

**REPUBLIC OF THE PHILIPPINES**

**S e n a t e**

**Pasay City**

# **Journal**

**SESSION NO. 59**

Tuesday, February 15, 2005

**THIRTEENTH CONGRESS  
FIRST REGULAR SESSION**

**SESSION NO. 59**  
Tuesday, February 15, 2005

**CALL TO ORDER**

At 3:56 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

**PRAYER**

Sen. Manuel "Lito" M. Lapid led the prayer, to wit:

Mahal na Panginoon, lubos Po kaming nagpapasalamat sa walang sawa Ninyong pag-gabay sa amin.

Nagpapasalamat din Po kami na sa pagkakabila ng aming mga prinsipyo at paniniwala, kami ay nakapag-akda ng mga batas na inaasahan naming tutugon sa problemang pang-ekonomiya ng bansa.

Dinadalangin Po namin na ang mga batas na ito ay hindi magdudulot ng higit na kahirapan sa ating mga kababayan bagkus magiging daan tungo sa kaunlaran ng ating bansa.

Ipinagdadasal din Po namin ang kaligtasan ng lahat ng mga biktima ng pagsabog kagabi sa Makati, sa General Santos, at sa Davao.

Itinataas Po namin ang lahat ng ito sa Inyo, Mahal na Panginoon.

Amen.

**ROLL CALL**

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

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

With 16 senators present, the Chair declared the presence of a quorum.

Senators Magsaysay, Recto, Revilla and Villar arrived after the roll call.

Senator Angara was on official mission abroad.

Senators Lacson and Lim were absent.

**DEFERMENT OF THE  
APPROVAL OF THE JOURNAL  
OF SESSION NO. 57**

Upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 57.

**APPROVAL OF THE JOURNAL  
OF SESSION NO. 58**

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 58 and considered it approved.

**ACKNOWLEDGMENT OF  
THE PRESENCE OF GUESTS**

Senator Pangilinan acknowledged the presence of students in the Masters of Public Policy Analysis of the Asian Institute of Management headed by Prof. Manuel Leco.

**REFERENCE OF BUSINESS**

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

**MESSAGE FROM THE HOUSE  
OF REPRESENTATIVES**

Letter from the Secretary General of the House of Representatives, transmitting to the Senate the letter of the Honorable Speaker Jose de Venecia

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Jr. dated 2 February 2005, addressed to the Honorable Senate President Franklin M. Drilon, informing the Senate of the designation of Representatives Simeon A. Datumanong, Fredenil "Fred" H. Castro and Alan Peter S. Cayetano as members of the House Panel in the Congressional Oversight Committee created pursuant to Section 52 of R.A. No. 9285 (Alternative Dispute Resolution Act of 2004).

**To the Committee on Rules**

**ADDITIONAL REFERENCE OF BUSINESS**

**BILLS ON FIRST READING**

Senate Bill No. 1914, entitled

AN ACT PROVIDING FOR THE LEGAL FRAMEWORK AND MECHANISMS FOR THE CREATION, OPERATION, ADMINISTRATION, AND COORDINATION OF THE PHILIPPINE BOOK PUBLISHING INDUSTRY DEVELOPMENT CENTER, KNOWN AS THE "BOOK CITY," CREATING FOR THE PURPOSE, THE BOOK PUBLISHING ENTERPRISE ZONE AUTHORITY (BPEZA) AND FOR OTHER PURPOSES

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committees on Government Corporations and Public Enterprises; Education, Arts and Culture; Ways and Means; and Finance**

Senate Bill No. 1915, entitled

AN ACT PROVIDING FOR A WORKING TIME FLEXIBILIZATION IN THE PRIVATE SECTOR AND FOR OTHER PURPOSES, THEREBY AMENDING ARTICLES 83, 85 AND 87 OF PRESIDENTIAL DECREE FOUR HUNDRED FORTY TWO (PD 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

Introduced by Senator Jinggoy Ejercito Estrada

**To the Committee on Labor, Employment and Human Resources Development**

Senate Bill No. 1916, entitled

AN ACT CREATING THE LOCAL EMPLOYMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Jinggoy Ejercito Estrada

**To the Committees on Labor, Employment and Human Resources Development; Civil Service and Government Reorganization; and Finance**

Senate Bill No. 1917, entitled

AN ACT REDUCING RATES OF INCOME TAX ON INDIVIDUAL CITIZEN AND INDIVIDUAL RESIDENT ALIEN OF THE PHILIPPINES, AMENDING FOR THE PURPOSE SECTION 24(A)(1)(c) OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED AND FOR OTHER PURPOSES

Introduced by Senator Recto

**To the Committee on Ways and Means**

**RESOLUTIONS**

Proposed Senate Resolution No. 182, entitled

RESOLUTION HONORING FATHER JAMES B. REUTER, S.J. FOR HIS EXTRAORDINARY AND UNPARALLELED LIFE OF SERVICE TO THE FILIPINO PEOPLE

Introduced by Senator Gordon

**To the Committee on Rules**

Proposed Senate Resolution No. 183, entitled

RESOLUTION DIRECTING THE COMMITTEE ON EDUCATION, ARTS AND CULTURE TO INQUIRE, IN AID OF LEGISLATION, INTO THE NEW RULE OF THE CANCELLATION OF REGISTRATION OF PUBLISHERS THAT

PRODUCE POOR QUALITY TEXTBOOKS ISSUED BY THE NATIONAL BOOK DEVELOPMENT BOARD WHICH IS ALLEGED TO BE UNLAWFUL AND UNCONSTITUTIONAL BY THE PUBLISHERS, PARENTS AND STUDENTS WITH THE END IN VIEW OF REVIEWING AND FINDING WHETHER THE SAME CONFORM TO THE PROVISIONS OF R.A. NO. 8047, OTHERWISE KNOWN AS THE BOOK PUBLISHING INDUSTRY DEVELOPMENT ACT AND PROPOSING REMEDIAL LEGISLATION FOR THE PURPOSE

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

**To the Committee on Education, Arts and Culture**

Proposed Senate Resolution No. 184, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE VALENTINE'S DAY BOMBINGS IN MAKATI, DAVAO CITY, AND GENERAL SANTOS CITY, WITH THE END VIEW OF RECOMMENDING POLICY MEASURES TO ENSURE PUBLIC SECURITY IN AREAS OF CONVERGENCE LIKE BUS TERMINALS, AIRPORTS, COMMERCIAL ESTABLISHMENTS, AND VITAL INSTALLATIONS NATIONWIDE

Introduced by Senator Villar Jr.

**To the Committee on Public Order and Illegal Drugs**

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:03 p.m.*

**•RESUMPTION OF SESSION**

At 4:05 p.m., the session was resumed.

**COMMITTEE REPORT NO. 7  
ON SENATE BILL NO. 1862  
(Continuation)**

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1862 (Committee Report No. 7), entitled

AN ACT PRESCRIBING A FIXED TERM OF OFFICE FOR THE CHIEF OF STAFF AND THE MAJOR SERVICE COMMANDERS OF THE ARMED FORCES OF THE PHILIPPINES (AFP) AND FOR OTHER PURPOSES.

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

The Chair recognized Senator Biazon, Sponsor of the measure, and Senator Defensor Santiago for her interpellation.

**INTERPELLATION OF  
SENATOR DEFENSOR SANTIAGO**

Preliminarily, Senator Defensor Santiago expressed support for Senate Bill No. 1862 which aims to prevent the trivialization of the position of the AFP Chief of Staff by providing a fixed term of office for the Chief of Staff and the major service commanders. She noted that in the last four years, there had been seven AFP chiefs of staff and three of them served for less than one year. She said that there is little doubt that providing a fixed term may lead to a more effective governance because generally, the first year is the learning period; the second year, the reformed period; and the third year, the implementing period.

Recognizing the significance of the position of the AFP Chief of Staff, Senator Defensor Santiago asked if it is proper to include in the Declaration of Policy the bill's intent to provide stability in the AFP as an institution and to ensure continuity and consistency in the formulation and implementation of programs. Senator Biazon expressed willingness to include the statement in the Declaration of Policy.

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Adverting to Section 2, *Terms of Office*, Senator Defensor Santiago asked on the minimum educational qualifications of an officer as there seemed to be an inordinate emphasis on the requirement for combat experience, not on education and training especially in the field of strategic studies. Considering that the functions and responsibilities of the Chief of Staff are generally to execute the President's command functions in relation to military strategy, tactics and operations, she believed that the person to be appointed Chief of Staff should at least have a background in strategic studies. This way, she said, the government would be assured that its top brass has strategic competence for the position. She noted that the government has been spending a lot of money on the National Defense College of the Philippines (NDCP) which serves more civilians than military officers. Senator Biazon replied that such is not specifically provided for in the bill because advancement in rank and position in the AFP has specific minimum requirements. For instance, he said, before an officer can be promoted from company grade/rank to field grade—major to colonel—he is required to go through the required career courses including a command and staff course on military strategic principles and doctrines. Moreover, he said, for one to be promoted to flag rank or brigadier general, the officer must first obtain an MNSA from the NDCP or at a war college of an allied country. He observed that more civilians are studying at the NDCP because the government wants to create a pool of people — civilian and military — who would be able to understand each other relative to national security and other issues of national interest. He added that if a candidate has a Master's degree in Public Administration, although it is not required, it might help his chances of being appointed Chief of Staff.

Still on Section 2, Senator Defensor Santiago asked if the President is empowered to remove an officer prior to the completion of his term if he reaches the compulsory retirement age. Senator Biazon replied that even if the Chief of Staff enjoys the confidence of the Commander-in-Chief, he may be removed "for cause," a term that some members were thinking of replacing with "loss of confidence." He said that while the Constitution provides that "the tour of duty of the Chief of Staff shall not exceed three years," it should be interpreted as a tenure, not a limitation because his tenure can be extended under certain

circumstances provided for in Article XVI, Section 5(7) of the Constitution.

Under the bill, Senator Defensor Santiago asked if the Chief of Staff cannot be removed except for cause even if he reaches the compulsory retirement age but has not yet completed his term. Senator Biazon replied in the affirmative, stating that such is the intent of the proposed Act.

Asked if the Chief of Staff is considered retired when he completes his term before reaching the compulsory retirement age, Senator Biazon stated that the possibility of this happening is very remote. He said that if the rules and regulations are followed in the selection process, seniority would play a major factor, unless the President resorts to a deep selection.

Senator Biazon explained that pursuant to the Lateral Attrition Law, if an officer is not yet retireable but has not advanced to the next rank within a prescribed period, he is considered retired even if he has not reached the retirement age. Moreover, he stated that under the bill, after the Chief of Staff has served three years, he is mandatorily retired unless his tour of duty is extended by the President pursuant to the constitutional provision.

On the concern that Section 2, in effect, punishes the Chief of Staff, Senator Biazon stated that the officers he has consulted are willing to accept the position even if they shall complete the term before reaching the retirement age.

On a point of information, Senator Gordon stated that there was an instance when the U.S. Armed Forces gave a major service commander other assignments when he completed his term before reaching the retirement age. He recalled that after General MacArthur had completed his tour of duty, he was assigned to the Philippines on an extended basis. In fact, he said, the General was past the retirement age when World War II broke out.

Senator Biazon believed that the bill would not violate the Constitution which mentions the term of office and the role of the Chief of Staff in several provisions.

Asked if Section 2 would result in the reinstatement of the revolving door policy that the

Body is trying to prevent, Senator Biazon replied that it is probable there would be some political color in the selection process. He opined that changing the phrase "removal for cause" to **REMOVAL FOR LOSS OF CONFIDENCE** could weaken the law. He said that if the President removes the Chief of Staff not for cause, the President has to explain to the public and Congress why she did so.

Asked if a major service commander would be deemed retired if he completes his term before reaching the compulsory retirement age, Senator Biazon replied that the Committee is contemplating an amendment to change the term "fixed term" in Section 2 to "minimum term."

Asked to clarify Section 4 as regards the maximum tenure of the major service commanders, Senator Biazon replied that an amendment thereto would be made at the proper time. Senator Defensor Santiago stated that she might propose an amendment to the section at the proper time.

#### **INTERPELLATION OF SENATOR MAGSAYSAY**

Preliminarily, Senator Magsaysay estimated that the Armed Forces have 120,000 men, of which 10% or 12,000 are officers.

As to the number of PMA graduates in the AFP, Senator Biazon stated that as a percentage of the officers corps, this increased from 10% to 33%.

Asked how many major service commanders and Chiefs of Staff came from PMA, Senator Biazon replied that he did not have the roster at the moment, as he added that the majority of those who held the positions came from the Academy.

Senator Biazon said that the implementation of Republic Act No. 2334 produced a large number of officers from the ROTC, comprising almost 90% of the officers corps. However, he said that since the ROTC was discontinued, there is at present no corps of reserved officers who have served the full term because these officers are supposed to be rotated out of service and mobilized after two years. He said that it was only during the mid-1970s when the AFP had a tremendous expansion from 45,000-strong to more than 200,000-strong that the reservists stayed longer. This, he said, is the reason why the new law provides that those who have served more than ten years could not be reverted.

However, he pointed out that the present policy is to have a small corps of regulars in the AFP and the bulk should be reservists.

As regards the subsidy of a PMA cadet, Senator Biazon affirmed that half a million pesos a year is being spent on a cadet, or P2 million until he graduates.

Senator Magsaysay asked on the possibility of adopting the concept of the Royal Military Academy Sandhurst of Great Britain wherein a future officer first enters a regular school for two years and enters the military academy in the last two years for military and martial tactics training. He believed that 1) this would lessen the culture of "Mistahs"; 2) it would make the availment of a scholarship at the PMA more democratic, and 3) it would address the economic issue of spending a large sum of money for the education of the cadet. He observed that the subsidy for a U.P. student is only P30,000-P40,000 a year as against P500,000 for a PMA cadet.

Senator Biazon agreed that the curricula of Sandhurst, the Saint-Cyr Military Academy of France and the Royal Military College of Australia are models that could be studied. He said that the concept of the Philippine Military Academy has been patterned after the U.S. Military Academy at West Point, including the government support.

Asked how the grant of a three-year term to the Chief of Staff could improve the situation in the Armed Forces which has been trying during the past months to address the issues of transparency and command responsibility, especially in the light of the case of Gen. Carlos Garcia, Senator Biazon pointed out that there are laws that mandate transparency in government. He said that given the revolving door policy in the military, a Chief of Staff who is given a few months to serve could hardly implement policies. He explained that by the time the Chief of Staff returns from his visits and inspections of troops in the various regions, he has very little time for other things except for his farewell tour. In fact, he stated that in his discussions with civilian authorities in government, they revealed that they have always found it difficult to discuss policies with the Chief of Staff because he leaves the position after a few months and they still have to know the frame of mind of his successor. He stated that even officials in the Executive department are looking forward to a longer interrelationship with the Chief of Staff.

Asked on the source and number of candidates for the position, Senator Biazon said that there are 42 major generals and 9 lieutenant generals, or 51 of about 130 generals in the AFP. He said that in the past, the selection field that was made available by the Constitution to the President was from the rank of lieutenant colonel at the time when the Chief of Staff was a major general and there were only a handful of generals in the AFP.

On the factors for promotion, Senator Biazon affirmed that seniority is a time-tested tradition for appointment to positions; however, there are other factors to be considered such as schooling/education, command position, and staff position. He explained that the process of selection starts with the Board of Generals convening and coming up with a long list of candidates which is submitted to the Secretary of National Defense who would further reduce the number of candidates. From there, he said the list is forwarded to the President.

Senator Biazon recalled that when he was about to retire as AFP Chief of Staff in 1991, President Aquino asked him to submit his list of recommendees to succeed him. He said that at the time, the function of the Board of Generals did not include the evaluation and recommendation of the next Chief of Staff but primarily dealt with the advancement in rank and position of major service commanders. He said that after submitting a short list consisting of four names as well as informing the President that seniority was not the only factor in the appointment, the President appointed the most junior in the list.

#### INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel on the body that preliminarily evaluates the qualifications of the candidates for Chief of Staff, Senator Biazon said that the Board of Generals makes a long list which the Secretary of National Defense reduces to a short list from which the President makes her choice.

Replying to further queries, Senator Biazon affirmed that the members of the Board of Generals, by its nomenclature, are all generals who are of similar frame of mind, background in military education and tradition. He said that the board has six members—the incumbent Chief of Staff as chair, the Vice Chief of Staff, the Deputy Chief of

Staff, and the Commanding General of the Army, the Commanding General of the Air Force and the Flag Officer in Command of the Navy. He said that Executive Order No. 738 prescribes the Board's composition, functions and structure.

Senator Pimentel stated that he is interested in the process because he believes that it is not wise to leave the process of recommending the Chief of Staff entirely in the hands of the members of the Board of Generals. However, he said the civilian insight into the armed forces is assured given the fact that the recommendation goes to the Secretary of National Defense. Nonetheless, Senator Biazon stated the final decision is up to the President.

As regards the evaluation on the physical and mental fitness of the nominees, Senator Biazon remarked that before an officer is promoted, he is required to pass the physical examination which includes the neuro-psychiatric test.

Asked if the Board of Generals adequately covers the issue of competence of the nominee in running a military organization, Senator Biazon replied in the affirmative.

As regards compliance with the laws, Senator Pimentel related that in the Commission on Appointments, there were instances where a number of ranking officers got stuck in the confirmation process because of noncompliance with requirements like filing of statements of assets and liabilities. He asked if there is a process that ensures that formalities on the requirements of law are complied with.

Senator Biazon replied that before an officer gets promoted, as in the case of the Chief of Staff, he must first be confirmed as lieutenant general. He noted that in his case, he passed through the Commission on Appointments three times — when he was promoted to major general, then to lieutenant general and finally, to general. He recalled that when he was promoted to colonel, there was martial law and during the time he was promoted to brigadier general, Proclamation No. 3 — the Freedom Constitution — came into effect. He stated that with all the democratic mechanisms restored, before one is promoted to the rank of Chief of Staff, he must pass through the Commission on Appointments five times.

Senator Pimentel agreed, saying that it does not necessarily follow that a general who passed all requirements is automatically qualified to become the Chief of Staff. He pointed out that experience, training and conduct as an officer and a gentleman are aspects that need to be considered in the appointment of Chief of Staff. He also noted that the Constitution speaks of ranks from colonel upwards, and not of positions.

Agreeing with the remarks of Senator Pimentel, the Chair stated that only a four-star general can be Chief of Staff.

Senator Biazon disclosed that there was an instance when the conferment of the rank of rear admiral (3-star) was questioned because the person had no command. He pointed out that the officer was not being confirmed as Flag Officer in Command but as Deputy Chief of Staff for a managerial position. Apparently, he said, what is being confirmed is the rank. He posited that when a person is promoted as a general, he is expected to have the necessary qualifications to perform any job in the military organization.

Upon further queries, Senator Biazon confirmed that there is only one four-star general in the armed forces that, in theory, should have priority over the other officers in the appointment of Chief of Staff. Senator Biazon clarified that in practice, the four-star rank is conferred on the Chief of Staff; in the case of General Abu, he was conferred the four-star rank when he was appointed Chief of Staff and he is awaiting confirmation by the Commission on Appointments.

Within the military organization, asked whether only one officer shall be conferred the rank of general, Senator Biazon stated that the law provides that a fixed percentage of the officers corps shall have the rank of general.

Senator Enrile explained that the officers corps has a pyramidal structure, at the apex of which is the Chief of Staff. He recalled that during his time in the defense ministry, the armed forces had an officers corps of 13,000; of which a little over one percent became Flag Officers or General. He stated that this number includes the brigadier generals up to the Chief of Staff; and below are the colonels, lieutenant colonels, majors, captains, lieutenants, each rank having a definite number. He noted that

then, there was only one general (4-star), one lieutenant general and the service commanders were the major generals, while the chief of the Philippine Navy was the rear admiral; the rest were the brigadier generals. He argued that the proliferation of ranks makes the positions trivial and the military organization cannot afford to have two generals.

Senator Pimentel suggested putting a provision in the proposed Act that there shall only be one four-star General to head the entire armed forces. He agreed that having too many officers of a given rank would distort the pyramidal structure of the armed forces which is ideal in the Philippine setting.

In reaction, Senator Biazon pointed out that Republic Act No. 8186 fixed the number of generals to .75% of the officers corps, and Republic Act No. 9188 raised this percentage to 1.125%. He observed that before the enactment of R.A. No. 8186, there were one four-star general, six lieutenant generals, and five major generals, for which reason, the law provided that 1% of the officer corps shall be four-star generals so as to effect a pyramidal structure.

Senator Enrile contended that precisely, the National Defense Act established a fixed percentage for generals; it does not provide that so many percentage shall be four-star generals, three-star lieutenant generals, two-star major generals and one-star brigadier generals. The law, he emphasized, contemplated that the officers corps shall consist of generals, colonels, lieutenant colonels, majors, captains, first lieutenants and second lieutenants. He stated that providing a certain percentage for each rank would, in effect, create pyramids within a pyramid.

Senator Biazon explained that the new law prescribes a fixed percentage for each rank.

At this point, the Chair suggested that the debate be focused on the proposal to provide a fixed term for the Chief of Staff. It acknowledged that there is a policy issue relative to the number of officers per rank which could be the subject of another bill.

Asked by Senator Pimentel on the advantages of having a fixed term for the Chief of Staff, Senator Biazon replied that it would prevent 1) the trivialization of the position and ensure continuity for



a period of time; and 2) the politization of the position. He commented that the revolving door policy has resulted in the frequent changes of the Chief of Staff, some of whom served briefly; and there has been infighting among the generals who were aspiring for the position. He reasoned that a fixed term would give the Chief of Staff sufficient time to see his projects to completion and it would insulate him from political influence.

Senator Pimentel expressed discomfort with the thought that the Chief of Staff should be isolated from political influence. He argued that the Chief of Staff is the no. 1 soldier of the Republic and under the Constitution, he is subordinate to the no. 1 politician of the land, the President. He acknowledged that in military matters, the judgment of the civilian authority must bow to the superior knowledge of the no. 1 soldier of the Republic. Nonetheless, he said, the President must exercise oversight function over the Chief of Staff who could be replaced if he refuses to follow an order.

Senator Biazon gave assurance that the matter of the removal of the Chief of Staff shall be addressed by an amendment to the bill at the proper time. He added that one of the grounds is the loss of confidence of the President in the Chief of Staff.

Senator Pimentel underscored the importance of the supervisory power of the President over the Chief of Staff which enables her to replace him under certain circumstances. For instance, he said that the country cannot have a Chief of Staff who has vowed to crush the rebels of Jolo regardless of the policy enunciated by the civilian authorities. He stated that the military tactics could be left to the military but the overall policy on the existence of a state of calamity or a state of rebellion in a certain area must be reposed on the civilian leaders of the government. He stressed that when the judgment of the Chief of Staff conflicts with the judgment of the Commander-in-Chief, the former must bow to the latter.

Senator Pimentel narrated that when the Chinese forces entered the Korean War by crossing the Yalu River, General MacArthur also wanted to attack the troops who were still in Chinese territory beyond the river. He said that General MacArthur believed it was the only way to prevent the huge Chinese forces from crossing over to give support to the North Korean invasion of South Korea but

President Truman, fearing such a move would escalate the conflict into a world war, forbade the General from carrying out the plan. In spite of General MacArthur's popularity at that time, he said that President Truman dismissed the General. He noted that these are extreme cases but one should be prepared for contingencies.

The Chair stated that the phrase "loss of confidence" is broad enough to cover these issues.

Finally, Senator Pimentel assured the Body of his support for the proposed Act, under the conditions that were discussed.

At this point, Senator Pangilinan informed the Body that Senator Angara made reservation to interpellate on the bill but he was not around. The Chair suggested that the period of interpellations be closed and if Senator Angara so wishes, it could be reopened.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

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

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1862**

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 5:28 p.m.*

#### **RESUMPTION OF SESSION**

At 5:30 p.m., the session was suspended.

#### **SENATE RESOLUTION NO. 182**

Upon motion of Senator Pangilinan, there being no objection, the Body considered Senate Resolution No. 182, entitled *A*

A RESOLUTION HONORING FATHER  
JAMES B. REUTER, S.J. FOR  
HIS EXTRAORDINARY AND  
UNPARALLELED LIFE OF SERVICE  
TO THE FILIPINO PEOPLE.

Secretary Yabes read the text of the resolution  
to wit:

WHEREAS: James B. Reuter, Jr. came to the Philippines on the eve of the Second World War as a young man preparing for the priesthood. At that point, he began to teach and to write, marking out the path that he would follow for decades after. When the Philippines was finally swept up into the war, though he endured incarceration and starvation at the prison camp at Los Baños, Laguna, through his songs and prayers, he remained a source of strength and inspiration for others.

Then the war ended. Though he returned to the land of his birth to be ordained a priest, despite the sufferings he endured during the war, he came back.

Through his teaching, coaching basketball and debate team, directing plays and moderating the school paper, he went on to shape the hearts, minds and souls of generations of Filipinos with his words and his deeds, molding the vision and values of the nation's future leaders, crafting them into men and women for others. Through his writing, as an author, a columnist and a playwright, he has paid tribute to the first Filipino Catholic saint, and honored the Philippine struggle for freedom, and went on to pioneer the field of broadcast media by writing, producing and directing radio and television programs that shaped the consciousness and values of the Filipino people. As an educator, artist and communicator, he spread a message of hope among the Filipinos, arising from a belief in fundamental freedom and dignity, and one that transcended the bounds of religion. His message was one which he lived and exemplified, not only through his commitment to improve the lives of the less fortunate through acts of charity, but by his commitment in spreading that message in the face of political upheaval.

Fr. James B. reuter, S.J. was born an American, and yet he lived his life as a Filipino, and for the Filipinos. Though he has received many awards – from the Ramon Magsaysay Award for Journalism, Literature and Creative Communications Arts, to the Papal award *Pro Ecclesia et Pontifice* for outstanding and exemplary service to the Catholic Church and the Holy See, including a grant of Honorary Filipino citizenship in 1996 by the Philippine Senate – such honors fail to truly capture the immensity of his sacrifices for the Filipino people.

In the twilight of his life, in recognition of the fullness by which it was lived, and in commemoration of the 60<sup>th</sup> anniversary of the liberation of prisoners of war from the camp at Los Baños, Laguna where he was incarcerated, the Philippine Senate must recognize Fr. James B. Reuter, S.J. for all his contributions to education, history, art and literature, and for leading and inspiring others in all that he taught, wrote, said and did, to believe and live in a life of vision, of leadership, and of dignity.

WHEREFORE, LET IT BE RESOLVED that the Senate honor, as it hereby honors, Fr. James B. Reuter, S.J. for his life of extraordinary and unparalleled service to the Philippines and to the Filipino people, exemplified by his extraordinary commitment as an educator, communicator and artist, to the cause of freedom and dignity.

#### COAUTHORS

At the instance of the Chair, all senators present – Senators Arroyo, Biazon, Cayetano, Defensor Santiago, Drilon, Ejercito Estrada (J), Ejercito Estrada (L), Enrile, Flavio, Gordon, Lapid, Madrigal, Magsaysay, Osmeña, Pangilinan, Pimentel, Revilla and Roxas – were made coauthors of Senate Resolution No. 182.

#### AMENDMENT OF THE CHAIR

As proposed by the Chair and accepted by the Sponsor, there being no objection, the Body approved the restyling of the resolution to conform

the usual "Whereas" clause format with the various paragraphs retained.

Senator Gordon expressed hope that the resolution would be adopted in time for the 60<sup>th</sup> anniversary of the liberation of Los Baños where Fr. Reuter will be among the honored guests. The Chair stated that the resolution would be finished tomorrow.

**ADOPTION OF  
SENATE RESOLUTION NO. 182**


Upon motion of Senator Pangilinan, there being no objection, Senate Resolution No. 182 was unanimously adopted by the Body.

**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 5:36 p.m.*

I hereby certify to the correctness of the foregoing.

  
OSCAR G. YABES  
Secretary of the Senate  
*16/2/05* *llu*

Approved on February 16, 2005