



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 31**  
Monday, October 10, 2016

**SEVENTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

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**CALL TO ORDER**

At 3:17 p.m., the Senate President, Hon. Aquilino "Koko" Pimentel III, called the session to order.

**PRAYER**

Sen. Win Gatchalian led the prayer, to wit:

Heavenly Father,

We thank You for this day as we all gather here today. In Your Name, we ask for Divine guidance and wisdom as we seek Your will for our beloved nation, knowing that public service is ultimately service unto You. Give us courage and strength as we endeavor to do what is right before You and our countrymen.

Your word declares, "Blessed is the nation whose God is the Lord."

We humbly ask You today that You bless our nation, the Senate and all government institutions. May everything we say and do bring honor and glory to You.

We thank You, Lord, in the Name of Jesus, we pray.

Amen.

**NATIONAL ANTHEM**

The Himig Antonio of St. Anthony Academy of Quezon City led the singing of the national anthem and thereafter rendered the song, entitled "*Tayo'y mga Pinoy*."

**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:

Angara, S.	Hontiveros, R.
Aquino, P. B. IV B.	Lacson, P. M.
Binay, M. L. N. S.	Legarda, L.
Cayetano, A. P. C. S.	Pacquiao, E. M. D.
De Lima, L. M.	Pangilinan, F. N.
Drilon, F. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Recto, R. G.
Escudero, F. J. G.	Sotto III, V. C.
Gatchalian, W.	Villanueva, J.
Gordon, R. J.	Villar, C.
Honasan, G. B.	Zubiri, J. M.

With 22 senators present, the Chair declared the presence of a quorum.



Senator Trillanes arrived after the roll call.

Senator Poe was on official mission “as the reopening of the public hearing of the Committee on Public Services on 12 October 2016, has prompted her to meet several transport and planning consultants and engineers,” as indicated in the October 10, 2016 letter of the Senator’s chief of staff.

#### **APPROVAL OF THE JOURNAL**

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 30 (October 5, 2016) and considered it approved.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Sotto acknowledged the presence in the gallery of the following guests:

- Constitutional law students of the Universidad de Manila, led by Ms. Marienyl Joan Vergara, class president;
- Mass Communication students from the Universidad de Manila with Prof. Michael Caber;
- Philippine National University officers, Dr. Ogena, Dr. Montealegre, and Dr. Reyes;
- Guests of Senator Villanueva: Mr. Dela Vega of the United Continent Philippines, Ms. Jeslyn Santos, Miss United Continents 2016;
- Guests of Senator Cayetano: Board Member Paulo Crisostomo, ABC Liga President of Cavite;
- Students of Nicolites Montessori School, Humanities and Social Sciences headed by Ms. Tianco;
- The Philippine SuperLiga (PSL) F2 Logistics Manila Team, officials and Eventcourt.

Senate President Pimentel welcomed the guests to the Senate.

#### **MANIFESTATION OF SENATOR CAYETANO**

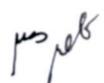
Senator Cayetano welcomed and introduced the officials and members of the PSL-F2 Logistics Manila Team that will represent the country in the *Federacion Internationale de Volleyable* (FIVB) Women’s Club World Championship (WCWC) that will be held on October 18-23, 2016, and which will feature some of

the best volleyball players in the world, including Olympic and world championship medalists. He said that they are examples of how important sports is in the war against drugs. He noted that beyond their achievements in sports, they are role models of clean lifestyle, fair play, cultural camaraderie, and positive attitude in life.

Senator Cayetano stated that as the host of the event, the country has been provided the rare opportunity to field a team in the tournament, the PSL-F2 Logistics Manila Team that will compete with the best volleyball players in the world. He explained that this world championship tournament only includes professional players, the seeded club teams and three wild card teams; the Philippines, as the host country, was allowed to participate. He expressed confidence that the homegrown talents would benefit from this top-level competition as the country hopes to actively return as a medal contender in the Southeast Asian games and become a regular competitor in the FIVP and AVC tournaments.

Senator Cayetano then introduced the PSL-F2 Logistics Manila Team, or the Philippine Team, as well as the officials and Eventcourt; to wit:

- Mr. Mora Branislav, head coach;
- Shun Takehashi, assistant coach;
- Vilet Ponce De Leon, team manager;
- George Pascua, trainer;
- Paulina Tomas, physical therapist;
- Ian Fernandez, trainer II;
- Players: Tichaya Boonlert, Yuri Fukuda, Ekaterina Krivets, Yevgeniya Nyukhalova, Lindsay Stalzer, Lynda Morales, Stephanie Niemer, Rachel Ann Daquis, Mika Aereen Reyes, Jennelyn Reyes, Frances Xinia Molina, Kim Fajardo, Jaja Santiago, and Jovelyn Gonzaga;
- Philip Juico, Chairman of the PSL;
- Ramon “Tat” Suzara, Director-General of PSL;
- Mr. Siegbert Brutschin, Eventcourt General Director;
- Dominique Satuv, Eventcourt Marketing Director; and
- Mr. Efren Uy, team’s sponsor and President of F2 Logistics, with his family and staff.



Senator Cayetano stated that the holding of this world championship event is a vote of confidence to the Philippines and the Filipino people, and that Malacañang had thrown its full support to ensure the success of the country's hosting of the event by issuing Memorandum Circular No. 9, dated October 5, wherein President Duterte tasked all government agencies to provide support to this prestigious volleyball festival which would be a big boost to the country's tourism program because the tournament would be broadcasted worldwide, volleyball fans throughout the world will be watching, and many parts of the country will be featured as well.

He said that while real change comes from the change of values and spiritual reformation, sports and athletes represent discipline and values that include leadership, integrity, teamwork and camaraderie.

#### SUSPENSION OF SESSION

Upon motion of Senator Cayetano, there being no objection, the Chair suspended the session to allow the Members to greet the guests.

*It was 3:36 p.m.*

#### RESUMPTION OF SESSION

At 3:42 p.m., the session was resumed.

#### PROPOSED SENATE RESOLUTION NO. 175

With the permission of the Body, upon motion of Senator Sotto, the Body considered Proposed Senate Resolution No. 175, entitled

#### RESOLUTION RECOGNIZING AND COMMENDING JESLYN SANTOS FOR BEING CROWNED AS THE MISS UNITED CONTINENTS 2016.

With the permission of the Body, only the title of the resolution without prejudice to the insertion of its full text into the Record of the Senate.

#### SPONSORSHIP SPEECH OF SENATOR VILLANUEVA

Senator Villanueva recalled that when he was younger, he would often pass by an ark in his home province of Bulacan which says, "*Maligayang Pagbati sa Lalawigan ng Bulakan, Bayan ng Magiging*

*na Bayani at Magagandang Dilag,*" words that have been proven true by the accomplishments of a brave and beautiful young woman from Hagonoy, Bulacan named Jeslyn Santos, a youth leader, an athlete and the reigning Miss United Continents 2016.

*Following is the full text of Senator Villanueva's sponsorship speech:*

It is my honor to sponsor a Senate resolution commending and congratulating Jeslyn Santos – a *kababayan* from Bulacan and a member of the *Kristiyanong Kabataan Para sa Bayan* Movement or KKB one of the biggest youth organizations chaired by this Representation — for being crowned as the Miss United Continents 2016 at Guayaquil, Ecuador, on September 24, 2016.

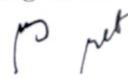
The "Miss United Continents," like "Miss World," "Miss Universe" and other globally-recognized beauty competitions, is an annual beauty pageant with participants from all over the world. Jeslyn is the first Filipina and the first Asian to win the title.

I believe that these competitions give every Filipina an opportunity to enhance their self-confidence to become more empowered and independent. At *sa bawat* Filipino beauty queen *na kinikilala sa plenaryong ito, nabibigyan, kung hindi man lumalawak, ang puwang sa ating lipunan ng milyung-milyong kababaihang lumaban para sa kanilang sarili, para sa kanilang pamilya, at para sa Inang Bayan.*

*Ang ganito pong pagkilala ay nag-aangat sa kanilang dignidad at sa mga dakilang bagay na kayang isipin at gawin ng bawat Pinay.* There is no doubt, the modern Filipina today is truly global, multicultural and God-fearing.

Global, at *masasabi kong proud po ako kay Jeslyn sa kanyang talino at sipag bilang mag-aaral kasabay ng pagiging volleyball athlete sa Bulacan State University. Ang tagumpay niya ay patunay sa dekalidad at globally competitive na edukasyon sa bansa lalo na po sa ating mga state universities.*

Multicultural, *pinag-uusapan po kasi sa social media ang paggamit ni Jeslyn ng wikang Espanyol, ang opisyal na wika sa Ecuador sa question and answer portion ng kompetisyon. Ito po ay pagpapakita sa mundo na multilingual ang mga Pilipino. Tulad po ng mga kababayan nating OFWs at BPO workers dito sa Pilipinas, pinatotohanan niyang anumang wika, kayang gamitin ng Pilipino. Sa iba't ibang kultura man, kayang iangkop ng Pilipino ang kanyang sarili.*



God-fearing *sapagkat palagi ko pong binabanggit sa mga miyembro ng Kristiyanong Kabataan para sa Bayan movement o KKB kung saan miyembro si Jeslyn, iyong nakasaad po sa Banal na Kasulatan, sa Book of Proverbs, Chapter 3, Verse 6 that "In everything you do, put God first and He will direct you and crown your efforts with tremendous success."*

*Ang tagumpay ni Jeslyn ay patunay ng pagsasabuhay ng kanyang pananampalataya. Paalala sa ating mga Pilipino na makakamit ang tagumpay kung ang Panginoon ang sentro ng ating buhay.*

Being globally competitive, multicultural and God-fearing, beauty queens like Jeslyn Santos, depict who a Filipina is and what our nation should be in the global stage.

*Ang bandila ng Pilipinas at ang dangal ng lahing Pilipino ang dala-dala ni Miss United Continents 2016 Jeslyn Santos sa Ecuador. Dala po niya ang buong bansa at tagumpay po ito ng bawat Pilipino.*

#### INTERPELLATION OF SENATOR SOTTO

Asked by Senator Sotto whether Ms. Jeslyn Santos speaks Spanish, Senator Villanueva explained that Ms. Santos did not study Spanish during her elementary and high school days but was trained only for three months in preparation for the pageant but she was able to answer eloquently in Spanish during the question-and-answer portion of the competition.

#### COSPONSORSHIP SPEECH OF SENATOR PACQUIAO

Upon motion of Senator Sotto, there being no objection, the Body approved the insertion of the cosponsorship speech of Senator Pacquiao into the Journal and Records of the Senate.

*Following is the cosponsorship speech of Senator Pacquiao on Proposed Senate Resolution No. 175:*

*Sa muling pagkakataon ay inilantad ng ating kababayan sa buong mundo ang ganda at talino ng lahing Pilipino.*

Jeslyn Santos, congratulations for being crowned as the Miss United Continents 2016 held in Ecuador.

You give inspiration not only to Filipinos, but also to different races across the globe.

Your words remind us that where there is love, there is always hope.

You showed us that every person in the world, no matter what ethnicity, is part of the global family. As your words state, "we are brother and sisters."

With all of these, Jeslyn, you are a jewel in the vast sea. Thank you for reminding us that there is a chance for unity and peace in this time of calamity.

Senator Villanueva, I am one with you in congratulating Jeslyn, the Miss United Continents 2016.

#### ADOPTION OF PROPOSED SENATE RESOLUTION NO. 175

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 175 was adopted by the Body.

#### SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 3:49 p.m.*

#### RESUMPTION OF SESSION

At 3:58 p.m., the session was resumed.

#### PRIVILEGE SPEECH OF SENATOR ZUBIRI

Availing himself of the privilege hour, Senator Zubiri spoke on the Mecca pilgrimage passport controversy involving Muslim Indonesians.

*Following is the full text of Senator Zubiri's speech:*

The Hajj is one of the five pillars of Islam. It is the annual pilgrimage to the Holy City of Mecca, which each Muslim must undertake at least once in his lifetime. Each year, millions of Muslims gather in Mecca for this religious ritual. This year, the date of Hajj began on September 9.

Thus, as early as August, Muslim brothers started embarking on their journey to Mecca. On August 18, however, 177 prospective pilgrims were stopped in their tracks as they attempted to depart the Philippines for Saudi Arabia. The

*meb*

pilgrims were carrying Philippine passports or travel documents, so our immigration officials found it suspicious that they were unable to speak Filipino or any Filipino dialect. They were detained, and it was soon discovered that they were, in fact, not Filipinos, but Indonesian nationals who were carrying authentic, albeit fraudulently obtained, Philippine passports or travel documents.

We commend the Bureau of Immigration officers for their keen eyes and good judgment call for apprehending these Indonesians that unearthed this scam.

The Indonesians are said to have paid as much as 131 million Indonesian Rupiah, or about P460,000 or US\$10,000 to illegal travel agencies who facilitated their Hajj journey, which fee includes a Philippine passport.

To better understand this issue, it is worthy to know that Saudi Arabia allocates a Hajj quota for each country with a Muslim population, in order to limit the number of pilgrims who arrive each year. Indonesia, having the largest Muslim population in the world, quickly fills up its quota. As such, Indonesians must wait up to 37 years before they can perform the Hajj. Contrast that with the Philippines, where our Hajj quota is rarely filled. Thus, this practice of foreign Muslims using Philippine passports was devised. Some of our Filipino Muslim brothers reveal that the Philippine delegation to Mecca during Hajj always includes foreign nationals. Unscrupulous people have taken advantage of the situation by coming up with an elaborate scheme to provide fraudulent passports to prospective pilgrims.

This is a highly disturbing scheme and should be a huge cause for concern. How were non-Filipinos able to obtain Philippine passports, when many of our own countrymen have difficulty doing so? A passport is not only supposed to be one of the most reliable forms for identification; it is also proof of citizenship. It is an official state-issued document which, under our laws, remains at all times the property of government. Thus, our Philippine Passport Act says that "no passport shall be issued to an applicant unless the Secretary or his duly authorized representative is satisfied that the applicant is a Filipino citizen" who has complied with the requirements prescribed by law. Other states likewise trust that our passports are genuine and reliable documents bearing truthful information. This fraudulent scheme damages the integrity of our passports and casts doubt on its reliability. In other words, *nakakahiya po ito sa* international community.

Further, as the principal sponsor of Republic Act 9997, which established the National Commission on Muslim Filipinos (NCMF), I am alarmed at the reports saying that the passports were issued on the strength of certifications issued by the NCMF. The NCMF facilitates the Hajj pilgrimage of Filipino Muslims, ensuring that they fall within the Hajj quota. In short, all Filipino Muslims must go through the NCMF in order to perform the Hajj. Has the NCMF been so careless, or is their procedure so lax that they issue certifications to non-Filipinos? Or are they more deeply involved in this fraudulent processing scheme, which has allegedly been institutionalized in the Commission?

During the committee deliberations of the NCMF law, I have made it on record and have raised these issues, both in the committee hearing and in private meetings with the leaders of the Office of Muslim Affairs (OMA), the predecessor of NCMF. During those hearings, I told them my fear that the Hajj pilgrimage could be used by the NCMF officials for corruption. I issued a stern warning to the then OMA officials not to use their office for corruption during the Hajj pilgrimage process and not use it as a tool to enrich themselves. My fear is happening now.

I remember that during the hearings, I told them issues about the travel kits of Hajj pilgrims being sold by one or two OMA directors, which could not be bought anywhere else. I was also told of instances at that time that all the Hajj pilgrims must buy their tickets from only one or two accredited travel agencies by the OMA. They could not buy it anywhere else for obvious racketeering or for money-making purposes.

Likewise, other official documents such as birth certificates were allegedly issued by local civil registrars as part of the requirements to obtain the passports. I wish to stress that these are not fake, but genuine documents containing false information, which were issued by government offices.

The other day, I had the chance to meet with the British ambassador to Philippines who happens to be also a brother Muslim. When I told him about this racket, he said that if that happened in Great Britain, many heads of agencies would have been removed and criminal charges could have been charged against these particular government officials.

If reports we gathered are true, why did the Department of Foreign Affairs allow the issuance of passports without requiring the personal appearance of the applicant? We Filipinos have to comply with the strict rules for passport

issuance. We appear personally before the officials of DFA, submit the proper documents, wait in line, like I have to wait in line when I renew my passport, to have our photo and biometrics taken, and sometimes wait for months before our passport is finally issued. Yes, it is true, Senator Legarda, I had to wait in line. And yet, this entire process was unceremoniously abandoned in favor of crooked individuals who take advantage of other people in order to make big bucks. Has there been a grand connivance among private persons and government agencies – from the LGUs and the NSO, to the National Commission on Muslim Filipinos, all the way up to the Department of Foreign Affairs – to facilitate this fraudulent scheme?

The Indonesian Minister of Foreign Affairs has alluded to this as an “organized criminal activity.” What if a similar scheme or the same group of unscrupulous individuals will be in cahoots, in exchange for large sums of money, with terrorist organizations and facilitate the issuance of Philippine passports to international terrorists? I cannot imagine what kind of damage it will bring our country and our passporting system. Thus, I urge this Chamber to direct the proper Senate committees, and I would like to ask if it could be the Blue Ribbon Committee, to conduct an investigation on this matter. There is a real and urgent need to put a halt to this elaborate scheme, which involves government officers and employees who make a mockery of official processes, and, in effect, prey on our Muslim brethren, as well as jeopardize and comprise our country’s primary travel document, making it an easy accessory for the perpetration of crime and acts of terrorism.

## INTERPELLATION OF SENATOR DRILON

Preliminarily, Senator Drilon congratulated Senator Zubiri for bringing out to the Body’s attention the dangerous and anomalous practice of issuing passports to non-Filipinos. He said that he has no doubt that a syndicate was operating beyond the country’s shores and even possibly in Indonesia, given the magnitude and the number of passports issued.

Asked if he was aware of an ongoing investigation on such anomalous practice, Senator Zubiri replied in the affirmative, pointing out that the NBI, the lead agency of this investigation, was already coordinating with the DFA.

As regards the results of the investigation, Senator Zubiri stated that the details were not given yet, the

reason why he was calling for an investigation by the Senate because he would not like that this anomaly would be swept under the rug again.

Agreeing with Senator Zubiri, Senator Drilon suggested that the Senate look at the Philippine Passport Act to figure out how the passport scam happened and the amendments that should be introduced in order to prevent such practice from happening again.

Asked when these 177 passports were issued, Senator Zubiri stated that the 177 Indonesians, using Filipino passports which were issued prior to their departure, were intercepted on August 18, 2016, while attempting to leave the Philippines for Saudi Arabia. He affirmed that this was the first time that such a scam was discovered, as he further revealed that another batch of 12 pilgrims were caught again just a few weeks ago, when they attempted to enter the Philippines using Filipino passports. He said that the Bureau of Immigration agents found them to be Indonesians and Malaysians when they were not able to speak in Filipino during the interviews. He believed that such scam has been ongoing for the past several years already because, according to some of his Muslim staff who had joined the Hajj pilgrimage, it was not uncommon that part of the Filipino delegation were actually foreigners.

As to the identity of the travel agencies involved in the racket, Senator Zubiri replied that he had no idea who they were, but he pointed out that it was the NCMF that certified that they are official pilgrims, and using these certifications they were able to obtain their passports from the Department of Foreign Affairs under the guise of being Muslims from the ARMM area who do not have travel documents. He said that even their NSO-issued birth certificates that have been forged were brand new. In addition, he revealed that the DFA-ARMM and Region IX Regional Passport Offices issued the passports without requiring them to appear for their photos and biometrics.

Asked what the NCMF used as basis in issuing the certifications, Senator Zubiri explained that each country has a quota of pilgrims to the Hajj and in the case of the Philippines, its quota is 8,000 compared to Indonesian’s quota of 168,800 which has always been overbooked, being the country with the largest Muslim population.

Asked where the NCMF would source the 8,000 pilgrims, Senator Zubiri replied that it would depend

on the applications for Hajj. He stated that according to reports, only 5,000-6,000 pilgrims from Muslim Mindanao are able to go to the Hajj pilgrimage because it is an expensive endeavor.

On whether the Indonesians caught carrying Philippine passports were using false Muslim identities from Southern Philippines, Senator Zubiri replied in the affirmative, adding that they also used fictitious birth certificates.

Senator Drilon noted that despite the false identities of the pilgrims, the NCMF received and processed the documents.

Senator Zubiri stated that it is the responsibility of the NCMF to certify that the applicants are actually Filipino Muslims. He said that the NCMF is liable for issuing the certifications to the Indonesians.

As to what the NCMF personnel are required to do before issuing certifications to pilgrims, Senator Zubiri stated that the NCMF has an office in every ARMM province, as well as offices in Metro Manila in charge of Muslim communities in Taguig and Manila and, therefore, they should be able to verify what tribe the Muslims belong to. He informed the Body that he was given a listing of the Hajj pilgrimage applications by the NCMF. He said that passport applicants are required to submit NSO-authenticated birth certificates and personally appear before any of the DFA offices, while those with valid passports need not submit a birth certificate.

Senator Drilon anticipated that during the inquiry, the DFA would only assert that the agency simply relied on the certification of the NCMF. Senator Zubiri agreed, but he pointed out that the DFA requires every passport applicant to personally appear before the consular office.

Senator Drilon stated that it would not be too difficult to check on the paper trail since the details as to the date received, the personnel who received the document, and the person who processed the documents are indicated in the application.

At this juncture, Senator Zubiri informed the Body that some of the passports were processed at the DFA Aseana office along Macapagal Boulevard. He also revealed that along with the 177 Indonesian pilgrims apprehended were five Filipino handlers who are now under the custody of the NBI.

On whether the identities of the five handlers were given, Senator Zubiri replied in the negative, adding that he also does not have the names of the consular officers who facilitated the passport applications.

Senator Zubiri expressed disappointment that the matter was not being given the much needed attention that it should have, pointing out that if the incident happened in other countries, it would be treated as a huge scandal of its foreign affairs or ministry in charge of handling the Hajj pilgrimage. He expressed hope that the investigation that would be conducted would not be another investigation swept under the rug. He said that the crime has been happening for a very long time that it has become endemic to the OMA and the NCMF in partnership with organized criminals in the DFA. He asserted that Congress should put a stop to the crime.

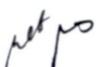
Asked who heads the NCMF, Senator Zubiri replied that the agency head is Secretary Yasmin Busran-Lao, a Filipino-Chinese Muslim who was appointed in the previous administration.

At this juncture, Senator Drilon commended Senator Zubiri for bringing to the attention of the Senate this passport scam which, he believed, should be addressed because if left without remedy, all kinds of citizens might carry Philippine passports. He said that it is unfortunate that it had to happen and that he expressed hope that the Senate could get to the bottom of it.

Senator Drilon suggested that while the matter is being investigated, the Committee on Finance should suspend the deliberations on the budget of the NCMF until it is resolved to show the Body's disappointment over the manner the NCMF has been conducting its affairs. He added that if consideration of the budget of the NCMF in the committee has already been terminated, the committee report should not include the budget of the NCMF.

#### MANIFESTATION OF SENATOR LEGARDA

Senator Legarda informed the Body that Senator Lacson, vice chairperson in charge of the NCMF, has already conducted and approved the budget of the said agency at the committee level, subject to plenary discussions in November. She then asked Senator Drilon if he wanted the budget of the agency to be recalled, and if not, he could ask questions during the plenary debates.



Responding thereto, Senator Drilon suggested that since the committee report is yet to be submitted to the Chamber, the budget of the NCMF should not be included in the report that the committee is going to submit to plenary to show the displeasure of the Senate on this very nefarious practice which affects the very integrity of the Philippine passport.

Agreeing with Senator Drilon, Senator Legarda stated that the Committee would make the necessary provisions in the budget and would consult Senator Lacson and the LBRMO. She recommended that the suggestion be discussed when the senators meet in caucus on the budget scheduled for October 12, 2016.

#### **INTERPELLATION OF SENATOR DE LIMA**

Adverting to Senator Zubiri's statement that only 177 Indonesians were arrested on August 18, 2016, and that the NBI was the lead agency looking into it, Senator De Lima cited a report of the *Philippine Star* dated September 9, 2016, that there were actually 500 to 700 Indonesians who went to Mecca using Philippine passports, and she informed the Body that the DOJ has created a 16-man panel, headed by a prosecutor, to investigate on the matter as well.

Senator Zubiri stated that he got most of the information from newspaper articles. He said that he welcomes the creation of a DOJ panel that would take charge of the investigation.

On whether there has been a development in the ongoing investigation, Senator Zubiri replied that he has not received an update.

As regards the release of the 177 apprehended Indonesians on recognizance to the Indonesian Embassy without objection from the DOJ, Senator Zubiri said that it was his understanding that the arrangement had an executive *imprimatur*, because it was during President Duterte's visit to Indonesia when Indonesian President Widodo requested that the Indonesians be treated fairly, to which President Duterte acceded.

#### **INTERPELATION OF SENATOR GORDON**

At the outset, Senator Gordon acknowledged that it was Senator Binay who was the first to file a resolution asking the Committee on Accountability of Public Officers and Investigations to conduct an inquiry,

in aid of legislation, into the fraudulent Philippine Hajj passports issued to non-Filipinos, and along with the speech of Senator Zubiri, the public are made aware that the Senate is on top of the situation.

Senator Gordon stated that Indonesia has the biggest Muslim population in the world, and that because of its proximity to the Philippines and given the visa-free travel agreements among ASEAN members, the DFA and the Bureau of Immigration (BI) should be wary of the fact that Indonesia has a big backlog in terms of the number of Indonesians going to the Hajj. He noted that compared to the Philippines' yearly allotment of 8,000 pilgrims, Indonesia has 168,800 quota, and with a waiting list of 37 years, a lot of Indonesians may die without going to the Hajj, and so they would move heaven and earth to get a visa from whatever country. He said that given the Philippines' proximity to Indonesia, it is easy to get connections in the country. He opined that the investigation should look into the DFA's awareness of the fact that certain countries have a long queue going to the Hajj.

Senator Zubiri agreed with Senator Gordon. However, he stated that because of the visa-free policy within ASEAN countries, it would be very difficult to distinguish whether one would go to Boracay or go on a Hajj.

Senator Gordon stated that he was trying to pinpoint where the Blue Ribbon Committee should focus its investigation on so that it can be brisk since the matter is an open-shut case. He stressed that the Committee needs to find out the accountability of the agencies concerned, for instance, which agency should provide an endorsement as to who should go on a Hajj.

Senator Gordon noted that the agency appeared to have been overly liberal because not only were it supposed to issue such certificates, it was also required to come up with the certificate of tribal affiliations to determine which particular area from Mindanao the applicants came from. Aside from the certificate of tribal affiliations, he also cited the need to present a birth certificate to know which country the applicant came from and to personally appear to get a guarantee form signed by the NCMF. Senator Zubiri agreed.

Asked whether the requirements were sufficiently followed, Senator Zubiri cited the earlier observation

raised by Senator De Lima that for the current year alone, more than 500 Indonesians were given fake Philippine passports. He revealed that genuine documents could be obtained at a cost of US\$10,000 to US\$12,000. For his part, Senator Gordon added that travel agents were making handsome profits in issuing passports as obtaining one from them would cost P25,000, which Senator Zubiri confirmed as admitted by the Indonesians who were apprehended.

Senator Gordon stated that the investment costs P25,000; thus, he sees the need for the government radar to focus on the problem because as earlier mentioned the incident happened many times already. Senator Zubiri clarified that the practice was only exposed recently.

Senator Gordon asked the Chamber to help him determine the legality of the issuance of a Hajj passport as it may entail unequal protection of laws because it provided a group of Filipinos a Hajj passport, a special passport good for seven months in order for them to comply with a spiritual requirement. He asked whether such a unique situation could be considered a violation of the separation of Church and State, noting that special passports were issued to a particular sect. He asked if Catholics who would want to go on a pilgrimage to Rome, Medjugorje or Spain could also ask for similar special passports. Senator Zubiri stated that he needed to clarify a report that the Kingdom of Saudi Arabia had made a special request, whether in the form of a bilateral agreement or treaty with countries for the issuance of a Hajj passport.

Senator Gordon stressed that the committee has to look into this practice because it may constitute a threat to national security because of the many ramifications connected to it. He cited, for instance, the retraining allegedly being undertaken by radicals from countries like Indonesia, Malaysia, Afghanistan or even the ISIS who would enter the country, disguised as Filipinos because they obtained a Philippine passport, and then go on rampaging and killing Filipinos. He noted that this problem would also show the weakness of the fiber of the integrity of government institutions and therefore could cause embarrassment to every Filipino travelling abroad who could be questioned in the airport even if they are carrying a legitimate Philippine passport. Senator Zubiri agreed, as he informed the Body that the Philippines was included in the watch list because of the presence of fake passports and travel documents.

Senator Gordon said that he was supposed to deliver a privilege speech the week before because his grandnephew, a scholar in Ateneo who was supposed to attend a religious event in Malaysia, was set aside at a secondary airport in Malaysia because he was told that his passport was allegedly not good, his phone was also confiscated, and he was put to jail with other nationalities. He said that her sister called her other sister in Washington because the husband of his niece received the same treatment in Malaysia. He said that he thought of delivering a privilege speech to call for the issuance of a *note verbale* to a friendly country and tell them that their people are mulcting many travellers. He said that his grandnephew saw people paying Malaysian officials off and that his grandnephew was not even fed until a member of the Embassy of the Philippines fetched him and one other Filipino who was also incarcerated. He thanked the Ambassador of the Philippines to Malaysia for immediately acting on the matter.

He said that such kind of incident will happen to many Filipino travellers carrying Philippine passports because foreign countries will look at Philippine passports with no respect. He said that passports are government papers which ensured that the carriers are Filipino citizens. However, he stated that because the Philippine government is cavalier in issuing the passports, a lot of Filipinos would suffer, especially the OFWs, and they would be exposed to many forms of indignities.

Senator Gordon commended Senators Zubiri and Binay for calling attention to this anomaly and he assured of his participation in the investigation. He also thanked Senator Drilon for asking the Committee on Finance, headed by Senator Legarda, to help in stopping the problem. He said that when he was tourism secretary, many of his Muslim compatriots would ask for financial assistance from the department while some would be lobbying for that, although Malacañang would always deny such request because it was against the law. He noted that there is developing a sort of entitlement which Filipino Muslims sect wanted to have and there are certain groups of people who would try to make money out of the misery of their people. He said that many Indonesians are lining up to come here in the Philippines and take advantage of the corrupt system and the corrupt people. He assured the Chamber that he will encourage all senators to be very active in the investigation in order to come out with a very quick resolution to the problem.

Senator Zubiri recalled that together with then Sen. Nene Pimentel, he pushed for the law creating the National Commission for Muslim Filipinos in order to come up with a better agency for the Muslim community similar to the National Commission for Indigenous Peoples. He said that during the deliberations, he insisted that the Muslims already stop all the racketeering activities that they were engaged in and the corruption schemes that were hounding the agency. However, he expressed dismay when he discovered that corruption even became worse because travel kits were sold at very high cost, genuine Filipino passports and birth certificates are fraudulently obtained, and he suspected that this scheme is being perpetrated by a highly organized crime. He hoped that the Body would participate and help to solve and unravel such organized criminal syndicate and put them behind bars, come up with a policy statement for the NCMF and the DFA to prevent such thing from happening again.

#### **REFERRAL OF SPEECH TO COMMITTEE**

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator Zubiri and the interpellations thereon to the Committee on Accountability of Public Officers and Investigations.

#### **REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

#### **BILLS ON FIRST READING**

Senate Bill No. 1189, entitled

AN ACT PROMOTING POSITIVE AND NON-VIOLENT DISCIPLINE OF CHILDREN, PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT, HUMILIATING AND DEGRADING TREATMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Risa Hontiveros

**To the Committees on Women, Children, Family Relations and Gender Equality; and Finance**

Senate Bill No. 1190, entitled

AN ACT ESTABLISHING A NATIONAL MENTAL HEALTH POLICY FOR THE PURPOSE OF ENHANCING THE DELIVERY OF INTEGRATED MENTAL HEALTH SERVICES, PROMOTING AND PROTECTING PERSONS UTILIZING PSYCHIATRIC, NEUROLOGIC AND PSYCHOSOCIAL HEALTH SERVICES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Risa Hontiveros

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 1191, entitled

AN ACT TO REGULATE THE RATIONAL EXPLORATION, DEVELOPMENT AND UTILIZATION OF MINERAL RESOURCES, AND TO ENSURE THE EQUITABLE SHARING OF BENEFITS FOR THE STATE, INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, AND FOR OTHER PURPOSES

Introduced by Senator Grace Poe

**To the Committees on Environment and Natural Resources; Cultural Communities; Ways and Means; and Finance**

Senate Bill No. 1192, entitled

AN ACT TO GIVE JURIDICAL PERSONALITY TO THE PRESENT VETERANS MEMORIAL MEDICAL CENTER (VMMC) AND FOR OTHER PURPOSES

Introduced by Senator Richard J. Gordon

**To the Committees on Government Corporations and Public Enterprises; Health and Demography; and Finance**

#### **RESOLUTION**

Proposed Senate Resolution No. 191, entitled

RESOLUTION EXPRESSING THE FULL

*15 net*

SUPPORT AND ACTIVE PARTICIPATION OF THE SENATE OF THE PHILIPPINES IN THE OBSERVANCE OF THE WORLD TEACHERS' DAY

Introduced by Senator Zubiri

**To the Committee on Rules**

**COMMUNICATIONS**

Letters from the *Bangko Sentral ng Pilipinas*, transmitting to the Senate copies of the following certified and authenticated BSP issuances in compliance with Section 15(a) of Republic Act No. 7653 (The New Central Bank Act):

Circular No. 926 dated 13 September 2016;  
and

Circular Letter No. CL-2016-077 dated 14 September 2016.

**To the Committee on Banks, Financial Institutions and Currencies**

**OVERSIGHT COMMITTEE MEMBERSHIPS**

Upon nomination by Senator Sotto, there being no objection, the following senators were elected to represent the Senate in the joint congressional oversight committees hereunder indicated:

***Joint Congressional Oversight Committee on Automated Election System***  
(Pursuant to Section 33 of Republic Act No. 8436 as amended by Republic Act No. 9269, the Automated Election System)

Chairperson : De Lima

**Members**

**Majority :**

Pangilinan Villar  
Binay

**Minority :**

Recto Escudero  
Trillanes

***Joint Congressional Oversight Committee on the Comprehensive Tax Reform Program*** (Pursuant to Republic Act No. 8240, as amended, the Comprehensive Tax Reform Program)

Chairperson : Angara

**Members**

**Majority :**

Pangilinan Villanueva  
Hontiveros

**Minority :** Recto

***Joint Congressional Oversight Committee on the Official Development Assistance***  
(Pursuant to Republic Act No. 8182, the Official Development Assistance)

Chairperson : Angara

**Members**

**Majority :**

Drilon Legarda  
Zubiri Gatchalian

**Minority :**

Recto Escudero

***Joint Congressional Oversight Committee on the Tax Incentives Management and Transparency Act***  
(Pursuant to Republic Act No. 10708, the Tax Incentives Management and Transparency Act)

Chairperson : Angara

**Members**

**Majority :**

Zubiri Legarda  
Drilon

**Minority :** Recto

***Joint Congressional Customs and Tariff Oversight Committee***  
(Pursuant to Republic Act No. 10863, the Tariff Oversight Committee)

Chairperson : Angara

**Members**

**Majority :**

Ejercito Legarda  
Villanueva

**Minority :** Recto

**ADJOURNMENT OF SESSION**

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 4:54 p.m.*

I hereby certify to the correctness of the foregoing.

  
**ATTY. LUTGARDO B. BARBO**  
*Secretary of the Senate*

Approved on October 11, 2016