

RECORD OF THE SENATE

WEDNESDAY, OCTOBER 23, 1991

OPENING OF THE SESSION

At 3:45 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado. Pangungunahan tayo sa panalangin ni Senador Leticia Shahani.

Everybody remained standing for the opening prayer.

PRAYER

Senator Shahani.

Our Most Gracious Heavenly Father:

We thank Thee for another day of service.

We are grateful for the gift of faith which gives us the courage and strength to carry on day by day despite obstacles, the kind of faith which gives us confidence in ourselves despite our shortcomings;

Faith which makes us believe in a brighter future despite our instability and widespread poverty;

Faith borne out of our sweat, blood and tears;

Faith which creates for us a vision of a better tomorrow.

It is this faith, O God, which surpasses understanding and which we, after all, derive from Thee.

Amen.

The President. Babasahin ng Kalihim ang talaan ng mga Senador.

ROLL CALL

The Acting Secretary [Atty. Raval].

*Arrived after the Roll Call

**On Official Mission

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| Senator Heherson T. Alvarez | Present |
| Senator Edgardo J. Angara | Absent |
| Senator Agapito A. Aquino | Present |
| Senator Juan Ponce Enrile | Present |
| Senator Joseph Ejercito Estrada | Present |
| Senator Neptali A. Gonzales | Present* |
| Senator Teofisto T. Guingona, Jr. | Present |
| Senator Ernesto F. Herrera | Present |
| Senator Sotero H. Laurel | Present |
| Senator Jose D. Lina, Jr. | Present |
| Senator Ernesto M. Maceda | Present |
| Senator Orlando S. Mercado | Present |
| Senator John H. Osmeña | Present* |
| Senator Vicente T. Paterno | Present |
| Senator Aquilino Q. Pimentel | Present |
| Senator Santanina T. Rasul | Present |
| Senator Alberto G. Romulo | Present |
| Senator Rene A. V. Saguisag | Present |
| Senator Leticia Ramos Shahani | Present |
| Senator Mamintal Abdul J. Tamano | ** |
| Senator Wigberto E. Tañada | Present |
| Senator Victor S. Ziga | Present* |
| The President | Present |

The President. Labingwalong Senador ang dumalo sa ating pagpupulong, mayroon tayong korum.

THE JOURNAL

Senator Guingona. Mr. President, I move that we dispense with the reading of the *Journal* of yesterday's session and consider the same as approved.

The President. Is there any objection? [*Silence*] The Chair hears none; the amendment is approved.

REFERENCE OF BUSINESS

The President. The Secretary will now proceed with the reading of the Order of Business.

BILLS ON FIRST READING

The Acting Secretary. Senate Bill No. 1906, entitled

AN ACT INCREASING THE QUARTERS ALLOWANCE OF OFFICERS AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES.

It was 6:17 p.m.

RESUMPTION OF THE SESSION

At 6:45 p.m., the session was resumed.

The Presiding Officer [Senator Tañada]. The session is resumed.

The Majority Floor Leader.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1765

Senator Guingona. Mr. President, I move that we suspend consideration of Senate Bill No. 1765.

The Presiding Officer [Senator Tañada]. Is there any objection? [Silence] Hearing none, the motion is approved.

BILL ON SECOND READING Senate Bill No. 234--Urban Development and Social Housing Program (Continuation)

Senator Guingona. Mr. President, I move that we resume consideration of Senate Bill No. 234 as reported out under Committee Report No. 1397.

The Presiding Officer [Senator Tañada]. Resumption of consideration of Senate Bill No. 234 is now in order.

Senator Guingona. Mr. President, we are still in the period of interpellations. I ask that we recognize Senator Lina.

The Presiding Officer [Senator Tañada]. Senator Lina is recognized.

Senator Lina. I am ready to yield to any interpellations, Mr. President, and my yielding will not just be to tolerate any question.

The Presiding Officer [Senator Tañada]. Is there any interpellation?

The Majority Floor Leader.

Senator Guingona. May we ask that the other Senators be requested to come, Mr. President.

The Presiding Officer [Senator Tañada]. Mr. Sergeant at Arms, can we have the Senators fetched?

At this juncture, the Sergeant at Arms fetched the Senators from the Lounge.

SUSPENSION OF THE SESSION

Senator Guingona. Mr. President, some Members apparently need time to look into this more closely. May we have a five-minute suspension, Mr. President?

The Presiding Officer [Senator Tañada]. The session is suspended, if there is no objection. [There was none.]

It was 6:48 p.m.

RESUMPTION OF THE SESSION

At 6:54 p.m., the session was resumed.

The Presiding Officer [Senator Tañada]. The session is resumed.

The Majority Floor Leader.

Senator Guingona. Mr. President, will the distinguished Sponsor yield to some questions?

MANIFESTATION OF SENATOR LINA (Coauthors of Senate Bill No. 234)

Senator Lina. Willingly, Mr. President, but before I answer the questions that will be propounded by the Majority Floor Leader, let me manifest that Senators Estrada, Saguisag, Tañada, Herrera, and Romulo are coauthors of this proposed measure.

Senator Guingona. Mr. President, the major component of this program is a system of urban land acquisition, identification, registration, and utilization. In order to make the questions clearer, may I refer to a specific

area, let us say the area surrounding the GSIS building and the Philippine National Bank building along Roxas Boulevard. Now, may we know how many families are there at present?

Senator Lina. About 7000 to 10,000 families, Mr. President.

Senator Guingona. May we know who owns the land upon which they are settled.

Senator Lina. It is owned by various government financial institutions, such as the GSIS, Philippine National Bank, SSS, and PNCC. Those are the four major government financial institutions.

Senator Guingona. There are no private owners?

Senator Lina. There is no private owner in that portion, Mr. President.

Senator Guingona. So, in that instance, the case does not seem to be very complicated, sapagkat ang may-ari ng lupa ay ang Gobyerno o government agencies.

Senator Lina. Yes, Mr. President.

Senator Guingona. Paano po ba isasakatuparan ang implementasyon nito ayon sa panukalang batas na ito?

Senator Lina. Ang gagawin po doon sa mga lupain pag-aari ng Pamahalaan ay magkakaroon ng determination ang National Government kung alin sa mga lupang pag-aari nito ang maaaring gamitin or suitable for housing. Kaya, iyon pong sa reclamation area, kung ito ay hindi gagamitin for housing because it is going to be used already for certain purposes, ang maaaring gawing hakbang dito ay resettlement. The Government will have to look for areas where the families will be relocated. That is part of the program, Mr. President.

And as to the question raised by the Senate President the last time, I responded that the families in the reclamation area will be moved to a town in Cavite, with the consent of the families themselves. Through their leaders in the various organizations in the reclamation area, they have agreed to a resettlement area in Cavite, and, right now, there is development in the resettlement area, and

the target date for the moving is December this year.

Senator Guingona. So that there has already been a determination, that those areas where they are living at present are not suitable for housing.

Senator Lina. At this point, Mr. President, even without this bill being enacted into law, a determination has been made by the National Government, through the Public Estates Authority, in coordination with the owners of the land. Because the owners of the land, while they are government-owned and -controlled corporations, have seen to it that the families will be given resettlement area, and the basic services will be made available in the resettlement area, even the guidelines on how the resettlement will be undertaken are incorporated into this bill.

Senator Guingona. But may we know if the Gentleman already knows why were those areas found not suitable for housing?

Senator Lina. Because in the comprehensive framework plan that was formulated even before this new Government took over, there is a comprehensive framework plan for the area, Mr. President, and the land has been earmarked for certain purposes. So, even at that time when it was being reclaimed, there was already a plan for it, and it was the Government that determined what is the land use plan for this specific area that we are talking about.

The same is true in the case of Manila. While off-hand we can say that there is no more available land space in the City of Manila, the truth of the matter is that in the NDC, in Sta. Mesa, there is still an available land space of some 30 to 40 hectares which, under this bill, if enacted into law, the city government can make a determination because it is already assuming the function of housing, that that area owned by the city government be set aside for social housing purposes.

If this bill is enacted into law, the city government will already be mandated to undertake social housing project for the people in the City of Manila who are classified as underprivileged and homeless. It is so defined in the bill who are the underprivileged and homeless. This is also provided for in the Constitution, Mr. President, that the Government shall undertake, in coop-

eration with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens.

The city government or any urban area under the jurisdiction of a city or a municipality will have to come up with a comprehensive framework plan for the city which will include housing sites.

Senator Guingona. Mr. President, my questions were limited to the area in question. I am asking why that place whereon the settlements are presently located are not suited for housing?

Senator Lina. Because, No. 1, the...

Senator Guingona. Permit me to finish. We have had resettlements in the past. Squatters were moved from Intramuros to Bulacan. Some of them were moved to Kalookan. In the case of San Juan, they were moved to Antipolo. The experience is that because the employment factor comes in, because the place is very far and the employment opportunities are minimal and the transportation costs are also a factor to be considered, many of them returned either to the same place or to another settlement area.

So, I am asking, in this particular case to make it more concrete why the Government, which is supposed to own those lands, did not consider making available those lands whereon the settlers are at present owning housing units. Why transfer them to Cavite?

Senator Lina. The answer, Mr. President, is that, first, the reclamation project would not have been undertaken if the purpose was for using the reclamation area for housing purposes. So, right from the very start the reclamation project was not undertaken for housing purposes. There was a definite purpose for which the project was undertaken. So, the investment did not approximate the requirement of housing purposes in the sense that it would be foolhardy, and unwise to undertake a reclamation project for social housing purposes.

Second the social housing program that will be undertaken by the Government will not be on a dole-out basis. The beneficiaries of the housing program will have

to shell out some amount that will make them participants of the housing scheme that will be implemented by the Government.

As to the other areas that have been used as resettlement, the reason why these resettlement areas have failed was that the objective for which the resettlement areas were established have not been attained.

There was no adequate consultation conducted between the Government and the people who were to be resettled.

Under our Constitution the procedure of consultation is mandatory. In the case of the families living in the reclamation area, they have agreed through a series of consultation that they will be resettled. They have agreed on the manner of resettlement or relocation. They agreed on how much will be the amortization amount they will have to pay in the area where they will be relocated.

Mr. President, the resettlement area is complete by itself. There will be schools, there will be health centers, there will be playgrounds; there will be provision for other services needed by the people in the area. This is not true as far as the previous resettlement projects were concerned.

This resettlement project in the reclamation area, is to be funded by the government financial institutions themselves. So, there will be little worry as far as the funding is concerned in this very specific problem that the Gentleman has adverted to.

Senator Guingona. What happens if the occupant has employment in, let us say, Kalookan, and he is transferred to Cavite? Suppose he does not agree because it will cost him his employment and the additional cost of traveling?

Senator Lina. Based on the dialogue that was conducted by the Public Estate Authority with the people in the reclamation area, many of them are working in the vicinity of Pasay and the transportation is convenient to the place in Cavite. I forgot the name of the place in Cavite, but it is accessible. Those who happen to be working in Kalookan, Mr. President, there are still areas in Bagong Silang, Kalookan where they can be relocated,

and that is open to all Filipino families who are having problems with housing. It is still open, Mr. President. It is a big area in Bagong Silang, Kalookan City.

Senator Guingona. The distinguished Sponsor did not answer the question. Supposing an occupant does not agree to being relocated, what happens?

Senator Lina. The State has to do something about it. The law has to be observed. Provisions are being made available to the families. Consultations were conducted. It will be the majority decision, Mr. President. There will always be a minority, based on experience, in any resettlement undertaking that will oppose the resettlement move.

There is also the existence of professional syndicates, Mr. President, that agitate those who are already being given assistance by the Government, to oppose also the move of the Government that has already met approval of majority of the people in an area, like the reclamation area here at the Manila Bay.

Senator Guingona. In the case of professional syndicates, they would constitute the majority. And I was just wondering what measures this proposed bill has, to meet that kind of situation.

Senator Lina. I must confess, Mr. President, that we were not very particular about the problem of the squatter syndicates. Maybe, at the appropriate time, an amendment can be introduced so as to balance the impact of this proposed legislation.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 234

Senator Guingona. Mr. President, this Representation has many more questions, but in view of the lateness of the hour, I ask that we suspend it with reservation to continue during the next deliberation.

The Presiding Officer [Senator Tañada]. Is there any objection? [*Silence*] Hearing none, the motion is approved.

Senator Guingona. Mr. President, tomorrow morning we will have a very long calendar because it is our

last day prior to the recess. So, I would like to move that we suspend the session until nine o'clock tomorrow morning. It is our last day before the recess. We resume the session at nine o'clock, Mr. President.

Senator Maceda. Mr. President.

The Presiding Officer [Senator Tañada]. Senator Maceda is recognized.

Senator Maceda. I just want to state for the record that in this morning's Committee hearings of the Commission on Appointments, the Members of the House have called our attention to the fact that they have passed a proposed revision of the legislative calendar for the rest of our term.

Maybe, the Majority Floor Leader and the Senate leadership should look into this matter, as to whether we should have sessions in January, February, March, because it will really control the pace of our work for November to December. If there is no such extension, I am afraid that the pace of work in November and December will be very frenetic and frantic. So, I just want to be informed by the Senate leadership, as soon as possible, as to what their decision is on this proposed revision and extension of the calendar.

Senator Guingona. Yes, Mr. President. We are awaiting the outcome, of course, of the Synchronized Election bill, and we will make the corresponding adjustments. Should the campaign period be shortened, then we can have sessions in January; otherwise, when the campaign period starts, it may entail a number of Senators campaigning, Mr. President. So, we will in due time make the proper adjustments.

SUSPENSION OF THE SESSION

In view thereof, Mr. President, I move that we suspend the session until nine o'clock tomorrow morning.

The Presiding Officer [Senator Tañada]. The session is suspended until nine o'clock tomorrow morning, if there is no objection. [*There was none.*]

It was 7:19 p.m.