



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 57**  
Wednesday, February 19, 2020

**EIGHTEENTH CONGRESS  
FIRST REGULAR SESSION**

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Wednesday, February 19, 2020

**CALL TO ORDER**

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

**PRAYER**

Sen. Imee R. Marcos led the prayer, to wit:

Father, You are the Lord and the one true master of the our beautiful nation. Nothing that happens in this country, may it be good or evil, ever escapes You. Nor are You ever caught by surprise, like us hapless and vulnerable.

It is thus that we beseech You today to protect us from all evil, from enemies both natural and human, from new and mutating diseases, from nature's calamities and endless conflict. Protect us, O Lord, from the greed and avarice of men and nations.

Lord, by the authority You have given us, the senators of this blessed republic, we beg for Your mercy and the protection of our people, for every Filipino in pain, in poverty, and in sickness. Today, we declare and decree that with You we shall fight the

enemies, illegal drugs, corruption, terrorism, and the scourge of godlessness that plague our nation.

Take charge, O Lord, protect and guide us so that once again Your glory will fill our islands, the Philippines.

In the Name of Jesus, we believe and pray.

Amen.

**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Pacquiao, E. M. D.
Cayetano, P. S.	Pangilinan, F. N.
Dela Rosa, R. B. M.	Poe, G.
Drilon, F. M.	Recto, R. G.
Gatchalian, W.	Revilla Jr., R. B.
Go, C. L. T.	Sotto III, V. C.
Hontiveros, R.	Villanueva, J.
Lacson, P. M.	Villar, C. A.
Lapid, M. L. M.	Zubiri, J. M. F.

*ps jet*

With 20 senators present, the Chair declared the presence of a quorum.

Senator Gordon arrived after the roll call.

Senators Pimentel and Tolentino were absent.

Senator De Lima was unable to attend the session as she was under detention.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUEST**

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Dr. J. Prospero “Popoy” E. De Vera III, chairperson of the Commission on Higher Education (CHED);
- Mayor Jennifer “Ina Alegre” Cruz of Pola, Oriental Mindoro; and
- Patrizia Garcia, Binibining Pilipinas 2020 candidate.

Senate President Sotto welcomed the guest to the Senate.

#### **APPROVAL OF THE JOURNAL**

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session No. 56 (February 18, 2020) and considered it approved.

#### **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 House of Representatives informing the Senate that on 17 February 2020, it passed House Bill No. 137, entitled

**AN ACT IMPOSING STIFFER PENALTIES FOR CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7610, AS AMENDED**

in which it requested the concurrence of the Senate.

**To the Committees on Justice and Human Rights; and Women, Children, Family Relations and Gender Equality**

#### **BILLS ON FIRST READING**

Senate Bill No. 1360, entitled

**AN ACT MAKING THE POSITION OF A COOPERATIVE OFFICER MANDATORY IN THE MUNICIPAL, CITY AND PROVINCIAL LEVELS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991**

Introduced by Senator Hontiveros

**To the Committees on Local Government; and Cooperatives**

Senate Bill No. 1361, entitled

**AN ACT MANDATING BANKING INSTITUTIONS TO STRENGTHEN THE FINANCING SYSTEM FOR AGRICULTURAL, FISHERIES, AND RURAL DEVELOPMENT IN THE PHILIPPINES AND FOR OTHER PURPOSES**

Introduced by Senator Angara

**To the Committees on Agriculture, Food and Agrarian Reform; and Banks, Financial Institutions and Currencies**

Senate Bill No. 1362, entitled

**AN ACT CREATING A FRAMEWORK FOR THE SUSTAINABLE DEVELOPMENT GOALS**

Introduced by Senator Cayetano

**To the Committee on Sustainable Development Goals, Innovation and Futures Thinking**

*[Signature]*

Senate Bill No. 1363, entitled

**AN ACT PROVIDING FOR PROTECTION OF THE REMITTANCES OF OVERSEAS FILIPINO WORKERS (OFWs), AND FOR OTHER PURPOSES**

Introduced by Senator Pacquiao

**To the Committees on Banks, Financial Institutions and Currencies; and Labor, Employment and Human Resources Development**

Senate Bill No. 1364, entitled

**AN ACT REDUCING FOOD WASTE THROUGH FOOD DONATIONS AND FOOD WASTE RECYCLING**

Introduced by Senator Pacquiao

**To the Committees on Agriculture, Food and Agrarian Reform; Social Justice, Welfare and Rural Development; and Ways and Means**

**RESOLUTIONS**

Proposed Senate Resolution No. 326, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF MARTIAL LAW IN MINDANAO PURSUANT TO PROCLAMATION NO. 26, ISSUED BY PRESIDENT RODRIGO R. DUTERTE ON 23 MAY 2017, WITH THE END IN VIEW OF CHRONICLING THE ACCOMPLISHMENTS AND LEARNINGS DURING THE PERIOD, DETERMINING WHETHER OR NOT THE REBELLION IN THE REGION WAS PUT UNDER CONTROL, AND EXACTING ACCOUNTABILITY ON HOW PUBLIC FUNDS WERE SPENT, THE NUMBER OF ARRESTS MADE AND CASES FILED, HOW THE GOVERNMENT DEALT WITH HUMAN RIGHTS VIOLATIONS IN THE REGION, AND HOW THE GOVERNMENT IS HELPING IN THE REHABILITATION OF THE REGION

Introduced by Senator De Lima

**To the Committee on National Defense and Security, Peace, Unification and Reconciliation**

Proposed Senate Resolution No. 327, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED REPORTS OF HISTORICAL REVISIONISM PROPAGATED USING THE OFFICIAL GAZETTE, AND INTO THE REPORTED DELETION AND INACCESSIBILITY OF DOCUMENTS AND VITAL INFORMATION THEREIN, TO ENSURE THAT THE RELIABILITY AND VERACITY OF MATTERS CONTAINED THEREIN ARE HELD SACRED AND PRESERVED WITH UTMOST DILIGENCE

Introduced by Senator De Lima

**To the Committee on Public Information and Mass Media**

Proposed Senate Resolution No. 328, entitled

RESOLUTION URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE CONTINUED FLIGHTS FROM CHINA AND ITS SPECIAL ADMINISTRATIVE REGIONS, IN VIOLATION OF THE TRAVEL BAN AND PUTTING FILIPINOS AT RISK

Introduced by Senator Marcos

**To the Committee on Public Services**

Proposed Senate Resolution No. 329, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NATIONAL WATER PROGRAMS, ACTIVITIES, AND PROJECTS BEING IMPLE-

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MENTED BY THE GOVERNMENT TO ENSURE ADEQUATE SUPPLY OF WATER THROUGHOUT THE COUNTRY AND TO ENSURE THAT A WATER CRISIS IS AVERTED

Introduced by Senator Villanueva

**To the Committees on Public Works; and Environment, Natural Resources and Climate Change**

**COMMUNICATIONS**

Letters from the Bangko Sentral ng Pilipinas, transmitting to the Senate copies of the following certified and authenticated BSP issuances, in compliance with Section 15 (a) of Republic Act No. 7653 (The New Central Bank Act):

Memorandum Nos. M-2020-001 and 002 both dated 30 January 2020;

and Circular No. 1072 dated 31 January 2020.

**To the Committee on Banks, Financial Institutions and Currencies**

**COMMITTEE REPORT**

Committee Report No. 51, prepared and submitted jointly by the Committees on Basic Education, Arts and Culture; Youth; Ways and Means; and Finance, on Senate Bill No. 1365, with Senators Gatchalian and Binay as authors thereof, entitled

**AN ACT INSTITUTIONALIZING THE ALTERNATIVE LEARNING SYSTEM IN BASIC EDUCATION FOR OUT-OF-SCHOOL YOUTH, ADULTS, AND CHILDREN IN SPECIAL EXTREME CASES AND APPROPRIATING FUNDS THEREFOR,**

recommending its approval in substitution of Senate Bill No. 740.

Sponsor: Senator Gatchalian

**To the Calendar for Ordinary Business**

**ACKNOWLEDGMENT  
OF THE PRESENCE OF GUEST**

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Secretary Carlos “Sonny” Dominguez of the Department of Finance;
- Former Prime Minister Cesar Virata;
- Former DOF Secretary Margarito “Gary” Teves;
- Secretary Ramon “Mon” Lopez of the Department of Trade and Industry (DTI);
- Secretary Ernesto “Ernie” Pernia of the National Economic and Development Authority (NEDA);
- Undersecretary Karl Chua of the Department of Finance;
- Undersecretary Caferino “Perry” Rodolfo of the DTI;
- Atty. Benedicta “Dick” Du-Balabad, governor of the Management Association of the Philippines and chairman of the Tax Committee of the Philippine Chamber of Commerce and Industry (PCCI);
- Mr. Jeffrey “Jeff” Ng, chairman of the Subdivision and Housing Developers Association, Inc. (SHDA);
- Mr. Filomeno “Men” Sta. Ana, coordinator of the Action for Economic Reforms (AER);
- Dr. Epictetus “Lingling” Patalinghug, professor emeritus of the UP Virata School of Business;
- Dr. Renato Reside, professor of the UP School of Economics; and
- Councilor Cisco Jay Flores and Atty. Idel Morales from Dagupan City.

Senate President Sotto welcomed the guests to the Senate.

**SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 50 on Senate Bill No. 1357 from the Calendar for Ordinary Business to the Calendar for Special Orders.

*(Signature)*

**COMMITTEE REPORT NO. 50  
ON SENATE BILL NO. 1357**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1357 (Committee Report No. 30), entitled

**AN ACT REFORMING THE CORPORATE INCOME TAX AND INCENTIVES SYSTEM, AMENDING FOR THE PURPOSE SECTION 4, 20, 27, 28, 34 AND 290 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND CREATING THEREIN NEW TITLE XXIII, 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 Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Cayetano for the sponsorship.

**SUSPENSION OF SESSION**

Upon motion of Senator Cayetano, the session was suspended.

*It was 3:11 p.m.*

**RESUMPTION OF SESSION**

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

**ACKNOWLEDGMENT  
OF THE PRESENCE OF GUESTS**

At this juncture, Senator Zubiri acknowledged the presence in the gallery of Rep. David C. Suarez and Rep. Estrellita Suansing of the House of Representatives.

**SPONSORSHIP SPEECH  
OF SENATOR CAYETANO**

Senator Cayetano presented for plenary consideration Senate Bill No. 1357 under Committee Report No. 50, also known as CITIRA bill, which has two main objectives: 1) lowering the income tax rate; and

2) modernizing the tax incentives system, making it more fair, efficient and accountable.

*Following is the full text of Senator Cayetano's sponsorship speech:*

From the onset, let me clarify a major issue. A major source of resistance to this bill is the fear that incentives will be removed once this measure is enacted. This will not be the case. In truth, what we intend to do is to continue a sound incentives scheme, the details of which this Representation will explain as we go along.

Having said that, allow me to start with a bit of history.

I am sure that both Senate President Sotto and Senate Minority Leader Drilon, the leaders of both sides of this Chamber, would also know from their experience that since a bill on rationalizing tax incentives was first proposed in 1995, the Department of Finance and the Department of Trade and Industry have urged Congress to finally make this crucial reform happen.

But even further down memory lane, when I was a college student in the School of Economics in the University of the Philippines, my father, the late Sen. Rene Cayetano, was a member of the Batasan and was appointed as the Deputy Minister for Trade and Industry and concurrently administrator of the Export Processing Zone Authority (EPZA). I had the opportunity to visit the export processing zones in Bataan, Baguio, and Cebu. In fact, my thesis was on fiscal incentives. This was in 1985.

But here we are today in the year 2020. In the series of hearings and meetings we conducted, we gave members of the business community, civil society, the academe, government, and business associations the opportunity to share their views in depth. The DOF and the DTI also held their own briefings with key stakeholders. The bill before us is a new and fairer deal between businesses and the Filipino people.

So where are we now and what are we doing?

We are cognizant that Philippine enterprises are the backbone of the economy and that they contribute to national development by supplying much-needed employment and livelihood. And yet, companies doing business in the Philippines are slapped with a 30% corporate income tax rate, the highest in the region.

*At this juncture, Senator Cayetano directed the attention of the Body to the screen showing the*

*Philippines with the highest corporate income tax rate.*

To address this, we will bring down the corporate income tax rate from 30% to 20% over the next 10 years. This should result in some 1.5 million more jobs, a feat I am certain that we can accomplish. So far, we have already provided millions of jobs to the economy. We believe that the reduction of 1% per year is the pace that does not compromise the country's vital fiscal resources.

However, we cannot talk about the corporate tax regime without earnestly discussing the tax regime for companies that have received unreviewed, and almost unconditional special tax treatment for decades.

From 2015 to 2017, the Philippine government granted more than P1 trillion in tax incentives in the form of exemptions and tax discounts to various companies.

In 2017 alone, the government granted billions of pesos to a select group of some 3,150 businesses. These companies pay an effective rate of 6% to 13% of corporate income tax as opposed to other enterprises that pay the regular 30% corporate income tax.

Let me make this clear again. I mentioned the amount of incentives, not to say that we will scrap them. All we want to do is rationalize them.

Incentives should not be given out to any corporation without the proper conditions. They should be performance-based and targeted, and granted in such a way that would benefit the public — by way of providing employment, boosting needed industries, and promoting the growth of less developed areas in the country.

When we give out incentives on behalf of the people, then we are duty-bound to ascertain that we get what is rightly due to them. That is the essence of this bill: a fair deal for all, and the best deal for Filipinos.

My point is that true incentives yield results, like the situation with our neighbors, Singapore and Malaysia. If a tax perk is given, without a clear set of conditions, without a time limit, and without adequate oversight, it is not an incentive. It is a giveaway, and our country cannot afford corporate giveaways.

The billions of incentives we granted are equivalent to more than 10% of our 2020 national government budget, around 80% of the budget of the Department of Education, and more than four times the amount allocated to the Department of Health.

### **Tax Incentives Principles**

With billions of pesos on the line, we need to ensure that the incentives which the government provides are in accordance with the following principles based on international good practices:

1. *Performance-based*: There should be clear attainment of actual investment, job creation, export, countryside development, and research and development commitments; else, incentives will only be wasted. *Parang scholarship grant, dapat may resulta, pasado sa exam at maka-graduate.*
2. *Targeted*: To minimize leakage and to avoid spreading our scarce resources too thinly, tax incentives should be given to activities with significant positive contribution to the economy, or those that really matter for the future, as specified in a Strategic Investment Priority Plan (SIPP), to be determined by the Board of Investments (BOI);
3. *Time-bound*: There should be a reasonable timeframe for the enjoyment of incentives, and an extension period for companies that perform and contribute to the economy. *Parang allowance na ibinibigay ng magulang sa anak, hindi puwedeng habang buhay; and, finally,*
4. *Transparent*: Monitoring and evaluation of tax incentives should be institutionalized and reported by the government to the public. *Iyong pinaghahirapang buwis ng ordinaryong taxpayer ang ginagamit nating pampondo sa incentives, kaya nararapat lamang na alam ng taumbayan kung saan napupunta ang buwis nila.*

Let me add another principle: the incentive system should be governed well. Currently, there are 13 different investment promotion agencies (IPAs), each with its own charter and mandate, that offer different menus of incentives to various industries, sometimes not in line with national priorities, and often without the DOF or DTI knowing. As a result, there is no one simple set of incentives that the country may promote to potential investors. This can be very confusing and definitely not investor-friendly.

Another concern is that the number of industries that could potentially get incentives from these IPAs, which is some two-thirds of the economy, also make our incentive system indiscriminately open to just about any activity, and thus open to abuse.

This Representation thus proposes that there be: (1) a set of incentives for different

projects or activities, depending on the location and industry; and (2) incentives that shall be based on the Strategic Investment Priority Plan (SIPP), which will be determined by the BOI, in coordination with the Fiscal Incentives Review Board (FIRB), IPAs, government agencies administering tax incentives, and the private sector. We also propose to expand the functions of the Fiscal Incentives Review Board, a body that currently grants incentives to government-owned or controlled corporations, to also approve all incentives given to private companies, as recommended by the IPAs. We also recommend that this board oversee the IPAs. This much needed governance reform is at the heart of the CITIRA bill.

Before I proceed with more details of the proposed bill, allow me to acknowledge the work of some of our predecessors such as Senator Recto, who filed the first Fiscal Incentives Review Board expansion bill in 2001, and Senator Drilon, who authored the Tax Incentives Management and Transparency Act, or the TIMTA Law, passed in 2015. The law mandates companies to provide the government with data to estimate the tax incentives they receive, which is now being used to objectively assess our tax incentives. Both senators, along with Senators Lacson and Villar, have also filed in previous Congresses bills on fiscal incentives rationalization. We are now building on their ideas to move the reform forward.

I would also like to put on record that our team painstakingly took the time to ease the transition period for investors and minimize the drastic changes the new incentive scheme could bring to their businesses.

Let me now discuss the salient points of the reform as proposed by this Representation.

#### *Reduction in the Corporate Income Tax Rate*

As mentioned earlier, the corporate income tax rate shall be lowered gradually by one percent point every year, from the current 30 to 20 percent by 2029.

We have made the reduction of corporate income tax automatic in our version for the first five years to ensure predictability. By 2025, the reduction can be suspended by the President upon recommendation of the Secretary of Finance, if the projected deficit target as a percent of GDP exceeds the programmed deficit.

#### *Modernization of the Fiscal Incentive System*

The centerpiece of the country's current tax incentives regime is the income tax holiday or ITH for four to six years, and the special 5% tax

on gross income earned, or GIE, in lieu of all taxes, both national and local.

The 5% tax on GIE is granted forever without conditions, even if the firm does not contribute to the economy in terms of jobs and exports at a level commensurate to the amount of incentives given. My dear colleagues, no other country gives incentives forever like we do.

Dear colleagues, it is time to end a regime that distributes costs to the many, and concentrates benefits to the few.

#### *Sunset Provisions*

After listening to the concerns and apprehensions of existing investor groups that will be affected by this bill, we came up with terms that address their request for a smoother transition period. This addresses our objective, which is to keep companies and investors here in the country while rationalizing the incentives that we give them.

#### *Granted ITH Only*

Existing registered activities granted the income tax holiday shall be allowed to complete the remainder of their ITH period.

#### *Granted 5% GIE but not yet enjoyed*

These are the firms with unfinished ITH and a succeeding gross income earned (GIE) of 5%. In their case, their ITH will be allowed to expire on schedule and will be followed by a 5% GIE, with a maximum of five years. If the firm has no ITH but is about to go into 5% GIE, they will also enjoy 5% GIE, for a maximum of five years.

#### *Granted and currently enjoying 5% of GIE forever*

Existing registered activities that were granted the five percent tax on GIE, in lieu of all taxes, will be allowed two to seven more years as a transition period, while paying the same rate of 5% GIE. The duration of the proposed transition period is as follows:

- Two years for those who have been receiving the GIE incentive for more than 10 years;
- Three years for those who have been receiving the GIE incentive for between five and 10 years;
- Five years for those who have been receiving the GIE incentive for below five years, and
- A special seven years for those that meet any of the following conditions:
  - a. exporting 100% of their goods and services,

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- b. employing at least 10,000 Filipino workers, or
- c. engaging in highly footloose activities.

And, in addition, after the sunset period, they will be allowed to apply under the new incentive package where they will be assessed under the new package created by virtue of this bill.

#### *What is the New Incentives Package?*

Under our version of CITIRA, a registered activity may be granted an income tax holiday of two to four years, followed by a Special Corporate Income Tax (SCIT) rate that is based on gross income earned (GIE). The Special Corporate Income Tax Rate will be equivalent to 8% GIE for 2020, 9% for 2021, and 10% for 2022 and onwards.

Like the current system, this shall be in lieu of all other taxes, and can be availed of for three to four years, depending on the location and activity. This provision preserves the one-stop shop nature of present incentives. We hear the concerns of investors that they do not want to deal with many government agencies when paying taxes. This is why we retained the "in lieu of" provision and one-stop shop. Based on my discussion with the firms, this particular provision already addresses 90% of their concern.

The initial availment of tax incentives, which includes income tax holiday (ITH) plus the SCIT rate, is from five to eight years, depending on the category of the registered activity as indicated on the screen. There are three categories: basic, enhanced, and advance. This is our response to the need to make incentives more targeted to locations that need them and industries that we want to promote.

Duration of ITH and SCIT per category is already shown in the screen, and there is more good news in our version. The availment of SCIT may be extended by three to four years at a time or more than once, up to a maximum of 12 years, depending on the category, so long as the firm remains true to its performance commitments.

In lieu of the SCIT, the registered activity may instead be granted the enhanced deductions shown on the screen subject to the regular prevailing corporate income tax rate. These enhanced deductions incentivize good behavior, such as local job creation, exports, and investment in hi-tech. As proposed by the DTI, our enhanced deductions menu was expanded to include deductions for power costs to account for the country's challenges in this area. The expanded deductions list is shown on the screen.

Like the ITH and SCIT, the availment of the enhanced deduction may be extended also for up to 12 years.

And to attract the big investors, like what Vietnam did with Samsung, the President may give incentives for a longer period of up to 40 years for highly desirable projects, provided that the benefit that the public could derive from such investment is clear and convincing and far outweighs the cost of the incentives that will be granted.

#### *Governance of Fiscal Incentives*

To ensure that incentives granted are performance-based, time-bound, targeted, and transparent, the present Fiscal Incentives Review Board's function is expanded so that it can provide proper oversight over the investment promotion agencies (IPAs), in the same way that the GCG Law of 2011 created the Governance Commission on GOCCs to oversee the GOCCs and ensure better performance and accountability.

Under our proposal, the Board will be chaired by the DOF and co-chaired by the Department of Trade and Industry (DTI), with representatives from the Office of the President, Department of Budget and Management (DBM), and National Economic and Development Authority (NEDA).

Let me assure all the officials and employees of the IPAs that we are not abolishing your agencies or cutting down jobs. IPAs will continue to perform their function of promoting investments in the Philippines, receive and process applications, and recommend to the Fiscal Incentives Review Board worthy incentives for approval by the Board. None of you should lose your jobs because of this reform. Section 9 of Senate Bill No. 1357 specifically provides that the IPAs shall maintain their functions and powers as provided under the special laws governing them except on the approval of incentives.

Allow me to underscore one final point, and this is the urgency of our task ahead. *Let us end uncertainty.*

As an economics graduate, I was trained to think of resources, including our fiscal space, as limited. With limited fiscal resources, derived from the hard work of our countrymen, we must ask ourselves the following questions as we deliberate on this measure:

1. Should we cut taxes for many, or should we keep conditions loose for the few?
2. Should we move incentives towards Philippine labor and Philippine products, or

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should we continue privileges that have gained our economy little value-added?

3. When we spend our country's fiscal resources, do we prefer more accountability or less?

On these basic questions of principle, I trust that this Senate of the People has seen the merits of this reform.

Further, as part of our commitment to the United Nations 2030 Agenda for Sustainable Development, all efforts must be exerted to achieve the Sustainable Development Goals (SDGs) by 2030. This is the ideal future, a future where there is no poverty, and where our people and economy thrive.

Rationalizing incentives and lowering the corporate income tax will bring in more investments and provide more jobs for Filipinos. This ensures that we remain on target with SDG 8, which promotes decent work and economic growth; SDG 9, which promotes inclusive and sustainable industrialization and fosters innovation; and of course, SDG 1, which calls for ending poverty in all its forms. This is only the beginning, as working on just one SDG creates a ripple effect on all the other SDGs, especially on hunger, health, education, and equality. A flourishing economy driven by the Filipino people will safe-guard the country's future, even beyond 2030.

This august chamber appointed this Representation to be the chair of the Committee on Ways and Means entrusted to study the matter and make recommendations. I humbly ask to review these proposals, keeping in mind that the greater majority will benefit from the lowering of the corporate income tax and that a rationalized incentives scheme that rewards investments that are result-based will lead to greater prosperity for our nation.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1357**

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

#### **COMMITTEE REPORT NO. 9 ON SENATE BILL NO. 1083**

*(Continuation)*

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second

Reading, of Senate Bill No. 1083 (Committee Report No. 9), entitled

#### **AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9372, OTHERWISE KNOWN AS AN ACT TO SECURE THE STATE AND PROTECT OUR PEOPLE FROM TERRORISM.**

Senator Zubiri stated that the parliamentary status was the period of individual amendments.

Thereupon, the Chair recognized Senator Lacson, sponsor of the measure, and Senator Drilon for his amendments.

Senate President Sotto stated that the amended copy as of February 18, 2020, would be used as basis for the amendments.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Drilon, the session was suspended.

*It was 3:39 p.m.*

#### **RESUMPTION OF SESSION**

At 3:40 p.m., the session was resumed.

#### **DRILON AMENDMENTS**

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

##### ***Page 1***

- On line 1, replace the short title "THE LAW ON PREVENTION OF TERRORIST ACTS OF 2020" with THE ANTI-TERRORISM LAW OF 2020;

Senator Drilon said that the amendment was based on an earlier agreement with Senator Lacson to use the noun "terrorism" rather than "terrorist act" to describe the crime because under the Revised Penal Code crimes are expressed in nouns and not in adjectives. He added that the shorter version "Anti-Terrorism Act of 2020" would make reference to the law easier.

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Senator Lacson recalled that he initially expressed some reservations in using the word "terrorism" because as pointed out during the interpellations "terrorism" has at least 109 definitions, but he nevertheless agreed to use the word "terrorism" with the assurance that it would be adequately and appropriately described in the acts as listed in the measure.

Senator Drilon assured that "terrorism" would not be defined as a word but by the enumeration of the acts which is originally the concept proposed by Senator Lacson.

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- On lines 16 to 22, reword subsection (A), to read as follows:

(A) "CRITICAL INFRASTRUCTURE" SHALL REFER TO AN ASSET OR SYSTEM, WHETHER PHYSICAL OR VIRTUAL, SO ESSENTIAL TO THE MAINTENANCE OF VITAL SOCIETAL FUNCTIONS OR TO THE DELIVERY OF ESSENTIAL PUBLIC SERVICES THAT THE INCAPACITY OR DESTRUCTION OF SUCH SYSTEMS AND ASSETS WOULD HAVE A DEBILITATING IMPACT ON NATIONAL DEFENSE AND SECURITY, NATIONAL ECONOMY, PUBLIC HEALTH OR SAFETY, THE ADMINISTRATION OF JUSTICE, AND OTHER FUNCTIONS ANALOGOUS THERETO. IT MAY INCLUDE, BUT IS NOT LIMITED TO, AN ASSET OR SYSTEM AFFECTING TELECOMMUNICATIONS, WATER AND ENERGY SUPPLY, EMERGENCY SERVICES, FOOD SECURITY, FUEL SUPPLY, BANKING AND FINANCE, TRANSPORTATION, RADIO AND TELEVISION, INFORMATION SYSTEMS AND TECHNOLOGY, CHEMICAL AND NUCLEAR SECTORS;

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- Reword lines 8 and 9, to read as follows:

SECTION 4. TERRORISM. – SUBJECT TO SECTION 48 OF THIS ACT, TERRORISM IS COMMITTED BY ANY PERSON WHO, WITHIN OR OUTSIDE THE PHILIPPINES, REGARDLESS OF THE STAGE OF EXECUTION;:

- On line 11, replace the phrase "Acts that may cause" with ENGAGES IN ACTS INTENDED TO CAUSE;

- On line 12, replace the word "endanger" with ENDANGERS; and
- On line 13, replace the phrase "Acts that may cause" with ENGAGES IN ACTS INTENDED TO CAUSE.

*The session was suspended and was resumed shortly thereafter.*

- On line 14, delete the words "critical infrastructure";
  - On lines 16 to 17, replace the phrase "Development, manufacture, possession, acquisition, transport, supply or use of" with DEVELOPS, MANUFACTURES, POSSESSES, ACQUIRES, TRANSPORTS, SUPPLIES OR USES;
  - On line 17, after the word "weapons," replace the comma (,) with the word OR;
  - On line 16, insert a new subsection C, to read as follows:
- C. ENGAGES IN ACTS INTENDED TO CAUSE EXTENSIVE INTERFERENCE WITH, DAMAGE OR DESTRUCTION TO CRITICAL INFRASTRUCTURE;
- Reletter the subsections accordingly with the original subsection C to become subsection E;
  - On line 21, after the word "intimidate," insert the phrase THE GENERAL PUBLIC, OR A SEGMENT THEREOF;
  - Still on line 21, replace the phrase "put in" with CREATE AN ATMOSPHERE OR SPREAD A MESSAGE OF FEAR;
  - On line 22, replace the phrase "force or induce" with PROVOKE OR INFLUENCE BY INTIMIDATION; and
  - On lines 22 to 23, delete the phrase "or the public to do or to abstain from doing any act," subject to style.

Senator Drilon explained that he proposed the deletion of the phrase "or the public to do or to abstain from doing any act" because retaining it would make it difficult to distinguish terrorism from political crimes under the Revised Penal Code. He said that the purpose of the amendment is to differentiate terrorism from coup d'etat, rebellion, and sedition. He affirmed that the phrase "or seriously destabilize or destroy the fundamental political, economic, or social structures of the country" would be retained.

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*The session was suspended and was resumed shortly thereafter.*

- On line 29, delete the phrase starting with the words “terrorist acts” until the word “others” on page 6, line 2, and in lieu thereof, insert a proviso, to read as follows:

TERRORISM AS DEFINED IN THIS SECTION SHALL NOT INCLUDE ADVOCACY, PROTESTS, DISSENT, STOPPAGE OF WORK, INDUSTRIAL OR MASS ACTION, AND OTHER SIMILAR EXERCISES OF CIVIL AND POLITICAL RIGHTS, WHICH ARE NOT INTENDED TO CAUSE DEATH OR SERIOUS PHYSICAL HARM TO A PERSON, TO ENDANGER A PERSON’S LIFE, OR TO CREATE A SERIOUS RISK TO PUBLIC SAFETY.

As proponent of the amendment that the Committee adopted, Senator Villanueva interposed no objection to the amendment propounded by Senator Drilon because it did not deviate from the intention of the provision.

- As an omnibus amendment, wherever found in the bill, replace the words “terrorist acts” with TERRORISM;

#### *Page 6*

- On line 6, delete the phrase “and one (1) day to twenty (20) years”;
- On line 25, delete the phrase “eight (8) years and one (1) day to”;
- On line 26, rephrase Section 9, to read as follows:

**SECTION 9. INCITING TO COMMIT TERRORISM.** – ANY PERSON WHO, WITHOUT TAKING ANY DIRECT PART IN THE COMMISSION OF TERRORISM, SHALL INCITE OTHERS TO THE EXECUTION OF ANY OF THE ACTS SPECIFIED IN ARTICLE 4 HEREOF, BY MEANS OF SPEECHES, PROCLAMATIONS, WRITINGS, EMBLEMS, BANNERS, OR OTHER REPRESENTATIONS TENDING TO THE SAME END, SHALL SUFFER THE PENALTY OF IMPRISONMENT OF TWELVE (12) YEARS.

#### *Page 7*

- On line 9, insert a new paragraph, to read as follows:

THE SAME PENALTY SHALL BE IMPOSED ON ANY PERSON WHO

ORGANIZES OR FACILITATES THE TRAVEL OF INDIVIDUALS TO A STATE OTHER THAN THEIR STATE OF RESIDENCE OR NATIONALITY FOR THE PURPOSE OF RECRUITMENT WHICH MAY BE COMMITTED THROUGH ANY OF THE FOLLOWING MEANS:

- i. RECRUITING ANOTHER PERSON TO SERVE IN ANY CAPACITY IN OR WITH AN ARMED FORCE IN A FOREIGN STATE, WHETHER THE ARMED FORCE FORMS PART OF THE ARMED FORCES OF THE GOVERNMENT OF THAT FOREIGN STATE OR OTHERWISE;
- ii. PUBLISHING AN ADVERTISEMENT OR PROPAGANDA FOR THE PURPOSE OF RECRUITING PERSONS TO SERVE IN ANY CAPACITY IN OR WITH SUCH AN ARMED FORCE;
- iii. PUBLISHING AN ADVERTISEMENT OR PROPAGANDA CONTAINING ANY INFORMATION RELATING TO THE PLACE AT WHICH, OR THE MANNER IN WHICH, PERSONS MAY MAKE APPLICATIONS TO SERVE OR OBTAIN INFORMATION RELATING TO SERVICE, IN ANY CAPACITY IN OR WITH SUCH ARMED FORCE OR RELATING TO THE MANNER IN WHICH PERSONS MAY TRAVEL TO A FOREIGN STATE FOR THE PURPOSE OF SERVING IN ANY CAPACITY IN OR WITH SUCH ARMED FORCE; OR
- iv. PERFORMING ANY OTHER ACT WITH THE INTENTION OF FACILITATING OR PROMOTING THE RECRUITMENT OF PERSONS TO SERVE IN ANY CAPACITY IN OR WITH SUCH ARMED FORCE.

*At this juncture, the session was suspended and was resumed shortly thereafter.*

- On line 13, delete the phrase “eight (8) years and one day to”;

*The session was suspended and was resumed shortly thereafter.*

- On line 29, after the word “training,” replace the comma (,) with a semicolon (;) and delete the phrase “including acts of recruitment which may be committed through any of the following means”;



***Page 8***

- Delete lines 1 to 17;
- On line 25, delete the word “knowingly”;
- On line 27, replace the phrase “or who should have known” with KNOWING.

*The session was suspended and was resumed shortly thereafter.*

***Page 9***

- Delete lines 5 to 10.

Senator Drilon believed that any person who participates or cooperates in the execution of the crimes of terrorism under Section 4 is guilty of terrorism; thus, a person who actually cooperated in the execution of the act should be punished with the same penalty of life imprisonment.

*The session was suspended and was resumed shortly thereafter.*

***Page 9***

- Renumber the succeeding sections accordingly;
- On line 14, delete the word “and”;
- Delete the phrase starting from the word “either” on line 14 up to the word “Code” on line 15;
- On line 21, delete “ten (10) years and one (1) day to”;
- Delete the paragraph from lines 22 to 23 up to lines 24 to 25 on page 9A and replace it with the following:

NO PERSON, REGARDLESS OF  
RELATIONSHIP OR AFFINITY, SHALL  
BE EXEMPT FROM LIABILITY UNDER  
THIS PROVISION.

On page 12, line 32, Senator Drilon proposed to insert another paragraph, to read as follows:

IF NO CASE IS FILED WITHIN THE  
THIRTY (30)-DAY PERIOD, THE APPLICANT  
LAW ENFORCEMENT OR MILITARY  
OFFICIAL SHALL IMMEDIATELY NOTIFY  
THE PERSON SUBJECT OF THE SURVEIL-  
LANCE, INTERCEPTION AND RECORDING OF  
THE TERMINATION OF THE SAID SURVEIL-  
LANCE, INTERCEPTION AND RECORDING.  
THE PENALTY OF IMPRISONMENT OF SIX

(6) YEARS SHALL BE IMPOSED UPON  
THE APPLICANT LAW ENFORCEMENT OR  
MILITARY OFFICIAL WHO FAILS TO NOTIFY  
THE PERSON SUBJECT OF THE SURVEIL-  
LANCE, MONITORING, INTERCEPTION AND  
RECORDING, AS SPECIFIED ABOVE.

Senator Lacson objected, saying that the law enforcement officials he has conferred with appealed and maintained that there might be some sleeper cells that could still operate and they could be warned by the person who was subject of the surveillance.

Senator Drilon withdrew the proposed amendment.

***Page 12***

- On line 32, insert a new paragraph, to read as follows:

FOR PURPOSES OF THIS PROVISION,  
THE ISSUING COURT SHALL REQUIRE  
THE APPLICANT LAW ENFORCEMENT OR  
MILITARY OFFICIAL TO INFORM THE  
COURT, AFTER THE LAPSE OF THE 30-  
DAY PERIOD, OF THE FACT THAT AN  
APPROPRIATE CASE FOR A VIOLATION  
OF THIS ACT HAS BEEN FILED WITH THE  
PUBLIC PROSECUTOR'S OFFICE.

***Page 13***

- On line 17 to 18, replace the phrase “six (6) years and one day to twelve (12) years” with TEN (10) YEARS;

***Page 14***

- On line 6, replace the phrase “ten (10) years and one day to twelve (12) years” with TEN (10) YEARS;
- On lines 23 to 24, delete the phrase “eight (8) years and one day to”.

Senator Drilon pointed out that whenever a violation involves a law enforcement officer, an imprisonment of ten years is imposed.

***Page 15***

- On lines 7 to 8, delete the phrase “and one day to twelve (12) years.”

**MANIFESTATION OF SENATOR LACSON**

At this juncture, Senator Lacson recalled that Senator Pangilinan wanted to reinstate the provision on *Penalty for Unauthorized or Malicious Inter-*

*ceptions and/or Recordings* under Republic Act No. 9372 or the Human Security Act of 2007. He said that since he accepted the amendment, subject to style, he would like to ask Senator Pangilinan to submit the specific amendment to harmonize it with the other provisions.

He said that his understanding of Senator Pangilinan's proposed amendment was that after the court has been informed and all the materials could be disposed of, that would be the time when the person may be informed of, for instance, that a particular mobile number has been subject to wiretapping; if the law enforcer included another mobile number, it would be tantamount to a malicious or illegal act. However, he asked who would determine if the person was subjected to illegal wiretapping, and he maintained that the law should not require the law enforcer to submit the information to the aggrieved party or to the person who was the subject of interception of communication.

## DRILON AMENDMENTS

(Continuation)

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

### Page 16

- On line 2, delete the phrase "a competent Regional Trial Court," and replace the same with THE AUTHORIZING DIVISION OF THE COURT OF APPEALS;

Senator Lacson reminded Senator Drilon that also included in the bill was a provision mandating the designation by the Supreme Court of special courts.

- On line 5, delete the phrase "Regional Trial";

## INQUIRY OF SENATOR MARCOS

Senator Marcos noted that there was no mention of "cybercrime" and "cyber terrorism" in the bill, although it was originally under Section 11 and 12, but she was told that it was included under Section 3(a) on "critical infrastructure." However, she maintained that the definition was inadequate given that cyber terrorism has become the prime mode in the commission of terrorism at present. She cited attacks that resulted in violence against

non-combatant targets and stage beheadings posted on social media that tend to sow and create a condition of fear and panic among the populace.

However, Senator Lacson pointed out that mentioned in the definition by Senator Drilon was "information systems and technology" which, to him, is more encompassing.

Senator Marcos said that her concern pertains to the use of cyber terrorism in the glorification of criminals, the social media beheadings that are used for recruiting terrorists, the fake news being spread throughout the population that sow panic, and the system that coerces the government or institutions. She opined that the definition did not consider nontraditional and new methods of terrorism such as drone attack and drone assassination and the use of digital and electronic technology.

Senator Lacson asked for time to review the proposal because it might affect the freedom of expression as guaranteed under the Constitution. Senator Marcos agreed and requested that priority be given to "cyber terrorism." She said that she too would try to come up with a language for the new section that abides closely by the Constitution.

## DRILON AMENDMENTS

(Continuation)

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

### Page 16

- On line 11, delete the phrase "Regional Trial";
- On line 12, delete the word "judge";
- On line 13, after the word "substance," insert the phrase THAT THE ISSUANCE OF AN ORDER OF PRESCRIPTION IS NECESSARY TO PREVENT THE COMMISSION OF TERRORISM;
- Delete lines 17 to 21 and in lieu thereof, insert a new paragraph to read as follows:

THE COURT SHALL CONDUCT CONTINUOUS HEARINGS, WHICH SHOULD BE COMPLETED WITHIN SIX (6) MONTHS FROM THE TIME THE APPLICATION HAS BEEN FILED, TO DETERMINE WHETHER: (A) THE

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PRELIMINARY ORDER OF PROSCRIPTION SHOULD BE MADE PERMANENT; (B) A PERMANENT ORDER OF PROSCRIPTION SHOULD BE ISSUED IN CASE NO PRELIMINARY ORDER WAS ISSUED; OR (C) A PRELIMINARY ORDER OF PROSCRIPTION SHOULD BE LIFTED. IT SHALL BE THE BURDEN OF THE APPLICANT TO PROVE THAT THE RESPONDENT IS A TERRORIST AND AN OUTLAWED ORGANIZATION OR ASSOCIATION WITHIN THE MEANING OF SECTION 26 OF THIS ACT BEFORE THE COURT ISSUES AN ORDER OF PROSCRIPTION, WHETHER PRELIMINARY OR PERMANENT.

- On line 22, before the word "proscription," insert the word PERMANENT;

#### *Page 17*

- On line 5, delete the phrase "charged with or";
- On line 10, delete the phrase "charged or";
- On line 20, delete the phrase "charged with or";
- On line 12, after the word "personnel," insert a period (.) and the sentence THE PERIOD OF DETENTION MAY BE EXTENDED TO A MAXIMUM PERIOD OF TEN (10) CALENDAR DAYS;

*The session was suspended and was resumed shortly thereafter.*

- On line 16, replace the semicolon (;) after the word "delay" with a period (.) and delete the rest of the sentence until line 19;

#### *Page 18*

- On line 1, delete the phrase "and one day to twelve (12) years";
- On line 26, delete the phrase "Penalty for";
- On line 27, delete the phrase "and one (1) day to twelve (12) years.

#### *Page 19*

- On line 4, delete the phrase "Requirement for an";
- On lines 5 and 6, delete the phrase "charged with or,"

#### *Page 20*

- On line 9, replace the phrase "ten (10) years and one (1) day to twelve (12) years" with TEN (10) YEARS.

## HONTIVEROS AMENDMENT

As proposed by Senator Hontiveros, and accepted by the sponsor, there being no objection, the Body approved the insert the words IMMEDIATELY COMMENCE AND before the word "CONDUCT" in the Drilon amendment on line 17, page 16.

## DRILON AMENDMENTS

*(Continuation)*

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

#### *Page 20*

- On line 22, insert the word INVESTIGATING before the word "prosecutor" and delete the phrase "handling the case";
- On line 23, before the word "against," insert a comma (,) and the phrase UPON A PRELIMINARY DETERMINATION OF PROBABLE CAUSE IN THE PROPER REGIONAL TRIAL COURT and delete the phrase "in accordance with the Supreme Court rule on PHDO up to line 24.

*The session was suspended and was resumed shortly thereafter.*

#### *Page 21*

- On line 14, replace the phrase "to cancel the passport of the accused" with TO INITIATE THE PROCEDURE FOR THE CANCELLATION OF THE PASSPORT OF THE ACCUSED;
- On line 19, replace the phrase "Bank Inquiry and Examination" with ANTI-MONEY LAUNDERING COUNCIL AUTHORITY TO INVESTIGATE, INQUIRE INTO AND EXAMINE BANK DEPOSITS;

#### *Page 23*

- On line 11, reinstate the provision of Republic Act No. 9372 or the Human Security Act on "Malicious Examination of a Bank or a Financial Institution" as Section 37, to read as follows:

SECTION 37. – *MALICIOUS EXAMINATION OF A BANK OR A FINANCIAL INSTITUTION.* – ANY PERSON WHO MALICIOUSLY OR WITHOUT AUTHORIZATION EXAMINES DEPOSITS, PLACE-

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MENTS, TRUST ACCOUNTS, ASSETS OR RECORDS IN A BANK OR FINANCIAL INSTITUTION IN RELATION TO SECTION 36 SHALL SUFFER THE PENALTY OF FOUR (4) YEARS IMPRISONMENT.

- Renumber the sections accordingly;
- On line 12, delete the word “*Provision*”;
- On line 13 after the word “the,” insert the phrase TARGETED FINANCIAL SANCTIONS AS PROVIDED UNDER PERTINENT;
- On line 14, delete the phrase “in relation to targeted financial sanctions”;
- On line 16, delete the words “Penalty of”;
- On line 20, after the word “Section,” insert the figure and word 26 AND subject to renumbering;
- On line 21, replace the phrase “ten (10) years and one day to twelve (12) years” with FOUR (4) YEARS;
- On line 23, reword Section 40 to read as follows:

**“SECTION 40. IMMUNITY AND PROTECTION OF GOVERNMENT WITNESSES. – THE IMMUNITY AND PROTECTION OF GOVERNMENT WITNESSES SHALL BE COVERED BY THE PROVISIONS OF R.A. NO. 6981, OTHERWISE KNOWN AS “THE WITNESS PROTECTION, SECURITY AND BENEFITS ACT.”**

Senator Drilon explained that the provisions of RA 6981 or “The Witness Protection, Security and Benefits Act,” are more liberal in application than Sections 17 and 18 of Rule 119 of the Revised Penal Code because under the law, it is the Secretary of Justice who can determine who the witnesses are and exclude them from the filing of the information, while under Rule 119, Sections 17 and 18 of the Revised Rules of Court, it is the court that will have to rule and such ruling is subject to appeal.

#### *Page 24*

- On line 7 and 8, replace the phrase “twelve (12) years and one day to twenty (20) years” with SIX (6) YEARS;
- On line 5, subject to style, insert an amended version of Section 44 of the Human Security Act, and further amended by Senator Lacson, to read as follows:

**SECTION \_\_\_\_\_. INFIDELITY IN THE CUSTODY OF DETAINED PERSONS. —**

ANY PUBLIC OFFICER WHO HAS DIRECT CUSTODY OF A DETAINED PERSON UNDER THE PROVISIONS OF THIS ACT AND WHO, BY HIS DELIBERATE ACT, MISCONDUCT OR INEXCUSABLE NEGLIGENCE, CAUSES OR ALLOWS THE ESCAPE OF SUCH DETAINED PERSON SHALL BE GUILTY OF AN OFFENSE AND SHALL SUFFER THE PENALTY OF TEN (10) YEARS OF IMPRISONMENT.

- Renumber the sections accordingly;

#### *Page 24*

- As amended by Senator Lacson, delete the words starting with “the Secretary of Science and Technology” on line 23 up to the figure in parentheses “(16)”, and place the deleted Council members as members of the support agencies as mentioned in line 13 of page 25;

#### *Page 27*

- Delete the phrase starting with the words “alleged violation” on line 7 up to the word “Act” on line 13 and replace it with the phrase FOR ANY CRIME DEFINED AND PENALIZED UNDER THIS ACT;
- On lines 11 to 13, replace the phrase “for alleged violation of any of the acts defined and penalized under Sections 4, 5, 6, 7, 8, 9, 10, 11 and 12 of this Act,” with FOR ANY CRIME DEFINED AND PENALIZED UNDER THIS ACT;

#### *Page 28*

- On lines 11 to 13, delete the phrase “such as, but not limited to the imposition of economic and financial sanctions and import restrictions in coordination with the AMLC”;
- On lines 18 and 19, delete “Sections 4, 5, 6, 7, 8, 9, 10, 11 and 12 of this Act and all matters incident to said crime” and replace the same with THIS ACT;
- On line 27, remove the phrase “*Role of the*.”

#### **LACSON AMENDMENT**

At this juncture, Senator Lacson expressed concern on the phrase “concurrent jurisdiction to prosecute public officials, law enforcers” found in the present law considering that the Commission on Human Rights has no prosecutorial powers.

Thus, on page 28, as proposed by Senator Lacson, and amended by Senate President Sotto, there being

no objection, the Body approved to insert a period (.) after "Act" on line 29 and to delete the rest of the sentence up to the word "Act" on line 2, page 29.

### **PROPOSED AMENDMENT OF SENATOR DRILON**

Senator Drilon proposed to delete Section 50 found on pages 30 and 31, as he believed that the entire provision does not belong to an anti-terrorism law. Senator Lacson stated that he would have to confer with Senator Marcos who was the proponent of the amendment.

Senator Marcos explained that the amendment was borne out of the revelations during the committee hearings regarding the experience in *lumad* schools in Cotabato as well as the recruitment by the NPA in PUP and in other schools in Metro Manila. She nevertheless agreed to its deletion as it should be in a separate law.

### **SUSPENSION OF SESSION**

Upon motion of Senator Lacson, the session was suspended.

*It was 5:32 p.m.*

### **RESUMPTION OF SESSION**

At 5:33 p.m., the session was resumed.

### **DRILON AMENDMENT**

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

- Delete Section 50 appearing from line 26 of page 30 up to line 15 of page 31;

*Page 29*

- On line 9, delete the phrase "of this Act";

*Page 30*

- On lines 7 and 8, replace the phrase "Republic of the Philippines, without exception whatsoever, shall submit the case without undue delay to the DOJ for the purpose of prosecution" with ANTI-TERRORISM COUNCIL SHALL REFER THE CASE TO

THE BUREAU OF IMMIGRATION FOR DEPORTATION OR TO THE DOJ FOR PROSECUTION.

### **Page 32**

- Delete lines 8 to 12, as the provision is already contained in the Revised Penal Code; and
- Delete lines 14 to 18, as the provision concerns appropriations.

### **CLEAN COPY**

Senate President Sotto directed the Secretariat to prepare a clean copy of the bill incorporating therein the approved amendments as of February 19, 2020.

### **SUSPENSION OF SESSION**

Upon motion of Senator Zubiri, the session was suspended.

*It was 5:39 p.m.*

### **RESUMPTION OF SESSION**

At 5:44 p.m., the session was resumed.

### **MANIFESTATION OF SENATOR ZUBIRI**

Senator Zubiri informed the Body that Senator Lacson has expressed willingness to wait until the end of the session that day so that the other senators could still propose some amendments to the proposed measure. He requested the staff of Senators Tolentino and Pimentel to furnish him with a copy of their proposed amendments for Senator Lacson's perusal and consideration.

### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1083**

Upon motion of Senator Zubiri, there being no objection, the Body suspended in the meantime the consideration of the bill.

*At this juncture, Senate President Sotto relinquished the Chair to Senator Villanueva.*

### **SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of

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Committee Report No. 47 on Senate Bill No. 1342 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 47 ON SENATE BILL NO. 1342**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1342 (Committee Report No. 47), entitled

#### **AN ACT ADDRESSING FOOD SECURITY CONCERNS THROUGH INTEGRATING INSTRUCTIONAL GARDENS IN PRIMARY AND SECONDARY SCHOOL CURRICULA AND PROMOTING THE USE OF URBAN AGRICULTURE, 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 Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Villar for the sponsorship.

#### **SPONSORSHIP SPEECH OF SENATOR VILLAR**

Senator Villar, as chairperson of the Committee on Agriculture and Food, together with the Committees on Basic Education, Arts and Culture, Finance, and Ways and Means, submitted to the Body Committee Report No. 47 on Senate Bill No. 1342 which was in substitution of Senate Bill Nos. 147, 257, 280, 587, and 1264.

She explained that the bill aims to address the issue of food security starting with teaching the youth the fundamental concepts about nutrition, the cultural and historical aspects of food supply, as well as the rudiments of planting through the integration of instructional gardens in primary and secondary schools all over the country because as revealed by recent studies, there has been an increase in the number of Filipino children suffering from malnutrition, stunted growth, and obesity. She said that the local government units would have a crucial role in promoting food security, improved health, addressing poverty,

and creating savings in household expenditures through institutionalizing urban agriculture.

Finally, Senator Villar warned that the dearth of government policies providing for access to information on nutrition would continue to be an obstacle in promoting healthy growth and development of children; thus, the approval of Senate Bill No. 1342 is imperative.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1342**

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

#### **SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 51 on Senate Bill No. 1365 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 51 ON SENATE BILL NO. 1365**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1365 (Committee Report No. 51), entitled

#### **AN ACT INSTITUTIONALIZING THE ALTERNATIVE LEARNING SYSTEM IN BASIC EDUCATION FOR OUT-OF-SCHOOL YOUTH, ADULTS, AND CHILDREN IN SPECIAL EXTREME CASES AND APPROPRIATING FUNDS THEREFOR.**

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

Thereupon, the Chair recognized Senator Gatchalian for the sponsorship.

#### **SPONSORSHIP SPEECH OF SENATOR GATCHALIAN**

Senator Gatchalian submitted for plenary

10 AM

consideration Senate Bill No. 1365 under Committee Report No. 51.

*Following is the full text of Senator Gatchalian's sponsorship speech:*

Over the past decade, the Philippines has enacted a number of landmark laws which have achieved substantial reforms within our education system. However, despite the gains we have made, we must also remember the millions of Filipinos who continue to be left behind by our education system.

According to the May 2018 Philippines Education Note of the World Bank Group, at least 24 million Filipinos over the age of 15 have not completed basic education. There are an additional 2.4 million children between ages 5 and 14 who are not in school. In essence, this means that 26.4 million Filipinos—roughly one-fourth of the Philippine population—have been denied the right to basic education enshrined in the 1987 Constitution.

The Department of Education's Alternative Learning System or ALS is the government's primary means of providing accessible education to out-of-school youth, adult Filipinos, and children in special extreme cases whose right to basic education has been denied. Through the non-formal module-based lessons of the Accreditation & Equivalency Program, ALS allows these learners to make up for the lost time and earn basic and secondary education credentials by passing the A&E assessments and certifications. In theory, the goal of ALS is to achieve a 100% high school graduation rate among Filipinos.

Unfortunately, ALS has not been able to live up to this admittedly ambitious goals. Between 2016-2018, a little over two million Filipinos enrolled in ALS. Only 1.4 million completed the A&E Program, and just 390,057 passed the A&E Test. This means that during that three-year period, only 7.6 percent of all eligible Filipino learners enrolled in ALS. Worse, only 1.5 percent of them were able to earn their basic or secondary education equivalency through the program.

The anemic rate of engagement of eligible children, OSYs, and adult learners in the Alternative Learning System is simply unacceptable. To deny their right to education is to deny these vulnerable citizens a second chance at creating better lives for themselves and their families. We must act now to reverse this injustice and provide our countrymen with the education they deserve.

With this in mind, the bill we are sponsoring today seeks to institutionalize and reform the Alternative Learning System of the Department of Education. This legislation was crafted to address in careful detail the gaps and weaknesses within the current ALS framework, in close coordination with the Department of Education and other critical stakeholders.

First, the Alternative Learning System Act seeks to institutionalize the Alternative Learning System as a parallel learning system complementary to the formal education system through the establishment of the Bureau of Alternative Education or BAE within the Department of Education. In 2016, the reorganization of the DepEd caused the dissolution of the Bureau of Alternative Learning System, with its functions being integrated into other bureaus of the department. Previously, non-formal education had always had its own bureau under the DepEd since the 1940s.

Based on the input of DepEd and other stakeholders, the lack of a dedicated ALS bureau has negatively impacted the DepEd's capacity to operate alternative learning programs and regulate its Accreditation & Equivalency Programs. Thus, the re-establishment of a separate bureau within the DepEd will enhance the institutional and technical capacities of the Department to operate alternative learning programs that meet high standards of educational quality, learner access, and learner outcomes regarding both basic literary and more advanced equivalency accreditations.

Second, this bill seeks to expand and strengthen the ALS Teacher Program. According to the DepEd, there are only 9,535 ALS teachers nationwide. With 840,446 learners enrolled in ALS in the year 2018, this means that the learner-to-teacher ratio was 88 to 1. Considering that as many as 26.4 million Filipinos qualify to enroll in the Alternative Learning System, this means that there is only one teacher for every 2,768 potential ALS learners.

To address this problem by facilitating the recruitment of new ALS teachers and facilitators, as well as promoting the professional growth of existing ALS teachers, Section 10 of the bill mandates the Department of Budget and Management to work with the DepEd and the Civil Service Commission to create teaching positions for ALS teachers and allocate the corresponding salary grades. In addition, the DepEd shall also hire ALS literacy volunteers and instructional managers to be ALS teachers through a contracting scheme to augment the needed human



resource requirements for the implementation of ALS programs. The bill also provides allowances to ALS teachers, who are mostly mobile teachers, for transportation and teaching aids.

This bill also mandates the establishment of at least one ALS Community Learning Center or CLC in every municipality and city throughout the country. Unlike the formal education system, which has school buildings, there is no dedicated learning space for ALS programs to hold classes or give tests. This was a major problem identified by the DepEd in the prior implementation of ALS. Through the establishment of ALS CLCs across the country, ALS teachers and learners will finally have access to the physical infrastructure needed to facilitate learning.

Lastly, the ALS Act will empower the private sector to partner with government in the delivery of ALS services by mandating the formulation of standards for service delivery, including teacher qualifications, teacher deployment, teacher training, remuneration, and system of rewards and incentives which are responsive to the needs and distinct situations of the particular areas serviced by these non-governmental actors.

All in all, the reformed and revitalized Alternative Learning System envisioned by the ALS Act is poised to provide millions of Filipino learners with a second chance to obtain a quality education. The potential of this legislation to uplift the lives of millions of our fellow citizens is boundless. Just ask our colleague, one of the most famous ALS graduates, Sen. Manny Pacquiao. Unfortunately, *wala po siya rito*. Our senator and boxing champion was a first year high school dropout, who took and passed the A&E Test under the ALS program in 2007. He got his high school diploma and is now an inspiration and model for out-of-school youth and adults who are determined to learn and gain functional literacy skills outside of formal schooling.

*Panahon na para tutukan natin ang mga pangangailangan ng mga kabataang Pilipino na nangangailangan ng tamang edukasyon sa ating lipunan. Isang malaking kapabayaan kung hindi natin pagtutuunan ng pansin ang milyon-milyong Pilipino na hindi nag-aaral. Ang panukalang batas na inihain ng inyong lingkod ay naglalayong mailapit sa kanila ang pagkakataon para magkaroon ng mas maganda at mas masaganang kinabukasan.*

As the chairman of the Senate Committee on Basic Education, Arts and Culture, I hope you will all join me in advocating for the swift passage and enactment of this bill into law.

At this juncture, Senator Zubiri informed the Body that Senator Pacquiao did not just finish high school but has recently received his college diploma from the University of Makati (UMak) because of ALS.

## COSPONSORSHIP SPEECHES

As manifested by Senator Zubiri, hereunder are the cosponsorship speeches of the following senators:

### *By Senator Recto*

First, I would like to thank the sponsor of this measure, and congratulate him for this latest addition to the growing "Win the Future" catalogue of laws he has authored.

The sheer number of people—nearly 7 million—who stands to benefit from this bill makes it a policy necessity.

And the massive good it will bring to individuals and to the nation as a whole makes passage a moral imperative.

Seven million of our countrymen aged between 15 and 30 did not finish basic education. Seven million is four times the population of the Cordilleras, and almost thrice the number of people in CARAGA.

They are those who, not by choice but by circumstance, have fallen off the school ladder.

To them, this bill makes this solemn vow: You will not be left behind.

Because in plain language, the preamble of this bill promises those who have dropped out of school that they are not forgotten.

If education is a war against illiteracy, then the ALS or Alternative Learning System is its search-and-rescue arm.

It finds those who have left school, and shepherds them into a program that will allow them to finish their studies.

And the latter is a game-changer for anyone who has achieved it.

It means, based on a World Bank study, earning P2,400 more per month.

But it yields benefits greater than a 30,000-peso bump in annual income

It allows a young man, whose pocket may be empty but whose head is not, a pathway to college, and, in fact, 7 in 10 of ALS students proceeded to enrol in one.

In a nation where a diploma is equated with intelligence, the ALS accreditation and equivalency system pierces the “diploma curtain” blocking the career advancement of people who are bright but sadly without credentials.

It allows a father who did not know how to read to finally reply to the text messages of his son.

It allows a mother who barely knew how to count to go to the market without fear that she will literally be shortchanged.

It erases the social stigma of being “no read, no write, and the intellectual handicap of being able to read but not understand.”

When numbers and words cease to be undecipherable doodles to the unlettered, and when the latter begins to know their meaning, it is as if they have stepped into the sunlight from a world of darkness.

This is the bill that could bring seven million of our countrymen to the light at end of the tunnel.

How?

By principally bringing education to where they are. If they can't go to school, then school will come to them.

And why not? If this is a nation where pizza can be home-delivered, and if appliances can be couriered to one's doorstep, then why not the most important commodity of them all —knowledge?

If we can shop online, then why can't we study online, too?

Under this bill, alternative learning can be done the following ways:

- Modular instruction.
- Online, digital or mobile learning.
- Face-to-face learning sessions and tutorials.

*Kasama din sa menu ang workshops, simulations, internship, training, and mentorship.*

And of course, radio or television-based instruction. *Pwedeng tele-skwela.* In fact, *kung may subject about financial literacy, ang title ng program ay pwedeng “Cash Lending On You.”*

Or it can be a blend of the above, a hybrid system that is customized for the needs of the learner and the community he lives in.

While learners will not be boxed in by the four walls of a classroom, it does not mean that there will be no need for a physical space ALS enrollees can go to.

On the contrary, this bill calls for the establishment of a national network of stand-alone ALS-Community Learning Centers or CLCs.

These will be complemented by rooms and facilities in public schools designated for ALS use.

The CLCs will be open seven days a week, *isang karinderya ng karunungan bukas buong linggo.*

And rooms in schools designated for ALS use shall be made available to learners and mentors during no-class days, and after-school hours.

Let me cite some of the important items in the raft of provisions needed to keep this program afloat.

For ALS students to learn, they need to have good teachers, and this bill seeks to create a corps of ALSO teachers properly trained and compensated.

Overseeing the program is a dedicated unit in DepEd, the Bureau of Alternative Education.

ALS will not only have a seat in the table, but a space in the budget as well.

Last year, ALS funding was tucked in an item that was 1/5<sup>th</sup> of 1 percent of DepEd's P501 billion appropriations. It shares one trait with the coronavirus: It is so small that it can only be seen through a microscope.

Hopefully, this bill creates a must-fund mandate. And Senator Win is right: It must not solely rely on the grace of government, but also on the generosity of citizens, so there is a provision there which makes contribution to ALS programs a tax-deductible expense.

As it is true in life, in love and in legislation, what is essential is invisible to eyes—and to the trolls.

In the scheme of things, this ALSO charter is as important as the ABS franchise.

That is why I thank the sponsor for championing a measure that, though registering low in the political sexiness index, one which would attract neither headlines nor the attention of the trolls, is one important measure that will bring immeasurable benefit to our *kapamilyas, kapuso* and *kapatids.*

*By Senator Revilla*

The learning ability of human is universal and perpetual – it is not confined by any territory; it does not choose any venue; it does

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not discriminate any race, ethnicity or belief, it does not stop on certain age. Similarly, man's need and yearning to learn goes beyond borders and time.

We, thereby seize this learning ability by sending our children to schools. At the helm of our mainstream education system are the formal schools where children regularly attend and where successful students graduate.

*Kaya lamang, meron pong mga myembro ng ating pamayanang na kulang o walang oportunidad na makapag-aral o makapag-tapos sa regular na paaralan dahil sa iba't-ibang kadahilanan. Kadalasan, may mga balakid sa mga mag-aaral, kasama na ang suliranin sa pamilya at kahirapan. Minsan naman, walang paaralan na malapit sa kanilang komunidad.*

*Hindi dapat ito maging hadlang o dahilan upang hindi sila makapag-aral. Nakasaad sa ating Saligang Batas na tungkulin ng ating pamahalaan na bigyan ng sapat at tamang edukasyon ang ating mga mamamayan.*

Thus, among others, the Alternative Learning System (ALS) was implemented in our country to address this concern. ALS, as defined under Republic Act No. 9155 or the "Governance of Basic Education Act of 2001" is "a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills."

It is being implemented for years now but remains in need of an effective system, appropriate structure, and sufficient resources that will allow it to fully serve its purpose.

*Ang panukalang batas na ito ay kaakibat sa landas na tinatahak ng Department of Education (DepEd). DepEd has recently carefully studied the state of ALS in our country and has initiated reforms to address its limitations and loopholes. They recommended the institutionalization of ALS, at ito po ang inilalatag ng panukalang batas na ito.*

This measure institutionalizes ALS and fortifies its implementation by reviving a permanent bureau under DepEd which shall now be called the Bureau of Alternative and Lifelong Education. With the revival of the Bureau, the implementation and monitoring of ALS in catering out-of-school youths, adults, and children in special extreme cases will be given focus and comprehensive direction anew.

This measure provides a holistic system that will provide adequate and equality support to

our learners from different parts of the country—from capacitating the mobile ALS teachers, promotion of curriculum responsive to the needs of our learners, and establishment of linkage of the learners to both higher education and the labor market. *Samakatuwid, hindi lang po edukasyon ang nais tugunan ng ALS Act kundi ang kabuuang kapakanan ng ating mga mag-aaral.*

According to DepEd, there are more than 800,000 enrollees of ALS in 2018. But there are more people who are needed to be captured by this program. The 2017 Annual Poverty Indicators Survey (APIS) says that there is approximately 3.6 million out-of-school children and youth (OSCY) in our country.

Both the current and the potential students will benefit from an enhanced ALS that will make them as competitive, productive and proactive members of our society as their counterparts in formal schools.

*Nagsisikap pa din po tayong makamit ang ating pangarap na makita ang lahat ng kabataan na pumapasok at matagumpay na nagtaptap sa pormal na paaralan. Subalit sa kasalukuyang kalagayan natin kung saan marami pang suliranin ang kailangan lutasin, marapat lamang na paigtingin ang mga programang tutugon sa ating mga mahalagang pangangailangan katulad ng ALS para sa edukasyon ng ating kabataan.*

The foundation of a strong nation is an educated people. Confident that this bill is an important instrument in achieving our pursuit for a strong nation, it is my honor to be a co-author and co-sponsor of Senate Bill No. 1365 under Committee Report No. 51.

#### *By Senator Binay*

I rise today to cosponsor Senate Bill No. 740 of the Alternative Learning System Act.

The numbers are a cause for worry. In 2015, the Philippine Statistics Authority reported that 24 million Filipinos are out-of-school youth. Yet, data from the Department of Education show that in 2018, only more than 800,000 youth were enrolled in the Alternative Learning System. *Itay patunay na napakarami nating kailangan gawin, mas malaki pa ang kailangan nating ilaan, para mas marami pa sa ating mga kababayan ang makinabang.*

This proposed legislation seeks to institutionalize the Alternative Learning System, recognizing its potential to reach Filipinos from marginalized sectors and help them fulfill their learning needs.

*Nilalayon din ng ALS Act na palawigin pa ang Flexible Education Program para mas marami sa ating mga kababayan ang makainabang.* We hope to expand the ALS so that adults, out-of-school youth (OSYS), persons deprived of liberty, members of cultural minorities, indigenous people, persons with disabilities (PWDs) and other marginalized sectors of society can all have access to education.

Our Constitution guarantees education as a fundamental right. As members of the legislature, it is our sacred duty to craft measures to ensure that our citizens get to enjoy the full benefits of such constitutional guarantees.

Those who need it most, education has the power to transform lives. Indeed, it is rightly called society's great equalizer. The ALS affords our citizens the chance to avail of this transformative element whatever the circumstances they face.

But we have to do more. We must make sure that our ALS is fully working. With the passage of this act, we guarantee that the ALS is fully equipped and capable to cater to the needs of our marginalized sectors. We ensure that the ALS does not exist in a vacuum, but is keenly aware of realities on the ground and able to adapt to an ever-changing environment. This measure is the closest guarantee we have that the learning imparted to those who avail of it will truly help them forge a better life for them and their families.

I hope that once again we will unite so that this meaningful legislation is enacted.

#### *By Senator Pacquiao*

I would like to manifest that I am one with the good sponsor, Senator Sherwin Gatchalian, together with Senator Nancy Binay and Senator Ramon Bong Revilla, Jr., in pushing for Senate Bill No. 1365 under Committee Report No. 51, "AN ACT INSTITUTIONALIZING THE ALTERNATIVE LEARNING SYSTEM IN BASIC EDUCATION FOR OUT-OF-SCHOOL YOUTH, ADULTS, AND CHILDREN IN SPECIAL EXTREME CASES AND APPROPRIATING FUNDS THEREFOR."

*Napakalaki po ang pasasalamat ko sa ALTERNATIVE LEARNING SYSTEM dahil nabigyan ako ng pagkakataon na makapag-aral.*

I completed my basic education through the ALS literacy program which enabled me to obtain a college degree.

I remember meeting the former DepEd Secretary Jesli Lapus in General Santos City many years ago. I asked him if I can earn a high school diploma. He immediately allowed me to take the Accreditation and Equivalency Test of the Bureau of Alternative Learning System. Because of their plan to make me an Ambassador of ALS, my paper was checked immediately. The test results my Accreditation and Equivalency Test was processed, analyzed and scored not by DepEd, but by the private research organization, the Center for Educational Measurement.

*Bugbugan ang test.*

It took me six hours to finish 250 multiple choice questions and it took me a couple of days to recover. *Mas madali pa yatang-i-knock-out ang mga kalaban ko sa ring. Pero siyempre napaka-satisfying ang feeling na makapagtapos ng pag-aaral, salamat sa Alternative Learning System.*

Let us work together to make the vision of bringing the ALTERNATIVE LEARNING SYSTEM to every barangay a reality.

Let us make education more accessible by reaching out to the youth and by unleashing their potentials.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1365**

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

#### **COMMITTEE REPORT NO. 12 ON SENATE BILL NO. 1086**

*(Continuation)*

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1086 (Committee Report No. 12), entitled

#### **AN ACT CREATING AND ESTABLISHING THE PHILIPPINE HIGH SCHOOL FOR SPORTS AND PROVIDING FUNDS THEREFOR.**

Senator Zubiri stated that the parliamentary status was the period of amendments.

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

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## MANIFESTATION OF SENATOR GATCHALIAN

Upon resumption, Senator Villanueva stated that the Body would be using the amended copy of Senate Bill No. 1086 as of February 18, 2020.

## TOLENTINO AMENDMENT

On page 2, line 19, as proposed by Senator Gatchalian, in behalf of Senator Tolentino, there being no objection, the Body approved the insertion of a new paragraph, to read as:

THE PHSS SHALL LIKEWISE ENSURE AN ALTERNATIVE AND EQUITABLE ADMISSION PROCESS TO ENHANCE THE ACCESS OF INDIGENOUS PEOPLES, PERSONS WITH DISSABILITIES, AND STUDENTS FROM OTHER MARGINALIZED GROUPS.

## SUSPENSION OF SESSION

Upon motion of Senator Gatchalian, the session was suspended.

*It was 6:02 p.m.*

## RESUMPTION OF SESSION

At 6:04 p.m., the session was resumed.

## GORDON AMENDMENT

As proposed by Senator Gordon and accepted by the Sponsor, there being no objection, the Body approved following the amendments, one after the other:

*Page 1*

- On line 7, after the word "shall," insert ESTABLISH A NATIONAL SPORTS PROGRAM;
- On the same line, after the word "programs," insert INTRAMURALS and add a comma (,) thereafter;

*Page 3A*

- On line 29c, after the word "SYSTEM," insert IN ACCORDANCE WITH A NATIONAL SPORTS PROGRAM;

*Page 4*

- On line 26, insert a new paragraph (I), to read as:

(I) TO RECRUIT THE BEST STUDENT ATHLETES FOR THE DIFFERENT REGIONS OF THE PHILIPPINES TO BE ENROLLED IN THE PHSS TO BETTER HONE THEIR SKILLS AND TALENTS; and

- Reletter the succeeding subsections accordingly.

Senator Gordon expressed his appreciation to Senator Gatchalian for facilitating all his amendments which were all meant to follow the goal of having a national sports program accompanying the Philippine high school.

Senator Gatchalian likewise thanked Senator Gordon for enhancing the bill and putting in the bill that a national program is indeed a necessary activity to make sure that everything is consistent with the national sports agenda.

## TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

## COAUTHORS

Senator Zubiri manifested that he and Senators Gordon, Hontiveros, Villanueva and Dela Rosa are coauthors of Senate Bill No. 1086.

## APPROVAL OF SENATE BILL NO. 1086 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1086 was approved on Second Reading.

## SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1086

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

## SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

*It was 6:11 p.m.*

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## **RESUMPTION OF SESSION**

At 6:19 p.m., the session was resumed.

### **COMMITTEE REPORT NO. 34 ON SENATE BILL NO. 1296**

*(Continuation)*

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1296 (Committee Report No. 34), entitled

**AN ACT ESTABLISHING THE PHILIPINE ENERGY RESEARCH AND POLICY INSTITUTE, DEFINING ITS OBJECTIVES, POWERS, AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.**

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

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

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

There being no further interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations and proceeded to the period of individual amendments.

## **GATCHALIAN AMENDMENTS**

As proposed by Senator Gatchalian, there being no objection, the Body approved the following amendments:

- On page 7, delete lines 18 to 28;
- On the same page, lines 30 and 31, delete the phrase “for the organizational and operational requirements of the institute”; and
- Still on the same page, line 32, replace the words and figure “one hundred million pesos (P100,000,000.00)” with TWO HUNDRED MILLION PESOS (P200,000,000.00).

## **COAUTHORS**

Upon request of Senator Zubiri, there being no objection, Senators Villanueva, Hontiveros, and Dela Rosa were made coauthors of Senate Bill No. 1296.

## **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

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

## **APPROVAL OF SENATE BILL NO. 1296 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1296 was approved on Second Reading.

## **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1296**

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

## **COAUTHORS**

Senator Zubiri manifested that he and Senators Drilon, Hontiveros, and Dela Rosa were coauthors of Senate Bill No. 1365 (Alternative Learning System bill).

## **SUSPENSION OF SESSION**

Upon motion of Senator Zubiri, the session was suspended.

*It was 6:26 p.m.*

## **RESUMPTION OF SESSION**

At 6:27 p.m., the session was resumed.

### **COMMITTEE REPORT NO. 9 ON SENATE BILL NO. 1083**

*(Continuation)*

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1083 (Committee Report No. 9), entitled

**AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9372, OTHERWISE KNOWN AS AN ACT TO SECURE THE STATE AND PROTECT OUR PEOPLE FROM TERRORISM.**

Senator Zubiri stated that the parliamentary status was still the period of individual amendments.

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

#### MANIFESTATION OF SENATOR ZUBIRI

At this juncture, Senator Zubiri noted that Senator Tolentino had already submitted his proposed amendments to Senator Lacson.

Relative thereto, Senator Lacson asked to close the period amendments as there was already an understanding which was relayed to the staff of the senators concerned, including Senator Tolentino, that their proposed amendments would just be taken up during the bicameral conference.

#### TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

#### APPROVAL OF SENATE BILL NO. 1083 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1083 was approved on Second Reading.

#### SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1083

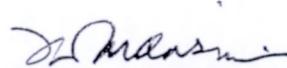
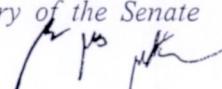
Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

#### ADJOURNMENT OF SESSION

Upon motion of Senator Zubiri, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Wednesday, February 26, 2020.

*It was 6:31 p.m.*

I hereby certify to the correctness of the foregoing.

  
ATTY. MYRA MARIE D. VILLARICA  
*Secretary of the Senate*  


Approved on February 26, 2020