

RECORD OF THE SENATE

WEDNESDAY, DECEMBER 19, 2001

OPENING OF THE SESSION

At 4:08 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

The President. The 42nd session of the First Regular Session of the Twelfth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Blas F. Ople.

Everybody rose for the prayer.

PRAYER

Senator Ople.

Panginoong Diyos,

Patnubayan Mo po ang aming bansa na muling nalugmok sa isang matinding krisis na pangkabuhayan, lalo na ang libu-libong mga Pilipino na nawalan ng hanapbuhay at ang kanilang nagdarahop na mga pamilya.

Sa harap ng ganitong naglalatang na krisis dapat sana ay mabuo ang hanay ng mga Pilipino at magkaisa sa isang dakilang layunin—ang maibangon ang lugaming ekonomiya ng aming bansa.

Dahil dito, Panginoon, gawin Mo po kaming kasangkapan ng Iyong kapayapaan. Make us instruments of Your peace, understanding and solidarity. Help us overcome any petty internecine quarrels and forge our solidarity behind the goal of stimulating our moribund economy and help create jobs for the millions of our countrymen who are losing their jobs or who are chronically unemployed.

Finally, Lord, please bless the Senate so that it can rise to the highest expectations of our people.

Thank you, Lord, for listening to our prayers.

Amen.

The President. The Secretary will please call the roll.

ROLL CALL

The Secretary, reading:

Senator Edgardo J. Angara Present

Senator Teresa Aquino-Oreta Present*
Senator Joker P. Arroyo Present
Senator Robert Z. Barbers Present
Senator Rodolfo G. Biazon Present
Senator Renato L. *Compañero* Cayetano ... Present*
Senator Noli “Kabayan” L. 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 Blas F. Ople Present
Senator John Henry R. Osmeña Present*
Senator Sergio R. Osmeña III Present*
Senator Francis N. Pangilinan Present
Senator Aquilino Q. Pimentel Jr. Present
Senator Ralph G. Recto Present
Senator Ramon B. Revilla Present
Senator Vicente C. Sotto III. Present*
Senator Manuel B. Villar Jr. Present*
The President Present

The President. With 16 senators present, there is a quorum.

Senator Legarda Leviste. Mr. President.

The President. The Majority Leader is recognized.

THE JOURNAL (Consideration Deferred)

Senator Legarda Leviste. Mr. President, I move that we defer consideration and approval of the 41st *Journal* of November 26, December 4, December 10 to 14, December 18 and December 19, 2001, as it is still being finalized.

The President. Is there any objection? [*Silence*] There being none, consideration of the *Journal* of the previous session is hereby deferred.

Senator Legarda Leviste. 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.

* Arrived after the roll call

**BILL ON THIRD READING
S. No. 1949 — Rental Reform Act of 2002**

Senator Legarda Leviste. Mr. President, I move that we vote on Third Reading on Senate Bill No. 1949.

The President. Is there any objection? [*Silence*] There being none, voting on Third Reading on Senate Bill No. 1949 is now in order.

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

The Secretary. Senators

Angara	
Aquino-Oreta	Yes
Arroyo	
Barbers	
Biazon	Yes
Cayetano	
De Castro	Yes
Ejercito Estrada	Yes
Flavier	Yes
Honasan	
Jaworski	Yes
Lacson	Yes
Legarda Leviste	Yes
Magsaysay Jr.	Yes
Ople	Yes
Osmeña (J.)	
Osmeña III	
Pangilinan	Yes
Pimentel Jr.	Yes
Recto	Yes
Revilla	Yes
Sotto III	
Villar Jr.	Yes
The President	Yes

APPROVAL OF S. NO. 1949 ON THIRD READING

The President. With 16 affirmative votes, no negative vote, and no abstention, Senate Bill No. 1949 is approved on Third Reading.

**CONFERENCE COMMITTEE ON S. NO. 1949/H. NO. 214
(Rental Reform Act of 2002)**

Senator Legarda Leviste. Mr. President, I move that we designate the members of the Senate panel to the Conference Committee on Senate Bill No. 1949. They are the following: from the Minority, Sen. Gregorio B. Honasan and Sen. Rodolfo G.

Biazon who is also the principal author; and from the Majority, Sen. Ralph G. Recto, the sponsor; Sen. Francis N. Pangilinan; and Sen. Noli De Castro.

The President. Is there any objection? [*Silence*] There being none, the senators so designated shall become members of the Bicameral Conference Committee on the part of the Senate to discuss the disagreeing provisions of Senate Bill No. 1949 and its House counterpart.

**CONFERENCE COMMITTEE REPORT ON
S. NO. 1824/H. NO. 3593**

Senator Legarda Leviste. Mr. President, we are in receipt of the Conference Committee Report on the disagreeing provisions of House Bill No. 3593 and Senate Bill No. 1824. Copies have already been distributed to all the senators.

I move that we call on the cosponsor of the measure, Sen. Ramon B. Magsaysay Jr., to present the report.

The President. Sen. Ramon B. Magsaysay Jr. is recognized to submit the Conference Committee Report on the Disagreeing Provisions of House Bill No. 3593 and Senate Bill No. 1824.

The gentleman from Zambales is recognized.

REPORT OF SENATOR MAGSAYSAY

Senator Magsaysay. Thank you, Mr. President.

The senators have been given the copy of the Conference Committee Report on House Bill No. 3593 and Senate Bill No. 1824, and we have unified our disagreeing provisions.

After having met and fully discussed the subject matter, we hereby report to both Houses the following:

That Senate Bill No. 1824 was adopted as the working draft.

The first paragraph of Section 2, the "Declaration of Policy", was modified to conform with Article II, Section 4, of the 1987 Constitution.

**MOTION OF SENATOR MAGSAYSAY
(That the Joint Explanation of the Conference Committee
on S. No. 1824/H. No. 3593 Be Reflected in the
Record and the Journal)**

Mr. President, this is a very important measure, but I know we are pressed for time. May I propose therefore that the report be recorded, adopted and inserted into the *Record*.

The President. There is a motion by the principal sponsor that the Joint Explanation of the Conference Committee on the disagreeing provisions of House Bill No. 3593 and Senate Bill No. 1824 be read into the *Record* and that the *Journal* should reflect the same as if read in today's session.

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

Senator Magsaysay. Thank you, Mr. President.

**MANIFESTATION OF SENATOR MAGSAYSAY
(Presence of Some Senators During the Proceedings
in the Interest of Senate's Provisions)**

Also for the record, Mr. President, may I manifest that Sen. Noli "Kabayan" De Castro; Sen. Panfilo M. Lacson; Sen. Renato L. Compañero Cayetano, the chairman; and this representation were present during the whole proceedings this morning to protect the interests of the Senate's provisions.

Thank you, Mr. President.

The President. Thank you, Senator Magsaysay. The Majority Leader is recognized.

**APPROVAL OF CONFERENCE COMMITTEE REPORT
ON S. NO. 1824/H. NO. 3593**

Senator Legarda Leviste. Mr. President, I move that we approve the report.

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

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

**JOINT EXPLANATION OF THE CONFERENCE
COMMITTEE ON THE DISAGREEING PROVISIONS OF
HOUSE BILL NO. 3593 AND SENATE BILL NO. 1824**

The Conference Committee on the disagreeing provisions of House Bill No. 3593 and Senate Bill No. 1824, after having met and fully discussed the subject matter, hereby report to both Houses the following, that:

1. Senate Bill No. 1824 was adopted as the working draft;
2. The first paragraph of Section 2 (*Declaration of*

Policy) was modified to conform with Article II, Section 4 of the 1987 Constitution, to read as follows:

"IT IS HEREBY AFFIRMED THE PRIME DUTY OF THE GOVERNMENT TO SERVE AND PROTECT ITS CITIZENS. IN TURN, IT SHALL BE THE RESPONSIBILITY OF ALL CITIZENS TO DEFEND THE SECURITY OF THE STATE AND IN FULFILLMENT THEREOF, THE GOVERNMENT MAY REQUIRE EACH CITIZEN TO RENDER PERSONAL, MILITARY OR CIVIL SERVICE.";

3. A new Section 3 (*Definition of Terms*) was provided to explain the concept of the National Service Training Program and its different components. In addition, the Literacy and Environmental and Health Training Service components were merged with the Civic Welfare Service of the House version. Section 3 shall now read as follows:

"(A) NATIONAL SERVICE TRAINING PROGRAM (NSTP) - IS A PROGRAM AIMED AT ENHANCING CIVIC CONSCIOUSNESS AND DEFENSE PREPAREDNESS IN THE YOUTH BY DEVELOPING THE ETHIC OF SERVICE AND PATRIOTISM WHILE UNDERGOING TRAINING IN ANY OF ITS THREE (3) PROGRAM COMPONENTS. ITS VARIOUS COMPONENTS ARE SPECIALLY DESIGNED TO ENHANCE THE YOUTH'S ACTIVE CONTRIBUTION TO THE GENERAL WELFARE;

(B) RESERVE OFFICERS' TRAINING CORPS (ROTC) - IS A PROGRAM INSTITUTIONALIZED UNDER SECTIONS 38 AND 39 OF RA NO. 7077 DESIGNED TO PROVIDE MILITARY TRAINING TO TERTIARY LEVEL STUDENTS IN ORDER TO MOTIVATE, TRAIN, ORGANIZE AND MOBILIZE THEM FOR NATIONAL DEFENSE PREPAREDNESS;

(C) LITERACY TRAINING SERVICE - IS A PROGRAM DESIGNED TO TRAIN STUDENTS TO BECOME TEACHERS OF LITERACY AND NUMERACY SKILLS TO SCHOOL CHILDREN, OUT OF SCHOOL YOUTH, AND OTHER SEGMENTS OF SOCIETY IN NEED OF THEIR SERVICE;

(D) CIVIC WELFARE TRAINING SERVICE - REFERS TO PROGRAMS OR ACTIVITIES CONTRIBUTORY TO THE GENERAL WELFARE AND THE BETTERMENT OF LIFE FOR THE MEMBERS OF THE COMMUNITY OR THE ENHANCEMENT OF ITS FACILITIES, ESPECIALLY THOSE DEVOTED TO IMPROVING HEALTH, EDUCATION, ENVIRONMENT, ENTREPRENEURSHIP, SAFETY, RECREATION AND MORALS OF THE CITIZENRY; AND

(E) PROGRAM COMPONENT - SHALL REFER TO THE SERVICE COMPONENTS OF THE NSTP AS ENUMERATED IN SECTION 4 OF THIS ACT.";

4. Section 3 (*Establishment of the National Service Training Program*) was adopted as the new Section 4, with the following modifications:

a. The phrase "tertiary level education" was replaced with the phrase "BACCALAUREATE DEGREE COURSES AND OF AT LEAST TWO-YEAR TECHNICAL-VOCATIONAL COURSES" in order to specify the coverage of the Program;

b. A new paragraph was inserted between the last Program component and the paragraph on the powers of the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) to formulate and adopt new components, to read as follows:

"THE ROTC UNDER THE NSTP SHALL INSTILL PATRIOTISM, MORAL VIRTUES, RESPECT FOR RIGHTS OF CIVILIANS, AND ADHERENCE TO THE CONSTITUTION, AMONG OTHERS. CITIZENSHIP TRAINING SHALL BE GIVEN EMPHASIS IN ALL THREE (3) PROGRAM COMPONENTS.";

c. The last paragraph was rephrased in order to focus on the authority of CHED and TESDA to formulate and adopt new components, to read as follows:

"THE COMMISSION ON HIGHER EDUCATION (CHED) AND TECHNICAL

EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA), IN CONSULTATION WITH THE DEPARTMENT OF NATIONAL DEFENSE (DND), PHILIPPINE ASSOCIATION OF STATE UNIVERSITIES AND COLLEGES (PASUC), COORDINATING COUNCIL OF PRIVATE EDUCATIONAL ASSOCIATIONS OF THE PHILIPPINES (COCOPEA) AND OTHER CONCERNED GOVERNMENT AGENCIES, MAY DESIGN AND IMPLEMENT SUCH OTHER PROGRAM COMPONENTS AS MAY BE NECESSARY IN CONSONANCE WITH THE PROVISIONS OF THIS ACT."

Their authority to accredit training modules was transferred to the new Section 10 (*Management of the NSTP Components*);

5. Section 5 (*Coverage*) and Section 7 (*Alternative National Service Training Components*) of the House version and Section 4 (*Completion of the Program*) of the Senate version were merged, rephrased and adopted as Section 5, to read:

"SEC. 5. *COVERAGE*. - STUDENTS, MALE AND FEMALE, OF ANY BACCALAUREATE DEGREE COURSE OR AT LEAST TWO (2) YEAR TECHNICAL VOCATIONAL COURSES IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS SHALL BE REQUIRED TO COMPLETE ONE (1) OF THE NSTP COMPONENTS AS REQUISITE FOR GRADUATION.";

6. Section 5 (*Duration and Equivalent Course Unit*) was adopted as Section 6 of the consolidated version, with the first paragraph being amended, to read:

"EACH OF THE AFOREMENTIONED NSTP PROGRAM COMPONENTS SHALL BE UNDERTAKEN FOR AN ACADEMIC PERIOD OF TWO (2) SEMESTERS.";

7. The first paragraph of Section 8 of House version was amended and adopted as the first paragraph of Section 7, to read as follows:

"SEC. 7. *NSTP OFFERING IN HIGHER AND TECHNICAL-VOCATIONAL EDUCATIONAL INSTITUTIONS*. - ALL HIGHER AND TECHNICAL-VOCATIONAL

INSTITUTIONS, PUBLIC AND PRIVATE, MUST OFFER AT LEAST ONE OF THE PROGRAM COMPONENTS: *PROVIDED*, THAT STATE UNIVERSITIES AND COLLEGES SHALL OFFER THE ROTC COMPONENT AND AT LEAST ONE OTHER COMPONENT AS PROVIDED HEREIN: *PROVIDED, FURTHER*, THAT PRIVATE HIGHER AND TECHNICAL-VOCATIONAL EDUCATION INSTITUTIONS MAY ALSO OFFER THE ROTC IF THEY HAVE AT LEAST THREE HUNDRED AND FIFTY (350) CADET STUDENTS.";

8. The third paragraph of Section 5 of the Senate version was adopted as the second paragraph of Section 7 of the consolidated version;
9. Section 6 of the Senate version was amended and adopted as the new Section 8 (*Fees and Incentives*) of the consolidated version.

In the first paragraph, the phrase ", WHICH SHALL NOT BE MORE THAN FIFTY PERCENT (50%) OF WHAT IS CURRENTLY CHARGED BY SCHOOLS PER UNIT" was placed after the word "fees";
10. Section 9 was rephrased in order to institutionalize the granting of scholarships. TESDA was included as another agency, aside from CHED, that will provide scholarship;
11. Section 7 (*Management of the NSTP Components*) was adopted as the new Section 10, with the following modifications:
 - a. The first proviso was amended to correct the typographical error;
 - b. A second proviso was included to reflect the transfer of the proposed powers of CHED and TESDA, spelled out in Section 3; and
 - c. A second paragraph, on monitoring and reportorial requirements, was included.
12. Section 8 was adopted as Section 11, with the word "FORCE" being changed to "CORPS" and the phrase "THROUGH THE JOINT EFFORT OF DND, CHED AND TESDA" was placed after the word "activities";

13. Section 10 was simplified and renumbered as Section 12;
14. Section 11 was reworded to clarify its intent and adopted as Section 13, to read as follows:

"SEC. 13. *TRANSITORY PROVISIONS.* - STUDENTS WHO HAVE YET TO COMPLETE THE BASIC ROTC, EXCEPT THOSE FALLING UNDER SECTION 14 OF THIS ACT, MAY EITHER CONTINUE IN THE PROGRAM COMPONENT THEY ARE CURRENTLY IN OR SHIFT TO ANY OF THE OTHER PROGRAM COMPONENTS OF THEIR CHOICE: *PROVIDED*, THAT IN CASE HE SHIFTS TO ANOTHER PROGRAM COMPONENT, THE BASIC ROTC COURSES HE HAS COMPLETED SHALL BE COUNTED FOR THE PURPOSE OF COMPLETING THE NSTP REQUIREMENT: *PROVIDED, FURTHER*, THAT ONCE HE HAS SHIFTED TO ANOTHER PROGRAM COMPONENT HE SHALL COMPLETE THE NSTP IN THAT COMPONENT.";

15. Section 12 was adopted as Section 14, with the phrase "AS OF THE EFFECTIVITY OF THIS ACT" inserted between the words "units" and "have";
16. Section 13 was adopted as Section 15;
17. Section 14 was amended and adopted as Section 16. The title "Repealing Clause" was changed to "AMENDATORY CLAUSE" and the words "modified, revoked or repealed" were changed to "AMENDED AND MODIFIED";
18. Section 15 was adopted as Section 17; and
19. The title of the bill shall read as follows:

"AN ACT ESTABLISHING THE NATIONAL SERVICE TRAINING PROGRAM (NSTP) FOR TERTIARY LEVEL STUDENTS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077 AND PRESIDENTIAL DECREE NO. 1706, AND FOR OTHER PURPOSES"

In case of conflict between the statements/ amendments stated in this Joint Explanatory Statement and that of the provisions of the reconciled version in

the accompanying Conference Committee Report, the provisions of the latter shall prevail.

(Sgd.) SEN. RENATO L. COMPAÑEROCAYETANO
Chairman, Senate Panel

(Sgd.) REP. HARLINCAST. ABAYON
Chairman, House Panel

CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of House Bill No. 3593, entitled

AN ACT ESTABLISHING THE NATIONAL SERVICE TRAINING PROGRAM (NSTP) FOR ALL HIGHER AND TECHNICAL/VOCA-TIONAL INSTITUTIONS;

and Senate Bill No. 1824, entitled

AN ACT ESTABLISHING THE NATIONAL SERVICE TRAINING PROGRAM FOR TERTIARY LEVEL STUDENTS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077 AND PRESIDENTIAL DECREE 1706, AND FOR OTHER PURPOSES,

after full and free conference, agreed to recommend and do hereby recommend to both Houses that House Bill No. 3593, in consolidation with Senate Bill No. 1824, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees:

CONFEREES ON THE PART OF THE SENATE

(Sgd.) HON. RENATO L. COMPAÑEROCAYETANO

(Sgd.) HON. RAMON B. MAGSAYSAY JR.

(Sgd.) HON. NOLI "KABAYAN" DE CASTRO

(Sgd.) HON. FRANCIS N. PANGILINAN

(Sgd.) HON. VICENTE C. SOTTO III

(Sgd.) HON. RODOLFO G. BIAZON

(Sgd.) HON. PANFILO M. LACSON

CONFEREES ON THE PART OF THE HOUSE OF REPRESENTATIVES

(Sgd.) HON. HARLINCAST. ABAYON

(Sgd.) HON. PROSPERO A. PICHAY JR.

(Sgd.) HON. FLORENCIO B. ABAD

(Sgd.) HON. SULPICIO R. ROCO JR.

(Sgd.) HON. JUAN MIGUEL F. ZUBIRI

(Sgd.) HON. RAUL V. DELMAR

HON. RODOLFO G. PLAZA

(Sgd.) HON. PLARIDEL M. ABAYA

(Sgd.) HON. LIZA L. MAZA

HON. ANTONIO EDUARDO B. NACHURA

(Sgd.) HON. ABRAHAM KAHLIL B. MITRA

HON. CARLOS M. PADILLA

(Sgd.) HON. BELLA FLOR J. ANGARA-CASTILLO

(Sgd.) HON. GILBERT C. REMULLA

AN ACT ESTABLISHING THE NATIONAL SERVICE TRAINING PROGRAM (NSTP) FOR TERTIARY LEVEL STUDENTS AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077 AND PRESIDENTIAL DECREE NO. 1706, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* - This Act shall be known as the "National Service Training Program (NSTP) Act of 2001."

SEC. 2. *Declaration of Policy.* - It is hereby affirmed the prime duty of the Government to serve and protect its citizens. In turn, it shall be the responsibility of all citizens to defend the security of the State and in fulfillment thereof, the Government may require each citizen to render personal, military or civil service.

Recognizing the youth's vital role in nation-building, the State shall promote civic consciousness among the youth and shall develop their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism, nationalism, and advance their involvement in public and civic affairs.

In pursuit of these goals, the youth, the most valuable resource of the nation, shall be motivated, trained, organized and mobilized in military training, literacy, civic welfare and other similar endeavors in the service of the nation.

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following are hereby defined as follows:

(a) National Service Training Program (NSTP) - is a program aimed at enhancing civic consciousness and defense preparedness in the youth by developing the ethic of service and patriotism while undergoing training in any of its three (3) program components. Its various components are specially designed to enhance the youth's active contribution to the general welfare;

(b) Reserve Officers' Training Corps (ROTC) - is a program institutionalized under Sections 38 and 39 of RA No. 7077 designed to provide military training to tertiary level students in order to motivate, train, organize and mobilize them for national defense preparedness;

(c) Literacy Training Service - is a program designed to train students to become teachers of literacy and numeracy skills to school children, out of school youth, and other segments of society in need of their service;

(d) Civic Welfare Training Service - refers to programs or activities contributory to the general welfare and the betterment of life for the members of the community or the enhancement of its facilities, especially those devoted to improving health, education, environment, entrepreneurship, safety, recreation and morals of the citizenry; and

(e) Program Component - shall refer to the service components of the NSTP as enumerated in Section 4 of this Act.

SEC. 4. *Establishment of the National Service Training Program.* - There is hereby established a

National Service Training Program (NSTP), which shall form part of the curricula of all baccalaureate degree courses and of at least two-year technical-vocational courses and is a requisite for graduation, consisting of the following service components;

(1) The Reserve Officers' Training Corps (ROTC), which is hereby made optional and voluntary upon the effectivity of this Act;

(2) The Literacy Training Service; and

(3) The Civic Welfare Training Service.

The ROTC under the NSTP shall instill patriotism, moral virtues, respect for rights of civilians, and adherence to the Constitution, among others. Citizenship training shall be given emphasis in all three (3) program components.

The Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA), in consultation with the Department of National Defense (DND), Philippine Association of State Universities and Colleges (PASUC), Coordinating Council of Private Educational Associations of the Philippines (COCOPEA) and other concerned government agencies, may design and implement such other program components as may be necessary in consonance with the provisions of this Act.

SEC. 5. *Coverage.* - Students, male and female, of any baccalaureate degree course or at least two (2) year technical vocational courses in public and private educational institutions shall be required to complete one (1) of the NSTP components as requisite for graduation.

SEC. 6. *Duration and Equivalent Course Unit.* - Each of the aforementioned NSTP program components shall be undertaken for an academic period of two (2) semesters.

In lieu of the two-semester program for any of the components of the NSTP, a one summer program may be designed, formulated and adopted by the DND, CHED, and TESDA.

SEC. 7. *NSTP Offering in Higher and Technical-Vocational Educational Institutions.* - All higher and technical-vocational institutions, public and private, must offer at least one of the program components: