

WEDNESDAY, OCTOBER 23, 2002

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and Biazon

(Adopted)

WEDNESDAY, OCTOBER 23, 2003

OPENING OF THE SESSION

*At 3:49 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.*

The President. The 29th session of the Second Regular Session of the Twelfth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Noli De Castro.

*Everybody rose for the prayer.*

PRAYER

Senator De Castro. Panginoon, nitong mga nakalipas na araw, muli na namang nayanig ang aming bayan sa mga sunud-sunod na pagsabog ng bomba mula sa aming embahada sa Indonesia, hanggang sa Zamboanga at sa mga karatig-lungsod ng Metro Manila.

Kahabagan Ninyo kami, Panginoon, marami sa aming kababayan ay naguguluhan at ang iba naman ay natatakot sa mga kaganapan sa aming bayan.

Kaya Panginoon, kami na pinili Ninyo na maglingkod sa aming bayan ay buong puso na nananalangin at nagpapakumbaba sa Inyong Awa, na kami ay bigyan Ninyo ng karunungan na tulad ng karunungan na ipinagkaloob Ninyo kay Haring Solomon, isang kalakasan na tulad ng kalakasan na ipinakita ni Moises nang maisalba niya sa kalayaan mula sa pagkaalipin ang bayang Israel.

At higit sa lahat, Panginoon, isang pagmamahal na tulad ng pagmamahal na itinuro sa amin ng Inyong anak na si Hesukristo.

At nang magkagayon, Panginoon, ang karunungan na ipagkakaloob Ninyo ay aming isasabatas upang magkaroon ng katatagan ang aming bayan, at ang kalakasan ay buong tapang naming gagamitin upang ang bawat mamamayang Pilipino ay maging matibay sa bawat unos na darating, at ang pagmamahal na magmumula sa Inyo ay aming ibabahagi sa bawat isa upang ang bawat tahanan ay magkaroon ng kapayapaan.

Luwalhati sa Iyo Panginoon.

#### ROLL CALL

The Secretary will please call the roll.

The Secretary, *reading*:

Senator Edgardo J. Angara.....	Present
Senator Teresa Aquino-Oreta.....	Present
Senator Joker P. Arroyo.....	Present
Senator Robert Z. Barbers.....	Absent
Senator Rodolfo G. Biazon.....	Present
Senator Renato L. <i>Companero</i> Cayetano.....	Present*
Senator Noli "Kabayan" de Castro.....	Present
Senator Luisa "Loi" P. Ejercito Estrada...	Present
Senator Juan M. Flavier.....	Present
Senator Gregorio B. Honasan.....	Present
Senator Robert S. "JAWO" Jaworski.....	Present
Senator Panfilo M. Lacson.....	Present
Senator Loren B. Legarda Leviste.....	Present
Senator Ramon B. Magsaysay Jr.....	Present
Senator John H. Osmena.....	Present*
Senator Sergio R. Osmena III.....	Present
Senator Francis N. Pangilinan.....	Present
Senator Aquilino Q. Pimentel Jr.....	Present
Senator Ralph G. Recto.....	Present*

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\*Arrived after roll call.

Senator Ramon B. Revilla.....Absent  
Senator Vicente C. Sotto III.....Present  
Senator Manuel B. Villar Jr.....Present  
The President.....Present

The President. With 17 Senators present,  
the Chair declares the presence of a quorum.

The Majority Leader is recognized.

#### THE JOURNAL

Senator Leviste. Mr. President, I move  
that we dispense with the reading of the  
*Journal* of the 28th Session, October 22,  
2002, and consider it approved.

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

Senator Leviste. Mr. President, I move  
that we proceed to the Reference of Business.

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

The Secretary will read the Reference of  
Business.

#### REFERENCE OF BUSINESS

#### BILL ON FIRST READING

The Secretary. Senate Bill No. 2393,  
entitled

AN ACT PROVIDING FOR A THREE-YEAR  
MORATORIUM ON THE FORECLOSURE OF  
MORTGAGE HOUSING UNITS TO ANY OF  
THE GOVERNMENT INSTITUTIONS AND  
AGENCIES INVOLVED IN THE NATIONAL  
SHELTER PROGRAM

Introduced by Senator Jaworski

The President. Referred to the Committee  
on Urban Planning, Housing and Resettlement

#### RESOLUTIONS

The Secretary. Proposed Senate Resolution  
No. 458, entitled

RESOLUTION URGING THE SENATE COMMITTEE  
ON ACCOUNTABILITY OF PUBLIC  
OFFICERS AND INVESTIGATIONS (BLUE  
RIBBON) OR ANY APPROPRIATE SENATE  
COMMITTEE/S, TO CONDUCT AN  
INQUIRY, IN AID OF LEGISLATION,  
INTO THE REPORTED IRREGULARITIES  
AND MISUSE BY GOVERNMENT OFFICIALS  
OF THE RETIREMENT FUNDS OF  
RETIREES WHO AVAILED OF THE  
PRIVILEGES GRANTED UNDER THE  
PHILIPPINE RETIREMENT ACT WITH THE  
END IN VIEW OF INTRODUCING  
REMEDIAL MEASURES TO PREVENT  
RETIREES AND POTENTIAL INVESTORS  
FROM LOSING CONFIDENCE IN THE  
PHILIPPINE RETIREMENT SYSTEM  
ADOPTED UNDER THE SAME ACT

Introduced by Senators Leviste and Flavier

The President. Referred to the Committee  
on Accountability of Public Officers and  
Investigations

The Secretary. Proposed Senate Resolution  
No. 459, entitled

RESOLUTION EXTENDING CONGRATULATIONS  
AND COMMENDATION TO THE PHILIPPINE  
DELEGATION IN THE RECENTLY

CONCLUDED 14<sup>TH</sup> ASIAN GAMES IN  
BUSAN, SOUTH KOREA

Introduced by Senator Leviste

The President. Referred to the Committee  
on Rules

COMMITTEE REPORT

The Secretary. Committee Report No. 88  
prepared and submitted jointly by the  
Committees on Constitutional Amendments,  
Revision of Codes and Laws; and Justice and  
Human Rights on Senate Bill No. 2394 with  
Senators Drilon, Sotto III, Angara and  
Pangilinan as authors thereof, entitled

AN ACT PRESCRIBING STRICTER PENALTIES  
ON THE CRIME OF DELIVERING  
PRISONERS FROM JAIL AND INFIDELITY  
IN THE CUSTODY OF PRISONERS,  
AMENDING FOR THE PURPOSE ARTICLES  
156, 223 AND 224 OF REPUBLIC ACT  
NO. 3815, AS AMENDED, OTHERWISE  
KNOWN AS THE REVISED PENAL CODE,  
AND FOR OTHER PURPOSES

recommending its approval in substitution of  
Senate Bill Nos. 427 and 1623.

Sponsors: Senators Angara and Pangilinan

The President. To the Calendar for  
Ordinary Business

ADDITIONAL REFERENCE OF BUSINESS

COMMITTEE REPORT

The Secretary. Committee Report No. 89,  
prepared and submitted jointly by the  
Committees on Social Justice, Welfare and



Rural Development; Constitutional Amendments, Revision of Codes and Laws; Ways and Means; and Finance on Senate Bill No. 2395 with Senators Noli 'Kabayan' De Castro, Drilon, Loren Legarda Leviste, Barbers, Villar Jr., Renato L. 'Companero' Cayetano, Ople, Roberto S. 'JAWO' Jaworski, Honasan and Angara as authors thereof, entitled

AN ACT PROVIDING FOR MORE SOCIAL PROTECTION AND BENEFITS, SELF-DEVELOPMENT AND SELF-RELIANCE OF SENIOR CITIZENS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY FURTHER STRENGTHENING REPUBLIC ACT 7432, OTHERWISE KNOWN AS AN ACT TO MAXIMIZE CONTRIBUTION OF SENIOR CITIZENS TO NATION-BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES

recommending its approval in substitution of Senate Bill Nos. 400, 446, 709, 905, 908, 1079, 1174, 1175, 1399, 1465, 1538, 1710, 1769, 2017, 2202, 2206 and 2214

Abstained: Senator Osmena (S)

Sponsors: Senators De Castro, Angara, Recto and Villar Jr.

The President. To the Calendar for Ordinary Business.

The President. The Majority Leader is recognized.

OFFICIAL VISIT OF MEMBERS OF THE FEDERATION OF SENIOR CITIZENS ASSOCIATION OF THE PHILIPPINES ACKNOWLEDGED

Senator Leviste. Mr. President, we would like to acknowledge the presence in the gallery of the members of the Federation of Senior Citizens Association of the Philippines.

I now move that we recognize Sen. Luisa P. Ejercito Estrada on a point of personal privilege.

The President. Sen. Luisa P. Ejercito Estrada is recognized.

PRIVILEGE SPEECH OF SENATOR ESTRADA  
(In Pursuit of Truth, Justice and Decency)

Senator Estrada. Mr. President, today, I rise on a matter of personal privilege on an issue involving the pursuit of truth, justice and decency.

Mr. President, more than 14 months had now passed since Col. Victor Corpus, Chief of the Intelligence Service of the Armed Forces of the Philippines accused me and my husband, President Joseph Estrada, of stashing millions of dollars in the Citibank Branch in Hongkong.

Several hearings were conducted in this august Chamber, and yet Col. Corpus has not presented any convincing evidence to prove his allegations. Unfortunately, neither has media followed up on this failure of Col. Corpus to substantiate his accusations, which he promised he would at the appropriate time, that time never came.

The seeming neglect on the part of segments of the mainstream media--one newspaper prone to sensationalism in particular--to expose the obviously baseless and malicious Corpus allegation is now reinforcing the perception of many of our

people of the deep-seated bias of major media establishments against my family. That they chose to downplay, if not totally ignore news reports debunking negative and sensational propaganda against us, is a sad commentary on our media today. Why must our people be denied the truth?

Mr. President, the series of accusations of Col. Corpus against me, my husband and my esteemed colleague, Sen. Panfilo "Ping" Lacson, started with a screaming headline in a leading daily on August 5, 2001. Let me refresh your memory by lifting portions of the banner story entitled: "Ping has \$211 M in US."

"Lacson and Estrada have six joint Citibank Accounts in Hong Kong with deposits totaling \$118,833,107, Corpus claimed."

"Estrada...allegedly has a separate account at Citibank in Hong Kong containing \$336,421,250."

In one interview, Corpus said that three more accounts each for Lacson and Estrada were uncovered through unofficial channels. "Each account," he said, "contained an average of \$20 million. Another account containing \$180 million was found in the name of Senator Loi Estrada in Hong Kong," Corpus said.

Mr. President, a day after this newspaper reported the supposed Lacson-Estrada joint accounts in Citibank-Hongkong, the Citibank regional office in Singapore denied his allegations of the existence of the alleged bank accounts.

The Hongkong-based *South China Morning Post*, in its August 7, 2001 issue, gave the Citibank statement prominence with the

following headline: "Citibank denies Estrada hid \$3.9 B in local accounts."

It also stated, and I quote: "Citibank yesterday denied allegations that deposed Philippine President Joseph Estrada had stashed about US\$500 Million--that is HK\$3.9 Billion--in accounts in its Hongkong branches. We have verified that there are no accounts with these names and numbers in Hongkong," a Company statement said, referring to a list of alleged bank accounts in Citibank Hongkong under the name of the deposed President and his Ex-Police Chief, Panfilo Lacson.

This same newspaper came out with a similar story the following day, August 8. It even quoted the statement issued by Penn Shone, Citibank Regional Corporate Affairs Director in Singapore: "A search of Canadian, Hongkong and US Records have not identified the account names and numbers reported in the newspaper."

But in spite of the categorical denial of Citibank, however, the newspaper stuck in its August 5 headline about the existence of the Lacson-Estrada accounts. This was very evident in the way the story was presented under the misleading headline: "American, Canadian authorities still looking." If this paper had no mindset on the guilt of Senator Lacson and my husband, the headline used should have instead focused on the nonexistent bank account like what the *South China Morning Post* reported in its story.

But more than a year after, Mr. President, not a single shred of evidence has been presented by Col. Corpus either in court or before the media, to substantiate his fabulous claim that my husband and Senator Lacson jointly owned six Citibank accounts in

Hongkong amounting to \$118,833,107.70 and another Citybank Account 5081-0300-4000-4311 allegedly owned by my husband with an outstanding balance amounting to \$336,421,250.16.

Mr. President, mula noon, hindi na nagprisinta ng matibay na ebidensiya si Col. Corpus at itong newspaper naman, biglang binitawan ang istorya. Ganoon na lang ba iyon? Mag-aakusa ka, tapos kapag hindi mo mapatunayan, magkakalimutan na lamang tayo? The power of media must be accompanied by some responsibility, and this we should remind them today. Power without accountability can lead to chaos, deception and weaken all our institutions.

Surprisingly, Mr. President, no one in the Prosecution panel handling the plunder case against President Estrada even attempted to include the said Citybank-Hongkong accounts in the list of assets they want to be frozen by the Sandiganbayan. I am equally surprised that no media outfit even attempted to get a statement from the Ombudsman or from any of the Prosecutors on the Lacson-Estrada bank accounts in Hongkong.

Mr. President, those who were behind the smear job against Senator Lacson, my husband and myself were prudent enough to evade the issue since they know very well that the bank accounts being peddled by Corpus were mere fabrications and calculated to demolish the credibility of these two personalities.

Instead of proving the existence of the bank accounts, Corpus paraded a motley crew of questionable characters who perjured themselves. Mga estapador, swindler at smuggler, as we would find out later. They trained their guns at Senator Lacson for a

well-coordinated campaign of character assassination and black propaganda. Sino naman kaya ang susunod ngayon?

From hindsight, I can say that the reason Corpus and his cohorts included President Estrada in their hatchet job against Senator Lacson is to lend credence to their thesis that the Former Chief of the Philippine National Police amassed millions of dollars supposedly sourced from drug trafficking, kidnapping and bank robberies. Until now, the investigation conducted on narco-politics has not seen the proper light of day. The inclusion was also calculated to further demonize President Estrada and ensure a favorable public opinion once the Sandiganbayan officially declares him guilty of the charges.

Since the administration had already discredited President Estrada who is now unfairly languishing in detention, Senator Lacson's enemies believe that a joint bank account of Lacson-Estrada will be more believable. This is why Colonel Corpus said that my husband's supposed millions in a Citibank branch in Hong Kong came from the controversial Jose Velarde account whose ownership has been claimed repeatedly by businessman Jaime Dichaves.

In fact, this was proven when then Senate President Aquilino Pimentel ordered the controversial "2<sup>nd</sup> envelope" opened three days after the farcical EDSA DOS. Again, the bias against my family was evident as media again chose to downplay the contents of the 2<sup>nd</sup> envelope, which clearly showed that the Jose Velarde account was owned by Jaime Dichaves and not by President Estrada.

What we must be concerned about was the fact that segments of the mainstream media were so quick and bold in coming out with the story of the alleged bank accounts but not humble enough to openly accept that they were duped by the wily Colonel Corpus and his ilk.

Mr. President, I now seek to set the record straight. I challenge media to come out with the truth about those bank accounts and clear the names of President Estrada, Senator Lacson, and myself from the lies and malicious fabrications made by Col. Corpus.

Truth and justice must not be sacrificed and made hostage to political ambitions. This we must avoid, for we must all be guardians of truth, of justice, and of decency, regardless of political persuasion or party affiliations.

But an even bigger concern for me is how the funds, as well as the energies and the vast resources of our intelligence service, are being misused for partisan politics. I take this opportunity to call on Colonel Corpus to resign from the AFP to save our military and our intelligence establishments from further harm and embarrassment. This is the only honorable and responsible thing to do, especially now that our law enforcement authorities and police and military agencies are being criticized for failure to prevent the series of bombings and the wanton loss of lives and property now gripping Mindanao and Metro Manila. Tahimik na tahimik si Colonel Corpus dahil baka kung ano na namang pakulo ang inisip kaya hindi makakuha ng mga reliable na information sa mga bombing sa ating bansa.

Based on media reports, Mr. President, it seems that Mrs. Arroyo will not fire Col. Victor Corpus. Never mind if the obvious

failure of our military intelligence has been a major factor in the senseless loss of lives --military as well as civilian--that has gripped the entire nation in unending terror.

If there is any shred of honor in this supposed officer and gentleman, then he should resign, and spare the nation and our people from his propensity to lie and suffer from his unintelligent intelligence.

Finally, Mr. President, we are again deliberating on the national budget. In this time of financial difficulty and ballooning budget deficit, there is a great necessity to examine thoroughly the use, disbursement and expenditure of the Confidential and Intelligence Fund, not only of the ISAFP, which has a proposed budget of P33.601 million, or of the military, but of the entire bureaucracy which has a total proposed budget of P1.22 billion. Let us not waste further our scarce government resources.

It is time we remind and censure Colonel Corpus and the ISAFP that the budget appropriated for intelligence must be used for the general welfare, for the good and protection of our citizens and our country, and not for any demolition and hatchet job for any personality whether in the opposition or any other sector. This we owe to ourselves, to our people, to our conscience and to our collective quest for truth, justice and decency in this forsaken land.

Thank you and good day.

The President. I would like to thank the lady Senator.

The Majority Leader is recognized.



BILL ON SECOND READING  
S. No. 2116—The Special Purpose  
Asset Vehicles (SPAV) Act  
Of 2002  
(Continuation)

Senator Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 2116, as reported out under Committee Report No. 41.

Clean copies were distributed yesterday to the members of the Chamber.

The President. No, no. Clean copies....Nandiyan na ba?

Senator Leviste. I am sorry, today, Mr. President, or they are still being distributed now.

The President. This is the second copy being distributed.

Senator Leviste. Yes.

The President. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2116 is now in order.

We now recognize Sen. Ralph G. Recto, the sponsoring committee.

In accordance with the agreement yesterday, we will go through the clean copy page by page once more.

Senator Leviste. Before that, Mr. President, there is a request from the Minority Leader.

The President. Yes, the Minority Leader is recognized.

Senator Sotto. May I just ask if the Body will allow....We were late, Mr. President. I am very sorry. I have to apologize because I was not aware that after the speech delivered by Senator Estrada that there was a motion already by the Majority Leader. We wanted to ask just one or two questions of Senator Estrada but we will leave it up to the leadership, if it thinks we can.

The President. If we can put the questions at a later hour, the Chair would appreciate it very much.

Senator Sotto. As long as we are given a chance to do so later.

The President. Yes. We will do that.

Senator Leviste. Before we adjourn, Mr. President, we will give the Minority Leader a chance to interpellate Senator Estrada.

The President. If that is okay with the Minority Leader.

All right, we now proceed with Senate Bill No. 2116.

Senator Leviste. We are still in the period of individual amendments.

The President. Sen. Ralph G. Recto is recognized.

Senator Recto. Thank you, Mr. President.

The President. Can we now proceed page by page?

So, we are all referring to a copy---

Senator Leviste.           October 22.

The President. --amended as of October  
22.

Senator Leviste. We are on page 1 again  
now with a clean copy.

No amendments, Mr. President.

The President. There is no amendment  
on page 1.

Senator Leviste. On page 2? *[Silence]*  
No amendments, Mr. President.

The President. No amendments on page 2.

Senator Leviste. On page 3? *[Silence]*  
No amendments on page 3.

The President. Page 4. *[Silence]*

Senator Leviste. No amendments. Page  
5. *[Silence]* Page 6?

The President. No amendments on page  
5? *[Silence]* On page 6? *[Silence]*

Senator Leviste. Senator Arroyo wishes  
to be recognized.

Senator Arroyo. No, no, not on page 6.

Senator Leviste. On page 7?

The President. Page 7. *[Silence]* There  
is no amendment on page 7.

Senator Leviste. On page 8?

The President. We are now on page 8.

Senator Arroyo. Page 8.

The President. Sen. Panfilo M. Lacson is recognized.

Senator Lacson. Proposed amendment on page 8, Mr. President.

The President. Line?

Senator Lacson. Line 21.

The President. How about Senator Arroyo?

Senator Arroyo. It is on line 8, Mr. President.

The President. Can we recognize first Sen. Joker P. Arroyo.

Senator Lacson. Yes, Mr. President.

The President. Sen. Joker Arroyo is recognized. Line 8, yes.

Senator Lacson. Yes, Mr. President.

Senator Arroyo. Line 8, Mr. President. We start on line 7 which says: "After the sale or transfer of the NPLs, the transferring FIs and the SAMC shall advertise the fact of the sale or transfer of the NPLs together with the names of the borrowers and the names of the assignees of the NPLs".

Now, Mr. President, I would like to propose that on line 8, insert the phrase IF THEY CONSENT between the words "borrowers" and "and". Because it is very humiliating for the

borrowers whose names will be advertised as *mal-pagadors*. Let us not include an indignity here to the borrowers.

Senator Recto. Mr. President, I understand where the gentleman from Bicol is coming from. However, on paragraph (c), the intention of this paragraph is to inform the borrower of the new assignee of that credit so that he knows where to pay his loans. He would know what entity to pay. In this case, the SAMC has already taken over the shoes of the FI. If the borrower is not informed who the assignee is, where will he pay his loans?

Senator Arroyo. Mr. President, what we are saying here is that, all those that we have in that list that we saw--5,000 names-- will all be advertised.

Now, Mr. President, we are thrown between the necessity of informing them and the indignity of publicizing it. Any compromise.

Senator Recto. Maybe, if I may suggest the compromise, the FI must provide a notice to the borrower but not necessarily advertise. Just to inform the borrower that his loans have been already transferred to an assignee, so he is notified that his loans have been transferred, so he pays the assignee. But it is unnecessary for his name to be advertised as a borrower whose loans have been assigned to a third party or in this case, the SAMC.

Senator Arroyo. Mr. President, how will it read now? May I inquire of the sponsor?

The President. Can the Chair have the proposed amendment?

Senator Arroyo. Quite frankly, Mr. President, I was thinking that after the word "borrowers" on line 8, insert the phrase IF THEY CONSENT, then "and THE NAMES OF THE ASSIGNEES." Meaning, they are informed whether they want their names advertised. The net effect is that, the list that we saw here, all of them are not only potential but they will really be publicized. We never have had that in our banking system, Mr. President, that the borrowers' name....

The President. All right. So, what is the proposed amendment?

Senator Arroyo. Insert the phrase IF THEY CONSENT after the word "borrowers".

#### SUSPENSION OF SESSION

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

*It was 4:19 p.m.*

#### RESUMPTION OF SESSION

*At 4:23 p.m., the session was resumed.*

The President. The session is resumed.

After conferring with the two gentlemen, since lines 6 to 9 apparently can be reworded without affecting the legal relation between the parties, paragraph (c) will now read as follows: "After the sale or transfer of the NPLs, THE SAMC SHALL INFORM THE BORROWERS IN WRITING AT THEIR LAST KNOWN ADDRESS OF the fact of sale or transfer of the NPLs."

Senator Arroyo. "Of the fact of transfer," Mr. President?

The President. "...of the fact of sale or transfer of the NPLs".

Senator Recto. If I may suggest, instead of the SAMC, the FI be the one to inform the borrower that he has sold it.

The President. All right, yes.

Senator Arroyo. Mr. President, why not, just an added comfort, the FI and the SAMC?

#### DRILON-ARROYO AMENDMENT

The President. It is better to locate the responsibility, Senator Arroyo, rather than the two. So, I would agree with the chairman of the Committee that it should be the FI. So, it reads: "After the sale or transfer of the NPLs, the transferring FI SHALL INFORM THE BORROWER IN WRITING AT THE LAST KNOWN ADDRESS OF the fact of the sale or transfer of the NPLs".

Senator Arroyo. All right. So, I will withdraw my motion to amend and yield to the amendment of the Chair.

The President. Is there any objection? There being none, the amendment is approved.

All right. The Chair now recognizes Sen. Panfilo M. Lacson who earlier made a proposal.

Senator Leviste. Mr. President, he has already withdrawn his reservation to make an amendment.

The President. All right. We now go to page 9?

Senator Leviste. Page 9, Mr. President. There are no amendments. On page 10, Mr. President.

Senator Arroyo. Page 10, Mr. President.

The President. Page 10.

Senator Arroyo. Are we on page 10, Madam Majority Leader?

Senator Leviste. On page 10.

Senator Arroyo. Thank you. Just one....

Senator Osmeña (J). With the permission of Senator Arroyo. The last I heard was, we were on page 9.

The President. Yes, we were going to page 9. We are asking if there are no amendments on page 9?

Senator Osmeña (J). Yes, I have, Mr. President.

The President. All right. Senator John H. Osmeña is recognized.

Senator Osmeña (J). All right. On two lines, on page 9, line 1 and line 27.

The President. All right.

#### OSMENA (J) AMENDMENTS

Senator Osmeña (J). There appear the words "by the borrower" and the lines specifically reads: "third party or dation in payment (*dacion en pago*) by the borrower in favor of an FI". And this particular language is again repeated on line 27 when it speaks "of dation in payment (*dacion en pago*)



by the borrower". Which in effect, Mr. President, restricts the benefits simply to a *dacion en pago* by the borrower.

My attention has been called, particularly, for example, by the parties in the case of Victoria's Milling where the sugar planters, who are not the borrowers but would like to come in as a white knight or would like to be able to intervene and take over the sugar central, would not qualify under this provision unless we delete the words "by the borrower". So that the *dacion en pago* does not necessarily have to be the borrower himself, it could be a white knight or third party who wants to intervene in a particular case.

So, my amendment, Mr. President, if the committee will kindly accept, is to delete the words "by the borrower" on line 1 and line 27 of page 9.

The President. After the "*dacion en pago*."

Senator Osmeña (J). After the "*dacion en pago*."

The President. What does the sponsor say?

Senator Recto. Just a clarification, Mr. President. If the gentleman is saying that if we delete the words or the phrase "by the borrower", then it would open the interpretation to allow not only the borrower but a white knight.

Senator Osmeña (J). That is correct, Mr. President. In effect, it allows a third party who is not a borrower to enter and benefit from the tax incentives like in the case of several sugar centrals in Negros Occidental.

San Carlos Milling, Danao and Victoria's Milling are affected by this.

Senator Recto. Yes, I understand. But could we say instead, "...by the borrower OR A THIRD PARTY."

Senator Osmeña (J). "...by the borrower OR A THIRD PARTY". That is all right with this representation.

The President. All right.

Senator Osmeña (J). That we put the phrase OR A THIRD PARTY.

The President. All right. So, insert the phrase OR BY A THIRD PARTY. Is that the amendment?

Senator Recto. Yes.

The President. OR BY A THIRD PARTY between the words "borrower" and "in".

Senator Recto. Yes, that is right.

The President. On line 1?

Senator Recto. Yes.

The President. And a similar phrase....

Senator Osmeña (J). On line 27, Mr. President.

The President. On line 27, between the words "borrower" and "to".

All right. What does the sponsor say?

Senator Recto. It is accepted, Mr. President.

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

All right, we proceed to page 10.

#### ARROYO AMENDMENT

Senator Arroyo. On page 10, line 6, Mr. President, I just want to pluralize the word "transaction" to "transactions". Just add the letter S after the word "transaction".

Senator Recto. It is accepted.

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

Senator Biazon is recognized.

#### BIAZON AMENDMENT

Senator Biazon. On page 10, Mr. President, also line 6.

The President. Yes.

Senator Biazon. On page 10, line 6, after the word "entity", Mr. President, insert the following....

The President. Remove the period (.)?

Senator Biazon. Remove the period (.), replace it with a colon (:), and insert the following: *PROVIDED, THAT PROPERTIES ACQUIRED BY SAMC FROM GOVERNMENT-FINANCING INSTITUTIONS OR GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WHICH ARE DEVOTED TO SOCIALIZED OR LOW-COST HOUSING SHALL NOT BE CONVERTED TO OTHER USES.*

Senator Recto. It is accepted.

Senator Biazon. Thank you, Mr. President.

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

The Majority Leader is recognized.

Senator Leviste. On page 11, there are no amendments, Mr. President. On page 12, there are also no amendments. On page 13?

The President. There are no more amendments.

Senator Leviste. I therefore move that we close the period of individual amendments.

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

Senator Leviste. Mr. President, I move that we vote on Second Reading on Senate Bill No. 2116.

The President. Is there any objection?

Senator Pimentel is recognized.

Senator Pimentel. Are we being called to vote on this measure already, Mr. President?

The President. On Second Reading, yes.

Senator Pimentel. May I register my no vote on the bill and explain very briefly that with the amendments, this bill is neither here nor there as far as the purposes of the SPAV's

original intent are concerned and, therefore, I register my no vote.

The President. All right. Please register the negative vote of Senator Pimentel.

Yes, Senator Oreta is recognized.

Senator Leviste. Senator Oreta wishes also to register her explanation.

The President. Can the explanation be done on Third Reading? Anyway, it will....

#### APPROVAL OF S. NO. 2116 ON SECOND READING

Senator Leviste. Yes, Mr. President, this is a certified measure. First, I move that we vote on Second Reading on senate Bill No. 2116, as amended.

The President. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 2116, as amended.

As many as are in favor of the bill, say *aye*.

Several Members. *Aye*.

The President. As many as are against the bill, say *nay*.

Senate Bill No. 2116, as amended, is approved on Second Reading with the negative votes of Senator Pimentel and Senator Oreta being registered.

Senator Leviste. This is a certified measure, Mr. President, may we ask the

Secretary to read the certification from the President.

The President. The Secretary will read the certification.

The Secretary.

May 10, 2002

The Honorable  
FRANKLIN M. DRILON  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2116, under Committee Report No. 41, entitled:

*"AN ACT AUTHORIZING THE CREATION OF SPECIAL PURPOSE ASSET VEHICLES TO ALLOW INVESTMENT IN AND ACQUISITION OF NON-PERFORMING LOANS, REAL ESTATE AND OTHER ASSETS, AND FOR OTHER PURPOSES."*

to avert a public emergency that may arise out of a possible financial crisis similar to that suffered by South Korea, Thailand, Indonesia and Malaysia in 1997, or approximating the decade-long financial paralysis of Japan, due primarily to an alarming increase in non-performing loans (NPLs) as well as foreclosed assets estimated at P300 billion by the end of 2001 from P95 billion in December 1997.

Best wishes.

Very truly yours,

(Sgd.) GLORIA MACAPAGAL-ARROYO

cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

BILL ON THIRD READING  
S. No. 2116--Special Purpose Asset Vehicles  
(SPAV) Act of 2002

Senator Leviste. In view of this certification, Mr. President, may I now move that we vote on Third Reading on Senate Bill No. 2116.

The President. Is there any objection? [Silence] There being none, voting on Third Reading on Senate Bill No. 2116 is now in order.

The Secretary will please read only the title of the bill.

The Secretary. Senate Bill No. 2116, entitled

AN ACT AUTHORIZING THE CREATION OF SPECIAL ASSET VEHICLES TO ALLOW INVESTMENT IN AND ACQUISITION OF NON-PERFORMING LOANS, REAL ESTATE AND OTHER ASSETS, AND FOR OTHER PURPOSES

The President. We shall now vote on the bill and the Secretary will call the roll.

The Secretary. Senator Angara.

Senator Angara. Mr. President, I would like to explain my affirmative vote very briefly.

The President. Sen. Edgardo J. Angara is recognized.

#### EXPLANATION OF VOTE OF SENATOR ANGARA

Senator Angara. Mr. President, while I have some reservations about the provisions of this bill, I am compelled to vote affirmatively because there is absolute necessity to clean up our banking system with so much nonperforming assets and liabilities. That is the only way, we hope, that we can restore liquidity to the banking system.

Of course, there is no issue of liquidity. The issue really is whether, having helped the banking system the banks will now start lending to the small-and-medium-scale industries which are the major creators of jobs in this country. That is why we would like to monitor the implementation of this bill because we may have just given a windfall to an already highly profitable banking system only to see that the tax breaks that we are granting to them, while it will not necessarily go to the stockholders, will just simply build up their own banks without benefiting the thousands of small-and-medium-scale entrepreneurs who create 90% of the jobs in this country.

With that reservation, Mr. President, I still vote affirmatively for this bill.

Thank you.

The President. Thank you, Senator Angara.



The Secretary. Senator Oreta.

Senator Oreta. Mr. President, may I explain my vote.

The President. Sen. Teresa Aquino-Oreta is recognized.

#### EXPLANATION OF VOTE OF SENATOR ORETA

Senator Oreta. Mr. President, actually, this is the first supposed landmark measure that we have taken in this Congress. Again, in doing so, it will supposedly provide relief to the ailing financing system of the country which has been hampered by the great degree and magnitude of its nonperforming assets.

Mr. President, in the past, we had done this in the banking circle and the banks did not lend to the marginalized sector of our society but they lent to the manufacturers. But to those who are really in need of this, they did not and the statistics show it.

In the past, as of June 2002, the Philippine banking system gave out 22.5% of its outstanding loans to financial intermediation and it continued to grow at the pace of 17% from the previous year. The second highest allocation for loans went to manufacturing which cornered 21%. The strata that needs this is agriculture and fishing and it only got 4.4% of the loan portfolio of the entire banking system. This is not the end of the bad news. This rate has decreased at a combined rate of 8.3% from the previous year.

So we can see that the people who are really in dire need of help from our banks do not get the help. Given this scenario, I would like to put my negative vote because I do not

feel that this will help us any or it will help, at least, the marginalized sector of our society.

Thank you, Mr. President.

The President. Thank you, Senator Oreta.

The Secretary. Senators

Arroyo.....	
Barbers.....	
Biazon.....	Yes
Cayetano.....	
De Castro.....	
Ejercito-Estrada.....	Yes
Flavier.....	Yes
Honasan.....	Yes
Jaworski.....	Yes
Lacson.....	Yes
Legarda-Leviste.....	Yes
Magsaysay, Jr.....	Yes
Osmena, John.....	Yes

Senator Osmena (J). Mr. President.

The President. Sen. John H. Osmena is recognized.

Senator Osmena. Mr. President, I would like to explain my vote.

The President. Is the gentleman voting for the....

Senator Osmena (J). I am casting an affirmative vote.

The President. All right.

EXPLANATION OF VOTE OF SENATOR OSMENA (J)

Senator Osmena (J). Mr. President, I would like to explain that I am voting with great reluctance and reservation mainly because, from the little that I know, we have in this country a banking community that has plunged itself into this crisis by its own imprudence. The banks have been imprudent lenders, lending to real estate projects as if there was no end and that is what they are in trouble for.

Mr. President, I do realize that the banking sector has to be, shall we say, rehabilitated and the bad will ride along with the good. In the hope that we will be able to bring about a recovery in our banking system, I am casting an affirmative vote with great reservation.

Thank you, Mr. President.

The President. Thank you, Senator Osmena.

The Secretary. Senators

Osmena (S)III.....Yes

Pangilinan.....Yes

#### EXPLANATION OF VOTE OF SENATOR PANGILINAN

Senator Pangilinan. Thank you, Mr. President. I would like to explain my affirmative vote.

Indeed, I recognize the validity of the argument or the proposition that part of the reason for rehabilitating the banking system is precisely the imprudence on the part of certain banks in their desire to secure loans, in their propensity to give out loans without double-checking the viability of these transactions. We are not here voting for this measure to reward the banks because of their imprudence. To reward an individual, a

corporation or an entity because of imprudence may send the wrong signal that imprudence can, in fact, continue.

We vote in the affirmative not to reward imprudence. We vote in the affirmative to address our economy at this time with serious concern.

Thank you, Mr. President.

The Secretary. Senator

Pimentel Jr.....No

The President. Senator Pimentel is recognized.

Senator Pimentel. May I explain my vote, Mr. President.

The President. Please proceed.

#### EXPLANATION OF VOTE OF SENATOR PIMENTEL

Senator Pimentel. In the years when the dinosaurs ruled this earth, Mr. President, there was a battle between the beasts and the birds. But there was one animal who said that he was a bird when the birds were winning, and that was the bat, because he said, "I have wings therefore I am a bird." But when the beasts were winning, the bat turned around and said, "I am an animal because I have teeth."

And this is exactly what this SPAV bill or this SAMC looks to me at this point, Mr. President. It is neither beast nor fowl.

The reason I said that is, the way it is framed right now, it will not achieve the original purpose for which this SPAV was conceived, Mr. President.

I remember the editorial of *Today* that if mishandled, the SPAV bill will drive away instead of attract investors that are sought to be brought into the picture to save our banking industry.

It is for that reason, Mr. President--that since I think this bill is neither beast nor bird, I vote *no*.

The Secretary. Senators

Recto.....Yes  
Revilla.....  
Sotto III.....Yes  
Villar Jr.....  
The Senate President.....Yes

The President. I vote in the affirmative.

APPROVAL OF S. NO. 2116 ON THIRD READING

With 16 affirmative votes, 2 negative votes, and no abstention, Senate Bill No. 2116 is approved on Third Reading.

The Majority Leader is recognized.

BILL ON SECOND READING

S. No. 2130— Dual Citizenship Act  
(Continuation)

Senator Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 2130 as reported out under Committee Report No. 46.

The President. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2130 is now in order.

SUSPENSION OF SESSION

Senator Leviste. Mr. President, I move that we suspend the session for one minute.

The President. Is there any objection? [Silence] There being none, the session is suspended for one minute.

*It was 4:44 p.m.*

RESUMPTION OF SESSION

*At 4:45 p.m., the session was resumed with Sen. Juan M. Flavier, President Pro Tempore, presiding.*

The President Pro Tempore. The session is resumed.

The Majority Leader is recognized.

BILL ON SECOND READING

S. No. 2130 - Dual Citizenship Act  
(Continuation)

Senator Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 2130 as reported out under Committee Report No. 36.

The President Pro Tempore. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2130 is now in order.

Senator Leviste. Mr. President, we are in the period of individual amendments. I move that we recognize the sponsor, Senate President Franklin M. Drilon.

The President Pro Tempore. Sen. Franklin M. Drilon is recognized.

Senator Drilon. Thank you, Mr. President.

Yes, as manifested by the Majority Leader, we are now in the period of individual amendments. And for purposes of the debates, may I move that we use the version which indicates the committee amendments approved as of October 22, 2002.

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

Senator Drilon. Copies were distributed earlier, Mr. President. The sponsor is ready to receive individual amendments.

The President Pro Tempore. We shall do it page by page, Majority Leader.

#### LEVISTE AMENDMENT

Senator Leviste. Page 1, Mr. President, line 13F, Section 3, delete the word "AN" and replace it with the word SUCH.

Senator Drilon. It is accepted, Mr. President.

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

Senator Leviste. An anterior amendment from Sen. Noli "Kabayan" De Castro, Mr. President.

Senator De Castro. Mr. President, page 1, line 1, may I propose that we change the short title to CITIZENSHIP REACQUISITION AND RETENTION ACT OF 2002.

Senator Leviste. May we request that the title be....

Senator De Castro. Ah, sa title. All right. The title is always last according to Senator Osmeña.

Senator Drilon. Yes. Can we have it at the end?

Senator De Castro. All right, it is page 1.

Senator Drilon. Yes. But since it is the title, we can have it at the end.

Senator Leviste. Any more amendment on page 1? Page 2?

The President Pro Tempore. Sen. Aquilino Q. Pimentel Jr. is recognized.

Senator Pimentel. Mr. President, on line 90, the citizenship of natural-born citizens of this country....may qualify for reacquisition of their Philippine citizenship by reason of their naturalization in a foreign country. Are we limiting that circumstance as the only reason by which citizens can reacquire their citizenship? For example, there are other ways of losing citizenship aside from being naturalized in a foreign country.

Senator Drilon. We are open to that, Mr. President, except that we just did not know other modes of losing the citizenship because this is based on Commonwealth Act No. 63 under Section 1 of which provides that any Filipino citizen may lose his citizenship in any of the following manner, ways, and/or events: First, naturalization in a foreign country.



The second one is by express renunciation of citizenship. I do not believe that on policy considerations, we should allow a reinstatement of citizenship where it has been renounced. And then, subscription under oath to support the constitutional laws of another country. Again, we have our doubts on this. But I am willing to listen to the proposed amendment, Mr. President.

Senator Pimentel. Yes, my concern is that, if we say "By reason of their naturalization in a foreign country", necessarily, we are limiting the possibility of their reacquiring citizenship only if they lost citizenship because they had been naturalized.

#### SUSPENSION OF SESSION

Senator Drilon. May I ask for a one-minute suspension of the session, Mr. President?

The President Pro Tempore. The session is suspended for one minute, if there is no objection. *[There was none.]*

*It was 4:50 p.m.*

#### RESUMPTION OF SESSION

*At 4:53 p.m., the session was resumed.*

The President Pro Tempore. The session is resumed.

Senator Pimentel. Mr. President.

The President Pro Tempore. Senator Pimentel is recognized.

Senator Pimentel. Mr. President, the President has kindly explained the purview of this provision, and I am satisfied with the explanation. I no longer have any amendment to propose on page 2.

The President Pro Tempore. Thank you. The Majority Leader is recognized.

#### LEVISTE AMENDMENT

Senator Leviste. Mr. President, on page 2, line A...

Senator Drilon. Line?

Senator Leviste. Line A...9A. I am sorry, 9A, delete the word "FORMER".

Senator Drilon. Yes.

Senator Leviste. On line 9C, after the word "COUNTRY", insert the phrase PRIOR TO THE EFFECTIVITY OF THIS ACT; on line 9D, after the word "CITIZENSHIP", delete the phrase "UPON EFFECTIVITY OF THIS ACT".

So lines 9A to 9F will now read:  
"NATURAL-BORN CITIZENS OF THE PHILIPPINES WHO HAVE LOST THEIR PHILIPPINE CITIZENSHIP BY REASON OF THEIR NATURALIZATION IN A FOREIGN COUNTRY PRIOR TO THE EFFECTIVITY OF THIS ACT ARE HEREBY DECLARED TO HAVE RE-ACQUIRED THEIR PHILIPPINE CITIZENSHIP UNLESS THEY RENOUNCE THE SAME IN THE MANNER PROVIDED IN THE PRECEDING PARAGRAPH."

Senator Drilon. We accept the amendment, Mr. President.

The President Pro Tempore. Is there any objection to the amendment? [Silence] There being none, the amendment is approved.

Senator Leviste. On page 3.

Senator Drilon. Page 3 now?

The President Pro Tempore. Page 2A.

Senator Drilon. Page 2A.

The President Pro Tempore. Are there any amendments on page 2A? [Silence] There being none, we go to page 3.

Senator Leviste. Page 3, line 12, Mr. President, Section 6.

Senator Drilon. Page 3, line 12, yes, Mr. President.

The President Pro Tempore. Yes.

Senator Leviste. On page 3, line 12, after the word "oath", delete the semicolon (;) and insert the phrase WHICH WILL HAVE THE EFFECT OF DIVESTING THE CANDIDATE WHO IS SUBSEQUENTLY ELECTED TO OFFICE OF THE RIGHT TO ACQUIRE FOREIGN CITIZENSHIP DURING HIS OR HER TERM.

Senator Drilon. Can we do it a little slower, Mr. President?

Senator Leviste. All right. Page 3, line 12, after the word "oath", delete the semicolon (;) and insert the phrase WHICH WILL HAVE THE EFFECT OF DIVESTING THE CANDIDATE WHO IS SUBSEQUENTLY ELECTED TO OFFICE OF THE RIGHT TO ACQUIRE FOREIGN CITIZENSHIP DURING HIS OR HER TERM. So, Section 6, paragraph (2) will now read, "those seeking elective public office in the Philippines shall meet the qualifications for holding such public office as required by the Constitution and existing

laws and, at the same time of the filing of the certificate of candidacy, make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath WHICH WILL HAVE THE EFFECT OF DIVESTING THE CANDIDATE WHO IS SUBSEQUENTLY ELECTED TO OFFICE OF THE RIGHT TO ACQUIRE FOREIGN CITIZENSHIP DURING HIS OR HER TERM.

Senator Osmeña (J). Mr. President.

The President Pro Tempore. Is it related to the amendment, Senator Osmena?

Senator Osmeña (J). Yes, Mr. President. May we request that we be given a printed hard copy of that amendment. I am hard of hearing and I cannot understand the amendment.

#### SUSPENSION OF SESSION

Senator Leviste. I move that we suspend the session for one minute, Mr. President.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 4:56 p.m.*

#### RESUMPTION OF SESSION

*At 4:57 p.m., the session was resumed.*

The President Pro Tempore. The session is resumed.

Senator Leviste. Mr. President, I withdraw my amendment since it is contained already on page 2.

The President Pro Tempore. The amendment is withdrawn. Are there any more amendments on page 3?

#### DE CASTRO AMENDMENT

Senator De Castro. On page 3, Mr. President, line 12A. It is just an editorial amendment. May we just delete the words "WHO HAVE BEEN". So, it will read THOSE ELECTED.

The President Pro Tempore. What does the sponsor say?

Senator Drilon. It is accepted, Mr. President.

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

Senator Lacson. Mr. President.

Senator Drilon. Senator Lacson wishes to be recognized, Mr. President.

The President Pro Tempore. Sen. Panfilo N. Lacson is recognized.

Senator Lacson. This is just to clarify, Mr. President. Lines 12A to 12D which read, "THOSE WHO HAVE BEEN ELECTED OR APPOINTED TO ANY PUBLIC OFFICE SHALL SUBSCRIBE AND SWEAR TO AN OATH OF ALLEGIANCE TO THE REPUBLIC OF THE PHILIPPINES AND ITS DULY CONSTITUTED AUTHORITIES PRIOR TO THEIR ASSUMPTION OF OFFICE." What happens to the oath of allegiance to a foreign country?

Senator Drilon. Under the measure, Mr. President, a qualification to run for public office of a dual citizen is that he must renounce his or her other citizenship.

Senator Lacson. To run for public office. But to be appointed, Mr. President?

Senator Drilon. In both appointive and elective positions, he has to renounce his other citizenship.

Senator Lacson. So, that will not be in conflict with the dual allegiance.

Senator Drilon. That is correct, Mr. President. He has only one allegiance.

Senator Lacson. Thank you, Mr. President.

The President Pro Tempore. Thank you. Are there any other amendments?

Senator Leviste. Page 3A.

The President Pro Tempore. Page 3A?

Senator Drilon. Senator Sergio Osmena has an amendment, Mr. President.

Senator Osmena (S). Mr. President, on lines 121, to the bottom of page 3, which reads: "THE RIGHT TO VOTE OR BE ELECTED OR APPOINTED TO ANY PUBLIC OFFICE IN THE PHILIPPINES CANNOT BE EXERCISED BY, OR EXTENDED TO, THOSE WHO:

"(A) ARE CANDIDATES FOR OR ARE OCCUPYING ANY PUBLIC OFFICE IN THE COUNTRY OF WHICH THEY ARE NATURALIZED CITIZENS;"...

What about those who have occupied public office or office in the military in the past?

The question is: Can one be a senator of California and run for senator in the Philippines?

Senator Drilon. No.

Senator Osmena (S). But this is in the present.

Senator Drilon. That is why one cannot run for senator in the Philippines. He has to renounce his U.S. citizenship.

Senator Osmena (S). That is correct. But is it possible for somebody who has been a senator in the state of California then renounce his citizenship, comes back to the Philippines, and run again here?

Senator Drilon. Yes, that is correct.

Senator Osmena (S). I am wary about such an arrangement because there are very powerful countries which can fund candidates.

Senator Drilon. In that particular example, then he is a Filipino citizen. He has renounced any other citizenship. So he has only one citizenship.

Senator Osmena (S). Yes.

Senator Drilon. I do not think we can deny him the right to run under those circumstances.

Senator Osmena (S). Unless they are currently occupying public office. Well, of course, they should not obviously occupy two public offices in two different countries at the same time.

Senator Drilon. That is correct, Mr. President.

Senator Osmena (S). But should it not be a cause of concern to us where a citizen who had obviously probably spent 20 years, say, serving in the State Department or in Congress of the United States suddenly turn up here and run for high public office?

Senator Drilon. At that point, Mr. President, if he has given up his being a senator in California and has renounced U.S. citizenship, he is already a natural-born Filipino citizen. We really cannot prevent him from running because he has only one citizenship at that point and it is up to the electorate now to decide.

Senator Osmena (S). So, we cannot put any legal restrictions.

Senator Drilon. No, Mr. President. I am afraid not.

Senator Osmena (S). What about those here who are mentioned who are currently occupying public office in the country? Then we are putting restrictions on them.

Senator Drilon. Yes, because at that point, they have dual citizenship. Therefore, it is a policy consideration that we will not allow dual citizens who are currently occupying public office in the country if they are naturalized citizens, to exercise their right to vote or be elected.

Senator Osmena (S). Therefore, we can put limitations.

Senator Drilon. That is correct, Mr. President.

Senator Osmena (S). Thank you very much, Mr. President.



The President Pro Tempore. Are there any other amendments? We go to page 3A.

Senator Leviste. There are no more amendments, Mr. President. I therefore move that we close the period of ...

Senator Drilon. There is an amendment on the title of the measure by Sen. Noli De Castro, Mr. President. CITIZENSHIP RETENTION AND ...

#### DE CASTRO AMENDMENTS

The President Pro Tempore. The *Kabayan* amendment may now be reiterated.

Senator De Castro. Mr. President, before that, just an anterior amendment. Can we just delete the word "CURRENTLY" on page 3 line 12L? We have the word OCCUPYING already?

Senator Drilon. Accepted, Mr. President.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator De Castro. Regarding the proposed change of the short title to CITIZENSHIP REACQUISITION AND RETENTION ACT OF 2002.

Senator Drilon: Can we have it CITIZENSHIP RETENTION AND REACQUISITION ACT OF 2002.

Senator De Castro. RETENTION muna.

Senator Drilon. Yes, RETENTION muna.

Senator De Castro. Okay.

Senator Drilon. We accept the amendment, Mr. President.

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

Senator Pimentel. Mr. President.

The President Pro Tempore. Senator Pimentel is recognized.

Senator Pimentel. On the title, may I make this observation that I think we should make the title jibe with the provision that is found in Section 2 which is to MAKE PERMANENT SUCH CITIZENSHIP.

#### PIMENTEL AMENDMENT

So my suggestion is, the long title should be: AN ACT MAKING THE CITIZENSHIP OF PHILIPPINE CITIZENS WHO ACQUIRE FOREIGN CITIZENSHIP PERMANENT.

Senator Drilon. That is in the title itself.

Senator Pimentel. The long title.

Senator Drilon. Can we have it again, Mr. President?

Senator Pimentel. AN ACT MAKING THE CITIZENSHIP OF PHILIPPINE CITIZENS WHO ACQUIRE FOREIGN CITIZENSHIP PERMANENT, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 63...

Senator Drilon. It is accepted, Mr. President.

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

Senator Pimentel. Would that not have an impact on the short title?

Senator Drilon. I do not think so, Mr. President. There is none.

Senator Pimentel. There is none.

Senator Drilon. Yes, Mr. President.

Senator Pimentel. All right. If the sponsor says so, Mr. President, I must accept it, if there is none.

Senator Drilon. All right. So there are no more individual amendments, Mr. President.

Senator Jaworski. Mr. President, just for clarification.

The President Pro Tempore. Just one more.

Senator Jaworski. Let us just go back to page 3, line 12N. We are very specific on the term "NATURALIZED CITIZENS."

Just for clarity, should we not also provide something for the citizens of the country? Let us say, they are not naturalized citizens, should that not be specific also, Mr. President?

Senator Drilon. Mr. President, this applies to dual citizens and lines 12L to 12N would refer to occupying a public office in the country where they are naturalized citizens of.

Senator Jaworski. How about the natural-born, Mr. President.

Senator Drilon. No, precisely, these are natural-born citizens who are naturalized citizens of another country and occupying public office in his adopted country.

Senator Jaworski. So we do not have to categorize it.

Senator Drilon. No, Mr. President.

Senator Jaworski. All right. Thank you, Mr. President.

The President Pro Tempore. Thank you.

Senator Drilon. There are no more amendments, Mr. President.

The President Pro Tempore. The Majority Leader is recognized.

Senator Drilon. Senator Lacson has an amendment.

Senator Lacson. Just for clarity and specificity, Mr. President.

Senator Drilon. Yes.

Senator Lacson. May we add subject to style, of course?

Senator Drilon. No, we will do it.

#### LACSON AMENDMENT

Senator Lacson. On line 12D, after the word "OFFICE" *PROVIDED*, THAT THEY RENOUNCE THEIR OATH OF ALLEGIANCE TO THE COUNTRY WHERE THEY TOOK THAT OATH.

Senator Drilon. Where is that, Mr. President?

Senator Lacson. Page 3, line 12D, Mr. President.

Senator Drilon. So how will it read now?

Senator Lacson. After the word "OFFICE" and semi-colon(;), *PROVIDED*, THAT THEY RENOUNCE THEIR OATH OF ALLEGIANCE TO THE COUNTRY WHERE THEY TOOK THAT OATH. Would that be proper, Mr. President?

Senator Drilon. We accept, Mr. President.

Senator Lacson. Thank you, Mr. President.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the amendment is approved.

The Majority Leader is recognized.

Senator Leviste. I move that we close the period of individual amendments, Mr. President.

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

#### APPROVAL OF S. NO. 2130 ON SECOND READING

Senator Leviste. Mr. President, I move that we vote on Second Reading on Senate Bill No. 2130, as amended.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 2130, as amended.

As many as are in favor of the bill, say aye.

Several Members. Aye.

The President. As many as are against the bill, say nay. [Silence]

Senate Bill No. 2130, as amended, is approved on Second Reading.

MOTION OF SENATOR DRILON  
(All Senators as Coauthors of S. No. 2130)

Senator Drilon. May we request, Mr. President, that all senators be considered as coauthors of the measure.

The President Pro Tempore. There is a motion to make all of the Senators coauthors in alphabetical order?

Senator Drilon. In the spirit of cooperation, yes, Mr. President.

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

Senator Biazon. Mr. President.

The President Pro Tempore. Senator Biazon is recognized.

MANIFESTATION OF SENATOR BIAZON  
(Begging Off from Being Made Coauthor  
of S. No. 2130 to Avoid Conflict  
of His Vote)

Senator Biazon. I am honored to be included as coauthor, but because the vote that I may cast may not be the same as the

votes of the authors, may I therefore beg off, Mr. President.

Senator Drilon. All right.

Senator Biazon. Thank you.

The President Pro Tempore. The name of Senator Biazon is deleted.

Senator Drilon. All right, we now proceed.

The President Pro Tempore. The Majority Leader is recognized.

Senator Leviste. May we request the Secretary to read the certification.

The President Pro Tempore. The Secretary will please read the certification.

The Secretary.

Malacañang  
Manila

May 27, 2002

**HON. FRANKLIN M. DRILON**  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2130, under Committee Report No. 46, 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,"

to address a public emergency consisting of the urgent need to stop the injustice unwittingly perpetrated against natural-born Filipinos who, upon acquisition of the citizenship of a foreign country, are deprived of constitutionally-guaranteed civil and political rights and barred from performing their appurtenant duties and responsibilities that may otherwise redound to national development.

Best wishes.

Very truly yours,

(Sgd.) GLORIA MACAPAGAL ARROYO

cc: HON. JOSE C. DE VENECIA, JR.

Speaker

House of Representatives

Quezon City

BILL ON THIRD READING

S. No. 2130--Dual Citizenship Act

Senator Leviste. In view of the certification, Mr. President, I move that we vote on Third Reading on Senate Bill No. 2130.

The President Pro Tempore. Is there any objection? [Silence] There being none, voting on Third Reading on Senate Bill No. 2130 is now in order.



The Secretary will please read only the title of the bill.

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 President Pro Tempore. We shall now vote on the bill and the Secretary will call the roll.

The Secretary. Senator Angara.

#### EXPLANATION OF VOTE OF SENATOR ANGARA

Senator Angara. Mr. President, it is a pleasure to vote affirmatively for this measure.

Mr. President, there are some who say that we should not readopt or adopt our former compatriots because once they have made up their minds to acquire another citizenship, that means that they have turned their back on loyalty and allegiance to our country.

I disagree with that assumption, Mr. President, because a Filipino wherever he is remains always a Filipino. And I see the reacquisition of citizenship as a plus, an asset, a positive addition to our race. Because many of these Filipinos who have acquired other citizenship have acquired talents, new skills and new technologies that they will be able to transfer to our country and that is definitely an addition to our national treasure.

Thank you, Mr. President.

The Secretary.

Senator Aquino-Oreta.....Yes  
Senator Arroyo.....Yes  
Senator Barbers.....Yes  
Senator Biazon.....

Senator Biazon. Mr. President, may I explain my vote.

The President Pro Tempore. Please proceed.

#### EXPLANATION OF VOTE OF SENATOR BIAZON

Senator Biazon. Thank you, Mr. President.

Mr. President, I support the political and economic intent of this bill. There is nothing better than allowing our Filipino overseas who have moved across the seas in search of greener pastures. I have had occasions to meet many of them in foreign lands where they have acquired citizenships and technically renounced their allegiance to the land of their birth, probably with pain in their hearts, tears in their eyes, and lumps in their throats as they struggle to say in words what their spirits cannot accept.

I can feel with them, Mr. President, as they passionately express their longing for their birthplace, missing the company of their relatives whom they have left behind and the comfort of the company of their friends that probably they may not meet again. I can even detect the sincerity of their wish to come back to this country and be given a chance to help the Philippines--if given a chance.

I therefore should have no reason not to vote for this bill in the affirmative, but, Mr. President, because of certain concerns basically borne out of my concern for our national security.

Considering, Mr. President, that if approved, this bill is going to be applicable to all Filipinos anywhere in the world having acquired citizenship of any country in this planet--countries that may have conflicts of interest with the Philippines.

There are, Mr. President, certain countries that we have disputes with ranging from territorial disputes to claims over exclusive economic zones. And because of this, I wanted to offer some amendments. But I thought that if I proposed certain amendments and they were accepted, this bill may become the butt of Senator Pimentel, which is nowhere, anywhere, neither here nor there.

Mr. President, because of this, I abstain from casting my vote.

Thank you.

The President Pro Tempore. Thank you,  
Senator Biazon.

The Secretary. Senators

Cayetano .....	
De Castro .....	Yes
Ejercito-Estrada .....	Yes
Flavier .....	Yes
Honasan .....	Yes
Jaworski .....	Yes
Lacson .....	Yes
Legarda Leviste .....	Yes
Magsaysay Jr. ....	Yes

Osmeña (J) .....Yes  
Osmeña (S) .....Yes  
Pangilinan .....Yes  
Pimentel .....Yes

Senator Pimentel. Mr. President.

The President Pro Tempore. Sen. Aquilino Q. Pimentel Jr. is recognized.

#### EXPLANATION OF VOTE OF SENATOR PIMENTEL

Senator Pimentel. I vote in favor of this bill, Mr. President, because it is not a butt, as has been pointed out, could have been with amendments that were never introduced.

Therefore, it is specifically its intent which is to enable our former Filipino citizens who have acquired so much expertise in various fields of endeavor abroad to enable them to share what they have acquired abroad in a more meaningful manner by considering them or making them citizens again of this country.

I believe, Mr. President, that this bill will go a long way towards promoting the economic development of the country by these former citizens coming back and devoting, at least, a part of their time, their treasure and their talent to the development of this country as citizens again of this land.

Therefore, it is for that reason, among other reasons, Mr. President, that I vote in the affirmative.

Thank you.

The President Pro Tempore. Thank you Senator Pimentel.

The Secretary. Senators

Recto .....  
Revilla .....  
Sotto III .....Yes

Senator Sotto. Mr. President.

The President Pro Tempore. Sen. Vicente C. Sotto III is recognized.

EXPLANATION OF VOTE OF SENATOR SOTTO

Senator Sotto. Marami pong salamat, mahal na Pangulo.

Kung mayroon hong pinakasentimental at pinakaiyakin na lahi sa mundo, ito na ang mga Pilipino. At kaya sa dinami-rami ng mga Pilipino sa iba't ibang bansa sa mundo, hindi lamang halos lahat, kundi lahat, ay pinapanaginip na magkaroon ng pagkakataon na makabalik kahit papaano sa kanilang bansa.

Itong batas na ito ang makapagbubukas ng pinto sa isang magandang pangarap ng ating mga kababayan.

Kaya ako po ay bumoboto na sang-ayon dito sa batas na ito.

Marami pong salamat.

The President Pro Tempore. Salamat sa iyaking Pilipino. [Laughter]

The Secretary. Senators

Villar .....  
The President .....Yes

APPROVAL OF S. NO. 2130 ON THIRD READING

The President Pro Tempore. With 16 affirmative votes, no negative vote, 1 abstention, Senate Bill No. 2130 under Committee Report No. 46 is approved on Third Reading.

The Majority Leader is recognized.

#### SPECIAL ORDER

Senator Leviste. Mr. President, I move that we transfer from the Calendar of Ordinary Business to the Calendar for Special Orders, Committee Report No. 89 on Senate Bill No. 2395, entitled

AN ACT PROVIDING FOR MORE SOCIAL PROTECTION AND BENEFITS, SELF-DEVELOPMENT AND SELF-RELIANCE OF SENIOR CITIZENS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY, FURTHER STRENGTHENING REPUBLIC ACT NO. 7432, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION-BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES"

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

OFFICIAL VISIT OF THE TEACHERS,  
PROFESSORS AND THE POLITICAL SCIENCE  
STUDENTS OF THE UNIVERSITY OF ST. LA  
SALLE, BACOLOD CITY, ACKNOWLEDGED

Senator Leviste. May we just acknowledge the presence of the teachers and the Political Science students of the University of St. La Salle, Bacolod, led by their teachers, Professors Ely Patriarca, Heines Salgado,

Adlin Dioso and their student coordinator,  
Lyndon Gionzon.

The President. Pro Tempore. The visitors  
are acknowledged in aid of reelection.  
[Laughter]

The Majority Leader is recognized.

Senator Leviste. I have also acknowledged  
earlier the presence of our senior citizens in  
the gallery today, including the senior  
citizens in the Hall among the senators.

BILL ON SECOND READING

S. No. 2395 - Providing More Social Protection  
and Benefits to Senior Citizens

Senator Leviste. Mr. President, I move  
that we consider Senate Bill No. 2395 as  
reported out under Committee Report No. 89.

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

Consideration of Senate Bill No. 2395 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. 2395  
entitled

AN ACT PROVIDING FOR MORE SOCIAL  
PROTECTION AND BENEFITS, SELF-  
DEVELOPMENT AND SELF-RELIANCE OF  
SENIOR CITIZENS AND THEIR  
INTEGRATION INTO THE MAINSTREAM OF  
SOCIETY, FURTHER STRENGTHENING  
REPUBLIC ACT NO. 7432, OTHERWISE  
KNOWN AS AN ACT TO MAXIMIZE THE

CONTRIBUTION OF SENIOR CITIZENS TO  
NATION-BUILDING, GRANT BENEFITS  
AND SPECIAL PRIVILEGES AND FOR  
OTHER PURPOSES

-----  
*The following is the whole text of the  
bill:*

(Insert)  
-----

Senator Leviste. I ask that Sen. Noli De  
Castro be recognized.

The President Pro Tempore. Sen. Noli De  
Castro is recognized.

Senator De Castro. Salamat po, G.  
Pangulo. Dahil ang ating mga panauhing senior  
citizen na kanina pa naghihintay ay naghihikab  
na po, irereport ko na ang panukalang-batas na  
ito.

SPONSORSHIP SPEECH OF SENATOR DE CASTRO

Mr. President and esteemed colleagues in  
this August Body.

Our Committee on Social Justice, Welfare  
and Rural Development, chaired by this  
representation, is proud to report to this  
Body the product of our study, hearings, and  
consultations on the proposed law recognizing  
the rights of and granting additional benefits  
to our beloved senior citizens.

G. Pangulo, ang Panukalang-Batas Blg. 2395  
sa ilalim ng Committee Report No. 89 ay  
naglalayong magbigay-pugay sa kadakilaan at  
kabayanihan ng ating mga nakatatandang  
mamamayang nag-ambag ng pawis at dugo upang



ating makamit ang kalayaan at kaginhawahang ating tinatamasa sa kasalukuyan. Tunay po na nararapat lamang na sila ay ating kilalanin at suklian ng pagmamahal.

Ang katandaan ay simbolo ng ganap na kalinangan at karunungan. Ang mga nakatatandang miyembro ng ating lipunan ang sandigan ng ating pagiging isang matatag na lipunan. Sila ang susi sa ating kasaysayan at tulay sa magandang hinaharap.

G. Pangulo, lahat tayo ay tatanda rin gaya nila. Ang ilan sa atin ay naroon na ngunit patuloy pa ring nagsisilbi sa bayan. Naniniwala ang inyong lingkod na obligasyon natin, bilang mga mambabatas, na kilalanin ang mga karapatan at bigyan ng dagdag na benepisyo ang ating mga minamahal na senior citizen.

G. Pangulo, ang Committee Report No. 89 ay produkto ng pag-aaral ng labinlimang mga panukalang-batas, at ito ay ang Senate Bill Nos. 400, 446, 709, 905, 908, 1079, 1174, 1175, 1399, 1465, 1538, 1769, 2202, 2206 and 2214 na isinumite nina Senate President Franklin M. Drilon, Sen. Edgardo J. Angara, Majority Leader Loren B. Legarda-Leviste, Sen. Robert Z. Barbers, Sen. Manuel B. Villar, Jr., Sen. Renato L. *Companero* Cayetano, Sen. Robert S. "JAWD" Jaworski, Sen. Gregorio B. Honasan, at ang inyong lingkod. At kasama ko rin po ang Senate Committee on Ways and Means na pinamumunuan ni Sen. Ralph G. Recto, Senate Committee on Finance na pinamumunuan ni Sen. Manuel B. Villar, Jr., at ang Senate Committee on Constitutional Amendments, Revision of Codes and Laws sa ilalim ni Sen. Edgardo J. Angara sa pag-aaral nitong panukalang-batas.

G. Pangulo, ang ating minamahal at pinahahalagahan sa araw na ito na mga senior citizen ay matagal nang napabayaang at

nakaligtaan ng gobyerno, bagaman ang kanilang kontribusyon sa ating ekonomiya at kultura ay hindi matatawaran. Noong kanilang kabataan, sila ang nagdepensa sa ating bansa at nagtaguyod sa ating kalayaan. Sila rin ang nag-aruga sa ating lahat at naghubog ng ating puso at isipang makabayan. At sa dapit-hapon ng kanilang buhay, kinakailangan nila tayo upang sila ay suklian ng pagmamahal, respeto at higit na pang-unawa.

In the course of public policy over the years, we have been guilty of putting aside consideration of issues concerning our senior citizens and their needs. Perhaps this is because our senior citizens are not as vocal as they once were, or because some people choose not to hear them, or even worse, choose to ignore them. Whatever the reason, we should not and cannot allow this to happen. To my mind, this is utter insensitivity.

We often forget that we, the younger generations, have a lot to learn from the generation before us. Indeed, it is always a pleasure to share their wealth of experience and knowledge because the stars still twinkle brightly, even in their twilight years.

Sa pamamagitan po ng Republic Act No. 7432, o ang Senior Citizens Law, na ini-sponsor ni Senador Angara noong 1991, nakabawi ang ating gobyerno sa matagal na panahong hindi pagpansin sa mga karapatan at pangangailangan ng ating mga nakatatanda. Mahigit isang dekada mula nang maipasa ang R.A. 7432, napapanahon na upang tingnang muli at pag-aralan ang kalagayan ng ating mga senior citizen. At bilang muling pagkilala sa kanilang kabayanihan, karapat-dapat lamang na madagdagan ang mga benepisyong ibinibigay ng kasalukuyang batas.

Mr. President, this bill recognizes the fact that our service system for senior citizens is woefully in need of public policies that will go beyond lip service, and provide real and consistent support. Towards this end, this bill seeks to ensure for our senior citizens the following:

- The availment of employment rights and training programs for those who have reached the compulsory retirement age under existing laws but are still willing and able to continue with their employment;

- Unconstrained access to formal and nonformal education;

- Establishment of a national health program for senior citizens;

- Setting up of residential care or group home for the aged in every province;

- Recognition of civil and political rights of the senior citizens and protection against violation of the same;

- Granting of additional benefits and privileges in the form of discounts, tax exemptions, free medical and dental services; and

- Protection against discrimination.

In this regard, Mr. President, I urge each and every member of this august Body to support this bill. This may not be enough for our senior citizens. But considering the present state of our economy and the many constraints that shade our path as a nation,

this bill is a big leap towards a brighter tomorrow for them, and a life ahead worth living for most of us who are on our way there.

G. Pangulo, lahat po tayo ay naghahangad ng magandang kinabukasan para sa ating mga nakatatanda. Umaasa ako na sa pagpapasa ng panukalang-batas na ito ay hindi na kailanman makakaranas ng diskriminasyon, pagkagutom, kahirapan, at pang-aapi ang mga mahal nating senior citizen.

Sa mga kadahilanang ito, G. Pangulo, hinihikayat ko ang Kapulungang ito na pagtulungan nating ipasa ang panukalang-batas na ito.

Maraming salamat po.

The President Pro Tempore. Thank you,  
Senator De Castro.

The Majority Leader is recognized.

#### SPONSORSHIP SPEECH OF SENATOR LEVISTE

Senator Leviste. Mr. President, we would like to cosponsor the measure and being one of the coauthors, we believe that despite the existence of the Senior Citizens Act or R.A. No. 7432, we know that there are certain establishments which continue to refuse to honor the provisions of this law. Apparently, the establishments involved have not seriously implemented the privileges and benefits supposed to be granted to our senior citizens under this law.

It is in this light that certain measures must be undertaken to further define the existing Senior Citizens Act. And this proposed Magna Charta for Older Persons seeks

to make the additional adjustments to expand the privileges and the benefits and possible livelihood programs of senior citizens and to provide them with the means of protecting their interests and their rights. It is in the light of this that we urge the cooperation of our colleagues for the passage of this measure.

#### SUSPENSION OF CONSIDERATION OF S. NO. 2395

I therefore move now, Mr. President, that we suspend consideration of the measure.

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

Senator Leviste. I ask now to recognize the Minority Leader who wishes to interpellate Senator Estrada on her point of personal privilege.

The President Pro Tempore. Sen. Vicente C. Sotto III is recognized for the interpellation. Sen. Luisa Ejercito Estrada is recognized to respond.

Senator Sotto. Mr. President, we would like first to thank the Leadership for allowing us to be able to propound these questions to the distinguished lady.

Will the distinguished lady Senator from San Juan and Zambales yield for just two, very short questions?

Senator Estrada. Willingly, Mr. President.

Senator Sotto. Thank you.

Mr. President, my curiosity was aroused by the mention of the distinguished lady Senator

of the allegations before of certain joint bank accounts of former President Estrada and Senator Lacson. And so, as I said, just for curiosity's sake, I just want to know from the distinguished lady Senator if she has a joint bank account with President Joseph Estrada?

Senator Estrada. Mr. President, I am very positive that I do not have any joint account with President Estrada in the U.S. or any other countries.

Senator Sotto. Yes, Mr. President. But the allegation is that there is a joint account between President Estrada and Senator Lacson. Is it not right?

Senator Estrada. Yes, Mr. President. I am surprised to know that the allegations of Col. Victor Corpus....He claimed that President Estrada and Senator Lacson have a joint account in Hong Kong. That is why I asked President Estrada about this....

Senator Sotto. That is the reaction that I wanted to get from the distinguished lady Senator. That would be my next question.

How did the lady Senator feel and what did she say after being told in the newspapers that the lady Senator and her husband do not have a joint account, but her husband has a joint bank account with Senator Lacson? Six.

Senator Estrada. Eh, siyempre nagseselos ako noon. *[Laughter]*.

Mr. President, I was surprised when that came out from the newspapers, because I know for a fact that there is no deposit or joint account of the two.

Senator Sotto. Thank you, Mr. President. I am glad that I have now cleared that in my mind. I always wanted to find out how the lady Senator felt about these allegations.

Just one more question, Mr. President. On page 5 of the lady Senator's speech, on the second paragraph, she called certain personalities "mga estapador, swindler at smuggler," as we would find out later. May we know who this swindler is? Sino po ito? Para makapag-ingat at maiwasan namin kung sino nng mga swindler na ito.

Senator Estrada. Mr. President, I am referring to Ador Mawanay.

Senator Sotto. The favorite of the Majority Leader, Mr. President? [Laughter]

Senator Estrada. And also this Danny Debdane. Before anybody could choose somebody or a witness to testify in court, at least maybe he should look into his character, background, or if he has cases or charges in court. Maybe Col. Victor Corpus did not look into their backgrounds so that they perjured themselves during the investigation.

Senator Sotto. I see. Anyway, thank you very much, Mr. President. I think my curiosity was satisfied.

The President Pro Tempore. Thank you. Senator Oreta is recognized.

Senator Oreta. Thank you, Mr. President.

Will the lady Senator, at least, answer one or two questions?

Senator Estrada. Yes, Mr. President.

Senator Oreta. May we know the status of Colonel Corpus' investigation. Has anyone been prosecuted before the Ombudsman? Or are there any cases filed before the Sandiganbayan? I remember well Colonel Corpus used to appear before the media almost daily. And now, as the lady Senator mentioned in her speech, nothing has been heard from him at this time. May we know if any action has been done by him when he had these daily exposes?

Senator Lacson. Mr. President, with the permission of the two lady Senators.

The President Pro Tempore. With their permission, Senator Lacson is recognized.

Senator Lacson. There is a court case pending at the Makati Regional Trial Court against Colonel Corpus for libel, Mr. President.

The President Pro Tempore. I would like to thank the gentleman for that intervention.

Senator Oreta. Well, that is against Colonel Corpus. I was asking if Colonel Corpus, because of the rampage that he had on a daily basis—maligning the senators, two of our colleagues and President Estrada—has done anything to present his case in court, or he just maligning them, kept quiet and destroyed their characters?

Senator Estrada. Mr. President, this is the reason I delivered this privilege speech. Because this is more than one year already. This is a period long enough for our committee to consolidate or to make a report on this case. So, I really wanted to know what was the outcome of the committee hearings concerning this issue.



Senator Oreta. So, Mr. President, the head of the Intelligence just rattled and blabbered away with no basis. Because up to now he does not have any proof of what he mentioned on television, radio, and media a year ago.

Senator Estrada. The lady Senator is right, Mr. President.

Senator Oreta. All right. I would like to thank the lady Senator for that.

Thank you, Mr. President.

The President Pro Tempore. Thank you. Sen. Noli "Kabayan" de Castro is recognized.

Senator De Castro. Just one question, Mr. President.

On page 5 of Senator Estrada's privilege speech, nabanggit po rito ang katagang "Sino naman kaya ang susunod ngayon?"

Bakit ninyo nasabi ito, Senator Estrada?

Senator Estrada. Nasabi ko iyan, G. Pangulo, dahil lahat po ng mga perceived political opponent ni Mrs. Arroyo ay kanilang pinupuntirya. Kaya sa palagay ko ikaw ang susunod. [Laughter]

Senator De Castro. Bakit naman po nasabi ninyo iyan, Senator Estrada?

Senator Estrada. Alam ninyo nabasa ko sa diyaryo kahapon, na kasama ka sa presidentiables. Kaya ikaw, Senator De Castro, mag-ingat ka.

Senator De Castro. Ang ibig po ninyong sabihin ay puwede kaming akusahan na mayroon

din kaming milyun-milyong dolyar sa Citibank Branch sa Hong Kong?

Senator Estrada. Puwedeng ganoon. Alam mo kung may delusion ang katulad ni Colonel Corpus, siguradong kasama ka roon sa pupuntiryahin nila.

Senator De Castro. So, hindi rin malayo na sabihing ako ay isang drug lord?

Senator Estrada. Bakit hindi? Kahit na....

Senator De Castro. Salamat po, Mr. President, baka kung ano pa ang maisagot sa akin ni Senador Estrada.

The President Pro Tempore. Mukhang nagsisisi ang magiting na Ginoo sa kaniyang pagtatanong. *[Laughter]*

The Majority Leader is recognized.

OFFICIAL VISIT OF THE FACULTY OF ISABELA STATE UNIVERSITY HEADED BY ITS VICE PRESIDENT, EMERENCIANA CLARAVAL, ACKNOWLEDGED

Senator Leviste. Mr. President, we would also like to acknowledge the Faculty of Isabela State University headed by its Vice President, Emerenciana Claraval.

The President Pro Tempore. It is so noted.

Senator Leviste. Mr. President, I move that we proceed to the Second Additional Reference of Business.

The President Pro Tempore. The Secretary will please read the Second Additional Reference of Business.

SECOND ADDITIONAL REFERENCE OF BUSINESS

RESOLUTIONS

The Secretary. Proposed Senate Resolution No. 460, entitled

RESOLUTION URGING THE COMMITTEE ON PUBLIC SERVICES; AND SCIENCE AND TECHNOLOGY TO INQUIRE AND LOOK INTO, IN AID OF LEGISLATION, THE RAMPANT USE OF PREPAID WIRELESS PHONES AS A FAVORED TOOL IN COMMITTING CRIMINAL ACTIVITIES DUE TO ITS NATURE OF BEING UNREGISTERED AND UNTRACEABLE WITH THE END IN VIEW OF COMING UP WITH LEGISLATIVE MEASURES THAT CAN EFFICIENTLY NEUTRALIZE THE USE OF PREPAID CELLULAR PHONES BY ORGANIZED CRIMINAL ELEMENTS OF THE SOCIETY IN CARRYING OUT EFFECTIVELY ITS ILLEGAL ACTIVITIES BY LOOKING AT THE VIABILITY OF REQUIRING THE REGISTRATION OF PREPAID PHONE SUBSCRIBERS, AND INSTALLATION OF A GLOBAL POSITIONING SYSTEM (GPS) SOFTWARE IN ALL CELLULAR PHONE SIM CARDS TO EASILY TRACE THE EXACT LOCATION OF THE USER OR RECOMMEND THE POSSIBLE BANNING OF PREPAID CELLULAR PHONES IF THIS WOULD BE THE ONLY VIABLE MEANS OF ERADICATING PREPAID CELLULAR-AIDED CRIMES

Introduced by Senator Sotto III

The President Pro Tempore. Referred to the Committees on Public Services; and Public Order and Illegal Drugs

The Secretary. Proposed Senate Resolution No. 461, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO CAUSE THE IMMEDIATE ESTABLISHMENT OF AN ANTI-TERRORIST INFORMATION SYSTEM SPEARHEADED BY THE NATIONAL INTELLIGENCE COORDINATING AGENCY (NICA) IN VIEW OF THE ESCALATING TERRORISTIC ACTIVITIES AND OTHER SIMILAR THREATS TO NATIONAL SECURITY

Introduced by Senators Honasan, Drilon, Sotto III, Leviste, Angara, Arroyo, Biazon, De Castro, Ejercito-Estrada, Flavier, Jaworski, Lacson, Magsaysay Jr., Aquino-Oreta, Pangilinan, Pimentel Jr., Villar Jr., and Recto

The President Pro Tempore. Referred to the Committee on Rules

CONSIDERATION OF P. S. RES. NO. 457  
(Congratulating the National Press Club On Its Golden Anniversary on October 29, 2002)

Senator Leviste. Mr. President, I move that we consider Proposed Senate Resolution No. 457.

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

Consideration of Proposed Senate Resolution No. 457 is now in order. The Secretary will read the title and text of the resolution.

The Secretary. Proposed Senate Resolution  
No. 457, entitled

A RESOLUTION CONGRATULATING THE  
NATIONAL PRESS CLUB OF THE  
PHILIPPINES ON THE OCCASION OF ITS  
GOLDEN ANNIVERSARY ON OCTOBER 29,  
2002

Whereas, in 1950, a diverse group of  
journalists organized the National Press Club  
(NPC), which was officially incorporated as a  
nonstock and nonprofit with the Securities and  
Exchange Commission (SEC) on October 22, 1952;

Whereas, through the vision of its  
leaders, the National Press Club has become an  
institution and is the national organization  
of print, television and broadcast journalists  
in the Philippines, and is one of the most  
prestigious and most respected organizations  
in the country known all over the world for  
its high regard for press freedom;

Whereas, since its inception, the National  
Press Club has succeeded in promoting  
cooperation and understanding among  
journalists and has drafted a code of ethics  
for the advancement of the journalism  
profession;

Whereas, the National Press Club has  
promoted exchanges of media persons among  
various countries for observation and study,  
as well as to enhance the outlook of  
newspapermen and newspaperwomen through travel  
and study abroad;

Whereas, the National Press Club has  
produced three Speakers of the House of  
Representatives, a Senate President, and three  
Senate Majority Leaders, as well as

outstanding lawmakers, Cabinet members and public officials who all contributed in making the NFC a bastion of press freedom;

Whereas, the National Press Club was instrumental in delivering information to the public in the true spirit of democracy, especially in the golden moments of EDSA 1 and EDSA 2;

Whereas, due to its firm resolve to be vanguards of press freedom and to uphold the dignity of the journalists as professionals, the National Press Club deserves to be commended not only for being an institution for the past 50 years but also for playing a vital role in the Filipinos' struggle for honesty and democracy;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED; congratulating the National Press Club on the occasion of its golden anniversary on October 29, 2002.

Adopted,

(Sgd.) LOREN LEGARDA LEVISTE  
Senator

The President Pro Tempore. The Majority Leader is recognized.

Senator Leviste. I move that we adopt Proposed Senate Resolution No. 457.

The President Pro Tempore. Is there any objection? [Silence] There being no objection,.....

Senator Pimentel. Mr. President.

The President Pro Tempore. Senator Pimentel would like to make a manifestation.

Senator Pimentel. Mr. President, at the last "Whereas", it says here, "the National Press Club deserves to be commended not only for being an institution for the past 50 years..." I think there is something missing. There is some phraseology that is missing—an institution of what?

Probably, we should add some phrase to it because otherwise it would be hanging. I think we have to modify it.

Senator Leviste. May we hear from the good gentleman what is his amendment to further improve the resolution.

#### PIMENTEL AMENDMENT

Senator Pimentel. "...for being an institution UPHOLDING ..."

Senator Leviste. UPHOLDING THE IDEALS OF DEMOCRACY....

Senator Pimentel. ....AND PRESS FREEDOM, probably.

Senator Leviste. "...for being an institution UPHOLDING THE IDEALS OF PRESS FREEDOM AND DEMOCRACY for the past 50 years..."

The President Pro Tempore. What does the author say? Is the sponsor accepting the amendment?

Senator Leviste. Yes, we accept the amendment, Mr. President.

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

ADOPTION OF P.S. RES. NO. 457

Senator Leviste. With no other amendments, Mr. President, I move that we adopt Proposed Senate Resolution No. 457, as amended.

The President Pro Tempore. Is there any objection? [Silence] There being no objection, the motion is approved.

CONSIDERATION OF P.S. RES. NO. 461  
(Establishment of an Anti-Terrorist  
Information System)

Senator Leviste. Mr. President, I move that we now consider Proposed Senate Resolution No. 461.

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

Consideration of Proposed Senate Resolution No. 461 is now in order. With the permission of the Body, the Secretary will read the title and text of the resolution.

The Secretary. Proposed Senate Resolution No. 461, entitled

A RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO CAUSE THE IMMEDIATE ESTABLISHMENT OF AN ANTI-TERRORIST INFORMATION SYSTEM SPEARHEADED BY THE NATIONAL INTELLIGENCE COORDINATING AGENCY (NICA) IN VIEW OF THE ESCALATING TERRORISTIC ACTIVITIES AND OTHER SIMILAR THREATS TO NATIONAL SECURITY



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

WHEREAS, Section 4 of the same Article further provides that it is the prime duty of the Government to serve and protect the people;

WHEREAS, confronted by the new and changing contours of politics and economics, both internal and external, there is an imperative need to meet these new and increasing challenges for the maintenance of peace and order and stability in our nation;

WHEREAS, the global presence of terrorism has resulted in a systematic operation of international organized terrorist groups in our country thereby sapping the already limited resources of our police and security agencies concerned;

WHEREAS, even our local police and security agencies have failed to accurately identify terrorist suspects and carry out successful operations against them because of the lack of access to, if not the absence of a comprehensive database system on terroristic activities;

WHEREAS, the absence of a reliable information system has eroded the people's confidence on the capability

of our police and security personnel to successfully resolve cases of terrorism;

WHEREAS, to date NICA has no unified and central information on terrorist elements and groups operating in the Philippines, a necessary ingredient to the government's efforts to defeat terrorism in our shores;

WHEREAS, in view of the above, there is a need to strengthen NICA, consolidate and secure information regarding terrorist elements that would be readily available and accessible to all police and security agencies concerned;

WHEREAS, in view further of the reported transfer of the base of operations to Southeast Asia of known international terrorist organizations, the Anti-Terrorist Information System should likewise be linked up with the police and security organizations of Indonesia, Malaysia, Singapore, Thailand and other ASEAN nations to support our collective campaign against terrorism;

BE IT RESOLVED, as it is hereby resolved, to express the sense of the Senate to cause the immediate establishment of an Anti-Terrorist Information System to be spearheaded by the National Intelligence Coordinating Agency (NICA) in view of the escalating terroristic activities and other similar threats to national security.

Adopted,

(Sgd.) GREGORIO B. HONASAN  
Senator

The President Pro Tempore. The Majority Leader is recognized.

Senator Leviste. With the permission of the Chamber, I ask that we recognize the sponsor of the measure, Sen. Gregorio B. Honasan; and after him, Sen. Vicente C. Sotto III; then Sen. Rodolfo G. Biazon.

The President Pro Tempore. Sen. Gregorio B. Honasan is recognized.

#### SPONSORSHIP SPEECH OF SENATOR HONASAN

Senator Honasan. Thank you, Mr. President.

Mr. President, my distinguished colleagues, there are occasions when we can set aside our political differences and stand united. This opportunity is presented in our collective fight against terrorism.

The government needs all hands to thwart future bomb attacks and neutralize these terrorists. These terror groups must not be allowed to disrupt our peace and take us all hostage. It is a clamor for immediate and decisive action to neutralize terrorists operating in the country. Our people want our leaders to demonstrate political will and unity in fighting this new menace that has sowed so much fear and instability.

The fight against terrorism, Mr. President, if it is to be effective, requires cooperation and active involvement of our people, particularly from those who have the

mandated capability and resources to respond to terroristic activities. A proactive, organized, and cost-effective response begins with accurate, complete, and timely data.

It is in this spirit, Mr. President, my distinguished colleagues, that I am submitting a proposed resolution of the Senate, seeking the establishment of an Antiterrorist Information System, as an initial step in the government's antiterrorism campaign.

The proposed Antiterrorist Information System calls for unified and centrally consolidated information on terrorist elements and groups operating in the Philippines, a necessary ingredient in the government's efforts to defeat terrorism in our shores. This system, Mr. President, seeks to strengthen the National Intelligence Coordinating Agency, making NICA the lead agency that will consolidate and secure information regarding terrorist elements that would be readily available and accessible to all police, security, and other agencies concerned.

Furthermore, in view of the reported transfer of the base of operations to Southeast Asia of known international terrorists organizations, the Antiterrorist Information System should likewise be linked up with the police and security organizations of Indonesia, Malaysia, Singapore, Thailand, and other ASEAN nations to support our collective campaign against terrorism.

I therefore ask our distinguished colleagues for bipartisan support for the proposed resolution as part of our sustained contributions to the government's efforts to combat global terrorism.

Thank you, Mr. President.

The President Pro Tempore. Thank you, Senator Greg.

Sen. Rodolfo G. Biazon is recognized for a cosponsorship speech.

SPONSORSHIP SPEECH OF SENATOR BIAZON

Senator Biazon. Thank you, Mr. President.

Mr. President, after the 9-11 incidents in New York and Washington, D.C., the world woke up to a new threat to world order, and this comes in the form of terrorism, terrorism, whose targets are across borders, whose targets are irregardless of political identity, whose targets are mainly of high impact to the stability of the world.

Mr. President, even before that, our country had suffered terroristic attacks, most notably the bombings in December of the year 2000 when many people died on the train, many people died in the bus, and many people died somewhere else as a result of these terroristic bombing acts.

Mr. President, the first line of defense against terrorism is Intelligence. Deploying platoons and rifle companies, uniformed policemen in the streets, and even armed barangay tanods that are being proposed, would not do. The first line of defense is, again, the Intelligence. Because terroristic acts and terrorists' presence can be manifested only after the act is already committed. Therefore, there is a need for us to strengthen our intelligence agencies.

Mr. President, in our search for answers to questions as to whether our intelligence agencies are properly structured, as to whether there are central directions to our campaign against terrorism in terms of intelligence, as to whether the logistical support that is made available to our intelligence agencies are sufficient--and if sufficient, are they being used properly?--as to whether the assignment of senior intelligence officers is in accordance with existing policies, such as the intelligence eligibility list, we need to look for the answers to these questions.

One step, Mr. President, is to structure properly all the intelligence agencies in the country, and that by passing this resolution, this could properly be the answer and this could properly be the force that will compel the executive department to take a look at our intelligence agencies.

In the National Security Council meeting this afternoon, Mr. President, it was apparent that there is no single entity that is charged with the responsibility of coordinating all the plans and policies and providing a centrally directed program because "each to his own" is the rule that is now governing the efforts of the government in this fight against international terrorism and domestic terrorism.

So, Mr. President, probably, if we take a look at the logistical support that is provided to the intelligence agencies, including the funding allocation that is within the power of Congress, I raised a question in the past asking, for example, why should the office of the President be granted P650 million intelligence fund when the Philippine Army is only given P24 million? Or

for that matter, even the whole Defense establishment, including the Office of the Secretary of Defense, and the whole Armed Forces of the Philippines, and other agencies under that bureau is only granted P111 million?

So, I raise a question: What is this P650 million intelligence fund being asked by the Office of the President about? And probably, Mr. President, with the approval of this resolution, there will be a forced inquiry into the utilization of the intelligence funds.

And I repeat, the first line of defense against terrorism, whether it is the international or the domestic branch, the first line of defense is Intelligence.

Thank you, Mr. President.

The President Pro Tempore. Thank you, Sen. Rodolfo "Pong" Biazon.

Sen. Vicente "Tito" C. Sotto III is recognized for a cosponsorship speech.

#### SPONSORSHIP SPEECH OF SENATOR SOTTO

Senator Sotto. We would just like to say "Amen" to what has just been mentioned by Senator Biazon and also, of course, by Senator Honasan, who is the principal author of this resolution.

Senator Honasan, who is technically classified as an "international terrorist," [Laughter] therefore, he must know what he is afraid of...I mean, he must know what he is talking about, Mr. President.

So, we lend our voices into the chorus for the passage of the resolution.

Thank you, Mr. President.

The President Pro Tempore. Thank you, Senator Sotto.

Senator Leviste. May I just seek clarification, Mr. President, from the statement of the Minority Leader.

I know that sometime in the Eleventh Congress, two years ago, Senator Pimentel rose on a point of personal privilege to address that concern relating to Senator Honasan's being tagged as "terrorist." May I know whether that still stands up to now? I thought that area has been cleared.

I would like to address it to the Minority Leader or maybe Senator Honasan himself.

The President Pro Tempore. Would Sen. Gregorio B. Honasan like to respond?

Senator Honasan. Thank you, Mr. President.

In response to the Majority Leader's query, technically, this representation is still classified as an "international terrorist" and this is reflected in the annotation of our U.S. visa.

Senator Leviste. I remember that because we went to Guam together once in the same flight and I recall that he was taken aside. I thought he was accorded VIP treatment, not realizing that he was being perhaps questioned or searched longer than the rest of the passengers. Is that because he had an annotation on his U.S. visa?



Senator Honasan. That is correct, Mr. President.

Senator Leviste. May we know, Mr. President, what it would entail to correct that, if the good gentleman would wish to? Has he done anything to correct that annotation on the U.S. visa?

Senator Honasan. Well, Mr. President, we have exhausted all legal means to communicate this to the U.S. authorities. Apparently, it has fallen on deaf ears. I am still hopeful that the Chamber, in light of the global efforts against terrorism, will see fit to delete this representation's name so that we can actively participate not as terrorist but as counterterrorist.

Senator Leviste. May we know, Mr. President, when did the good gentleman secure his U.S. visa that had an annotation that he was an international terrorist?

Senator Honasan. At the beginning of the Tenth Congress.

Senator Leviste. May we know when that was? What month and what year?

Senator Honasan. I will provide the necessary data to the lady senator.

Senator Leviste. May we know, Mr. President, how that visa looks? Is it the usual visa that we have? And what does it say? Does it explicitly say "international terrorist"?

Senator Honasan. No, it does not say so categorically, Mr. President, but this is the interpretation of the annotation in the issued

visa. But I have been able to go in and out of the United States on official missions by virtue of a waiver also that was issued by the same U.S. Embassy.

Senator Leviste. May we know, Mr. President, what does the waiver contain?

Senator Honasan. To explain that I am an elected official of the Republic; an elected senator and that this representation is entitled to certain considerations that will allow me to go in and out for official purposes.

Senator Leviste. May we know, Mr. President, on what basis the tag of "international terrorist" was accorded the senator?

Senator Honasan. Thank you, Mr. President. This was initiated in a previous administration because of the repeated attempts to overthrow what was then considered as the duly constituted authority.

Senator Leviste. May we know, Mr. President, based on perhaps the legal assistance the gentleman has been getting from his lawyers what are the remedies to this situation?

Senator Honasan. I guess it must be done on the basis of government-to-government, Mr. President, and as I said earlier, I am still hopeful that the Chamber will see it fit once again to raise this issue in light of fairness not only to the Chamber but to this representation.

Senator Leviste. I understand, Mr. President, that the CPP founder, Joma Sison, is also tagged as an international terrorist.

Does that make Senator Honasan of the same rank as Jose Ma. Sison who is on exile?

Senator Honasan. Mr. President, maybe Mr. Sison is a more-ranking member in the international terrorist community, and I say this....

Senator Leviste. Osama Bin Laden has also been ranked as an international terrorist. Does that also put the good senator in the same rank as that of Osama Bin Laden?

Senator Honasan. Mr. President, the only insight I can share with the lady senator is the fact that this representation, by virtue of a grant of an amnesty, has been rehabilitated and reformed. I am now in fact, as the lady senator is very well aware of, the undisputed Chairman of the Senate Committee on Peace, Unification and Reconciliation.

Senator Leviste. If the good senator has been rehabilitated and availed himself of the amnesty, why is the terrorist tag still there?

Senator Honasan. That is a question that continues to occupy my mind also, Mr. President. Since the lady senator raised this issue in the very Halls of this Chamber, I am hoping that with Senator Pimentel's help and the other members of the Chamber, we can also generate bipartisan support for the effort to delete the name of this representation from the list of international terrorists.

Senator Leviste. Does it mean, Mr. President, that the issuance of the visa or the deletion of the tag of "international terrorist" from the U.S. visa of the good senator will have to come then from the State Department in Washington or is it merely an embassy decision?

Senator Honasan. It will have to come from the State Department. That was what I was made to understand.

Senator Leviste. That is all for the moment, Mr. President. Thank you.

Senator Honasan. Thank you so much, Mr. President, for the concern.

The President Pro Tempore. Sen. Vicente C. Sotto III is recognized, after that, Sen. Joker P. Arroyo.

Senator Sotto. Mr. President, I just wish to thank the Majority Leader because I was quite nostalgic a few moments ago listening to the interpellation. I thought it was the flashback of the "Inside Story."

The President Pro Tempore. Thank you.

Sen. Joker P. Arroyo is recognized.

Senator Arroyo. Thank you, Mr. President.

Will my *Kababayan* from Bicol yield for some questions?

Senator Honasan. With pleasure, Mr. President, from my idol, my Manoy Joker from the same Bicol Region.

Senator Arroyo. Mr. President, does the gentleman not think that that tag of "international terrorist" is a badge of honor? [Laughter]

Senator Honasan. Depending on where one sits, Mr. President. If the Chamber does not mind having a colleague classified as an "international terrorist", why should I be

onion-skinned about that tag? It is, in fact, in some ways a badge of honor.

Senator Arroyo. It is a badge of honor because in spite of the tag of "international terrorist", the gentleman was elected twice.

Senator Honasan. In fact, if I may add, there is a long-running joke going around among political analysts that this country was very peaceful until the Bicolanos came.  
[Laughter]

Senator Arroyo. Mr. President, how can the gentleman be an international terrorist when he topped the polls in Bicol in 1995 and 2001. I think he should be commended for being an international terrorist. [Laughter]

Senator Honasan. That commendation, I will treasure.

Senator Arroyo. I mean, if Senator Honasan is good for us, then that is enough. Let others say anything they may want. But our esteem is what really matters. Perhaps Senator Honasan would want that stigma eliminated.

As we know, Senator Honasan and I were in opposite sides in 1987 or 1989, but still, once one is elected by the country, given a visa and then there is a condition, does not exactly look very nice. I hope that "badge of honor" will be eliminated if Senator Honasan wants it that way.

Thank you very much, Mr. President.

Senator Honasan. Thank you so much, Mr. President.

The President Pro Tempore. Thank you.  
Senator Biazon is again recognized.

Senator Biazon. Yes, Mr. President.

May I ask Senator Honasan some questions.

Senator Honasan. With pleasure, Mr. President.

Senator Biazon. Is this annotation in the visa of the good Senator, in his passport already erased?

Senator Honasan. No, Mr. President.

Senator Biazon. Mr. President, if there is anyone in this Chamber who would make a move for the elimination of that annotation, count me in. In spite of the historical relationship between the good senator from Bicol and this representation, we, warriors, fight at the moment of fighting, but at the end of the conflict, we are brothers, more than relationship of other people to one another.

Senator Arroyo. With the permission, Mr. President, of Senator Biazon and Senator Honasan, they were in opposite camps in 1989, does the gentleman not remember?

Senator Biazon. Yes, Mr. President.

Senator Arroyo. He was the Chief of Staff and Gringo was on the other side. Now, we are already "okay", then what is the U.S. quibbling about?

Senator Biazon. That is why, Mr. President, probably at the appropriate time, we may have to consider a resolution that should be adopted by this Chamber through

appropriate diplomatic processes; adopt a resolution that could probably help remove, eliminate that annotation. Because the good Senator from Bicol and this representation, Mr. President, have served this country in many ways, and this cannot be erased by any move, by anyone specially if this is done by a foreign power.

So, at the appropriate time, Mr. President, after appropriate studies probably, we should adopt a resolution that would eliminate such a stigma from one of the members of this Chamber.

Thank you, Mr. President.

Senator Honasan. Thank you, Mr. President.

The President Pro Tempore. Thank you for that manifestation.

The Majority Leader is recognized.

#### ADOPTION OF P.S. RES. NO. 461

Senator Leviste. I move, Mr. President, for the adoption of the resolution.

The President Pro Tempore. Is there any objection? [Silence] There being no objection, Proposed Senate Resolution No. 461 is hereby adopted.

Senator Leviste. Before that, Senator Pimentel, wishes to explain his vote.

#### EXPLANATION OF VOTE OF SENATOR PIMENTEL

Senator Pimentel. May I put on record why I am voting for this resolution, Mr. President.

Very briefly, I am voting for this resolution for the simple reason that its intention is to create a unified list of so-called "terrorists" in this country, Mr. President, which list is missing up to this moment. I gathered this from the principal authors themselves, Mr. President.

I would like to put on record, however, that while I am in favor of this resolution, it does mean that those who might be listed in this resolution are necessarily terrorists until proven by court and by proper action.

I am a little apprehensive, Mr. President, that what happened to our colleague, Sen. Gringo Honasan, could conceivably happen to those who are listed in this terrorist list because I am quite certain that Senator Honasan--when he was still rebelling against the government--must have been listed in a terrorist list compiled by the United States and which is probably why even at this late day, when he has already joined the government, he is still being tagged as a terrorist in the conditions set on his visa when he applied to set foot in the United States.

Therefore, Mr. President, I would like to put that caveat even, as we approve this resolution, that the inclusion of the names of those who might find themselves in this terrorist list is by no means an indication that by law, they are considered terrorists. Therefore, their rights as citizens of this country, if they are citizens of this country or as human beings, if they are not citizens of this country must always be respected even if they are listed as terrorists in the list that we are



authorizing the Armed Forces to compile, Mr. President.

The President Pro Tempore. Thank you for the manifestation.

May I reiterate the motion to approve Proposed Senate Resolution No. 461.

Is there any objection? [Silence]  
There being none, the same is...

Senator Osmeña (J.) Mr. President.

The President Pro Tempore. Sen. John H. Osmeña is recognized.

#### EXPLANATION OF VOTE OF SENATOR OSMENA (J)

Senator Osmeña (J). I rose, Mr. President, to register my negative vote. Precisely because I share with Senator Pimentel's apprehension. What we have seen in this Chamber in the last two years makes me really wonder whether we should again provide an opportunity for certain people to besmirch the reputation so recklessly in a manner that we make it very difficult to change. That is why in the, shall we say, abundance of caution, I would like to register a negative vote.

The President Pro Tempore. The negative vote of Sen. John Osmeña is noted.

The President Pro Tempore. With that, the motion to adopt Proposed Senate Resolution No. 461 is hereby approved, if there is no objection. [There was none.]

The Majority Leader is recognized.

SUSPENSION OF SESSION

Senator Leviste. Mr. President, I move that we suspend the session until ten o'clock in the morning, Thursday, October 24, 2002.

The President Pro Tempore. Is there any objection? [Silence] There being none, the session is suspended until tomorrow, October 24, 2002, Thursday, ten o'clock in the morning, sharp.

*It was 6:16 p.m.*

