Major is not an operational authority, thus, it would only deal with issues relating to morale and discipline of enlisted men.

Asked about the rank of the AFP Sergeant Major, Senator Biazon clarified that it is E-9 which is Chief Master Sergeant in the Army and Air Force, and Master Chief Petty Officer in the Navy; however, in the event that the bill is enacted into law, the AFP Sergeant Major would be called First Chief Master Sergeant/First Master Chief Petty Officer.

Senator Biazon disclosed that at present, when the Master Sergeant or E-7, the Chief Master Sergeant or E-8 and the Chief Petty Officer or E-9 retire, they would carry the rank of Second Lieutenant. Only the AFP Sergeant Major, upon retirement, would enjoy the pension benefits of a First Lieutenant, he clarified.

As regards the three-year tenure of the AFP Sergeant Major, Senator Biazon pointed out that at the end of his term, he would be ready for retirement.

11

146

Asked about the retirement age of enlisted personnel, Senator Biazon replied that it is 56 years as provided for in the retirement law. He added that there is a need to examine the three-year enlistment provision because it has created certain problems.

Senator Enrile raised the possibility that there could be five Chief Master Sergeants with different ages and periods of enlistment from among whom the First Chief Master Sergeant would be selected. He stated that the AFP Sergeant Major would now carry the rank of First Chief Sergeant Major. He asked what would distinguish the function of his new position from those of the more junior Chief Master Sergeants. Senator Biazon replied that amendments could be incorporated in the bill to prevent such eventuality.

As regards the rule that a retiree is granted one rank higher for purposes of pension, Senator Enrile noted that all ranks differ in pay, in seniority and in responsibilities. He asked if the equal protection clause is observed in the case of a Master Sergeant, a Senior Master Sergeant and a Chief Master Sergeant who would all retire as Second Lieutenants. Senator Biazon reiterated that all Master Sergeants, regardless of the levels of positions, would retire with the rank of a Second Lieutenant for pension purposes. In the case of the AFP Sergeant Major, he said, it is proposed that he be retired with the rank of a First Lieutenant to further emphasize the distinction.

Senator Enrile posited that this would be unfair to the other Master Sergeants who would retire as Second Lieutenants.

Senator Biazon clarified that given the magnitude of the responsibility and the scope of the influence of the AFP Sergeant Major, he should be treated differently from the other Master Sergeants.

Asked if the position of the First Chief Master Sergeant is open only to the Chief Master Sergeant, Senator Biazon replied in the affirmative, saying that opening the rank to all Master Sergeants would open the floodgate. He added that seniority is a major factor in the selection of the person to be appointed to the position.

Senator Enrile emphasized that the position involves skills, not just seniority. Further, he pointed

out that there might be a Chief Master Sergeant who is the oldest, but lacks knowledge, tact and capacity to communicate and who should not therefore be placed in the position.

Senator Biazon stated that in the AFP rank structure, there are procedures used in selection and promotion as he added that one has to pass through certain requirements like a performance appraisal.

Senator Enrile, however, stated that the selection board starts with the rank of captain, adding that under the law, a graduate of a military academy automatically becomes a second lieutenant. He said that he does not know of any selection board for enlisted personnel.

Senator Biazon pointed out that the command evaluates and follows a process to promote enlisted men from private up to Master Sergeant.

As to the cost of maintaining the Office of the AFP Sergeant Major, Senator Biazon stated that the amount is provided for in the budget of the AFP; however, he said he does not have the exact figure at present.

As to the amount of the additional outlay in the budget needed to maintain the office of the First Chief Master Sergeant, Senator Biazon said he would provide the figure when he gets it.

Asked if the First Chief Master Sergeant would be entitled to housing and other allowances like transportation and clothing, among others, Senator Biazon replied that there would be additional benefits.

Senator Biazon stated that while an E-9 receives a monthly salary of P13,715 and a monthly quarters allowance of P525, the E-10 would receive a monthly salary of P14,870.50 and a monthly quarters allowance of P537.50.

On whether a First Chief Master Sergeant should be given a semblance of respectability by giving him transportation and quarters allowances befitting his rank, and a uniform different from those of the other Chief Master Sergeants, Senator Biazon said that the pay of the First Chief Master Sergeant cannot go beyond that of a Second Lieutenant/ Ensign (O-1) which is P16,026.

K
1/16

On the suggestion that the salary of a First Chief Master Sergeant be fixed at P15,000, Senator Biazon stated that he would accept such a proposal at the proper time.

INQUIRIES OF THE CHAIR

Asked by the Chair whether the First Chief Master Sergeant would retire as a First Lieutenant when he reaches the retirement age, Senator Biazon replied in the affirmative.

To the possibility that the term of the AFP Sergeant Major expires before his retirement from service, Senator Biazon said that if the selection would be limited to the E-8 or E-9, it is possible that the candidate shall have served more than 25 years in the service before he gets promoted because of the promotions system, and by the time he finishes his three-year term, he would be very near the mandatory retirement age of 56.

On whether he would be willing to accept an amendment to the effect that the First Chief Master Sergeant shall automatically retire upon completion of the three-year term of office even if he has not yet reached the age of 56, Senator Biazon replied in the affirmative.

INTERPELLATION OF SENATOR LACSON

Asked by Senator Lacson who is more senior in rank between a First Chief Master Sergeant and a cadet of the Philippine Military Academy or the Philippine Air Force Academy or a probationary Second Lieutenant, Senator Biazon said that there are no laws that prescribe this, adding that the status of a cadet is like that of a student.

Senator Lacson argued that a cadet is more senior than any noncommissioned officer but is junior to any officer of the Armed Forces of the Philippines.

Asked who is more senior between a probationary Second Lieutenant and a First Master Sergeant, Senator Biazon said that it is the probationary Second Lieutenant because he is a commissioned officer.

Asked who receives more pay between a probationary Second Lieutenant and a First Chief Master Sergeant, Senator Biazon stated that it is

the former since he receives the pay of a regular Second Lieutenant while in service.

Senator Lacson pointed out that according to the new salary structure of the members of the AFP, a cadet/probationary Second Lieutenant and OCS (officer candidate) receive a base pay of P14,538 as compared to a Second Lieutenant/Ensign who receives P16,026. He said that there could be some kind of a violation because the First Chief Master Sergeant would be receiving P14,870.

Senator Biazon stated that he would make the necessary corrections if there is any conflict with existing laws. However, he said that if the salary grades have no legal basis, he would deal only with the E-10 and the regular Second Lieutenant.

Asked whether a review of the committee on the issue would be in order, Senator Biazon replied in the affirmative.

Senator Lacson moved that the bill be referred back to the Committee for further review, as he averred that there is something wrong with the salary structure. A noncommissioned officer, he pointed out, could not receive more pay than a probationary Second Lieutenant or a cadet. Senator Biazon said that he would look into the matter to see if adjustments are necessary.

The Chair stated that the adjustments could be made during the period of amendments without reverting the bill to the committee. Senator Lacson agreed.

Asked whether a Chief Master Sergeant or Master Chief Petty Officer could be appointed to the rank of First Chief Master Sergeant even if he reaches the retirement age a day after his appointment, Senator Biazon said that he would be willing to accept an amendment to prevent such a situation.

INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel how the rank of Senior Master Sergeant came up when it was not included in Commonwealth Act 1, Senator Biazon replied that it was covered by a law enacted in the Tenth Congress.

Replying to further query, Senator Biazon said that it was during World War II when the ranks

of Staff Sergeant and Technical Sergeant were created to correspond to the enlisted ranks of the U.S. armed services.

On whether it is necessary to create the rank by law since similar ranks like Technical Sergeant and Staff Sergeant were created through an administrative fiat, Senator Biazon stated that the matter could not be done because the measure would entail, however miniscule, additional emoluments.*

Senator Pimentel said that the bill should therefore emanate from the Bigger House. He stated that if the rank could be created by the proper authorities, then the matter should be left to them since there are more pressing legislation that merited the attention of the Body.

Senator Biazon maintained that since all ranks in the Armed Forces are defined by existing laws, it would be appropriate that the proposed rank be created also by law.

Senator Pimentel requested the Chair look into the matter.

INTERPELLATION OF SENATOR LIM

Senator Lim stated that after hearing the observations of Senator Lacson and believing in the purpose of the bill which is to dignify the role of the First Chief Master Sergeant as the model of discipline and morale in the Armed Forces of the Philippines, the recent shooting rampage during the Ati-Atihan Festival in Kalibo, Aklan committed by SPO1 Jonathan Moreño came to his mind. In this regard, he gave the assurance that he would fully support the bill if it would instill discipline in the ranks of the military organization.

Asked whether the monthly salary of the probationary lieutenant could be raised from P14,500 to P16,000 and the salary of the AFP Sergeant Major to P15,000, Senator Biazon suggested that instead of cutting the proposed pay of the First Chief Master Sergeant, the salary of the other ranks be adjusted. He stressed, however, that the existing rules and regulations relative to salary structure in the military organization should be checked first. He gave assurance that he would entertain the proposal during the period of amendments.

Expressing concern that the bill might run counter to existing laws on the salary scale of AFP

officers, Senator Lim proposed that the allowances of the AFP Sergeant Major be increased to be at par with the salary of the probationary Second Lieutenant. Senator Biazon reiterated that the matter could be addressed at the proper time as it involves a small amount.

Senator Lim commented that a few pesos would go a long way in alleviating the present economic condition of the noncommissioned personnel of the AFP.

COSPONSOR

Upon his request, Senator Lim was made cosponsor of Senate Bill No. 1286.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1286

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

ADDITIONAL REFERENCE OF BUSINESS

The Secretary of the Senate read Proposed Senate Resolution No. 159 which the Chair referred to the Committee on Public Order and Illegal Drugs:

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE SHOOTING RAMPAGE COMMITTED BY POLICE OFFICER 1 JONATHAN MOREÑO DURING THE "ATI-ATIHAN" FESTIVAL IN KALIBO, AKLAN THAT LEFT SEVEN (7) POLICEMEN AND CIVILIANS DEAD AND THIRTY-THREE (33) OTHERS WOUNDED, WITH THE END VIEW OF REVIEWING THE PHILIPPINE

*As corrected by Senator Pimentel on January 25, 2005

NATIONAL POLICE' GUIDELINES
AND STANDARDS NOT ONLY
WITH RESPECT TO THE
RECRUITMENT AND SELECTION
OF NEW POLICE OFFICERS BUT
MOST ESPECIALLY TO THOSE
WHO ARE IN THE ACTIVE
SERVICE

Introduced by Senator Villar Jr.


ADJOURNMENT OF SESSION

Upon motion of Senator Pangilinan, there being
no objection, the Chair declared the session

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

It was 5:25 p.m.

I hereby certify to the correctness of the
foregoing.


OSCAR G. YABES
Secretary of the Senate
YS *Ux* *10* *H*

Approved on January 19, 2005