



LEGISLATIVE RESEARCH SERVICE

KEY POINTS OF PLENARY PROCEEDINGS

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Wednesday, 30 August 2023

1. Manifestation of Senator Villanueva

Senator Villanueva reported to the Body that the House of Representative adopted the Senate version of the Trabaho Para Sa Bayan Act, Senate Bill No. 2035, which seeks to establish the National Employment Master Plan, on August 29, 2023.

2. Manifestation of Senator Padilla

Senator Padilla reminded everyone that today, August 30, as the nation celebrates the birth anniversary of Marcelo H Del Pilar and, at the same time, the National Press Freedom Day, it is also the day commemorating the Battle of Pinaglabanan in San Juan City, where, during that battle against the Spaniards, two hundred Katipuneros were captured and 153 were killed.

3. Manifestation of Senator Estrada

Senator Estrada associated himself with the manifestation of Senator Padilla and thanked him for remembering San Juan. He reiterated that August 30 is a holiday in San Juan in commemoration of the Battle of Pinaglabanan.

4. Privilege Speech of Senate President Zubiri

Senate President Zubiri questioned the Inter-Agency Council Against Trafficking's (IACAT) new set of requirements for departing Filipino passengers. He supported the agency's goal of finding ways to protect the Filipino people from being exploited. However, he said, there must be some other way to protect them without hampering their right to travel.

According to the Senate President, the right to travel is a constitutional right. Article III, Section 6 of the Constitution states, "The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health."

Senate President Zubiri reiterated that the Constitution is not recommendatory; it is mandatory. It is every right of a Filipino to travel. Filipinos are even encouraged to travel domestically and internationally. When a nation grows, it cultivates a growing middle class with more spending power, savings, and travel capacity. And since the country is aiming for middle-income status, the government should also be prepared for more outbound Filipino tourists. The immigration policies of old must be adjusted to accommodate this reality.

There should be efficient immigration strategies that protect the people and not curtail their constitutional right to travel. The unreasonably strict screening may contribute to more corruption, especially since the second screening is done in a private room where anything can happen.

Senate President Zubiri further emphasized that Filipino travelers should not be victimized by inefficiency. Some real perpetrators, mainly illegal recruiters, should be targeted instead of burdening everyone else.

Manifestation of Senator Villanueva

Senator Villanueva expressed his belief that the recently revised IACAT guidelines are unreasonable and misplaced as a solution to prevent human trafficking.

He expressed that it is understood that the IACAT's intent in issuing guidelines is to mitigate trafficking. Nevertheless, the possibility of offloading 98.54% of Filipinos can never be considered a "margin of error." There is something wrong with the process. Hence, there is a need to review the program to ensure the protection of the citizens.

The Senator informed the Body that he filed Proposed Senate Resolution No. 762 to urge the appropriate Senate committees to conduct an inquiry, in aid of legislation, on the government's actions to strengthen its efforts against trafficking in persons and the propriety of imposing the additional requirements in the 2023 Revised Guidelines, considering the constitutionally-guaranteed right to travel.

Senator Villanueva reiterated that instead of imposing stringent requirements on travelers, the government should strengthen its programs against trafficking.

Manifestation of Senator Escudero

Senator Escudero sought the Chamber's support that in the special provisions of the 2024 budget, a provision should be included that states that those 32,404 Filipinos who were offloaded, and anyone who would be offloaded, would be reimbursed insofar as their expenses, chargeable against the immigration fees being collected by the Bureau of Immigration so that they will learn their lesson and so that they will exercise the powers given to them not arbitrarily but with due diligence and care.

The Senator expressed his belief that discretion always equals corruption. By minimizing discretion, corruption is minimized. By eliminating discretion, corruption is eliminated.

Manifestation of Senator Cayetano (P)

Senator Cayetano commended Senate President Zubiri for the timely delivery of his privilege speech since the new IACAT guidelines will be effective by September 3, 2023.

The Senator agreed that the new IACAT guidelines have a good objective. Still, the manner of implementation does not seem to be the most effective way to protect the most vulnerable. In reality, it curtails the constitutional right to travel and the opportunity to be reunited with their loved ones.

Manifestation of Senator Revilla

Senator Revilla agreed with the sentiments of Senate President Zubiri and the rest of his colleagues on the new IACAT rules.

The Senator stated there is no debate that Filipinos must be protected from human trafficking, but a line must be drawn when the ends no longer justify the means.

Manifestation of Senator Tolentino

Senator Tolentino said he attended the graduation of the new batches of Bureau of Immigration officers. He hoped the new batches would be faithful to their duties and help the Filipino people, especially those leaving the country, to earn additional income.

The Senator mentioned that pending before the Senate are five or six immigration reform bills.

Manifestation of Senator Dela Rosa

Senator Dela Rosa associated himself with the privilege speech delivered by Senate President Zubiri. He stated that instead of overregulation, the government should facilitate the movement of citizens who wish to travel abroad. Moreover, he stressed that the people in the government should have a heart for the citizens.

Manifestation of Senator Pimentel

Senator Pimentel thanked Senate President Zubiri for bringing the topic before the Body. He mentioned if it was recognized that the right to travel is a constitutional right, then there is a need to revisit the travel tax, noting that it was first imposed before the 1987 Constitution.

The Senator stated that the requirement of a consularized affidavit of support from a relative is unconstitutional because a Filipino cannot travel without it under the new regulations.

Manifestation of Senator Hontiveros

Senator Hontiveros expressed her hope that the IACAT, a dependable partner of the Committee on Women, Children, Family Relations and Gender Equality, will listen to the concerns raised by the Senate.

Motion of Senator Villanueva to Refer the Privilege Speech of Senate President Zubiri and the Manifestations Thereon to the Committee on Justice and Human Rights

Adoption of Unnumbered Resolution, subject to style—Resolution No. 85
(Expressing the Sense of the Senate, Calling for the Suspension of the Implementation of the 2023 Revised IACAT Guidelines)

Adoption of Unnumbered resolution, subject to style—Resolution No. 86
(Authorizing the Senate President to File the Necessary Petition before the Supreme Court to Put a Stop to IACAT's Regulations)

5. Senate Bill No. 2233 under Committee Report No. 71

An Act Strengthening Public-Private Partnerships, Appropriating Funds Therefor, and for Other Purposes

Sponsor: Sen. Joseph Victor Ejercito

Senator Ejercito moved to amend the bill by deleting the entire text after the enacting clause and to replace the same with the provisions contained in the proposed amendment, in the nature of a substitute bill, which the Body approved.

6. Senate Bill No. 2243 under Committee Report No. 85

An Act Strengthening and Revitalizing the Salt Industry in the Philippines, Appropriating Funds Therefor, and for Other Purposes

Sponsor: Sen. Cynthia A. Villar

Interpellation of Senator Hontiveros

Senator Hontiveros inquired, aside from salt iodization, what other factors caused the country's salt industry's decline. Senator Villar responded that urbanization was one of the causes, like what happened in Las Piñas. However, the primary cause was the current law.

Senator Hontiveros explained that there may be other factors, like the frequent destructive storm surges near the salt farms, El Nino events, and even the high electric power rates. Senator Villar responded that electricity is not much of a factor that affects the salt industry.

As regards the effect of the relaxation of salt iodization on iodine deficiency disease reduction in other countries, Senator Villar responded that those countries did not experience any issue because the citizens (Americans, Japanese, Canadians, among others) can get iodine from other food sources. Senator Villar stated that the information drive should be improved to inform people how to get their daily iodine requirement from other food sources, not only from iodized salt.

Regarding Section 25, which states that "salt iodization for food grade salt is hereby rendered optional," Senator Hontiveros raised that it may negatively impact the nutritional status of vulnerable groups like pregnant women and children. However, Senator Villar countered that the proposed law does not remove the power of the DOH and the National Nutrition Council to require salt iodization for human consumption. In the end, Senator Hontiveros manifested her intention to propose amendments at the proper time.

With regard to the need to earmark additional funding to support the Philippine Plan of Action for Nutrition (PPAN), which aims to address iodine deficiency of the different population groups, Senator Villar responded that the 9% tariff, or P600 million, is for mechanization and warehousing. A budget to support PPAN may be included in the budget of DOH.

Interpellation of Senator Villanueva

Senator Villanueva inquired whether Section 10 of the bill, which provides for the 90-day period to transfer the public lands identified as suitable for salt making from DENR to the BFAR, was thoroughly thought of considering the BFAR's total permanent positions are only 2,126 and the filled up positions are only 1,585. He manifested his desire to propose amendments to that particular provision.

The Senator also stated that, at the proper time, he will propose the definitions of subsistence, small, medium, and large salt producers.

7. Conversion and Establishment of Campuses

a. House Bill No. 6553 under Committee Report No. 94

An Act Converting the Bataan Peninsula State University - Bagac Extension Campus in the Municipality of Bagac, Province of Bataan, into a Regular Campus of the Bataan Peninsula State University, to be Known as the "Bataan Peninsula State University - Bagac Campus", and Appropriating Funds Therefor

b. House Bill No. 6552 under Committee Report No. 95

An Act Converting the San Isidro Satellite Campus of the Leyte Normal University Located in the Municipality of San Isidro, Province of Leyte, into a Regular Campus of the Leyte Normal University to be Known as the Leyte Normal University - San Isidro Campus, and Appropriating Funds Therefor

c. House Bill No. 6128 under Committee Report No. 96

An Act Establishing in the Municipality of Floridablanca, Province of Pampanga, a Campus of the Pampanga State Agricultural University, to be Known as the "Pampanga State Agricultural University - Floridablanca Campus", and Appropriating Funds Therefor"

d. House Bill No. 7091 under Committee Report No. 113

An Act Converting the Campus of the Polytechnic University of the Philippines Located in the City of Parañaque, into a Regular Campus of the Polytechnic University of the Philippines, to be Known as the Polytechnic University of the Philippines-Parañaque City Campus, and Appropriating Funds Therefor

Sponsorship Speech of Senator Escudero

Senator Escudero stated that the House bills seek to convert and establish the following campuses: Bataan Peninsula State University-Bagac Campus, Leyte Normal University-San Isidro Campus, Pampanga State Agricultural University-Floridablanca Campus, and Polytechnic University of the Philippines - Parañaque City Campus.

The Senator further pointed out that their elevation into a regular campus brings certain autonomous decision-making prerogatives. The powers devolved would augur well for these campuses' future as it will invite local stakeholders to engage more and be involved more in the affairs that are an integral part of their educational system.

He added that the conversion and establishment of these campuses are driven not only by egalitarian motives of democratizing access to its portals but also by making sure that it is attended with excellence. These campuses are an essential part of the growth of their respective localities.

8. House Bill No. 7961 under Committee Report No. 108

An Act Strengthening the Bulacan State University, Expanding its Curricular Offerings and the Composition of the Governing Board, and Appropriating Funds Therefor

Sponsorship Speech of Senator Escudero

Senator Escudero pointed out that House Bill No. 7961 consolidates three bills, one that the House of Representatives passed and the two filed separately by Majority Leader Joel Villanueva and Senator Gatchalian.

He further stated that this version of the BulSU charter is organizational and financial in nature to make its revenue footing more robust. However, the core improvement deals with the heart of an academic institution, which its curricular offerings would be.

The bill aims to expand its curricular offerings and its sphere of academic leadership in the entire Central Luzon Region.

Manifestation of Senator Villanueva

Senator Villanueva expressed his gratitude to Senator Escudero for sponsoring the bill on the BulSU charter. He likewise manifested that his cosponsorship speech be inserted into the *Record*.

9. Establishment of Colleges of Medicine

a. House Bill No. 6704 under Committee Report No. 109

An Act Establishing a College of Medicine in the Benguet State University in the Municipality of La Trinidad, Province of Benguet, to be Known as the "Benguet State University College of Medicine", and Appropriating Funds Therefor

b. House Bill No. 7087 under Committee Report No. 110

An Act Establishing a College of Medicine in the Southern Luzon State University-Main Campus Located in the Municipality of Lucban, Province of Quezon, to be Known as the Southern Luzon State University - College of Medicine, and Appropriating Funds Therefor

c. House Bill No. 7088 under Committee Report No. 111

An Act Establishing a College of Medicine in the University of Eastern Philippines Located in the Municipality of Catarman, Province of Northern Samar, to be Known as the University of Eastern Philippines-College of Medicine, and Appropriating Funds Therefor

d. House Bill No. 7090 under Committee Report No. 112

An Act Establishing a College of Medicine in the Don Mariano Marcos Memorial State University-South La Union Campus Located in the Municipality of Agoo, Province of La Union, to be Known as the Don Mariano Marcos Memorial State University-South La Union Campus-College of Medicine, and Appropriating Funds Therefor

e. House Bill No. 7412 under Committee Report No. 116

An Act Establishing a College of Medicine in the Visayas State University Located in the City of Baybay, Province of Leyte, to be Known as the Visayas State University-College of Medicine, and Appropriating Funds Therefor

Sponsorship Speech of Senator Escudero

Senator Escudero stated that through the Doktor Para Sa Bayan Program, it was envisioned that young Filipinos at the bottom of the economic pyramid would acquire an education that only those at the top could afford.

Currently, the program is offered in 16 private schools and 16 state universities, with funded slots for 3,600 scholars this year. The five bills will bring it to 21 schools. These schools are centers of excellence, consistently turn in excellent board examination scores, and are research and innovation hubs.

Cosponsorship Speech of Senator Villanueva

Senator Villanueva stressed that the additional SUCs will increase the number of doctors in the country and help fill the shortage by up to 134,000 doctors to meet the ideal ratio of 10 doctors for every 10,000 individuals, as the World Health Organization prescribes.

Currently, the Philippines has only 3.7 doctors for every 10,000 Filipinos, which is way short of the WHO ideal ratio. Aside from the lack of doctors in the country, there is also a problem with the geographical distribution of doctors.

The Senator also mentioned that the measures are also in line with the aim of the Universal Health Care Act, which is to make healthcare accessible, affordable, and available.

Cosponsorship Speech of Senator Tolentino

Senator Tolentino expressed his support for the measures, knowing that the backlog of doctors now would be 114,000. He mentioned that studies show that it will take 23 years to produce and address the said backlog; hence, there is a need for these additional medical schools.

Motion of Senator Villanueva that the Cosponsorship Speech of Senator Gatchalian be inserted into the *Record*.

10. Establishment of Colleges for Veterinary Medicine

a. House Bill No. 7397 under Committee Report No. 114

An Act Establishing in the City of Ligao, Province of Albay, a College of Veterinary Medicine of the Bicol University, to be Known as the Bicol University-College of Veterinary Medicine, and Appropriating Funds Therefor

b. House Bill No. 7398 under Committee Report No. 115

An Act Establishing the Southern Luzon State University-Catanauan Campus-College of Veterinary Medicine, and Appropriating Funds Therefor

Sponsorship Speech of Senator Escudero

According to Senator Escudero, doctors of veterinary medicine play an important role in food safety. They do not merely stand as sentinels at the end of the production line. More importantly, they are boots on the ground in farms and feeding lots. They are essential personnel in the fight for food security.

The Senator highlighted that there is a national shortage of veterinary doctors, which can be addressed by establishing more colleges of veterinary medicine, especially in the countryside.

11. Senate Bill No. 2001 under Committee Report No. 43

An Act Providing for a New Passport Law, Repealing for the Purpose Republic Act No. 8239, Otherwise Known as the Philippine Passport Act of 1996

Sponsor: Sen. Imee R. Marcos

Interpellation of Senator Pimentel

On the inquiry as to the reasons for totally repealing the existing Philippine Passport Act and what would be the new concepts, ideas, or offerings in this measure, Senator Marcos responded that among the most important features of the bill is the exemption of the senior citizens and OFWs abroad from personally appearing for their passport renewal; expansion of the use of emergency travel documents both for ordinary tourists and OFWs; provision of special lanes for OFWs, pregnant women, PWDs, and senior citizens; provision of special consideration for very large contingencies such as the Muslim Hajj; and additional penalties that are commensurate to the crime.

On how to remedy the situation where the passport holder is expected to consume all of the pages of the passport in a shorter period than 10 years, the Sponsor said that passports with additional pages may be issued to people who travel more often.

Senator Pimentel raised a concern on the provision that says, "The President of the Philippines or the Secretary may grant diplomatic passport to officials and persons other than those enumerated herein." Senator Marcos reasoned that it pertains to special envoys and ambassadors-at-large appointed from time to time for a particular mission.

As regards the limit on the number (2 persons) of domestic service and household members assigned to officials assigned to diplomatic or consular posts, Senator Pimentel opined to maintain the policy in the existing law where there is no limit, considering that the bill allows the Foreign Secretary to approve the increase of household members.

Senator Pimentel sought clarification on the terms “report of birth” and “report of marriage” and whether there is a time limit for reporting. The Sponsor stated that the generic term “report” was used to refer to any document evidencing the marriage or birth of a Filipino in a particular country. Also, she mentioned that there is no time limit as registration is a citizen's right.

On the provision that provides that a woman can revert to using her maiden name by virtue of a declaration of legal separation, the senators agreed to consult legal experts on the Family Code to determine the effects of legal separation.

As regards the power of the Secretary or his duly authorized representative to waive a requirement, the Sponsor stated that it refers to the so-called “compassionate or emergency passports.” The waiver is provided to people who need urgent medical attention overseas, urgent repatriation, or when the nationals are threatened by legal or physical abuse.

Senator Pimentel expressed his worries on the waiver of personal appearance of those applying for a passport for the first time. The Sponsor clarified that the personal appearance of a first-time passport applicant is currently necessary for biometric recording purposes. However, it was the intent to ensure that the law will adapt to the ePassport trend in the future. Senator Marcos clarified that ePassport will cover all types of passports.

As to who may be denied passports, Senator Marcos stated that an individual can be denied issuance of a passport if he/she is a respondent in a complaint pending preliminary investigation and against whom a preliminary or precautionary hold departure order was issued by a court. She added that a hold departure order may be issued against persons charged under the Human Security Act of 2007, Anti-Trafficking in Persons Act of 2003, Inter-Country Adoption Act, and Violence Against Women and Children.

As regards the three databases—passport database, watchlist database, and stolen, lost, and revoked database—Senator Pimentel noted that recognized alien residents would be included in the database. On that note, he asked whether issuing passports to alien residents would be allowed. In response, the Sponsor stated that the passport database will also contain a travel document database. The travel documents are those issued to alien residents who are refugees or stateless who have not yet obtained a passport from the Philippines.

Senator Pimentel suggested to restate in the bill the 10-year validity of the passports as provided in RA 10928.

With regard to the passport revolving fund, Senator Marcos stated that currently, the P250 expediting fees go to the fund, which is P710 million as of the moment. Under the bill, 20% of the annual collection will be reserved for the fund to improve passporting and consular services.

Manifestation of Senator Villanueva

Senator Villanueva emphasized the importance of coming up with a database system. He also mentioned that RA 10022, the Migrant Workers and Overseas Filipinos Act, “provides for the establishment of a shared government information system for migration.” To implement this particular provision, the law established the interagency committee co-chaired by DFA and DOLE. However, after 28 years, we have yet to see this database system's completion and effectiveness.

12. Senate Bill No. 2221 under Committee Report No. 69

An Act Providing for the Magna Carta of Filipino Seafarers

Sponsor: Sen. Raffy Tulfo

Interpellation of Senator Dela Rosa

Senator Dela Rosa stated that establishing a Magna Carta for our Filipino seafarers will definitely enable us to further improve and develop the industry. He inquired about the number of Filipino seafarers deployed this year.

Senator Tulfo responded that in the first quarter of 2023, 149,126 seafarers were deployed. Pre-pandemic, 505,000 seafarers were deployed, but it dropped significantly to almost one-half during the pandemic. In 2021, it went up to 394,000; in 2022, it bounced back to 489,000.

According to Senator Dela Rosa, in December 2021, the European Commission issued a warning to the Philippines that unless we improve the programs for Filipino seafarers and unless we comply with the Standards of Training, Certification, and Watchkeeping for Seafarers (STCW) Convention, they would no longer recognize our seafarers' certification.

Senator Tulfo stated that in 2021, the Philippines submitted its stand to comply with the requirements and an extension was given. The extension means an inspection will be done again in five years. Likewise, the Philippines can keep deploying seafarers to different foreign vessels.

In response to the inquiry on whether the passage of the bill is necessary for compliance with international standards, Senator Tulfo stated that the Magna Carta of Seafarers : (1) is for compliance and (2) for the protection of rights and the welfare of our seafarers globally.

As regards how compliance will be enforced in the bill, the Sponsor mentioned that for foreign vessels plying international routes, the implementing body for the Magna Carta of Seafarers is the Department of Migrant Workers (DMW). For domestic ships, it is the Department of Labor and Employment (DOLE).

Senator Dela Rosa wanted to know the importance of complying with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, to which the Sponsor replied that non-compliance would result in reduced hiring of Filipino seafarers by European employers.

To protect students against erring educational institutions offering seafaring courses, the Sponsor stressed that the MARINA and CHED should monitor these institutions to ensure compliance with standards set by law.

The session was adjourned at 8:56 p.m.