

WEDNESDAY, MAY 29, 2002

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WEDNESDAY, MAY 29, 2002

RESUMPTION OF THE SESSION

At 4:03 p.m., the session was resumed with the Senate President, Hon. Franklin M. Drilon, presiding.

The President. The session is resumed.

Senator Leviste. Mr. President.

The President. The Majority Leader is recognized.

Senator Leviste. I move that we proceed to the Fourth Additional Reference of Business.

The President. Is there any objection? [Silence] There being none, the motion is approved.

The Secretary will read the Fourth Additional Reference of Business.

FOURTH ADDITIONAL REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Secretary.

May 22, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of

Representatives on May 21, 2002 elected Representatives Prospero A. Pichay Jr., Rolando G. Andaya Jr., Rodolfo B. Albano, Celso L. Lobregat, Rolex T. Suplico, Magtanggol T. Gunigundo I, Amado T. Espino Jr., Plaridel M. Abaya, Mark "MJ" Jimenez, Juan Miguel F. Zubiri, Jose G. Solis, Eduardo K. Veloso, Isidoro E. Real Jr., Teodoro L. Locsin Jr., Aleta C. Suarez, Carlos M. Padilla, Edgar M. Chatto and J.R. Nereus O. Acosta as conferees should the Senate ask for a conference upon approval of its counterpart version of House Bill No. 4579, entitled:

AN ACT INCREASING THE RATE OF
BASE PAY OF OFFICERS AND
ENLISTED PERSONNEL OF THE
ARMED FORCES OF THE
PHILIPPINES

which was earlier approved on May 14, 2002.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Rules

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 254, entitled:

''AN ACT PROVIDING FOR A SYSTEM OF DISPOSITION OF SEIZED/CONFISCATED ILLEGALLY CUT, GATHERED, REMOVED, AND POSSESSED LOGS, LUMBER, FLITCHES AND OTHER FOREST PRODUCTS, AND FOR OTHER PURPOSES''

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee on Environment and Natural Resources

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 597, entitled:

''AN ACT PROVIDING FOR A FAIR AND EQUITABLE TERMS FOR THE

RELEASE OF MEDICAL
PRACTITIONERS PROFESSIONAL
FEE WITHHELD BY HOSPITALS OR
MEDICAL CLINICS FOR FAILURE
OF THE PATIENT TO PAY
HOSPITAL BILLS AND
PENALIZING VIOLATIONS
THEREOF

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Health and Demography; and Ways and Means

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 779, entitled:

AN ACT GRANTING OTHER
PRIVILEGES AND INCENTIVES TO
PERSONS WITH DISABILITY,
AMENDING FOR THE PURPOSES
THE 'MAGNA CARTA FOR
DISABLED PERSONS'

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Social Justice, Welfare and Rural
Development; Constitutional Amendments,
Revision of Codes and Laws; and Ways and
Means

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 799, entitled:

“AN ACT PROHIBITING THE USE OF
THE WORDS ‘MUSLIM’ AND
‘CHRISTIAN’ OR ANY OTHER
WORD THAT WOULD DENOTE
RELIGIOUS, RACIAL, CULTURAL,
REGIONAL OR ETHNIC
AFFILIATION, IN PRINT AND
BROADCAST MEDIA TO DESCRIBE
ANY PERSON SUSPECTED OF OR
CONVICTED FOR HAVING
COMMITTED CRIMINAL OR
UNLAWFUL ACT AND PROVIDING
PENALTIES FOR VIOLATIONS
THEREOF”

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Public Information and Mass Media

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 1459, entitled:

AN ACT PROHIBITING CERTAIN
LOCAL OFFICIALS TO FILL THE
VACANCY IN THE OFFICES OF
THE GOVERNOR OR MAYOR AND
VICE GOVERNOR OR VICE MAYOR,
AMENDING FOR THE PURPOSE
SECTIONS 44 AND 46 OF
REPUBLIC ACT NO. 7160,
OTHERWISE KNOWN AS THE LOCAL
GOVERNMENT CODE OF 1991

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Local Government; and Constitutional
Amendments, Revision of Codes and Laws

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 2480, entitled:

AN ACT CLARIFYING THE COVERAGE
OF REPUBLIC ACT NO. 7837,
OTHERWISE KNOWN AS AN ACT
GRANTING PERMANENT RESIDENT
STATUS, OTHER RIGHTS, AND
PRIVILEGES TO FILIPINO
VETERANS OF WORLD WAR II WHO
ACQUIRED AMERICAN
CITIZENSHIP UNDER THE UNITED
STATES IMMIGRATION ACT OF
1990 AND ANY OTHER PRIOR
ACTS FOR THESE PURPOSES

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Justice; and Human Rights; and National
Defense and Security

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 2722, entitled:

AN ACT AMENDING REPUBLIC ACT
NO. 9045 WHICH CREATES THE
BATANGAS STATE UNIVERSITY
(BSC) BY EXCLUDING FROM ITS
COVERAGE THE POLYTECHNIC
UNIVERSITY OF THE
PHILIPPINES (PUP) CAMPUS IN
STO. TOMAS, BATANGAS

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Education, Arts and Culture

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 4066, entitled:

AN ACT GRANTING THE DIGITEL
CROSSINGS, INC. A FRANCHISE
TO CONSTRUCT, INSTALL,
ESTABLISH, OPERATE AND
MAINTAIN TELECOMMUNICATIONS
SYSTEMS THROUGHOUT THE
PHILIPPINES

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Public Services

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center

Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 4467, entitled:

AN ACT RENAMING THE DEPARTMENT
OF AGRICULTURE AS THE
DEPARTMENT OF AGRICULTURE
AND FISHERIES

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Agriculture and Food

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 4468, entitled:

AN ACT PROVIDING FOR THE
PROMOTION OF BIO-ORGANIC
FARMING IN THE PHILIPPINES

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Agriculture and Food; and Finance

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 4480, entitled:

AN ACT EXEMPTING FROM
DOCUMENTARY STAMP TAX THE
BORROWING AND LENDING OF
SECURITIES UNDER THE AUSPICES
OF THE EXCHANGE, AS
AUTHORIZED BY THE SECURITIES
AND EXCHANGE COMMISSION,
AMENDING FOR THE PURPOSE
SECTION 180 OF THE NATIONAL
INTERNAL REVENUE CODE OF
1997, AS AMENDED

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Ways and Means; and Constitutional
Amendments, Revision of Codes and Laws

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 4481, entitled:

AN ACT EXPANDING THE COVERAGE
OF A CERTIFICATE OF DEPOSIT
SUBJECT TO DOCUMENTARY STAMP
TAX, AMENDING FOR THE PURPOSE
SECTION 180 OF THE NATIONAL
INTERNAL REVENUE CODE OF
1997, AS AMENDED

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Ways and Means; and Constitutional
Amendments, Revision of Codes and Laws

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 4534, entitled:

AN ACT AMENDING REPUBLIC ACT
NUMBERED 6768, ENTITLED, AN
ACT INSTITUTING A *BALIKBAYAN*
PROGRAM

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees
on Tourism; and Ways and Means

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center

Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the House of Representatives passed House Bill No. 4538, entitled:

“AN ACT PROVIDING FOR THE LEGITIMATION OF CHILDREN BORN TO PARENTS BELOW MARRYING AGE, AMENDING FOR THE PURPOSE THE FAMILY CODE OF THE PHILIPPINES, AS AMENDED”

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Constitutional Amendments, Revision of Codes and Laws; and Youth, Women and Family Relations

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that on even date the

House of Representatives passed House
Bill No. 4594, entitled:

AN ACT PROVIDING FOR OPTIMUM
PERFORMANCE IN REVENUE
COLLECTION THROUGH THE GRANT
OF SPECIAL INCENTIVES AND
REWARDS FOR EXEMPLARY SERVICE
AND THROUGH LATERAL ATTRITION
IN REVENUE-GENERATING
AGENCIES OF GOVERNMENT AND
FOR OTHER PURPOSES.

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Ways and Means

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed House
Bill No. 4624, entitled:

AN ACT EXPANDING THE DEFINITION
OF PIRACY AND INCREASING THE
PENALTY FOR QUALIFIED PIRACY,
AMENDING FOR THE PURPOSE

ARTICLES 122 AND 123 OF THE
REVISED PENAL CODE''

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee
on Constitutional Amendments, Revision of
Codes and Laws

The Secretary.

May 23, 2002

The Honorable
FRANKLIN M. DRILON
President of the Senate
GSIS Bldg., Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform
the Senate that on even date the
House of Representatives passed Joint
Resolution No. 11, entitled:

''JOINT RESOLUTION CALLING FOR
THE CONVENING OF BARANGAY
ASSEMBLIES NATIONWIDE TO HEAR
AND DISCUSS MATTERS
PERTAINING TO PROPOSALS TO
AMEND THE CONSTITUTION OF THE
PHILIPPINES''

to which it requests the concurrence
of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Constitutional Amendments, Revision of Codes and Laws; and Local Government

Senator Leviste. Mr. President.

The President. The Majority Leader is recognized.

MOTION OF SENATOR LEVISTE
(Transfer of Referral of S. No. 2032
from the Rules Committee to the
Education, Arts and Culture Committee)

Senator Leviste. Mr. President, I move that Senate Bill No. 2032 be transferred from the Committee on Rules to the Committee on Education, Arts and Culture with the transmittal of House No. 2722 to the Senate.

The President. Is there any objection?
[Silence] There being none, the motion is approved.

MOTION OF SENATOR LEVISTE
(Transfer of Referral of S. No. 1896
from the Rules Committee to the
Education, Arts and Culture
Committee)

Senator Leviste. I also move that Senate Bill No. 1896 be transferred from the Committee on Rules to the Committee on Education, Arts and Culture.

The President. Is there any objection?
[Silence] There being none, the motion is approved.

CONFERENCE COMMITTEE REPORT
ON S. NO. 2086/H. NO. 4579
(Increasing the Base Pay of AFP
Officers and Enlisted Personnel)

Senator Leviste. Mr. President, we are in receipt of the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 2086 and House Bill No. 4579 on the increase of the base pay of AFP officers and enlisted personnel.

I ask that the sponsor, Sen. Ramon B. Magsaysay Jr., be recognized.

The President. Sen. Ramon B. Magsaysay Jr. is recognized to render the report.

REPORT OF SENATOR MAGSAYSAY

Senator Magsaysay. Thank you, Mr. President.

We met last night. We started the bicameral conference at about 7:30 and completed everything within one-and-a-half hour at 9:00 p.m.

Mr. President, the Conference Committee on the disagreeing provisions of Senate Bill No. 2086 and House Bill No. 4579, after having met and fully discussed the subject matter in a conference, hereby report to their respective Houses the following, that:

1. The conferees agreed to adopt the title of the Senate version as the title of the reconciled version;

2. Section 1 (Statement of Policy) of the House version was adopted as Section 1 of the reconciled version;

3. Section 2 (Pay Schedule) as provided in both the Senate and House versions was adopted as Section 2 of the reconciled

version with the following modifications:

a. The first paragraph of the Senate version was made the first paragraph of the reconciled version but with the amendment that a candidate soldier would instead be given a salary equivalent to Salary Grade 7.

Our Senate version was that of Salary Grade 3, while the House version was Salary Grade 10. We reconsidered everything and with the very detailed and very thorough explanation of Sen. Rodolfo Biazon, we both agreed on Salary Grade 7 for the candidate soldier.

a) The last paragraph of the House version was made the last paragraph of the reconciled version.

4. Section 3 (Merit System) of the Senate version was adopted as Section 3 of the reconciled version, because the House version did not have any such provision.

5. Section 4 (Housing Assistance Program) of the Senate version was adopted as Section 4 of the reconciled version. This is because the House version does not have the counterpart.

6. Section 3 (Appropriation) of the House version was adopted as Section 5 of the reconciled version but with the modification that:

(a) The first sentence of Section 5 (Appropriation) of the Senate version was made the first sentence of the reconciled version.

7. Section 6 (Annual Report) of the Senate version was adopted as Section 6 of the reconciled version. I do not think that the House has a version of this.

8. Section 4 (Implementation) of the House version was adopted as Section 7 of the reconciled version. If the Chair remembers, we were limiting it within three years. However, in the House version, they were very adamant that since they started the appropriation process, this can be implemented fully within 24 months. So, Senator Biazon and I have very little recourse and adopted the House version.

9. Section 5 (Implementing Guidelines) of the House version was adopted as Section 8 of the reconciled version.

10. The provisions in the repealing clause of both the Senate and the House versions, Sections 9 and 6, respectively, are the same and these were adopted as Section 9 of the reconciled version; and,

11. Section 10 (Effectivity) of the Senate version was adopted as Section 10 of the reconciled version.

In case of a conflict between the statements or amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall be deemed prevailing.

Thank you very much, Mr. President.

APPROVAL OF CONFERENCE COMMITTEE REPORT ON
S. NO. 2086/H. NO. 4579

Senator Leviste. Mr. President, I move that we approve the Bicameral Conference Committee Report.

The President. Is there any objection? [Silence] There being none, the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 2086 and House Bill No. 4579 is hereby approved.

The following is the whole text of the Conference Committee Report:

[Insert]

BILL ON SECOND READING

S. No. 2104--The Absentee Voting Act of 2002

(Continuation)

Senator Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 2104 as reported out under Committee Report No. 39.

The President. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2104 is now in order.

Senator Leviste. Mr. President, we are still in the period of interpellations. I ask that Sen. Edgardo J. Angara, the sponsor of the measure, and Sen. Noli de Castro be recognized.

The President. Sen. Edgardo J. Angara, the sponsor, and Sen. Noli de Castro are recognized.

Senator De Castro. Thank you, Mr. President. Will the brilliant and diligent

legislator from Region III or Region IV yield for some clarificatory questions?

Senator Angara. Mr. President, when one is described like that, how can he refuse? But, of course, we denounce this separation of Aurora from the region of *Kabayan* and myself because now we are almost stateless. They want us to belong to Region III against our will.

Senator De Castro. Babalikan natin iyan, G. Presidente.

G. Presidente, alam po ninyo na marami ang nangangamba tungkol dito sa Absentee Voting Bill, bagaman napakaganda nito. Kanina lamang ay bisita ko iyong mga kamag-anak ko mula sa Seattle, Washington--they are here on vacation--at itinanong nila sa akin kung ano na ang nangyari roon sa ating Absentee Voting Bill at Dual Citizenship Bill. Ang sabi ko ay pinag-uusapan pa sa Floor at sila ay nananabik kung ano na ang magiging resulta ng Absentee Voting Bill at ng Dual Citizenship Bill.

Ang unang magiging reaksiyon ng isa nating kababayan ay tungkol sa dayaan na siyang pangunahin nating problema. Kung tuwing eleksiyon ay nagkakaroon ng dayaan sa loob ng Pilipinas, lalo na raw siguro kung sa labas ng ating bansa gaganapin ang eleksiyon na hindi natin lubusang masusubaybayan kung saka-sakaling makapasa ang Absentee Voting Bill.

May I know from the good sponsor kung ano ang garantiya o safeguards against fraud or tampering with the result of the elections na nakalagay dito sa ating proposed law?

Senator Angara. Marami pong salamat, G. Pangulo.

G. Presidente, ang aming konklusyon sa komite ay maaaring ang eleksiyon outside of the Philippines will be cleaner and more peaceful and orderly than the elections here in the country. Bakit po?

Unang-una, itong eleksiyon sa ibang bansa, under the Absentee Voting Bill, can be made either personally by the voter going to the embassy or consulate voting personally, but can also be done through the mail. Ngayon, marahil ay hindi natin puwedeng pagkatiwalaan ng mail dito sa Pilipinas dahil may mga nagbubukas ng mail dito. Pero doon sa mga lugar na ang ating mga kababayan ay naninirahan ngayon, katulad ng America, Canada, Australia, Japan, Hong Kong, kahit po sa Saudi Arabia, iyang mail ay parang sacred system. Pag tinamper mo iyan, federal offense iyan. Kaya ito ang isang dahilan kung bakit kami ay naniniwala na ang eleksiyon sa labas ng bansa ay magiging mas malinis kaysa eleksiyon dito sa Pilipinas.

Pangalawa, G. Presidente, ang paraan lamang upang dumumi ang eleksiyon sa labas ay kung iyong mga embassy official or consular official ay talagang mandaraya.

Ang katanungang ito ay itinanong na namin sa kanila. The biggest fear among us back home is that, some diplomatic officials may connive with some politicians to tamper with the result of the election here. Ang sabi po noong mga kababayan natin, "Hindi mangyayari iyan." At ang sabi ng mga diplomatic service natin, "Hindi mangyayari iyan. We also have our sense of pride in our career." At sila ay magiging deputies ng Comelec, kaya hindi sila mananagot sa kanilang Secretary of Foreign Affairs. They are answerable to the Comelec.

Senator De Castro. Kaya, G. Presidente, ano po ang magiging laman noong sobrang ipadadala sa embassy natin kung sakali?

Senator Angara. Iyon pong balota.

Senator De Castro. Balota.

Senator Angara. Filled ballot.

Ngayon, ano naman ang safeguard natin na iyong balotang iyon ay genuine at nanggaling doon sa botante? First of all, there will be security marks. Second, of course, that is numbered consecutively, at ito po ay ipadadala sa kanila well in advance para naman maipadala nila sa kani-kanilang embahada o consular offices na malapit sa kanila.

Senator De Castro. Mr. President, thank you for that.

Under Section 4 of the proposed law, the Comelec shall provide a special mechanism for the time and manner of registration as well as voting of seafarers and Filipinos abroad. Iyon pong walang fixed or permanent residence on or about the time of election.

Senator Angara. That is correct, Mr. President. We have about over 200,000 seafarers and many of them possibly could be on the high seas on the day of the election.

So how do we allow them to vote? Of course, they can vote by mail. But there are seafarers who remain on the high seas for as long as two to three months. That is why we authorized the Comelec to come up with such mechanism that will allow them to cast their vote.

Senator Magsaysay, in fact, suggested-- and he will help provide the amendment--that they can even be allowed to vote through e-mail, e-vote--electronic voting.

Senator De Castro. So if we will allow the seafarers to vote sa pamamagitan ng electronic voting or e-vote, why not allow other Filipinos na nasa abroad din to vote through e-vote or through electronic voting?

Senator Angara. Kasi po iyong sistema ng electronic voting which can be already utilized is not yet perfect. But because of the uniqueness and the peculiarity of a seafarer's work, we thought that we can--even if it is still in an experimental stage--already utilize it for them. And once the security of the communication and the certainty of the identity of the sender has been perfected, then we can let the e-voting apply to land-based voters, Mr. President.

Senator De Castro. Sa atin pong panukalang batas, G. Presidente, magpo-provide ba tayo ng mechanism para sa manner of registration and voting of seafarers and overseas Filipinos na walang fixed or permanent address?

Senator Angara. Iyan nga po ang isang authority na ibinibigay natin sa Comelec. Ito ang mag-iisip at kukunsulta sa mga dalubhasa kung paano sila makapagregister at kung paano sila boboto.

Senator De Castro. Bakit hindi po natin isama sa batas? Bakit kinakailangang i-delegate natin sa Comelec ang authority para mag-provide ng mechanism?

Senator Angara. That is a good idea, Mr. President, and I think we can say that they are authorized to employ e-voting and such other modern devices or mechanisms that will ensure full participation of the seafarers. Something like that.

Senator De Castro. Thank you, Mr. President.

Mandatory po ba ang dates natin when the application for certification as absentee voters should be received by the Commission not later than 210 days and the application to vote should be received by the Commission not later than 180 days, Mr. President? Because the application to vote should be with the Commission 180 days before the date of the May 2004 election, for example, and it should be acted upon by the Commission not later than 150 days before the date of the election.

Kakayanin kaya, G. Pangulo, ng Komisyon sa loob ng 30 days, taking into consideration na koreo pa ang pagdaraan nito? Mayroon pang motion for reconsideration, hindi po ba?

Senator Angara. Opo. These deadlines, Mr. President, were suggested to us by the Comelec on the assumption that these periods would be sufficient to fulfill those particular functions. To me, these are indicative periods. We accept the word of the Comelec that this is sufficient for its purpose. But if the distinguished gentleman has a suggestion, we will consider another period.

Senator De Castro. During the period of amendments?

Senator Angara. That is correct.

Senator De Castro. Wala po bang kinalaman ang ating postal corporation sa pagpapadala nitong mga boto through mail?

Senator Angara. Wala po. Dahil napagkasunduan na iyong boto, halimbawa, ng mga OFW sa Hong Kong ay bibilangin at ica-cavass na sa Hong Kong. So the votes will be cast and canvassed on-site. Ngayon, ano po ang ire-report sa--

Senator De Castro. Ano ang darating sa atin?

Senator Angara. --Maynila? Iyon pong certificate of returns. Samakatwid, even somebody is....

Senator De Castro. By mail pa rin po ba ang certificate of returns? Because by that time, dadaan na ito sa ating postal service.

Senator Angara. Opo, maaaring by mail. We do not want to exclude the mail, but most likely it would be through the diplomatic pouch. Iyon po ang procedure diyan.

Senator De Castro. Under Section 11.3, the transmittal or distribution of ballots shall be accomplished personally or by mail by the Commission sa pamamagitan ng ating embassies at consulates ng Department of Foreign Affairs. Ang pagkakaalam ko po, limitado ang tauhan o personnel ng ating mga embahada at konsulada. Hindi kaya magiging overburdened ang mga empleyado dito sa ating embahada at konsulada?

Like, for example, in Saudi Arabia, according to reports, there are about 900,000 OFWs, and according to the officials of the Department of Foreign Affairs, they only have 86 personnel in our Embassy in Saudi Arabia. Kaya nangangahulugan na ang ratio nito is about one personnel of the DFA to every 10,465 OFWs?

Senator Angara. Iyon pong sa Saudi Arabia, talagang unusual ang concentration ng mga Filipino roon. As the distinguished gentleman said, almost a million Filipinos are in Saudi Arabia, and I do not think there are enough embassy people, personnel. Kaya nga sa ating panukalang-batas, binibigyan natin ng poder ang Comelec to deputize other Philippine public officials in Saudi Arabia.

Senator De Castro. Like the officials of OWWA or POEA?

Senator Angara. Opo, at saka iyong Department of Labor and Employment. At saka mayroon po tayong mga public school teacher na nagtuturo sa Saudi Arabia na tinuturuan iyong mga anak ng ating mga overseas worker.

Iyon pong mga public official can be deputized by the Comelec to assist in the registration and assist, too, in the election proper.

Ang napansin namin diyan sa lahat ng lugar na iyan, napakalakas po ng mga organisasyon ng mga Filipino, lalo na iyong mga nongovernmental. At sila, without exception, ay napakataas ng kanilang sense of volunteerism kung kaya sila ay puwedeng ma-accredit ng Comelec to act as watchdogs during the election.

Mayroon pong mga Filipino abroad who can be tapped to assist in the electoral exercise and not confined only to embassy officials.

Senator De Castro. Maisingit ko lamang, G. Presidente. Sa Sabah, Malaysia, ang mga Filipino doon kung minsan ay tumitigil ng one week or a day at babalik na naman uli sa Filipinas. Papaano ang magiging botohan natin, for example, in Sabah, Malaysia?

Senator Angara. Sa palagay ko po, iyong mga transient trader between Sulu, Tawi-Tawi and Sabah, Malaysia ay maaaring hindi mag-qualify sa absentee voting dahil itong absentee voting assumes na iyong ating mga kababayan ay residing permanently in a place outside the Philippines. Pero transient sila--mga trader iyan.

Pero malaki rin ang Filipino community sa Sabah, Malaysia. If I am not mistaken, humigit-kumulang 600,000. Kailangan siguro

talagang ayusin natin ang registration procedure. But we leave the details to the Comelec, Mr. President.

I think one important thing that we must remember in discussing and thinking about this absentee voting, Mr. President, is that we cannot hope to answer and anticipate every single problem right now.

In a sense, this is an experimental project and we will be able to perfect the system as we go along. But I think there is no argument not to pass or to delay passing this bill simply because there may be problems that we cannot anticipate now and provide a solution.

Kahit na ho siguro hindi natin mairehistro iyong lahat ng 600,000 as long as we set up the mechanism for their registration and voting participation; I think we would have already done justice to them.

Senator De Castro. How about iyong mga TNT na tinatawag natin o iyong mga tago-ng-tagong mga Pilipino abroad? Ito ho ba ay maisasama o hindi?

Senator Angara. Maisasama ho sila sapagkat ang pilosopiya ng batas na ito ay, basta siya ay Pilipino, then we give him the opportunity to vote.

Senator De Castro. Kaya maisasama sila sa mga NPA or no permanent address?

Senator Angara. Maisasama ho sila sa registry of absentee voters.

Ngayon, iyong tago-ng-tago, that is a matter between them and their host country. Hindi na ho tayo makikialam diyan. Basta ang isang tao ay Pilipino at maaaring walang residence permit sa Amerika, wala na kaming

pakialam doon. Hindi na namin pakikialaman iyon. Ang importante ay bigyan natin sila ng pagkakataong bumoto and it is up to them whether to take advantage of that opportunity or not.

Senator De Castro. G. Pangulo, mayroon po bang probisyon sa inyong panukalang-batas that provides for voting instructions to be printed sa absentee ballots para naman sa guidance ng ating mga absentee voter?

Senator Angara. Wala ho. Magandang suggestion iyan. Siguro in one of the sections, the gentleman ought to provide for an information manual or pamphlet on how to accomplish the absentee voting ballot.

Senator De Castro. Thank you, Mr. President.

Ano ho ba itong ballot na ipadadala sa ating mga embassy or consulate--ito ba ay free postage? How about those ballots that will be sent by the voters by mail?

Senator Angara. Prepaid na ho ito.

Senator De Castro. So, this is a special ballot.

Senator Angara. This is a security paper, properly numbered with proper security marks.

Senator De Castro. Mayroong special envelope. Kasi under Section 135, it provides that there shall be a special envelope to be furnished the voter. Ano ho ba itong "special envelope" na ito?

Senator Angara. Iyong envelope na made of security paper na hindi madaling ipeke at mayroong security marks na i-scan lamang ng machine ay alam na nating genuine iyon. Iyon ang mga security features ng envelope.

Senator De Castro. And then may mga nakasulat ho ba riyon, halimbawa, "official election ballot" or something like that?

Senator Angara. Hindi ko alam kung dapat nating lagyan ng description ballot dahil baka naman pag may description iyon, may magka-interes doon sa sobrang iyan. Again, we leave that to the Comelec, Mr. President, to ensure that the ballot in that envelope will be safeguarded.

Senator De Castro. Mr. President, provided din po under Section 137 na ang Comelec shall constitute a special ballot reception and custody group whose task is to receive and handle mail or personally filed ballots. Anu-ano ang komposisyon ng grupong ito? Ilan ang miyembro at ano ang employment status ng members ng grupo? Full-time ba sila or sa duration lamang ng eleksiyon?

Senator Angara. Sa duration lamang ito ng eleksiyon. Kung ilan ang dapat na members ng grupong ito, we leave that entirely to the Comelec, Mr. President, because we do not want to be rigid in this regard.

Senator De Castro. Mr. President, after the special ballot reception and custody group has received the ballot, sino ang magpre-prepare ng transmittal document to the Special Board of Election Inspectors?

Senator Angara. Iyon hong Comelec official assigned to that site or to that venue.

Senator De Castro. All right. Iyong system kasi ng ating absentee voting, Mr. President, under the proposed bill--siyempre bago ito sa Filipinos overseas and to our Comelec officials--sa tingin ba ninyo ay kailangang ma-orient natin ang ating mga kakabayan tungkol dito and therefore, our Comelec officials na mag-o-orient dito will

have to travel to foreign countries para mag-conduct ng seminars at orientation meetings? Mayroon bang allotted budget para rito?

Senator Angara. Noong humingi kami ng proforma budget--that means parang projected budget--kasama na ho iyang training and orientation...

Senator De Castro. ...of Filipinos abroad?

Senator Angara. Oho at saka kung ilan ang Comelec officials or employees coming from Manila who will be sent out to the field during the election.

Senator De Castro. Pero marami ho ito sapagkat hindi lamang ilang bansa ang mayroong mga Filipino.

Senator Angara. Medyo marami nga ho. Kaya nga ang sabi namin sa ating mga kaibigan sa Comelec ay baka naman pag eleksiyon na, lahat ng mga opisyal natin ay nasa labas ng bansa at wala nang natira rito sa Filipinas. Hindi raw naman and they will employ their people judiciously.

Senator De Castro. All right. In case of election-related cases, G. Pangulo, sa ating mga volunteer abroad--dahil may mga volunteer tayong magtatrabaho din--sino ang magpro-provide ng legal assistance sa kanila, kung sakali?

Senator Angara. Ang Comelec po. Mabuti at naitanong ninyo iyan sapagkat isa iyan sa mga tanong during the consultation. Ang sabi nila, "Kung kami ay ihabla, sino ang tutulong sa amin?"

Ang sabi namin, "Sa Filipinas ay nagbibigay ng assistance ang Comelec." Siguro, the same assistance can be extended here.

Senator De Castro. Again, we need a budget for that. Do we have enough lawyers para magbigay ng legal assistance sa mga volunteer, kung saka-sakali?

Senator Angara. Hindi ko masabi kung sila ay mayroong sapat na bilang ng mga abugado. Pero sa palagay ko, ang incidence of disputes abroad will be less than the number of disputes we usually encounter in this country.

Senator De Castro. I would like to thank the gentleman for that, Mr. President.

Halimbawa, G. Pangulo, sa Japan ay mayroon tayong humigit-kumulang 60,000 OFWs at karamihan dito ay nagtatrabaho bilang entertainers at artists na mayroong kontrata para sa anim na buwan lamang.

Senator Angara. Hindi lamang 60,000. If I recall right, Mr. President, mayroong 140,000 pero ang sabi sa amin ni Ambassador Siazon ay understated pa iyon dahil mayroong 30,000 mga Filipino na napangasawa ng mga Hapon in far-flung rural areas. More or less, ang sabi niya, ay 170,000 Filipinos.

Senator De Castro. Hindi pa kasama roon iyong mga TNT?

Senator Angara. Hindi pa, G. Pangulo. It is just the official number.

Senator De Castro. Itong mga legal na nagtatrabaho sa Japan ay mayroong six months na kontrata.

Senator Angara. Opo, G. Pangulo.

Senator De Castro. Of course, renewable at the pleasure of their employers. Since the registration of the absentee voters ay isasagawa several months before the election

day, ang mangyayari po ay mahirap na i-determine who among the OFWs will be outside the country.

Faano natin iti-treat sa bill ninyo ang ganiyang kaso ng mga OFWs sa Japan?

Senator Angara. Ang senaryo po rito, pagkatapos ng anim na buwan ay babalik sila sa Pilipinas. Ang suhestiyon natin sa kanila ay magpatala na sila roon sa bayan nila.

Senator De Castro. Before?

Senator Angara. Before going back to Japan. After coming back from Japan ay mag-register na sila. Pagkatapos, ang kanilang registration will go to the Registry of Absentee Voters.

Senator De Castro. Dito sa Comelec natin dito?

Senator Angara. Opo, dito. Gagawa tayo ng separate na registry of absentee voters. Kailangang hilingin nila na sila ay maging kuwalipikado na absentee voters para pag naipadala uli sila sa Japan at after an interval ay na-reemploy sila, puwede silang bumoto sa Japan.

Kaya, medyo simple ang pamamaraan. Sabihan lamang nila sa Comelec na sila ay interesadong maisama sa registry of absentee voters.

Senator De Castro. I would like to thank the gentleman for that, Mr. President. That is all. I would like to thank the good sponsor of the bill from Aurora and Quezon of Region IV.

Senator Angara. Maraming salamat po, G. Pangulo. Sa palagay ko, ang makikinabang sa Absentee Voting Bill na ito ay si Kabayang Noli sa eleksiyon sa 2004.

Senator De Castro. Matagal-tagal pa ho dahil anim na taon ang ating termino.

Thank you very much, Mr. President.

Senator Angara. Salamat po.

Senator Leviste. Mr. President.

The President. The Majority Leader is recognized.

Senator Leviste. I move that we suspend the period of interpellations on Senate Bill No. 2104.

The President. Is there any objection?
[Silence] There being none, the motion is approved.

SUSPENSION OF CONSIDERATION OF S. NO. 2104

Senator Leviste. I move that we suspend consideration of Senate Bill No. 2104.

The President. Is there any objection?
[Silence] There being none, the motion is approved.

MANIFESTATION OF SENATOR LEVISTE

(Referral of S. No. 1896 to Public Services Committee Instead of Education, Arts and Culture Committee)

Senator Leviste. I would just like to correct, Mr. President, the transfer from the Committee on Rules to the Committee on Public Services. I am referring to Senate Bill No. 1896. I think I mentioned the Committee on Education, Culture and Sports. That should be referred to the Committee on Public Services.

The President. All right. The referral is accordingly changed.

Senator Leviste. I move that we resume consideration of Senate Bill No. 2130.

The President. Is there no more interpellation on the Absentee Voting Bill?

Senator Leviste. I think I moved for the suspension of its consideration.

The President. Because Senator Angara has not yet taken his seat. *[Laughter]*

Senator Leviste. I would like to thank the sponsor.

Senator Angara. Because I was expecting the Majority Leader to move now to approve the bill. *[Laughter]*

Senator Leviste. I wish I could, Mr. President. However, if the good sponsor would want to know those who have still pending interpellations--Senators Arroyo, Pangilinan, Villar and the Senate President.

Therefore, inasmuch as I would like to accede to the request of the kind sponsor, the Majority Leader cannot do so.

Senator Angara. Yes. Thank you, Majority Leader.

Mr. President, I stayed in the podium because I want to make a manifestation about the Chain Saw Act. *[Laughter]*

Last time I was--

The President. Should we now put on the Floor the Chain Saw Act?

Senator Angara. No, Mr. President, I just want to make a manifestation because I made a reservation to introduce an amendment. I am

withdrawing that reservation. I have no more interpellation and I have no more amendment.

Senator Leviste. Mr. President, with regard to the withdrawal of the amendment of Senator Angara, I think we will go to the Chain Saw Act later on in the agenda.

The President. All right.

Senator Leviste. May I just request that he make the...

The President. Anyway, the manifestation is...

Senator Leviste. The manifestation has been made. We will take that into consideration later on.

SPECIAL ORDER

Mr. President, I now move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 46 on Senate Bill No. 2130, entitled

AN ACT PROVIDING FOR THE RETENTION OF CITIZENSHIP BY PHILIPPINE CITIZENS WHO ACQUIRE FOREIGN CITIZENSHIP, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 63, AS AMENDED, AND FOR OTHER PURPOSES

The President. Is there any objection? [Silence] There being none, the motion is approved.

BILL ON SECOND READING
S. No. 2130--Dual Citizenship Act

Senator Leviste. Mr. President, I move that we consider Committee Report No. 46 on Senate Bill No. 2130.

The President. Is there any objection? [Silence] There being none, the motion is approved.

Consideration of Senate Bill No. 2130 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 2130, entitled

AN ACT PROVIDING FOR THE RETENTION OF
CITIZENSHIP BY PHILIPPINE CITIZENS
WHO ACQUIRE FOREIGN CITIZENSHIP,
AMENDING FOR THE PURPOSE
COMMONWEALTH ACT NO. 63, AS
AMENDED, AND FOR OTHER PURPOSES

The following is the whole text of the bill:

Senate Bill No. 2130

(Insert)

Senator Leviste. I ask that that we recognize the sponsor, Sen. Francis N. Pangilinan.

The President. To sponsor the measure on the Floor, Sen. Francis N. Pangilinan is recognized.

Senator Pangilinan. Thank you, Mr. President.

May we know if the Body would be amenable, would accept or agree for us to put up the audio visual equipment.

The President. All right. Is there any objection to the putting up of the audio visual equipment to aid the gentleman's sponsorship speech? [Silence] There being none, it is so granted.

SUSPENSION OF SESSION

The Chair declares a one-minute suspension of the session, if there is no objection. [There was none.]

It was 4:46 p.m.

RESUMPTION OF SESSION

At 4:48 p.m., the session was resumed, with the Hon. Juan M. Flavier, presiding.

The Presiding Officer [Sen. Flavier]. The session is resumed.

The Majority Leader is recognized.

SPONSORSHIP SPEECH OF SENATOR PANGILINAN

Senator Pangilinan. Mr. President, I rise today to sponsor for this Chamber's consideration Senate Bill No. 2130, a consolidated version of Senate Bill Nos. 1354, 1340, 903, 100 and 64, entitled "AN ACT PROVIDING FOR THE RETENTION OF CITIZENSHIP BY PHILIPPINE CITIZENS WHO ACQUIRE FOREIGN CITIZENSHIP, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 63, AS AMENDED, AND FOR OTHER PURPOSES".

The sponsors, Mr. President, of this particular measure are Senators Angara, Flavier, Pimentel Jr., Barbers, Legarda Leviste, Drilon, Revilla, De Castro and

myself. This is under Committee Report No. 46.

Mr. President, it was Aristotle, the great Greek political thinker who, in the Third Century B.C., first defined the concept of citizenship. For Aristotle, citizenship was defined as "membership in a political community, as well as active participation in the administration of justice and the conduct of public affairs." This was how the Greeks, the forerunners of modern day political systems, operationalized citizenship. Active participation and involvement defined citizenship.

During the feudal and medieval era, citizenship was not understood as membership in a political community as Aristotle would have it but, rather, as a subject's relation with his sovereign rulers. The subjects, therefore, were deemed as properties of the ruler, pledging services to their supposed "superiors," and getting state protection from them.

Over time, however, the concept of citizenship, and by extension, allegiance to one's country, has evolved and has been given different interpretations. The onset of the highly globalized economy of the 21st century has necessitated a paradigm shift, Mr. President, in our understanding of citizenship. Indeed, globalization and the revolutionary advances in the areas of information and telecommunications technology have transformed relationships among people and countries to a degree never witnessed before in the history of human civilization.

Text and other technological advancements in media, communication, and transport have, in fact, eroded traditional state boundaries and enabled people to have greater access to goods and services, capital and information, and allowed an increasing number of people to

live and work in countries other than their own.

According to the 1999 UN Report, the Philippines ranked fifth among countries with the highest rates of emigration. In fact, as of December 2001, the Philippine government has estimated that there were about 7.38 million Filipinos working and living abroad, or roughly 10% of the total Philippine population. Of this number, 3 million are overseas Filipino workers, 2.5 million are permanent residents mostly in the United States of America, Canada and European countries, while 1.84 million are irregular migrants.

In countries where there are large concentrations of Filipino OFWs such as Canada, U.S.A., the United Kingdom, and the Middle East, Filipino immigrants have intimated to this representation that they have undergone the process of naturalization to enjoy employment and welfare rights and privileges.

It should be noted that majority of the Filipinos who have migrated abroad did so for better academic and employment opportunities not only for themselves but for their families and relatives as well. Those who eventually became naturalized citizens of their host countries have done so mainly for economic reasons, widening their career options, and maximizing their social security through state protection.

Despite these, however, their continued allegiance to the Philippines is manifested by their links to the homeland, their desire to visit the country at every available opportunity, as well as in their contributions to the economy through investments and dollar remittances. According to recent data, remittances from Filipino overseas through official banking channels

alone from 1990 to April 2001 have amounted to at least US\$43.6 billion, enough investments pumped into our economy that have in fact kept it afloat in times of severe financial crisis such as the one that shook Asia in 1997. No mean contribution. Our Filipino workers abroad have put their money where their mouths are not. Self-sacrifice of the highest degree. There is no doubt that our economy, our country owes them much. Especially since it is decades of corruption and fiscal and economic mismanagement that have driven them to seek employment away from their motherland, torn apart from the families and provinces they once held so dear. In all too many cases, we gave them no option but to leave. Ultimately, we are all accountable.

Indeed, in spite of our *kababayans* having stayed and lived abroad for decades on end without the benefit of a law allowing them to retain or at the very least, reacquire their Filipino citizenship, they have remained Filipinos in heart and in mind.

Mr. President, given the overwhelming number of Filipinos overseas and the extent of their contributions to the economy, it is the intent of this bill to allow for natural-born Filipinos to retain or reacquire their Filipino citizenship. As it is, the restrictive and inflexible provisions of Commonwealth Act No. 63 automatically applies with respect to the procedure by which Philippine citizenship is lost through naturalization in a foreign country.

Hence, by operation of this law, many Filipinos have been stripped of their Philippine citizenship without regard to the reasons that have compelled them to acquire foreign citizenship. Worse, this is done without any effort on the part of the Philippine government to inquire whether or not it was the real intention of our

Kababayans to renounce their Philippine citizenship in the process.

But times have changed, Mr. President. The advent of a highly globalized economy has redefined and reinvented the whole concept of citizenship. Sixty-five years after the passage of Commonwealth Act No. 63 on October 21, 1936, this representation believes it is high time that we re-examined the effectiveness of the law and, determine whether its content and the procedures it prescribes are in keeping with the demands of a highly globalized economy.

Mr. President, there have been arguments that the Constitution prohibits dual citizenship. Section 5, Article IV of the 1987 Constitution provides that: "Dual allegiance of citizens is inimical to the national interest and shall be dealt with by law."

That is dual allegiance, Mr. President, and not dual citizenship.

However, the Supreme Court in the case of *Mercado vs. Manzano* in 1999 distinguished dual citizenship from dual allegiance. The court ruled that dual citizenship arises when, as a result of the concurrent application of the different laws of two or more states, a person is simultaneously considered a national by the said states. For instance, such a situation may arise when a person whose parents are citizens of a state, which adheres to the principle of *jus sanguinis* is born in a state which follows the doctrine of *jus soli*. Such a person, *ipso facto*, and without any voluntary act on his part, is concurrently considered a citizen of both states.

To illustrate, one who is born of Filipino parents in the U.S. is considered a

U.S. citizen under U.S. law but is considered a Filipino citizen under Philippine law.

Dual allegiance, on the other hand, refers to the situation in which a person simultaneously owes, by some positive act, loyalty to two or more states. While dual citizenship is involuntary, dual allegiance is the result of an individual's volition.

With respect to dual allegiance, during the deliberations of the Constitutional Commission of the 1987 Constitution, then Commissioner, and now Senator, Blas Ople explained the constitutional provision prohibiting dual allegiance as follows, and I quote:

I want to draw attention to the fact that dual allegiance is not dual citizenship. I have circulated a memorandum to the Bernas Committee according to which dual allegiance is larger and more threatening than that of mere double citizenship which is seldom intentional and perhaps, never insidious. That is often the function of the accident of mixed marriages or of birth on foreign soil. And so, I do not question double citizenship at all.

Mr. President, after listening to the stakeholders who have articulated their positions during the committee hearings and technical working group sessions, it is this representation's position that mere naturalization in a foreign country should not be construed as "dual allegiance."

Moreover, so long as it does not endanger national security and contributes immensely to the domestic economy, countries that have accepted the benefits of free trade and globalization have increasingly recognized the practicality of allowing dual

citizenship, or at the very least, retention or reacquisition of citizenship, so much so that mere naturalization in a foreign country does not automatically mean loss of one's citizenship or origin.

During the committee hearings, Mr. President, this representation was furnished copies of a document entitled "DUAL CITIZENSHIP POLICIES OF SELECTED COUNTRIES." It was forwarded to us by the Department of Foreign Affairs. And if I may enumerate some of them, these countries include France, New Zealand, Israel, Mexico, Argentina, Cambodia, Colombia, Ecuador, Egypt, El Salvador, Hungary, Iran, Ireland, Northern Ireland, among other 75 countries that allow for some form of retention of citizenship or reacquisition of the same. Can anyone dispute the proud and fierce nationalism, for example, of the Israelites or the French? Going by the rules and regulations we have seen from this wide representation of countries, this representation believes that the same can be used as legislative inputs and points of reference as we in the Upper Chamber debate on the pros and cons of this proposed measure.

In view, however, of recent global demographic trends that point to an increase in the number of Filipinos overseas, the Philippine government should consider the findings of the United Nations' Population Division which say that in the next 50 or so years, the capitalist economies of Europe, the United States, Canada and Northeast Asia, will need a substantial number of Asian migrants to maintain their population levels and avoid declines in their labor force. If this bill is approved into law, this will enable the Philippine government to respond to global demographic trends and realities, lessen immigration restrictions for Filipino nationals wishing to take permanent residence abroad, and introduce a more liberalized

citizenship policy by countries like the Philippines that sends its skilled human resource abroad.

It is hoped that with the approval of this proposed bill, Mr. President, our own concept of dual citizenship will be reinvented and allowed to see the light in keeping with the demands of a global economy. The Filipino is already in virtually every pocket and corner of the world. Let us give him a reason to keep his heart of hearts at home.

Thank you, Mr. President.

The Presiding Officer [Sen. Flavier].
The Majority Leader is recognized.

Senator Leviste. We thank the sponsor, Mr. President.

SUSPENSION OF CONSIDERATION OF S. NO. 2130

To allow our colleagues to study the measure for interpellation, I move that we suspend consideration of the measure.

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, consideration of Senate Bill No. 2130 is hereby suspended.

Senator Drilon. Mr. President.

Senator Leviste. Mr. President, I move that we recognize the Senate President.

The Presiding Officer [Sen. Flavier].
The Senate President is recognized.

MANIFESTATION OF SENATOR DRILON
(Submission of His Cosponsorship Speech
on S. No. 2130)

Senator Drilon. This is just a manifestation, Mr. President. I have a cosponsorship speech which I will just submit for the record on this particular measure.

Senator Leviste. Mr. President, I move that the cosponsorship speech of the Senate President be reflected in the record.

The Presiding Officer [Sen. Flavio]. It is so noted.

The following is the written cosponsorship speech of Senator Drilon.

SPONSORSHIP SPEECH OF SENATOR DRILON

Section 5, Article IV of the Constitution provides that "dual allegiance is inimical to the national interest and shall be dealt with by law." This is rightly so--for no individual is expected to serve two masters at the same time with equal fervor. Dual allegiance is not, however, synonymous to dual citizenship." No less than the Supreme Court in the case of *Mercado vs. Manzano* [G.R. No. 135083, May 26, 1999] made a distinction between dual citizenship and dual allegiance. According to the Court, dual citizenship results from the "concurrent application of the different laws of two or more states" where the person is considered a national by the said states. Dual allegiance, on the other hand, refers to the situation in which a person simultaneously owes, by some positive act, loyalty to two or more states. While dual allegiance is disallowed, our Constitution recognizes that it is possible for certain citizens of the Philippines to possess dual citizenship such as for example:

. Those born of Filipino fathers or mothers in foreign countries which follow the principle of *jus soli*. Such children although considered a citizen of the country where he/she is born shall be deemed a Filipino citizen.

. Those born in the Philippines of Filipino mothers and alien fathers if by the law of the father's country, the child follows the citizenship of the father. Considering that the child's mother is a Filipino in the eyes of the Philippine law, the child is deemed a Filipino.

. A Filipino who marries a foreigner from a country which automatically grants citizenship to the spouse of its nationals shall remain a Filipino unless by the act or omission of the Filipino spouse, they are deemed to have renounced Philippine citizenship.

The concept of dual allegiance would refer to the deliberate exercise of loyalty by actions and deeds that reflect fidelity to another state or country. On the other hand, dual citizenship is borne out of circumstances of birth, marriage or naturalization.

As of July 2000, there are already a total of 89 countries that allow some form of dual/multiple citizenship. The U.S.-based Center for Immigration Studies reported that even Israel and Cuba, known to be staunchly nationalistic states, allow their citizens, either explicitly or implicitly, to retain their citizenship being naturalized elsewhere.

The British Nationality Act of 1981, for example, allows a citizen to reacquire his British citizenship if his renunciation was necessary for the retention or acquisition of some other citizenship or nationality. South Africa, on the other hand, allows other nationals to retain their original citizenship in the acquisition of South African citizenship. Meanwhile, Canada, Portugal, New Zealand and Ireland give their citizens who have acquired another citizenship the option to renounce their original citizenship through a formal declaration of renunciation.

Mexico which has the largest number of migratory workers together with the Philippines recently ratified Mexican National Law of 1988 which explicitly allows Mexicans to recover their nationality even if they acquire another one. The same is true in Spain, Italy, France, Taiwan, Vietnam, Cambodia and Russia, among others.

This overwhelming trend of allowing dual/multiple citizenship across countries is in response to the growing phenomenon of transnational migration. The Organization of Economic Cooperation and Development (OECD) reported that the flows of permanent and temporary migrant range up to 3 million a year in recent years.

The loss of Philippine citizenship upon naturalization in a foreign country is decreed and provided for NOT BY OUR CONSTITUTION but by Commonwealth Act No. 63, a law which was enacted on October 21, 1936 or more than 65 years ago. The time is now ripe for us to reexamine the efficacy, if not the fairness, of the said law.

Do we consider Filipinos who traveled abroad in search for better opportunities for personal growth and to uplift the standards of living of their loved one in the

Philippines who subsequently swears allegiance to the foreign country to protect themselves from undue discrimination and gain better employment conditions an infidel for renouncing his or her Philippine citizenship as part of his oath to the foreign state when most if not all the fruits of his labor is sent to support their families at home?

Is it fair that we divest a significant number of the Filipino World War II veterans who have sacrificed their youth in defense of our country of their Philippine citizenship on account of the fact that they sought to be naturalized as U.S. citizens to be able to avail of the promise of economic benefits in the form of pension from the U.S. government which they and their families rightly deserve to enjoy?

These are but a few of the many considerations why I decided to push for the dual citizenship law. The dual citizenship measure aims to clarify the blurred, the legally and the morally wrong assumptions that natural born Filipinos who acquired citizenship of other countries automatically lose the citizenship of their birth. I humbly submit that they simply added one more citizenship to their personality which in itself should not be considered a crime. Thus, they should not be penalized with the loss of Philippine citizenship.

Now in their twilight years, the veterans of our war, who served to protect our country any yet acquired U.S. citizenship, should not be denied the right to remain Filipino citizens and should be spared the inconvenience and cost of being treated as aliens in their own motherland should they opt to visit or stay in the Philippines for good.

To the Filipinos working abroad who, due to unavoidable circumstance, were compelled

to adopt the citizenship of their host country, they are our "Bagong Bayani." The remittances they have sent to their loved ones in the Philippines have contributed a lot in keeping our country afloat in times of financial crisis. It is not easy for any individual to be separated from the security of one's own homeland and the warmth, comfort and the company of their loved ones but these Filipinos had to make the sublime sacrifice even at the risk of losing their Philippine citizenship in order to provide their families with better lives. Despite their acquisition of foreign citizenship, a vast majority of these Filipinos who have migrated abroad continue to demonstrate their allegiance to the Philippines by maintaining their links to their motherland, sharing whatever gains they may have obtained abroad to their friends and loved ones back home. Their loyalty to the country is likewise manifested in their eager desire to visit the country at every available opportunity.

A Filipino may decide to gain another citizenship but wherever they may be, in their hearts and minds, as well as their loved ones back home, they shall always remain Filipinos.

Considering the sacrifices they had to go through abroad, we should make life easier for them when they return home. They should not be made to suffer the inconvenience of being treated as an alien in their own birthplace.

In a growing world of economic globalization, instant communications and vastly increased personal mobility, dual citizenship facilitates travel, business and work opportunities for individuals. We must not deny our Filipino brothers abroad the opportunities that dual citizenship would bring primarily when this would be for the

betterment of their lives which, in reality, would also redound to our country's benefit.

SPECIAL ORDER

Senator Leviste. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 52 on Senate Bill No. 2155, entitled

AN ACT ADOPTING A MAGNA CARTA FOR THE WORKING CHILD PROVIDING FOR STRONGER DETERRENCE AND PROTECTION AGAINST CHILD LABOR AND IMPOSING STIFFER PENALTIES FOR ITS VIOLATION AND FOR OTHER PURPOSES

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, the motion is approved.

BILL ON SECOND READING
S. No. 2155 - The Magna Carta
for the Working Child

Senator Leviste. Mr. President, I move that we consider Senate Bill No. 2155 as reported out under Committee Report No. 52.

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, the motion is approved.

Consideration of Senate Bill No. 2155 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 2155, entitled

AN ACT ADOPTING A MAGNA CARTA FOR THE
WORKING CHILD PROVIDING FOR
STRONGER DETERRENCE AND
PROTECTION AGAINST CHILD LABOR
AND IMPOSING STIFFER PENALTIES
FOR ITS VIOLATION AND FOR OTHER
PURPOSES

The following is the whole text of the bill.

(Insert)

Senator Leviste. Mr. President, for the sponsorship speech, I move that we recognize the sponsor, the acting Chairman of the Committee on Labor, Employment and Human Resources Development, Sen. Ramon B. Magsaysay Jr.

The Presiding Officer [Sen. Flavier]. Sen. Ramon B. Magsaysay Jr. is recognized.

SPONSORSHIP SPEECH OF SENATOR MAGSAYSAY JR.

Senator Magsaysay. Thank you, Mr. President, Dr. and Sen. Juan M. Flavier.

The title of my sponsorship speech is "The Worker Is A Child."

Mr. President, my colleagues in the Senate:

As Acting Chairman of the Senate Committee on Labor, Employment and Human Resources Development, I have the honor of sponsoring the legislation that would provide the framework for the abolition of child labor in the Philippines via Senate Committee Report No. 52, entitled "The Magna Carta For The Working Child."

The proposed measure is a consolidation of various bills and a resolution filed by our colleagues in the Senate; namely, (1) Senate Bill Nos. 602 and 750, by Senator Leviste; (2) Senate Bill No. 1009, by Senator Villar; (3) Senate Bill No. 1207, by Senator Cayetano; (4) Senate Bill Nos. 1377 and 1394, by Senator Ople; (5) Senate Bill No. 1882, by Sen. Tessie Aquino-Oreta; and Senate Resolution No. 12, by Senator Legarda Leviste.

But before I proceed to discuss the merits of this measure, Mr. President, allow me to show an audio-visual presentation which features briefly the situation of children involved in prostitution, domestic work, deep-sea fishing, mining and quarrying, sugar plantations and pyrotechnics, all of which are considered as the worst forms of child labor in the country.

With this, Mr. President, may I ask the permission of this Chamber to use the power point to view the 30-second.

The Presiding Officer [Sen. Flavier]. Please proceed.

[Showing of 30-second child labor plug]

Senator Magsaysay. The 30-second is being shown presently, Mr. President.

The Presiding Officer [Sen. Flavier]. I see.

Senator Magsaysay. Thank you, Mr. President. I think, they thought it was a brownout, then they put on the lights instead of putting it off. But we can have that another time, the 30-second. That is just to show how the children are being exploited by their elders.

The Child Labor Phenomenon:

Mr. President, the phenomenon of child labor is not only limited to our country but exists worldwide. Based on latest UNICEF data, around 250 million children are estimated to be working under exploitative conditions in a global scale, and 50 million of them are involved in the worst forms of child labor.

For a long time now, the prevalence of child labor in the Philippines has been a constant source of concern not only for the government but also for the various sectors in our society. While there is an absence of a comprehensive data as to the total number of working children, the UNICEF data indicate that the number of Filipino child workers is assessed to be at 5 million children within the 5-14 age group. The same data indicate that almost 4 million working children reside in the rural areas. The Bureau of Women and Young Workers placed the number of working children to range somewhere between 5 million to 7 million nationwide, Mr. President.

In addition, the results of the 2001 national survey on working children show that there are now 4 million working children in the country aged 5 to 17 years old as against 3.7 million in 1998, a big increase. Most of them are unpaid, unskilled workers in family farms. Others work in shops, or sweatshops, or as vendors in forestry or fisheries. Out of the 4 million, 2.4 million of the working children face physical, biological and chemical hazards. There are also those who suffer injuries and work-related illnesses such as body aches and skin diseases. Said data further indicate that one (1) in every four (4) children work in the evening or during nighttime.

Mr. President, the statistics on child labor are endless. But in the end, the

question boils down as to what this Congress can do to address the issue.

Let me emphasize though that this proposed measure does not intend to teach the children to be lazy or to discourage them the value of work. Neither will it teach them to depend on their parents for life, but basically, for children to simply enjoy their childhood.

There are those who speculate, Mr. President, that poverty itself is the reason for the emergence of child labor. Because of poverty, child labor is resorted to as one of several household-coping strategies by Filipino families who view children as potential income providers and as part of the family support system. In other words, the entry of children into the labor market is viewed as part of the household's survival strategies. But I firmly believe, Mr. President, that poverty is too simple an excuse for child labor. All forms of child labor are unacceptable infringement of fundamental human rights and must, therefore, be immediately addressed.

Related Laws on Child Labor:

As a response to the extent and magnitude of child labor in the country, the Philippine government, particularly the Legislative branch has not been remiss in its duty to undertake appropriate legislative measures to address this issue.

In 1974, Presidential Decree No. 603, otherwise known as "The Philippine Child and Youth Welfare Code" was enacted to serve as the framework for the promotion of the welfare of the Filipino children. This was during the time of then Secretary of Labor, Blas F. Ople. This law defines the rights of the child, enumerates the liabilities of parents, and defines the role of other

institutions in promoting the welfare of Filipino children in general.

In July, 1992, Republic Act No. 7610 was signed into law providing for stronger deterrence and special protection against child abuse. In November, 1993, Republic Act No. 7658 was enacted to prohibit the employment of children below 15 years of age.

The Philippines is a signatory to various international anti-child labor agreements like the ILO Convention 138, which outlined the minimum age for admission to employment and the ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor.

Sadly, Mr. President, there are gaps in existing laws and policies on child labor that need to be addressed immediately by crafting a policy measure that will provide stronger deterrence in the employment of children in exploitative undertakings.

It is for this purpose that Senate Committee Report No. 52, entitled "The Magna Carta for the Working Child," is being proposed.

Salient Features of the Bill

Under the said measure, a "child" is defined as a person who is below 18 years of age. In the same light, "hazardous work," shall refer to any work underground, dangerous heights; any work with explosive-driven tools, work in unhealthy environment exposing the child to hazardous substances, long hours of work during the night, and those that will endanger the health and safety of the child.

Among the rights accorded to a child under the proposed measure include:

- . The right of a working child, among others, to be provided a standard of living that would support his/her education and total development;
- . Protection from exploitation;
- . Safety against all forms of neglect, abuse, cruelty and other conditions prejudicial to his/her well-being;
- . Not to be made to suffer to work or perform any undertaking that will hinder his/her growth or that will be harmful to his/her development;
- . Preservation of his remuneration and other income and benefits from his efforts; and right for collective bargaining for their salaries and benefits.

Mr. President, the proposed measure seeks the creation of a National Committee on Child Labor to establish, coordinate, monitor, and assess the programs and standards to rid the society of the worst forms of child labor.

Another significant aspect of this proposed measure is the provision which requires parents or guardians to do community service for the period of one (1) month and one (1) day to one (1) year for parents found guilty of violating the provisions of this Act. This framework was patterned after the U.S. model of community service principle.

Mr. President, esteemed colleagues, the problem of child labor cannot be solved overnight, and neither will the passage of the bill completely wipe out child labor in our country, but I believe it is a step in the right direction. The **Magna Carta for the Working Child** is a blueprint for the elimination of child labor, particularly on

its worst forms. The fight against child labor should be comprehensive so that it can have a lasting positive change in society and the world.

Allow me finally to end this sponsorship speech by borrowing the wisdom of our former beloved colleague, the late Senate President Marcelo "Celing" Fernan who was a staunch anti-child labor advocate. He said and I quote, "Let us not suffer our children to be deprived forever of a precious gift that has been given us but which for them will never return--that is "childhood."

Thank you and good afternoon, Mr. President.

Senator Leviste. Mr. President.

The Presiding Officer [Sen. Flavier].
The Majority Leader is recognized.

MANIFESTATION OF SENATOR LEVISTE
(That Her Cosponsorship Speech on S. No. 2155
be Inserted into the *Record*)

Senator Leviste. Mr. President, we thank the sponsor and we wish to also request that this representation's cosponsorship speech be inserted into the *Record*.

The Presiding Officer [Sen. Flavier]. So noted.

The following is the written sponsorship speech of Senator Leviste:

SPONSORSHIP SPEECH OF SENATOR LEVISTE

Mr. President:

As a mother, I look at children with affection, buoyed by their innocence, and

driven by the endless curiosity on how they would develop in the future--as productive and responsible members of society. Just like any parent, I wish nothing less than the best for my children, and being in public office, there emerges a much bigger challenge for I have also learned to accept other children as my own.

I have been exposed to the reality and the extent of the adverse effects of child labor on the innocent minds and fragile bodies of children.

It was in 1999 when I first learned of Joseph Bosito, a child miner in the gold mining community of Paracale, Camarines Norte. Then 12-year old Joseph was featured in a documentary episode on Filipino child laborers entitled "Mga Batang Trabahador" in my TV program then. This episode triggered an outpouring of support for Joseph and other child laborers who were similarly situated.

The problem of child labor is a most complex one for it holds almost every aspect of our society responsible--negligent oftentimes helpless parents, exploitative employers, the lack of protection and social support, and government agencies that have remained remiss in their duties in ensuring that the rights of children are safeguarded.

The recently concluded 2001 National Survey on Working Children conducted by the National Statistics Office reveals that about one in six Filipino children has to work to support his or her family.

The number of working children surveyed from October 2000 to September of 2001 did not show any development from the survey done five years ago: Four million of 25 million Filipino children as young as five years up to 17 years of age were identified as

"economically active." The survey also shows that seven out of ten children work in rural areas, with Regions IV, VII, VIII, V, and XI having the highest share of working children.

Mr. President, it is quite disturbing that an estimated 1.1 million children face physical hazards; 221,000 do "heavy physical work," 942,000 children complained that they suffered from work-related injuries and 754,000 said they experienced work-related illnesses like body pains and skin diseases.

But I believe, more than these physical sufferings, the greatest injustice inflicted on our working children is the fact that they are deprived of their right to education.

Of the 4 million working children, only 65.9 percent attended school, at least during the time of the survey. One point two million children said their schooling suffered due to work and two out of five children dropped out of school.

The problem of child labor is so complex, and deserves a solution that ought to be both comprehensive and workable.

No less than the Philippine Constitution provides that, "The State shall defend the right of children to assistance, including proper care and nutrition, special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development." Apart from this constitutional provision, Congress has enacted two significant laws as early as 1992, namely Republic Act No. 7610 or the "Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act" and its amendatory law, Republic Act No. 7658.

However, Mr. President, we believe that there is still a need for a more comprehensive measure that would effectively address the very root of the problem concerning child labor in this country.

Senate Bill No. 2155 exemplifies our commitment to the United Nations Convention on the Rights of the Child, International Labour Organization or ILO Convention 138 on Children's Minimum Age for Admission to Employment and ILO Convention 182 on the Elimination of the Worst Forms of Child Labor.

While this bill allows the employment of children to a certain extent, it should be emphasized that the authors of the bill and the Technical Working Group that worked on this measure made sure that they will come up with a restrictive law by making it extremely difficult for employers to hire children, and by ensuring that the working children are accorded all the rights, privileges, and benefits that are due them.

The proposed "Magna Carta for the Working Child" is a measure which, we believe and hope, will squarely address the continuous rise in the number of working children and their worsening conditions in the workplace.

The State, the private sector, educational institutions, the church, local government, and each and every one of us should all work together for its passage now, for we are dealing with the future of our children.

Let us give our children toys not tools for work. Let us allow them to play not toil. Let us keep them innocent, not ignorant. Let us make them learn and flourish, not stagnate and deteriorate.

These children will be children only once. We owe our future to our children and we should act before it is too late.

Thank you, Mr. President.

Senator Leviste. Senator Villar also has made a reservation. He is not present today. He will probably deliver his cosponsorship speech at a later date.

The Presiding Officer [Sen. Flavier]. So noted.

SUSPENSION OF CONSIDERATION OF S. NO. 2155

Senator Leviste. Mr. President, I move that we suspend consideration of Senate Bill No. 2155.

The Presiding Officer [Sen. Flavier]. There is a motion to suspend consideration of Senate Bill No. 2155 under Committee Report No. 52. Is there any objection? [Silence] There being none, the motion is approved.

OFFICIAL VISIT OF SEVERAL GROUPS ACKNOWLEDGED

Senator Leviste. We would like to acknowledge the presence of the following groups: the Educational Research and Development Assistance Group; the Visayan Forum Foundation; the Employers Confederation of the Philippines; the Federation of Free Workers; the Council for the Welfare of Children; the ILO-Itech; Stop Trafficking of Filipinos Group; the National City United Church; the Ateneo Human Rights Center; and the officials of the Department of Labor and Employment.

The Presiding Officer [Sen. Flavier]. They are all welcome to the Senate.

BILL ON SECOND READING

S. No. 1695 - Extending the Filing of Patent
Applications on Alienable and Disposable
Public Lands
(Continuation)

Senator Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 1695 as reported out under Committee Report No. 19.

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 1695 is now in order.

Senator Leviste. Mr. President, that is the Extension of the Free Patent Law. We are in the period of committee amendments. I move that we recognize the sponsor, Sen. Robert S. "JAWO" Jaworski.

The Presiding Officer [Sen. Flavier]. Senator Jaworski is recognized.

COMMITTEE AMENDMENTS

Senator Jaworski. Thank you, Mr. President.

Mr. President, before I present the committee amendments for Senate Bill No. 1695, allow me to make a brief manifestation.

Committee Report No. 19 on Senate Bill No. 1695 was reported out by the Committee on Justice and Human Rights. The Senate Committee on Environment and Natural Resources is the secondary committee. This representation, Mr. President, as chairman of the secondary committee signed the committee report with reservations and amendments. Hence, and with the permission of the chairman of the Committee on Justice and Human Rights, allow me to present the

following committee amendments in lieu of the committee amendments as contained in Committee Report No. 19. In other words, the Senate committees are withdrawing the committee amendments stated in the committee report and in lieu thereof, propose the following committee amendments:

1. Delete the entire Section 1 of the bill, from lines 1 to 13 and renumber the succeeding sections accordingly. This is because the amendments proposed in this section are already incorporated in the law, as amended;

2. On page 2, line 7,... I am sorry, Mr. President. That is the first amendment.

Senator Leviste. Mr. President, there is a proposed amendment. There being no objection, I move that the amendment be accepted.

The Presiding Officer [Sen. Flavier]. The Chair understands that this is a committee amendment.

Senator Jaworski. Yes, Mr. President.

The Presiding Officer [Sen. Flavier]. In that case, the sponsor may continue to enumerate all of the committee amendments, as required by our *Rules*.

Senator Jaworski. Well then, Mr. President, on page 2, line 7, change the year "2010" to 2020;

3. On the same page, lines 8 to 14, delete the phrase "except in the provinces of Agusan del Norte, Agusan del Sur, Cotabato, South Cotabato, Sultan Kudarat, Bukidnon, Lanao del Norte, Lanao del Sur, Davao del Norte, Davao del Sur, Davao del Norte, Davao del Sur, Davao Oriental, Sulu, Mountain Province, Benguet, Kalinga, Apayao,

Ifugao, Maguindanao, Tawi-Tawi and Basilan, where the President of the Philippines, upon the recommendation of the Secretary of Environment and Natural Resources, shall determine or fix the time." This is to apply the period ending on December 31, 2020 uniformly nationwide.

The next amendment, Mr. President, is still on page 2, line 22. Between the words "RESOURCES" and "OFFICE", insert the phrase WITHIN THIRTY (30) DAYS COUNTED FROM THE DATE OF THE PRESIDENTIAL PROCLAMATION TO THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES. This provision already appears in the Public Land Act but was inadvertently left out in the bill.

Still on page 2, line 36, change the year 2010 to 2020.

Then finally, Mr. President, amend the title of the bill to read as follows:

AN ACT GRANTING A PERIOD COMMENCING ON JANUARY 1, 2001 AND ENDING ON DECEMBER 31, 2020, FOR THE FILING OF APPLICATIONS FOR ADMINISTRATIVE LEGALIZATION (FREE PATENT) AND JUDICIAL CONFIRMATION OF IMPERFECT AND INCOMPLETE TITLES TO ALIENABLE AND DISPOSABLE LANDS OF THE PUBLIC DOMAIN AMENDING FOR THIS PURPOSE COMMONWEALTH ACT NUMBERED 141, AS AMENDED, OTHERWISE KNOWN AS THE PUBLIC LAND ACT.

That is all, Mr. President.

The Presiding Officer [Sen. Flavio]. The Chair would like to thank Senator Jaworski.

We will now receive the motion to end the period of committee amendments.

Senator Leviste. Mr. President, we are suspending the period of committee

amendments. The Chair will recall that before the Minority Leader left for abroad, he had requested that no bill be approved on Second Reading. Therefore, the Acting Minority Leader would need to contact the Minority Leader who is presently abroad to check on that arrangement so that we would have to suspend the period of committee amendments and suspend consideration of the measure.

The Presiding Officer [Sen. Flavier]. The Chair understands, but we are only closing the period of committee amendments.

Senator Leviste. Because there are no longer any individual amendments, Mr. President.

The Presiding Officer [Sen. Flavier]. All right. If it is a matter of approving it on Second Reading, we cannot act on that in view of that arrangement with Senator Pimentel.

Senator Leviste. Yes, Mr. President. I would first move that we approve all the committee amendments.

The Presiding Officer [Sen. Flavier]. There is a motion to approve all the committee amendments. Is there any objection? [Silence] There being none, the amendments are approved.

SUSPENSION OF CONSIDERATION OF S. NO. 1695

Senator Leviste. I move that we suspend consideration of Senate Bill No. 1695.

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, the motion is approved.

MANIFESTATION OF SENATOR LEVISTE
(That Senator Flavier be Made
Coauthor of S. No. 894)

Senator Leviste. I would like to make a manifestation, Mr. President.

Sen. Juan M. Flavier requested that he be made a coauthor of Senate Bill No. 894, and this request was made to Sen. Robert Barbers, the bill standardizing the salaries of uniformed employees of the DILG.

The Presiding Officer [Sen. Flavier]. It is duly noted.

SUSPENSION OF SESSION

Senator Leviste. Mr. President, I move that we suspend the session until ten o'clock tomorrow morning, Thursday, May 30, 2002.

The Presiding Officer [Sen. Flavier]. Is there any objection? [Silence] There being none, the session is suspended until ten o'clock tomorrow morning, Thursday, May 30, 2002.

It was 5:24 p.m.