

RECORD OF THE SENATE

MONDAY, OCTOBER 15, 2001

OPENING OF THE SESSION

At 3:37 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

The President. The 31st 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. Rodolfo G. Biazon.

After the prayer, the Lyceum Chorale will lead us in the singing of the national anthem, and thereafter will also render another song, entitled "Prayer of St. Francis of Assisi."

Everybody rose for the prayer.

PRAYER

Senator Biazon.

Heavenly Father, as the world faces the consequences of terrorism, let Your people find solace in Psalm 46:

"God is our refuge and strength, an ever-present help in trouble. Therefore we will not fear, though the earth give way and the mountains fall into the heart of the sea, though its waters roar and foam and the mountains quake with their surging.

There is a river whose streams make glad the City of God, the holy place where the Most High dwells.

God is within her, she will not fall; God will help her at break of day. Nations are in uproar, kingdoms fall; He lifts His voice, earth melts.

The Lord Almighty is with us; the God of Jacob is our fortress.

Come and see the work of the Lord, the desolations He has brought on the earth.

He makes wars cease to the ends of the earth, He breaks the bow and shatters the spear, He burns the shields with fire.

"Be still, and know that I am God; I will be exalted in the earth."

The Lord Almighty is with us; the God of Jacob is our fortress."

Amen.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

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| 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" 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 24 senators present, the Chair declares the presence of a quorum. The Majority Leader is recognized.

THE JOURNAL

Senator Legarda Leviste. Mr. President, I move that we dispense with the reading of the *Journal* of the 30th session, October 10, 2001, and consider it approved.

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

nominate Sen. John H. Osmeña as chairman of the Committee on Government Corporations and Public Enterprises.

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

MOTION OF SENATOR LEGARDA LEVISTE
(Sen. Vicente C. Sotto III as Chairman
of the Committee on Public Information
and Mass Media)

Senator Legarda Leviste. I also move, Mr. President, that Sen. Vicente C. Sotto III be made chairman of the Committee on Public Information and Mass Media.

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

MANIFESTATION OF SENATOR LEGARDA LEVISTE
(Select Oversight Committee on Intelligence Funds
Membership)

Senator Legarda Leviste. Mr. President, I would like to manifest the members from the Majority of the Select Oversight Committee on Intelligence Funds; namely, Senators Ramon B. Magsaysay Jr., John H. Osmeña, Renato L. *Compañero* Cayetano and Robert Z. Barbers.

The members from the Minority have already been manifested last week, and they are: Senators Aquilino Q. Pimentel Jr., Rodolfo G. Biazon and Panfilo M. Lacson.

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

BILL ON SECOND READING
S. No. 1824—Optional Reserved Officers
Training Corps Program
(Continuation)

Senator Legarda Leviste. Mr. President, I move that we resume consideration of Senate Bill No. 1824 as reported out under Committee Report No. 3.

The President. Is there any objection? [*Silence*] There being none, the motion is approved. Resumption of consideration of Senate Bill No. 1824 is now in order.

Senator Legarda Leviste. Mr. President, I move that we recognize the principal sponsor, Sen. Renato L. *Compañero* Cayetano. And for the period of interpellations, I move that we recognize Sen. Edgardo J. Angara.

The President. Senator Cayetano is recognized for the

resumption of the debate on Senate Bill No. 1824 under Committee Report No. 3; Sen. Edgardo J. Angara is recognized for the period of interpellations.

Senator Cayetano. Thank you, Mr. President.

MANIFESTATION OF SENATOR CAYETANO
(Additional Coauthors of Senate Bill No. 1824)

Before I listen to my good colleague from Aurora, Quezon and the Philippines, for the record, let me just add Sen. Manuel B. Villar as one of the authors of this Senate Bill No. 1824.

The President. The manifestation is duly noted and recorded.

Senator Cayetano. And also Sen. Joker P. Arroyo, and Sen. Robert Z. Barbers—that makes it 17—Sen. John H. Osmeña—that makes it 18—and Sen. Ralph G. Recto, as well.

The President. If there is no objection, we make everybody, all the senators, coauthors.

Senator Angara. After the amendment of the Minority, Mr. President.

The President. All right.

Senator Cayetano. Thank you, Mr. President.

Senator Angara. Thank you, Mr. President.

First of all, I would like to commend the distinguished gentleman from Taguig, Muntinlupa, Michigan, and Bulacan, as well, and the distinguished gentleman from Zambales for this initiative. I know that this proposal has been hanging fire for the past two, three Congresses without success, and now they have brought it to the floor for debate.

Mr. President, just for the record, what is wrong with the present ROTC program?

Senator Cayetano. Well, Mr. President, the gentleman and I took ROTC in UP, most of us here did, too.

But the present situation actually is,—this has been an issue, as the gentleman has earlier mentioned, for the last several years—the administrators of private and public colleges and universities, the young men and women, particularly the males who are now taking the mandatory ROTC, feel that, one, the mandatory ROTC program as presently being undertaken has not kept up with the times. They consider it anachronistic.

And two, Mr. President, the AFP which provides the instructional services here has been remiss in providing not only

instructions but equipment, apparatus in training our young men for ROTC.

And finally, Mr. President, the young men and women now subject to mandatory ROTC feel that they should be given an opportunity to also render a different kind of service to the nation other than the ROTC.

As we know, the ROTC became mandatory as a result of Commonwealth Act No. 1, which is known as the National Defense Act. And since then under Republic Act No. 7077 of 1991, this has become mandatory. So these are the basic, shall we say, shortcomings of the mandatory aspect of ROTC.

Senator Angara. But can we not say that since the enactment of Commonwealth Act No. 1 in 1935 and the institution of the ROTC program, the ROTC program in this country has supplied the bulk of the officer corps of our military? So one cannot say that it is really a total failure because I understand that 80 percent of the officer corps comes from the ROTC program rather than from the PMA and the PMA graduates consist probably of not more than 20 percent of the officer corps.

Senator Cayetano. That may be so and I accept that proposition. But making it optional will not deprive our Armed Forces of the Philippines of the number of officers because those who would opt to take ROTC would certainly be members of the armed forces, if they so desire.

There are two types of ROTC, Mr. President: First is the so-called "basic" which means the first two years. And when one finishes his ROTC basic course, he really does not graduate to the Armed Forces of the Philippines let alone become an officer. And second, after two years, he may opt to take another two years, which is the "advanced" ROTC, which now becomes the source of officers of the Armed Forces of the Philippines.

Senator Angara. That is true, Mr. President, but the raw materials for the advanced course come from the basic two-year course. If we are going to make it optional now, does the gentleman think that we can supply the officer corps with enough officer-materials, Mr. President? Or would we now lead to a situation where the officer corps would come from military schools rather than from civilian-oriented-training schools?

Senator Cayetano. Well, as I said, there are those who are now taking ROTC as a matter of mandatory course and decided to really go to the advanced ROTC. Those young men who still want to become officers of the Armed Forces of the Philippines may continue to take ROTC although on optional basis. I do not think the armed forces will be deprived of the necessary number of officials even if this will be made optional, Mr. President.

Senator Angara. Under the present ROTC program, the program is financed and funded out of student fees collected every enrolment, is it not?

Senator Cayetano. Yes, Mr. President.

Senator Angara. Therefore, the ROTC program is financed privately by students themselves. But under the scheme that the gentleman is proposing where it is optional, the ROTC program would be delivered for free. But there is really nothing free in this world because who will provide the teaching materials, the equipment, et cetera?

What I am afraid of is that unless we find a stable source of financing the optional ROTC, that so-called "optional" will be a dead program. Nobody will support it.

For instance, why would the private schools set aside funds to support an optional ROTC program when before it was supported by student fees? If one is a student or a parent, why would he spend P1,800 for boots and uniform for an optional program where he does not get credit for it?

So we must now think very carefully, Mr. President, of how we can finance this. Because the intention really is not to do away with military service, or is it?

Senator Cayetano. No, Mr. President.

Senator Angara. Yes, just make it optional.

Senator Cayetano. Make it optional because under Republic Act No. 7077, an individual who reaches the age of 18 to 25 may be called upon by the State to register and undertake compulsory military training. This is completely different from the ROTC mandatory subject matter.

Incidentally, Mr. President, making it optional will not make the school shoulder the expenses as my good colleague has stated. Right now, the expenses for taking ROTC are shouldered by the parents of the students.

Senator Angara. That is what I said, Mr. President. But under this new scheme that the gentleman is proposing, that source of funding will be removed because as he puts it, the optional ROTC program will now be for free. But somebody must shoulder the cost because there is associated cost in running a program like that. Nothing in the bill indicates who will shoulder it. I am suggesting to the gentleman that neither the school nor the parents, much less the military, will shoulder it. So, it will cause a natural death of the ROTC program, which is not the intent of this bill.

Senator Cayetano. Mr. President, that portion of—who will shoulder the expenses of... Actually, it is a summer ROTC program that was crafted by my cosponsor. On top of page 3 which is Section 4, my cochairman, who crafted this particular one, with the permission of the gentleman from Aurora and Quezon, will reply to this particular question because this is exactly something that he crafted himself.

Senator Angara. Yes, Mr. President.

Senator Magsaysay. Thank you, Mr. President.

With the permission of the two gentlemen. We worked on the basis that this should not be shouldered by the students nor their families. In fact, since this is optional, we felt and we feel that the Department of National Defense should shoulder this. We statistically look at this as about 25,000 a year.

Senator Angara. Per student?

Senator Magsaysay. Twenty-five thousand students a year.

Senator Angara. What is the unit cost?

Senator Magsaysay. There are three alternatives.

Senator Angara. What is the unit cost? We are just talking of the ROTC. I will move later on to the other options. Let us first take the ROTC. What is the unit cost?

Senator Magsaysay. Based on 1.5 unit per semester, assuming that it is a summer program—three units. This will be for, let us say Mapua, it will be P460 for two units, if it is a summer program.

Senator Angara. Yes. But, as the gentleman said, the student will not be assessed. So, the school will not be authorized to assess.

Senator Magsaysay. The Department of National Defense will have to shoulder part of this tuition fee as we are following other countries. In fact, we included...

Senator Angara. That is not very clear. I am sorry to interrupt, Mr. President, but that is not very clear in this bill. In fact, the source of the financing of this optional program is not very well clarified in this bill.

Senator Magsaysay. Yes, I understand, Mr. President. This is to make it as broad as possible so that in the period of amendments, and also with the input of the Department of National Defense, we can make it clearer. This is a very broad statement. Because the purpose--

Senator Angara. I understand the gentleman's statement.

Senator Magsaysay. —of this is that the armed forces has to attract just like in Taiwan. In Taiwan, the members of the reserve officers' training are paid. It is mandatory, limited only to the army, two years' training. But those who enlist receive a starting salary of MTS\$44,900 a month. What I am saying is, the armed forces really need the officers or the enlisted men to be recruited among the 400,000 annual college students. They must at least shoulder the tuition.

Senator Angara. That is a wish list, Mr. President.

Senator Magsaysay. Yes, Mr. President.

Senator Angara. But it is not stated here, as I said. Let me ask, Mr. President: How many officers are recruited from the ROTC program every year by the armed forces?

Senator Magsaysay. I think I need help from the other senators. Maybe Senator Honasan can give us...

Senator Angara. According to Senator Lacson and Senator Honasan, about 25,000 are recruited every year.

Senator Magsaysay. That is correct.

Senator Angara. Now, the gentleman just said that the armed forces should shoulder the cost of their training. But we must spell it out clearly because otherwise, among all priorities, this may not necessarily be...

Senator Magsaysay. We are open to improvements of the provision, Mr. President.

Senator Angara. That is why, when the gentleman asked whether we want to be coauthors at the beginning, I hesitated because this needs improvements.

Senator Magsaysay. Certainly, we are open to improvements, Mr. President.

Senator Angara. Apart from no cost to the student and his parents, the gentleman is saying here that the ROTC students will now henceforth be paid an allowance. Is it not?

Senator Magsaysay. The objective here is to give him at least a meal allowance everyday. Just like the P60 a day which the officers and enlisted men are given as subsistence allowance.

Senator Angara. So the cost per student is P450 per semester. Is that the cost per semester?

Senator Cayetano. It depends, Mr. President.

Senator Angara. What is the average cost?

Senator Cayetano. During our public hearing, the cost that was estimated by the private administrators is anywhere from P300 to P1,000 depending on the schools.

Senator Angara. Let us just get the average, P500 per student. How many students are enrolled in the ROTC right now? And if we went by optional, how many does the gentleman predict would enroll in the optional given the need for 25,000 officers every year by the armed forces?

Senator Magsaysay. There are I think in the basic ROTC 400,000.

Senator Angara. And in the advanced course?

Senator Magsaysay. Maybe going down to about 250,000.

Senator Angara. Let us say, in the most conservative estimate, that only a hundred thousand henceforth after this bill will go into the ROTC program, at P500 per student per year, that is already P50 million. Is my arithmetic correct?

Senator Magsaysay. About P50 million, yes.

Senator Angara. We are going to give each of these 100,000 a meal allowance of how much?

Senator Magsaysay. We are thinking of P60 a day.

Senator Angara. Sixty pesos a day. For how many days, Mr. President?

Senator Magsaysay. The summer course will be about 45 days.

Senator Angara. So if we add that, how much would that be? What I am trying to say is that, the source of funding for this program is so critical to the viability and success of this program. But if the bill itself is silent on that, then I do not think we are really saying that ROTC is optional. We are saying that, "Let us kill the ROTC program," which is not the intent.

Senator Magsaysay. That is true, Mr. President. We are entering into a new era of giving the young students—male and female—the options.

Senator Angara. Yes, we have no quarrel about that.

Senator Magsaysay. We have to make certain assumptions which, as the gentleman mentioned, is 100,000 a year.

Senator Angara. We are not quarreling over the options, Mr. President. In fact, we will try to improve the options. What we are saying is that, if we have one option, let us make that option a viable one.

Senator Magsaysay. We agree, Mr. President.

Senator Angara. That is why I am concentrating first on the ongoing program and how we are going to shift to make it optional. But if we forget financing, then this is almost a meaningless program.

Senator Magsaysay. We agree, Mr. President.

Senator Angara. Yes. If an ROTC student now will receive an allowance of P60 a day for 45 days in summer, what about those taking civic action, the gentleman's alternative? Will they also get a similar allowance?

Senator Magsaysay. This is not taken here. We are just looking at the ROTC per se.

Senator Cayetano. May I, with the permission of my cosponsor?

Senator Magsaysay. Yes, Mr. President.

Senator Cayetano. In the alternative program?

Senator Angara. Yes, Mr. President.

Senator Cayetano. No, they will not. We do not envision, Mr. President, that students who take up the alternative non-ROTC programs will spend anything at all.

Senator Angara. But who will finance these alternative programs, Mr. President?

Senator Cayetano. For instance, if a student in Metro Manila, let us say, desires to undergo an apprenticeship or an internship program, he will have to pay his own transportation and meals as far as this is concerned, because these alternative programs are basically either community-based which really would not mean too much expenditure or, as I said, school-based, and so on and so forth.

Senator Angara. Mr. President, I am quite uneasy with this scheme. This is a very important national program that has absolutely no funding basis because all these programs will require funding in order to attract students to go into it. But if we

are not going to provide a mechanism for funding it, then all these programs will just become lip service and we would have made nonsense of the constitutional provision which is the basis of this program—that it is the prime duty of every citizen to help in the development of this country including the giving of his life through military service.

So, Mr. President, we must articulate better these different options and lay out a mechanism for funding each one of them. I do not think this program will be successful if we leave that open and just hope that the Armed Forces of the Philippines will now set aside a part of its budget—and it is already complaining that its budget is deficient—nor the parents will do it. No parents, I think, will volunteer to do that.

So, I think a key feature of this program is the funding mechanism, Mr. President. I would suggest later on, but does the gentleman not agree?

Senator Cayetano. Mr. President, I do realize the concern of our good colleague, but not all programs would be based on funding.

For instance, let me give what I believe is one of the alternative programs, an apprenticeship or internship in any of the offices of the senators here. I do not think, Mr. President, except for the travel and meal allowance, I mean, meal expenditure that will be spent by the student, that there is a need for further allocation of funds for the senator, because a senator may assign particular students who will undergo these apprenticeship or internship, research, some kind of work, et cetera.

The idea, Mr. President, is precisely that the students having opted to take an alternative program other than ROTC will have to sacrifice not only time but a little of their parents' money because there is no such thing as "free lunch." I am talking about the non-ROTC program, not the summer program for optional ROTC. Let me just be very clear.

Senator Angara. Maybe, the example cited, Mr. President, is not the most appropriate one, but that example is outside the alternative national service programs as envisioned here. It is neither peacekeeping nor civic welfare service.

Senator Cayetano. No, Mr. President.

Senator Angara. It is a personal training for the youth; it is an apprenticeship program.

In fact, if one serves as an apprentice, he ought to be paid. But we are talking here of voluntary service, and that is one of the problems I have because the scope of the alternative service

programs is not very well-defined so that we can cite even an apprenticeship program like that as falling under any of these.

Senator Cayetano. Mr. President, let me call the attention of my good colleague to page 2, line 19, which begins with "esteros; tree-planting activities; public service work in government offices..."

During the interpellation of the Minority Leader, Senator Pimentel, last Wednesday, I believe he, in fact, brought up the idea that apprenticeship or internship in public service should not only be with the national government like Congress but also with the LGUs. So the term "public service work in government offices" would include, among others, apprenticeship or internship.

Senator Angara. Yes, but even if I accept that definition, Mr. President, which I do not, it is going to be a very limited and narrow scope.

What I will suggest later on, Mr. President, is that civic work, whether military or civic in the truest civilian sense, be made mandatory because that is part of the duty of citizenship. All countries require that kind of service. That is why when we design the alternative programs, we ought to be really focused on and make a target of public duties or public projects that an 18-year-old can very well do. I am not sure that by just having a shotgun definition of "civic welfare service," we should be content with this.

First, Mr. President, I think what we ought to do, apart from making it still compulsory to render civic service which includes military service, is to keep that compulsory nature of requiring every citizen to undertake that service; and second, as a result of that State compulsion, we must define the scope of the civic work that they are capable of doing and at the same time not endangering their lives.

On peacekeeping, I cannot see, Mr. President, that we will be sending now our 18-year-olds to Maguindanao or to Basilan because obviously that is not work for young adolescents. But I can see our college students being deployed to teach literacy to many who are illiterate in this country, to help in school-feeding programs, to help in public awareness of the importance of parks, trees and rivers. I can see them cleaning up their own *esteros* during summer. In that kind of work we inculcate not only the sense of the environment and community service, but most importantly we start the young students with a sense of volunteerism. Our country has a very strong sense of volunteerism. But we must be able to channel it through desirable activities and not just have an open-ended program where our young students can choose to be an apprentice in TESDA or somewhere else. I do not think that is the intentment.

Senator Cayetano. Mr. President, I hope my colleague will not mind my reply, but I think this is a matter of semantics. Because if we read the two alternative programs, the example given by my good friend is really there—being the guardian of the environment, working on streets, rivers and *esteros*, tree-planting activities.

As far as peacekeeping is concerned, we do not intend to send, let us say, male students to Basilan or Mindanao. It speaks here of helping enhance the maintenance of local peace and order, meaning, his community and traffic management.

I do agree, Mr. President, that this can stand a lot of improvement.

Senator Angara. Yes, Mr. President.

Senator Cayetano. And I certainly will take that. But I just would like to raise this issue, Mr. President. Am I correct in my understanding that in addition to optional ROTC, the college students would be required to take mandatory alternative programs?

I thought the idea behind Senate Bill No. 1842 is that a college student may choose ROTC as an optional subject. If he does so, he is not required to take any of the alternative programs listed herein. But if he chooses not to take ROTC, then it is mandatory that he take any of the alternative national service programs.

Senator Angara. What I am suggesting, Mr. President, in simple everyday language is that instead of just offering our college students one store, one restaurant, we are going to offer him a cafeteria where there are several menus—one is ROTC, one is civic action, et cetera.

In other words, it is still compulsory for him to take a form of service whether it is military ROTC or civic.

I think we ought to inculcate that in every college student, Mr. President, that that is part of his civic obligation.

Now, how do we make it compulsory? We make it part of the curriculum. He must earn whether it is one unit, two units or three units of civic or military service. He can make his choice.

But if the gentleman says that it is now optional, I understand that, Mr. President. But saying that civic duty and military service is now a matter of choice to everyone, I think there is something wrong and strange with that kind of formulation.

I am saying no. It is a mandatory constitutional duty of every citizen to render one service or the other. And then, we define very carefully the nonmilitary service programs because the ROTC is very well defined.

I am suggesting, Mr. President, that we put a mechanism for funding each and every one of the service, otherwise, it will be, believe me, a complete failure.

The President. If the Chair may intervene. I think what Senator Angara is pushing for is a subject which is compulsory. Some citizen's training which can either be ROTC, civic welfare or peacekeeping program. But there must be a citizen's training course and the student is given the option which it would be—whether ROTC, civic welfare or peacekeeping.

Senator Cayetano. We have no quarrel with that. It is an either-or proposition, Mr. President. That is what I am saying. And I think if the gentleman...

Senator Angara. It is more than semantics, Mr. President. It is conceptual, and we must be very clear in our conception.

This is going to be an important piece of legislation. This will be a signal to 400,000 young people in this country that it is now their option to go through it. But it is their choice whether to eat *adobo* or fried chicken. That is what we are saying. But they must go to the same cafeteria.

Senator Cayetano. I accept that proposition, Mr. President, with regard to the apprehension of our good colleague. That is why we have it here in Section 4 and Section 5 on pages 2 and 3.

For instance, in the Establishment of Alternative National Service Programs, the scope and details of training and instruction of students under any of the alternative programs should be a joint responsibility of the Department of the Interior and Local Government and CHED, as well as the Department of Social Welfare and Development, Department of Environment and Natural Resources and CHED.

The reason for this, Mr. President, is exactly what my good friend is saying. This has to be developed in such a manner that the student cannot just enroll and evade it. There has to be definitive rules and guidelines that will be drafted and adopted by the agencies that I mentioned in consultation, incidentally, with the association of public colleges and universities as well as private colleges.

So, this is the mechanism by which we can establish this. Because if we put that mechanism itself, Mr. President, we might be cluttering this particular legislation. I do realize the apprehension of my good friend and, certainly, we will take that into consideration.

Senator Angara. Mr. President, there is a principle such as undue delegation of power. We must already define the concept here and prescribe the standards. We cannot just say that CHED

or the military will now put together the program because I think that will constitute an unwarranted delegation of power. We ought to think it now, think it through because, as I said, this is going to be a very important piece of legislation. At the appropriate time we will supply such a standard and concept.

Mr. President, let me go back to the funding. The funding here would be critical. Even if it is a civic program, we would not be able to get the best out of the students if, No. 1, the civic program that they will enroll in will still be shouldered by the parents. I do not mind the parents shouldering part of the cost but it must be a mutual sharing among institutions, among the students and among the agencies involved.

So, I hope that we can work out such a mechanism in more detail than it is now, Mr. President.

Now, I was talking about allowance being given to ROTC students and no allowance to civic welfare service, Mr. President. Would that not cause a big operational problem?

Senator Cayetano. Which one, Mr. President?

Senator Angara. Assuming that we have the money to pay the allowance, would those involved in literacy work, in health work or in environmental work, who are probably exposed to greater hazard than an ROTC student who just marches, as we know it, during Saturdays, not feel being unfairly treated because they do not receive any allowance unlike their counterpart in ROTC?

We must think through that because that can also affect the program.

Senator Cayetano. As I said, we are certainly listening to the proposition of the gentleman. But let us not forget that the present ROTC program requires the students to spend for uniforms, for shoes and other related expenditures. By the way, the money does not go to the universities or colleges. It goes to the Armed Forces of the Philippines.

Senator Angara. It goes to the program—it supports the program.

Senator Cayetano. No, Mr. President. My point is, it does not go to the universities or colleges. I understand—because I checked this when I was in Davao and Cotabato last Thursday and Friday—that the colleges, in fact, issue separate receipts, not school receipts for ROTC because they turn these over to the Armed Forces of the Philippines.

Senator Angara. Whatever it is, Mr. President, the fact is

that the ROTC program is well-funded and well-supported. It has the assistance of private schools as collecting agents. But under this scheme, nobody will collect because we are supposed to deliver ROTC programs for free. In fact, not only for free, we are going to give allowance to the students henceforth.

So what we are saying is that we must think through a mechanism where the source of funding is identified and where it is going. Otherwise, we are just going to make this so-called “optional ROTC” a dead program because the school will neither support it. And if one just relies on the goodness of the heart of the treasurer of the Armed Forces of the Philippines, probably this would be one of the least priorities to him, given the many priorities of the armed forces. So that is my point, Mr. President.

Senator Cayetano. Well, I think, as far as that is concerned, it is well-taken. Because there is indeed an allowance that would have to be paid.

Senator Angara. But has the gentleman now come up with a rough calculation how much that will cost?

Senator Cayetano. Yes, Mr. President. I hope my staff is correct. My cosponsor said that this summer training will be an aggregate of 45 days. An allowance of P60 a day is given, that would make it P2,700 per student. We multiply that by 100,000 cadets, more or less, who will probably take up optional ROTC all the way down to advanced ROTC, that would be P27 million.

Senator Angara. Mr. President, P27 million plus P50 million for the other fees that he said are needed. So it will require at the very least P75 million from the budget of the Armed Forces of the Philippines.

SUSPENSION OF SESSION

Senator Cayetano. 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 4:32 p.m.

RESUMPTION OF SESSION

At 4:42 p.m., the session was resumed.

The President. If the gentlemen on the floor are ready, the session is resumed.

Senator Angara. Yes, Mr. President. We just clarified some items during the suspension of the session. For instance, our calculation of the P60-monthly allowance and the P500 per student was not correct. Both Senator Cayetano and this representation flunked Math in UP. *[Laughter]* The true figure is P770 million instead of P75 million.

The President. What is the P770 million?

Senator Angara. The cost of the optional ROTC, Mr. President.

The President. All right.

Senator Angara. In terms of P60-a-day allowance for 45 days, that is already P270 million, and the usual cost of materials for ROTC is P500 per student times 100,000 students. So the total cost of this optional program is already P770 million.

During the break, Mr. President, we talked on how to work out a mechanism where there is some sort of cost sharing. I know that many of our colleagues also want to interpellate our distinguished sponsors. Meanwhile, I will temporarily stop my interpellation and in due time, I will just work on the proposed amendments. Anyway, we have agreed basically on the concepts I have raised.

Thank you, Mr. President.

The President. All right, who is the next interpellator?

Senator Cayetano. Thank you, Mr. President. I would like to thank the gentleman from Aurora, Quezon and the Philippines.

Senator Pimentel. Mr. President, we ask that Sen. Gregorio B. Honasan be recognized.

The President. Sen. Gregorio B. Honasan is recognized for the continuation of the period of interpellations.

Senator Honasan. Thank you, Mr. President.

Will the distinguished gentleman from Taguig and the Republic of the Philippines yield for a few clarificatory questions?

Senator Cayetano. With the usual pleasure and honor, Mr. President, to my good friend from Bicol and the Philippines.

Senator Honasan. Thank you, Mr. President.

Mr. President, eventually, when this representation is given the opportunity to introduce some amendments in the appropriate period, I would like also to be identified with this important piece of legislation.

It is not my intention to be an obstructionist, but I would rather seek to get some clarificatory answers.

Mr. President, I would like to begin by asking the question: Do we have any report that would reflect an objective assessment of the ROTC program within a specific time period so that we would have an adequate basis for deciding whether it is timely to make this program optional?

Senator Cayetano. If my colleague from Bicol and the Philippines refers to a particular government report, say, for instance, from the Department of National Defense or from the Commission on Higher Education which supervises the universities and colleges in the Philippines, my answer is: No, we do not have, Mr. President.

Actually, just to recall, these particular several individual bills originally filed by 13 senators, and now 18 senators, were more or less a reaction to allegations of graft and corruption in the ROTC program being implemented presently under various laws, the most recent of which is R. A. No. 7077, and the death of a number of cadets. The latest one, I believe, was Mark Chua from UST.

But more than that, there was already a lingering disenchantment—if we may call it—and apprehension in continuing the mandatory aspect of ROTC program for the reasons I earlier indicated. But there is no formal report, as far as I know, on the mandatory ROTC program now being undertaken by college students in various universities and colleges in the Philippines.

Senator Honasan. Thank you, Mr. President. So it would not be accurate to say that this is a reactive piece of legislation and not a proactive one.

Senator Cayetano. Mr. President, I would say it is a combination of both.

As I recall, last week, the Minority Leader asked that he be made a coauthor and, in fact, he was made one of the coauthors of this bill.

As early as 1995, I believe, the gentleman from Cagayan de Oro thought of sponsoring an optional ROTC program in our colleges and universities. And I think this is also true to many of the coauthors.

Personally, in my experience as a college student in UP years ago, I just did not have any other choice but to accept the mandatory ROTC program. I think, in a way, yes, this is reactive because of the recent events. But on the other hand, I think this is really a review, a total review, and an attempt to overhaul the

mandatory aspect of ROTC as a mandatory subject in all colleges and universities.

Senator Honasan. Thank you, Mr. President.

My next question would be: Would we have a tracking mechanism for our ROTC graduates so that we could determine how they have been integrated into our reservist programs and consequently into our total concept of national security or national defense?

Senator Cayetano. That I regret, Mr. President. On a personal basis, I remember that when I graduated from college, I was made a staff sergeant but I never, in fact, entered the military. I could be wrong here because my good colleague would have a better assessment of what happened to the graduates of basic ROTC being in the military for quite sometime.

Mr. President, we do not have any particular figure as to what happened to those who took basic ROTC. My wild guess is, they took it in order to graduate from college because this is a mandatory subject matter.

As I said, during the sponsorship speech, even if a student passes the academic subjects but fails the ROTC program, he cannot graduate. So this is a matter of requirement. A student has no other choice. But as to what happens to the student after taking the basic ROTC, I must admit and confess that I really do not know, Mr. President.

Senator Honasan. Mr. President, despite the historical records that attest to the fact that ROTC graduates have accredited themselves very well in World War II, other internal and external conflicts on the whole, the gentleman's own gut feel is that other than the compulsory and mandatory nature of the ROTC program, there was nothing else to motivate our ROTC graduates like love of country, patriotism, a genuine desire to be of service?

Senator Cayetano. Mr. President, let us look at the historical legal aspect of ROTC. This was passed in the year 1935 during the Commonwealth period. In fact, this is Commonwealth Act No. 1.

At that time, Mr. President, World War II was just in the horizon. The mandatory aspect of ROTC program of the government could be understood in that context, in those circumstances, as well as time.

Since World War II occurred and ended in 1945, the Philippines has not, shall we say, participated in any particular war as we normally understand it, except in sending some voluntary forces, I think, to South Korea, some peacekeeping forces, as a result of the United Nations mandate, and of course, in the internal

security matter as far as the rebel groups are concerned. But beyond the enactment of Commonwealth Act No. 1, there has been no point in our history since the end of World War II that the mandatory aspect of ROTC has not been the same.

Senator Honasan. Mr. President, the issue of budget has been raised—whether this is going to be shouldered by the institutions, the parents, the students themselves or the agencies that would provide the optional component of the modified ROTC program. I guess this would be crucial in the sense that this would allow us to determine the exact place or role of the modified ROTC program in our national order of priorities.

I would like to move on now to my next set of questions, Mr. President, by asking: Would it be fair to say that our Reserve Officers' Training Program is just one component of our more comprehensive system of reserve mobilization?

Senator Cayetano. Yes, Mr. President. In fact, under Republic Act No. 7077, the mobilization, development, organization and training of the Citizens Armed Forces of the Philippines, Mr. President, is through the ROTC program which is one of them.

Definitely, Mr. President, the answer to the question of my good friend is in the affirmative. ROTC is part of the so-called citizens soldiers under Republic Act No. 7077.

Senator Honasan. I thank the gentleman, Mr. President.

Would it be accurate then to say also that the comprehensive reservist program would be a component of our more comprehensive national security or national defense system?

Senator Cayetano. Yes, Mr. President. There is no doubt that it is a component.

Senator Honasan. This particular aspect worries me, Mr. President, and I suppose somehow we will have to incorporate this in the period of amendments, because the secretary of National Defense himself, during the Question Hour a few weeks ago, admitted that we are still in the process of crafting a comprehensive national security strategy. So my question then is: Where would this modified ROTC program or system, even if we make it optional, fit into the total concept of national security or defense?

Senator Cayetano. Well, Mr. President, there are two aspects: (1) Even making the ROTC program optional, there is still what we call the "citizen army" composed of all male citizens between the ages of 18 and 25 who are not presently reservists but later on may be called by the government in case of security need; (2) As I earlier mentioned, there are definitely college students who would opt to take the ROTC program even if it were made an option or on a

voluntary program. These students in all likelihood will probably take the next round, meaning, the advanced ROTC which will complement the Officer Corps of the Armed Forces Program. I think those are the two matters or factors that will be involved in the national security concern or the national security code that may be drafted later on. That is already, by the way, in the law.

Senator Honasan. I would like to thank the gentleman, Mr. President.

Mr. President, I am happy that the distinguished sponsor mentioned the law because it is our understanding that in the Chamber, as we speak, there are attempts already in the pipeline to amend just to make the law more appropriate, more responsive to the current situation. Commonwealth Act No. 1 or the National Defense Act is currently undergoing study so that we can update it and make it more responsive, and this will form part of the basis for a more comprehensive national security strategy or policy.

My question then is: Is it possible then to provide an interface for this law, this Optional Reserve Officers Training Program, with the coming amendments to Commonwealth Act No. 1 when it finally happens?

Senator Cayetano. Interfacing, yes, Mr. President. But I would say that waiting for Commonwealth Act No. 1 to be amended would not be conducive to the clamor of both administrators of public and private colleges and universities, as well as the millions of students who may be beneficiaries of this, without mentioning their parents.

We can, after several amendments, Mr. President, pass this into law and when the time comes for Commonwealth Act No. 1 to be amended, this particular law as we would pass it can be taken as part of any amendment or revision of Commonwealth Act No. 1. So there will be no particular inconsistencies here. It is just a matter of timing. I do not believe that we have to wait until Commonwealth Act No. 1 shall have been amended or revised before we can pass this law. We can pass this law before the amendment of Commonwealth Act No. 1.

Senator Honasan. I would like to thank the gentleman, Mr. President. My last two questions are:

One: We have joined the call for a global all-out war against terrorism. And it is said that the most precious commodity we have now in this war, the most precious weapon or the most effective weapon would be information. It is also the least expensive and the most cost-effective. Is it possible later on to incorporate into this law the activation of barangay and grassroots information nets through our reservists as a basis for a nationwide mobilization against these terrorist threats?

Senator Cayetano. Mr. President, until after my good friend here could spell it out at some point of time, let me, with his permission, withhold any comment on that because I do not like the students to become spies of their own neighbors. And it is bad enough that we have many problems among families in the community.

This alternative program as far as enhancing the maintenance of local peace and order and promoting public safety are concerned does not really envision information-gathering because I think that is better... As far as I am concerned, and again with due respect to my colleague who has trained with the Philippine Military Academy and who has been a soldier, we do not envision college students to be providing any kind of information that will be in the form of some kind of spying, and that would really be endangering their own lives and limbs without mentioning the fact that this may create more problems for them than taking ROTC, Mr. President.

Senator Honasan. Thank you, Mr. President. I am again happy that the distinguished sponsor mentioned this particular dimension of mobilization.

My last question then is: We have mentioned the contribution of the ROTC program to the professional corps of officers. Would we have any statistics or figures or data that would also indicate the contribution of the ROTC program to rebel groups, terrorists and criminals?

Senator Cayetano. Again, I must confess, Mr. President. Just like the earlier question—if we have tracked down the progress of those who graduated from basic ROTC—we really do not have that information, except of course what my good colleague mentioned that during World War II, the history of the so-called ROTC, especially the Hunter ROTC, Hunters, brought great honor to the Philippines in winning the war against Japan. But at the present time we really do not have that particular information, and I regret that we do not have.

Senator Honasan. Thank you, Mr. President. This representation would like to identify myself with the intent of this important piece of legislation. I would like to thank the distinguished gentleman for his patience.

MANIFESTATION OF SENATOR CAYETANO
(Senator Honasan as the 19th Coauthor
of S. No. 1824)

Senator Cayetano. Thank you, Mr. President. I would like to put on record the statement of my good friend from Bicol especially, for being identified, I believe, as coauthor of this bill. And that makes it 19.

Senator Legarda Leviste. Mr. President.

The President. The Majority Leader is recognized.

Senator Legarda Leviste. Mr. President, I move that we recognize Sen. Blas F. Ople for the interpellation.

The President. Sen. Blas F. Ople is recognized.

Senator Ople. Thank you, Mr. President. Will the distinguished sponsor yield for a few questions?

Senator Cayetano. More than an honor and pleasure, Mr. President, to my *kapatid* from the beautiful, progressive province of Bulacan.

Senator Ople. Which is a very correct statement, Mr. President, although it may expose my *kababayan*, the *Compañero*, to the risk of being disowned by the province of Rizal. [Laughter]

At any rate, Mr. President, may I confess right off that I am opposed to this bill. As a matter of fact, I am deeply troubled by it because it may endanger the national security in the sense that the major source of our qualified young officers for the future may be drying up as a result of this bill unless the necessary adjustments are effected.

I agree with the observation about World War II. The Philippine resistance movement against Japan was commended and admired all over the world and in fact, the wartime leader of Britain at that time, Prime Minister Winston Churchill, saluted the Filipino soldier as one of the best and bravest in the world.

The reason for that success, Mr. President, was, among other factors, the ROTC program had produced many talented officers who led our resistance movement in the war against Japan.

I do remember that in Rizal, the home province of the distinguished sponsor, there was established by Mike Ver from the PMA the Hunters ROTC guerillas; and he was followed by guerilla leaders Terry Adevos and Frisco San Juan. Incidentally, I am an honorary member of the ROTC Guerillas and that is the reason I know that many of their officers who fought in the war against Japan were graduates of the ROTC. Since the ROTC program will now be truncated under this bill so that it becomes optional, I am worried that in the future if there is another war facing the country, we might run short of officers or our officers will be so badly trained that their casualties will be very high because of the deficiencies of command. That is the reason I am rather concerned. Should we not, instead, upgrade the ROTC program and spend even scarce resources to make it attractive to the young men and young women in our colleges and universities instead of

developing a system where we will train the present generation of college students to prefer their personal convenience over the national-security interest? In effect, we are taking the path of least resistance.

The Constitution is clear that the Armed Forces of the Philippines has to be a citizen armed forces or a citizen army. The requirements of national security are seldom suited to the convenience of the citizenry, including the young people in our universities and colleges. The requirements, as a matter of fact, make tough demands on the citizenry because that is the price of saving and protecting the country.

Yet, we are here now saying that the ROTC will be optional for our college students. We give them the option instead to avoid the tough demands of military training in order to become community workers, interns in the Senate and in the House, in effect, train them to avoid the demanding task of citizenship.

I hope that in the course of this debate, Mr. President, the sponsors will agree to some amendments that will make the option of ROTC more attractive to the students because there will be competing claims on their priority and in their favor. We do not want to see future military officers of this country reduced to the level of probationed low workers in the communities. There are enough programs already generating community workers and casuals in the government, but there is only one major source of trained officers in the future other than the Philippine Military Academy with its limited enrollment, and that is the mandatory ROTC course.

I would like to propose as amendments in the course of this debate, Mr. President, that we increase the stipend for the ROTC students. We should give them free uniforms and free shoes and otherwise make the choice of the ROTC more attractive to college students so that they will prefer to be officers of the armed forces in the reserve military corps, rather than community workers or social workers in some obscure setting.

Senator Cayetano. Mr. President, I would like to thank my *kapatid* for his comments.

As I listened intensely to his proposition, in short, my good *kababayan* is not against elective or optional ROTC; rather, my good *kababayan* and *kapatid* from Bulacan would like to ensure that the optional ROTC becomes so attractive so that we will attract young men to the optional ROTC program.

Senator Ople. Yes, Mr. President. So that the best and the brightest will still volunteer to be in the mandatory ROTC program or in the optional ROTC program.

Senator Cayetano. With that clarification, I am looking forward to that particular amendment that my good colleague from Bulacan has stated at the proper time.

Senator Ople. May I know from the public hearings of the Committee on National Defense and Security what position the Department of National Defense took on this matter?

Senator Cayetano. The secretary of the Department of National Defense, the Chief of Staff of the Armed Forces of the Philippines, together with the National Security Adviser, told us that they would rather keep ROTC mandatory but with an observation that they would like to see it revised and revisited or reoriented. But they are for keeping the mandatory aspect of the ROTC.

Senator Ople. Yes. I wanted to know the answer to that because the secretary of National Defense is facing a confirmation hearing tomorrow and maybe this is one of the subjects that will arise in that hearing.

So those are my caveats about this bill. I hope that the sponsors will consider the amendments that I will propose in due course. And with that I terminate my interpellations.

Thank you.

Senator Cayetano. Thank you, Mr. President. We will await at the proper time the proposed amendments of my good colleague from Bulacan.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

Senator Legarda Leviste. Mr. President, I move that we recognize Sen. Robert S. Jaworski.

The President. Senator Jaworski is recognized.

Senator Jaworski. Thank you, Mr. President.

Please allow this representation to first express my support for the intent of this bill. In fact, I was made coauthor of the bill because of Senate Bill No. 1520 which this representation filed.

Senator Cayetano. That is right, Mr. President.

Senator Jaworski. But I would like to request the senator from the Philippines, Senator Cayetano, if he would yield for a couple of clarificatory questions.

Senator Cayetano. With pleasure, Mr. President, to the one and only icon of our number one sport in the Philippines.

Senator Jaworski. Thank you, Mr. President.

Will the gentleman inform this Chamber of the number of qualified reserve officers in the country?

Senator Cayetano. Mr. President, there are many sources of reserve officers in the country today. The sources of the reserve armed forces of the Philippines are, of course, the graduates of advanced ROTC program, graduates of authorized military training like the PMA, the so-called commissioned officers under the affiliated reserve category, and graduates of the National Defense College of the Philippines, as well as the so-called commissioned officers under existing law including those procured under Project 36-70. I am referring to this list which is found in Section 11 of Republic Act No. 7077. So there are several sources.

Senator Jaworski. But would we be aware of the number, more or less?

Senator Cayetano. From the ROTC, Mr. President?

Senator Jaworski. For the overall total reserve that we have at the moment.

Senator Cayetano. My cosponsor would know, Mr. President. My good friend from Bicol may know, coming from the military himself. He may be able to provide us the answer.

Senator Jaworski. Anyway, Mr. President, maybe when he arrives, we can go back to that question.

Senator Cayetano. All right, Mr. President, with the permission of my good friend, I have here the figure, but I hope this is correct. I believe this is basic ROTC graduates from ROTC program numbering 250,000 per year.

Senator Jaworski. A while ago, another colleague asked how many would have been absorbed by the police and other military institutions in our country. Other than that, are there policies presently defining responsibilities, directions so set forth by our national defense, Mr. President?

Senator Cayetano. The basic law, Mr. President, requiring mandatory ROTC is, of course, the so-called "National Defense Act" which is Commonwealth Act No. 1, passed in 1935. This was later on amended by PD No. 1706 which provided three alternative programs which include, of course, military training. And finally, as I said, Republic Act No. 7077. Those are the three basic laws that mandate the mandatory aspect of ROTC as a subject matter

in all colleges and universities. So as far as the direction is concerned, they are all laid out there in these basic laws that I mentioned.

Senator Jaworski. Mr. President, under this law, PD No. 1706, all citizens are obliged to render national service as defined therein. Is this correct?

Senator Cayetano. Yes, Mr. President.

Senator Jaworski. And as the distinguished senator mentioned earlier, as defined under the present National Service Law, the term "national service" consists of three programs, namely: civil welfare service, law enforcement service, and military service. Can we therefore say that military service or the reserve officers training corps—as our young students know it—is not the only form of national service that our students are obliged to undertake since they have other options earlier mentioned?

Senator Cayetano. That is true, Mr. President. Our colleague here is correct. Under PD No. 1706, under the so-called National Service Act of the Philippines adopted on August 8, 1980, there are three so-called obligatory national services for all citizens. By the way, this speaks for all citizens regardless of whether one is a college graduate or not or a college student or not. It consists of civic welfare service, law enforcement service, and military service. That military service under Section 4 of PD No. 1706 refers basically to Commonwealth Act No. 1. So, we can probably interpret military service there as including training under the ROTC program.

Senator Jaworski. I am asking this, Mr. President, because after all, PD No. 1706 or the National Service Law gives options to our citizens to render either civic welfare service or law enforcement service in lieu of military service.

Of late, there was a report that an IRR has already been prepared or completed by Malacañang. Does the distinguished senator have a copy of this IRR, Mr. President?

Senator Cayetano. Mr. President, as I said earlier, last week we checked the records of Malacañang precisely because of this information that we received on radio and even telecast on various television stations. We have been assured by no less than the PLLO Head, Mr. Claudio, whom I talked to before the session started, that there is neither an executive order nor any implementing rules issued by the President vis-a-vis converting the ROTC program from mandatory to optional. There is none as far as our own check is concerned and as confirmed by the Presidential Legislative Liaison Officer.

Senator Jaworski. Mr. President, I just got hold of it now, that is why I cannot exactly tell the distinguished gentleman what the

contents are. But I ask these questions because, first of all, as I go through PD No. 1706 carefully, I think there is a certain degree of ineptness, if we may say, with our institutions particularly the Department of Education, Culture and Sports because it is said here that we could... There are three options and therefore these are already provided for by law. What we are trying to do is so provided for by law without the necessary details which is obviously very important. So if it is indeed so explained in the revised rules and regulations to implement the National Service Law signed by Secretary Angelo Reyes and approved by Malacañang, then maybe there are certain provisions that could be removed and new amendments could come in.

I also share the view that if we go by the problem of budget, in PD No. 1706 particularly in Section 3, it states:

Each citizen shall render national service in any of the three main programs stated in Section 2 of this decree or a combination thereof. Provided that such service shall be credited in his favor for the purpose of fulfilling educational requirements as established by law.

Therefore, the burden is not really on government, but of course, it still lies on the parents or the students who pay for the tuition fees and other school fees.

I was just thinking, Mr. President, that maybe we could review these rules and regulations, and then we could come up with a more specific law that is not covered and not attended to by these implementing rules and regulations.

Senator Cayetano. Mr. President, I would appreciate if our colleague could provide me with that.

Senator Jaworski. We will do that, Mr. President.

Senator Cayetano. If that IRR would convert the mandatory aspect of ROTC to optional, then I would say that that is in derogation of Republic Act No. 7077 which requires the mandatory aspect of ROTC as part of the curriculum.

Senator Jaworski. I was also thinking, Mr. President, with regard to the concerns of Senator Ople, that maybe later on a certain percentage could be assigned specifically for the purpose of military training, let us say, 50 percent or 60 percent and the others be divided into other socio-civic options. What does the gentleman think about that suggestion?

Senator Cayetano. Mr. President, I have a copy of the Senate bill filed by Senator Ople. And it is quite clear in that Senate bill. Senator Ople, no less, opted for optional military training under Senate Bill No. 1674 or making ROTC an elective or optional subject matter.

The only concern of our good friend, Senator Ople, is to ensure that this optional ROTC, if we decide to pass this law, becomes attractive by providing a number of incentives to students to take ROTC, although it is not mandatory but merely optional to ensure that the number of enlisted men and the number of graduates of basic ROTC would be augmented as it is being augmented every year.

Senator Ople's bill also provides for optional, but, as I said, with a lot of incentives to ensure that even though it is optional many students will still enroll because of the incentives.

Senator Jaworski. That is correct, Mr. President. But is it not also correct to state that on the incentive aspect, we can also enhance the teaching process itself so it becomes attractive? It is not only marching and holding a wooden gun that is so introduced into the curriculum as far as the subject is concerned but also by enhancing the mechanics and what one will exactly learn from the military training curriculum so provided by the Department of Education.

Senator Cayetano. Definitely, Mr. President. At the proper period of amendments, our good colleague here could probably sponsor an amendment which will spell out this particular program because, indeed, as presently practiced, the ROTC training is basically and primarily limited to marching.

Senator Jaworski. And holding wooden guns, Mr. President.

Senator Cayetano. And holding wooden guns and what have you. So much so that the observation really is, this becomes a very boring subject matter and students merely attend this program in order to graduate.

Senator Jaworski. That is precisely the point, Mr. President.

Thank you, Mr. President.

The President. Before Senator Jaworski leaves the floor, may the Chair inquire what these implementing rules and regulations are referred to by Senator Jaworski? Is this a proposed implementing rule for what?

Senator Jaworski. This is a Revised Rules and Regulations to Implement the National Service Law, Mr. President.

I just got this today as I wanted to check whether this would already supply all the necessary possible definitions or amendments that we would want to achieve considering that there is already a presidential decree which seems to embrace the three options being considered in this Chamber by this new law that we are trying to pass.

The President. This is not a proposed implementing regulation pursuant to an executive order which was referred to earlier as having been allegedly issued by the President.

Senator Jaworski. No, Mr. President, but I have been informed that this has been approved. I will pass this also. It could be copied and distributed.

The President. Thank you, Senator Jaworski.

Senator Cayetano. We would certainly appreciate it, Mr. President, if we can be provided with a copy. As I said, if that particular IRR was supposed to implement PD No. 1706 which was promulgated in 1980 and PD No. 1706 was already, at the very least, amended by Republic Act No. 7077 which was passed by Congress in 1991, then this is a very curious development. I certainly would like to have a copy of that.

Senator Jaworski. Thank you very much, Mr. President.

Senator Cayetano. I would like to thank the gentleman, Mr. President.

Senator Legarda Leviste. Mr. President, Senator Biazon wishes to be recognized.

The President. Senator Biazon is recognized.

Senator Biazon. Thank you, Mr. President.

Will the gentleman from Taguig and the Republic of the Philippines answer some questions?

Senator Cayetano. With great pleasure, Mr. President, from my *kapitbahay* in Muntinlupa City and the Philippines.

Senator Biazon. Thank you very much, Mr. President.

First things first, the basics. Right now, the National Service Law provides three options to students pursuing collegiate courses in the Philippines. Is this right, Mr. President?

Senator Cayetano. Actually, Mr. President, Presidential Decree No. 1706 refers to all citizens, not confined to college students. It refers to all citizens.

Senator Biazon. So, we focus on the college students first, Mr. President.

Senator Cayetano. Yes, Mr. President.

Senator Biazon. The college students have three options under the law.

Senator Cayetano. That is right, Mr. President. But it is not a self-fulfilling requirement because under Section 3, and with the permission of my colleague, let me read Section 3 of Presidential Decree No. 1706:

Each citizen shall render national service in any of the three main programs stated in Section 2 of this decree or a combination thereof. Provided that such service shall be credited in his favor for the purpose of fulfilling educational requirements as established by law.

Now, I would imagine, Mr. President, that Presidential Decree No. 1706 is also a law because, as we know, President Marcos then has a power under the 1973 Constitution to enact laws and legislation.

So, when it says, "educational requirement established by law," my own interpretation of that particular phrase, Mr. President, is, as established by Commonwealth Act No. 1 which is the National Defense Act, it would require ROTC mandatory.

Senator Biazon. Which is a requirement for one to complete a college degree.

Senator Cayetano. That is right, Mr. President.

Senator Biazon. But because of later developments, there is an option for college students to elect to go to two other national service options?

Senator Cayetano. As I said, Mr. President, if Presidential Decree No. 1706 stands by itself, I would agree with that proposition. But Republic Act No. 7077 requires ROTC as a mandatory subject matter. Republic Act No. 7077 does not provide any other alternative.

Senator Biazon. All right then. If the bill becomes law, are we now proposing that these national service options be still made as compulsory requirement for one to finish his college degree?

Senator Cayetano. In fact, in the amendatory provisions of Senate Bill No. 1824 under consideration, that Presidential Decree No. 1706, for all practical purposes, would be repealed because the ROTC will be an optional program. Instead, if a college student would not opt to take ROTC, he is required to take the alternative program.

So, it is not a combination of the three. It will be an "either or" but, nevertheless, mandatory.

Senator Biazon. Options but, nevertheless, mandatory.

Senator Cayetano. Yes, Mr. President.

Senator Biazon. And this mandatory period of instructions for any of the three options would be for a period of two years or its equivalent time.

Senator Cayetano. Mr. President, we have not really written that out. In fact, when we were working on this bill, the idea of this representation as far as the chairman of the Committee on Education, Arts and Culture is concerned is that in the alternative program it will only be for a period of one year.

Senator Biazon. Yes, Mr. President.

Senator Cayetano. And my cochairman who, as I said, carefully crafted the aspect of military training or optional ROTC would confine it not to one year but rather to a summer program consisting, according to his computation, of 45 working days.

Senator Biazon. Yes, Mr. President, I think the fundamental issue to be resolved, first, is whether or not there should be a mandatory requirement for a college student to go through a training program on any of the three options as a requirement for completing the college course. Is this still going to be maintained?

Senator Cayetano. Yes, Mr. President. I would like to thank the gentleman for clarifying that. The moment they choose a program it will be mandatory and it will be required in order for them to graduate.

Senator Biazon. And if they do not go to any of the program, they could not graduate?

Senator Cayetano. They could not graduate, Mr. President.

Senator Biazon. Right, that is good. Now, let us focus on the military option as far as the college student is concerned. Mr. President, there are two concerns. One is, if we make the basic military training optional as against it being mandatory at this time, the fear, for example, of some sectors is that it will kill the ROTC program.

In order to prevent that, there are proposals, as a matter of fact, in many of the different bills, to put incentives including, among others, that the cost of training will not be charged to the students or to the family, and the training requirements such as uniform, combat boots, probably, caps, whatever, should be provided free at the expense of the government. Is this the proposal that is now gaining consensus?

Senator Cayetano. There seems to be that kind of proposal, Mr. President. However, no consensus has been arrived at yet as

to the allocation of expenditure that is now being shouldered by the parents. But definitely, the gentleman is correct. There is a consensus that in order to make ROTC optional and yet attract as many male students as possible, there should be some kind of incentive. What will be the nature of that is something that can be taken up during the period of amendments. One of them—and the gentleman is correct—is probably to free the parents—if not 100 percent—of the cost of the ROTC now, but maybe cut it in half or, for that matter, completely make it expense-free as far as the parents are concerned and allocate funds in the Armed Forces of the Philippines' appropriation. So there are many so-called incentives.

Senator Biazon. Yes, and we will tackle that in the future.

Mr. President, if the incentives are so attractive enough, there is even a possibility that we may have to determine the quota. If the government begins to support the training requirement, for example, one requirement probably is, if we opt for the conduct of summer training instead of the weekly drills for maximum effectiveness of the training, definitely we will have to think about providing the mess allowance or subsistence allowance of the cadets while they are on training.

Senator Cayetano. That is correct, Mr. President. If we are able to arrive at very attractive incentives, the students may just opt to remain with ROTC.

Senator Biazon. Yes. Which means, Mr. President, that we will have to think about a ceiling in the acceptance of college students to enroll with the program. Therefore, probably one benefit of that is, we could get the best, we can select the best, and then ask the agency that will implement the program to even have a screening program so that we can stay within the number.

Senator Cayetano. That is right, Mr. President. We may have even entrance examination without mentioning physical examination.

Senator Biazon. Yes, even physical examination probably would be a requirement.

Senator Cayetano. That is right, if it becomes so attractive.

Senator Biazon. That is right. Now, which brings us to the question: How many do we need to enroll? Mr. President, under Commonwealth Act No. 1, which this representation would like to amend or, as a matter of fact, replace, there was a provision concocted by one General Eisenhower and one—he was then a major—Major Aulb. This was in response to the war clouds that were gathering in Asia at that time. And there was envisioned a mobilization of about 300,000 to 500,000

mobilizable reserve of the Philippine Scouts or the Philippine Army at that time.

Now, my question, Mr. President, is: How much mobilizable reserve does the defense establishment envision? Because we cannot just arbitrarily select a number and spend for a program relative to that without a basic reference as to what size of mobilizable reserve we would like to maintain.

Senator Cayetano. Well, Mr. President...

Senator Biazon. One million?

Senator Cayetano. My cochairman will be more in a position to answer that. Let me just give my friend here some figures. As I said earlier, the basic ROTC now, which is being taken by no less than...The graduates of basic ROTC per year number 250,000.

Senator Biazon. Yes, Mr. President.

Senator Cayetano. We do not know how many of that...Definitely, they become reservists by themselves. We do not know how many of these 250,000 graduates a year take advanced ROTC.

Senator Biazon. They become a pool of mobilizable reserves, Mr. President.

Senator Cayetano. That is right. But as to the question on the exact number or estimate, I could not even hazard a guess because I know that my good friend here is more knowledgeable than me as far as the requirement of the Armed Forces of the Philippines is concerned. Although I think that the total uniformed personnel of the Armed Forces of the Philippines is about 100,000, Mr. President.

Senator Biazon. The standing army right now, Mr. President, is about 110,000 soldiers—10,000 officers and 100,000 soldiers.

Senator Cayetano. With the permission of my good colleague, I would rather accept his figure because I know that he is more concerned with that and certainly we will take his word for it. How many do we need? We really have a standing army reserve in the armed forces.

Senator Biazon. Mr. President, the objective of the National Security Act that this representation has filed to replace Commonwealth Act No. 1 or the National Defense Act of 1935 is to adapt to the current geopolitical situation in the world today and to adapt to our own domestic and internal security situation. And so we have no number yet as to what kind of a mobilizable reserve we should have. I think this particular issue will have to be clarified

first. I suppose that if this has not been stated yet by the Department of National Defense, we should ask the Department of National Defense this question: What is the size of mobilizable reserve we are aiming for? That question would give us a yardstick as to how much Congress will support in terms of the mandatory requirement of the ROTC, either the basic or the advanced. We cannot set an arbitrary number on this matter.

Senator Cayetano. Mr. President, maybe I can also give some figures. According to the Commission on Higher Education, we have now total college students enrolled in various universities and colleges, both public and private, 2,637,000. So, roughly, if we divide that number by one-half, meaning, 50 percent are women who are now exempt from military training, we are now looking at basically 1.3 million male students.

Senator Biazon. I do not think the women are exempted.

Senator Cayetano. But they are not taking it.

Senator Biazon. Yes, but there are those who volunteer.

Senator Cayetano. Yes, that is true.

Senator Biazon. The corps commander of the University of the Philippines last year was a lady.

Senator Cayetano. That is right. They volunteer. In fact, in our proposed bill, we only say "college student" not "male student." So I do not know if my good friend can digress from that figure. We are looking at a total number of male students—1.3 million. If the gentleman wants to include all the women, it is 2.6 million.

Senator Biazon. Mr. President, I do not know if this is allowed under the *Rules of the Senate*, but I should move that we first have a consultation with the defense establishment on this question. Because Congress cannot give an arbitrary number as to how much or how many college students will be supported by Congress in the event that the incentives would include congressional support to the training costs of the college students.

Senator Cayetano. Mr. President, I do appreciate that suggestion. But I guess we do not really have to suspend consideration of this particular bill. What we could do is, I think tomorrow Secretary Reyes—

Senator Biazon. Yes, Mr. President.

Senator Cayetano. —is going to be at the Commission on Appointments for his proposed confirmation. Also, I am going to ask my cochairman to get us some kind of assistance from the armed forces over here at the other side of the aisle--

Senator Biazon. Yes, Mr. President.

Senator Cayetano. —so that they can provide...

Senator Biazon. If they are present in one of the sessions here, Mr. President, I would ask this question. Because as I said, Congress cannot put an arbitrary number especially when we begin to think about budgeting. We need to have a working... I am not saying that the number will be put in the law. That is the worst thing we can do. We have to provide for flexibility especially in the IRR if it will come out of this. This is a factor that will be needed. And I think it should have reference in the law, providing the maximum flexibility but ensuring that this factor is not forgotten.

Senator Cayetano. I could not agree more, Mr. President, for the need to get this information. As I said, with due respect to my friend, without suspending the period of interpellations—

Senator Biazon. Yes, Mr. President.

Senator Cayetano. —we can probably have, either tomorrow or Wednesday--

Senator Biazon. Yes, Mr. President.

Senator Cayetano. —this information with the assistance of those who are really directly involved in ROTC in order to get the precise information that our colleague is seeking, Mr. President.

Senator Biazon. Yes, Mr. President. Probably, I have one or two more questions. I would like to repeat. The fundamental issue is that this requirement will still be mandatory. Is this correct?

Senator Cayetano. It is mandatory...

Senator Biazon. For the completion of the course.

Senator Cayetano. Yes. It is mandatory once the student has selected what option to take.

Senator Biazon. The three options will be mandatory.

Senator Cayetano. Yes, Mr. President.

Senator Biazon. It will be a requirement for one to finish his college...

Senator Cayetano. In order to graduate, Mr. President.

Senator Biazon. In order to graduate. One more question, Mr. President.

Mr. President, there is a corresponding unit credited to the student when he takes ROTC. Is this correct?

Senator Cayetano. That is right, Mr. President.

Senator Biazon. Is this corresponding unit paid for by the student?

Senator Cayetano. Yes, Mr. President.

Senator Biazon. Which means that probably one of the incentives to be included in the law is that this unit credit which is a requirement for graduation should not be charged to the student, especially if the government begins to support the instructional requirement of the student.

Senator Cayetano. That is true, Mr. President. In fact, one of the objections during the public hearings... By the way, my good friend here was with us in Cebu City when we conducted a public hearing, and I am sure he could recall that even the administrators of public and private colleges and universities have talked about the added financial burden on the students because they have to pay tuition for taking the ROTC program.

So my good friend here is correct. That could very well be one of the incentives to give it to the students for free.

Senator Biazon. Especially so when this program will not entail any cost on the part of the universities or colleges when the government, through Congress, supports the training requirement.

As a matter of fact, this time, I do not think universities and colleges really spend for the ROTC. It is either the students, and on the part of instructors, it is the Armed Forces of the Philippines. They do not pay the instructors and they do not provide training requirements because the students are paying for it. So why should the students pay the university for something that the university does not provide in terms of material support? At the proper time, this should be considered probably.

Senator Cayetano. Mr. President, with due respect, let me just correct the observation of my good friend.

The university does not get a single centavo. We have been informed that the university is merely a collecting agent. What happens is that a separate receipt is issued to the student who pays for it and this money collected by the administrators of the different colleges and universities turn it over to the Armed Forces of the Philippines.

The President. How much would that be?

Senator Cayetano. The figure mentioned was anywhere from... This is the total for two years, P300 to P1,000, depending on the school.

For instance, in one of the state colleges I visited last Friday, they told me that they collect P90 per semester and that is one of the cheapest. But if a student is enrolled in a private university, he would pay as high as P1,000.

Senator Biazon. And this amount is turned over to the armed forces?

Senator Cayetano. Yes. That is my understanding, Mr. President. The school does not get a single centavo.

Senator Biazon. This is an income to the armed forces.

Senator Cayetano. That is right, Mr. President.

Senator Biazon. Has this been accounted for?

Senator Cayetano. I do not know, Mr. President.

The President. How much would the total be? How much amount is turned over to the armed forces?

Senator Biazon. This is the first time I heard about this. I always assume that nothing goes to the armed forces. I had always assumed this in the past.

The President. When the gentleman was the chief of staff, he was not aware of this?

Senator Biazon. Of course, I was the chief of staff for three months only, Mr. President. I did not have the chance to look into this matter. But this is the first time I have heard that this amount is turned over to the Armed Forces of the Philippines.

If one is paying, let us say, an average of P1,000 for two years, and if the graduates are...

Senator Cayetano. Fifty thousand a year.

Senator Biazon. That is a huge sum of money that is not accounted for. I think we will have to check this, Mr. President.

Senator Cayetano. Yes, Mr. President.

Senator Biazon. But I will go back to the question. I think the students and parents should not be charged for tuition corresponding to the number of units assigned or accredited to military training.

Senator Cayetano. As I said, Mr. President, that will be an incentive to make it attractive to enroll in an optional ROTC program—although it is optional—but attractive enough in order to ensure that the number required to have a standing reserve force in the armed forces is maintained all the time.

Yes, Mr. President, we certainly would not be averse to any particular amendment at the proper time to consider that.

Senator Biazon. Mr. President, I would end at this point. But may I reserve the right to interpellate again when the appropriate agencies are represented. The secretary of National Defense, for example; the Chief of Staff of the Armed Forces of the Philippines together with his J8, the reservists, together with the intelligence, and together with the operation officer and J5, planning, because we need to determine the number that we, in Congress, will have to support. We cannot just pull out arbitrarily the number of the sizeable mobilizable reserve that we would like to build in this country.

Senator Cayetano. We will take note of that, Mr. President. We will ask our coauthor to ensure that those individuals whom he mentioned will be sitting on the other side of the aisle tomorrow, hopefully.

Senator Biazon. I thank the gentleman, Mr. President.

Senator Cayetano. Thank you, Mr. President.

The President. The Majority Leader is recognized.

Senator Legarda Leviste. Mr. President, Sen. Francis “Kiko” Pangilinan wishes to be recognized for interpellation.

SUSPENSION OF SESSION

Senator Cayetano. Mr. President, may 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 5:58 p.m.

RESUMPTION OF SESSION

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

The President. The session is resumed. The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION OF S. NO. 1824

Senator Legarda Leviste. Mr. President, I move that we suspend consideration of Senate Bill No. 1824 under Committee Report No. 3. There have been many other reservations for interpellations scheduled for tomorrow.

The President. Consideration of Senate Bill No. 1824 is suspended.

MOTION OF SENATOR LEGARDA LEVISTE (Termination of Interpellation on Senator Ople's Speech and Referral of the Speech to the Committee on Foreign Relations)

Senator Legarda Leviste. I move that we terminate the interpellations on Sen. Blas F. Ople's previous speech on terrorism. The status then was Sen. Aquilino Q. Pimentel Jr. interpellating Senator Ople, but he has since withdrawn his interpellation. I therefore move that we terminate the interpellation on Senator Ople's speech, and I further move that we refer it to the Committee on Foreign Relations, Mr. President.

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

ADJOURNMENT OF SESSION

Senator Legarda Leviste. I therefore move, Mr. President, that we adjourn today's session until three o'clock tomorrow afternoon, October 16, 2001.

The President. Is there any objection? *[Silence]* There being none, the session is adjourned until three o'clock tomorrow afternoon, October 16, 2001.

It was 6:05 p.m.