

RECORD OF THE SENATE

TUESDAY, AUGUST 1, 2000

OPENING OF THE SESSION

At 3:33 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

The President. The fifth session of the Third Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Miriam Defensor Santiago.

Everybody rose for the prayer.

PRAYER

Senator Defensor Santiago. This is a prayer written by Pierre Teilhard de Chardin.

Above all, trust in the slow work of God.
We are, quite naturally,
impatient in everything to reach the end
without delay.
We should like to skip
the intermediate stages.
We are impatient of being
on the way to something unknown,
something new,
And yet it is the law of all progress
that is made by passing through
some stages of instability -
And that it may take a very long time.

And so I think it is with you.
Your ideas mature gradually -
let them grow,
let them shape themselves,
without undue haste.
Don't try to force them on,
as though you could be today
what time (that is to say, grace and
circumstances acting
on your own good will)
will make you tomorrow.

Only God could say what this new spirit
gradually forming within you will be.
Give our Lord the benefit of believing
that His hand is leading you,
and accept the anxiety of
feeling yourself in suspense and incomplete.

Amen.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Teresa Aquino-OretaPresent
Senator Robert Z. Barbers.....Present*
Senator Rodolfo G. BiazonPresent
Senator Renato L. Compañero Cayetano ..Present
Senator Anna Dominique M. L. Coseteng Present
Senator Miriam Defensor SantiagoPresent
Senator Juan Ponce EnrilePresent
Senator Juan M. FlaviePresent
Senator Teofisto T. Guingona Jr.Present
Senator Gregorio B. HonasanPresent
Senator Robert S. JaworskiPresent
Senator Loren B. Legarda-LevistePresent
Senator Ramon B. Magsaysay Jr.Present
Senator Blas F. OplePresent*
Senator John Henry R. OsmeñaPresent*
Senator Sergio R. Osmeña IIIPresent
Senator Aquilino Q. Pimentel Jr.Present
Senator Ramon B. RevillaPresent
Senator Raul S. RocoPresent
Senator Vicente C. Sotto IIIPresent
Senator Francisco S. TatadPresent*
The PresidentPresent

The President. With 18 senators present, there is a quorum.

Senator Sotto. Mr. President.

The President. The Majority Leader is recognized.

THE JOURNAL

Senator Sotto. Mr. President, I move that we dispense with the reading of the *Journal* of Session No. 4, Monday, July 31, 2000 and consider it approved.

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

Senator Tatad. Mr. President, I move that we proceed to the Reference of Business.

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

* On official mission

Senator Roco. I guess that will depend on our law, Mr. President. I do not know that we have encrypted codes. Could the encrypted codes precisely not indicate respect for the diplomatic passport, knowing the information given officially by the government, since the United States has seen that there was a diplomatic passport and therefore the government of the Republic of the Philippines deemed it fit for Senator Honasan to travel on an official basis, the country in question now had no option? If its information book as given by the government of the Philippines itself contains this information about him, but the Philippine government allows him to travel, and so the U.S. government accepts him. This again applies to the Philippines if it were in the reverse. That is the policy issue I think we should not lose sight of.

Senator Pimentel. May I just make this reply, Mr. President. That may well be the thought process of the State Department, but what I am trying to do really is to call the attention of the DFA officials, why they should allow this thing to happen and stay unresolved for too long.

Senator Roco. As a final matter, Mr. President, may we offer our services to Senator Honasan if he feels minded to file for damages. Maybe, we can try to raise the campaign fund through a damage suit against, perhaps, the Department of Foreign Affairs whatever it may be. *[Laughter]* I think the appropriate remedy is for the person involved, who has been unduly insulted despite affirmation of the Republic of the Philippines that he is entitled to travel freely under a diplomatic passport, to assert his rights. We will only be too happy to help in that regard.

Thank you, Mr. President.

Senator Pimentel. Let me just reiterate our position, Mr. President. I believe that this tagging of our colleague as an "international terrorist" puts a slur not only on his name but somehow, it also affects us as members of the same Senate to which we all belong. It is just a thought.

Senator Roco. Thank you, Mr. President.

**MOTION OF SENATOR SOTTO
(Referral of Senator Pimentel's Speech
and the Interpellations Thereon
to the Foreign Relations Committee)**

Senator Sotto. Mr. President, I move that we refer the speech of Sen. Aquilino Q. Pimentel Jr. to the Committee on Foreign Relations to incorporate the point raised by Sen. Miriam Defensor Santiago that it be with the request that the Senate President consider the possibility of inviting the US

Ambassador to shed light on this matter in a private audience.

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

Senator Roco. Mr. President.

The President. Sen. Raul S. Roco is recognized.

**MOTION OF SENATOR ROCO
(Referral of the Letter of Crescencio Sunico of COA
to the Banks, Financial Institutions and
Currencies Committee as a Secondary Committee)**

Senator Roco. Just on a small minor point, Mr. President. I miss the reference to the Committee on Finance of the annual audit report of the Bangko Sentral. May we request that there be a secondary reference to the Committee on Banks, Financial Institutions and Currencies. That was on page 5 of the Reference of Business. I just saw it while glancing through it.

Senator Sotto. We have no objection, Mr. President.

The President. The letter of Director Crescencio Sunico of the Commission on Audit, furnishing the Senate a copy of the Auditor's Annual Audit Report of the Bangko Sentral ng Pilipinas for current year 1999 is likewise referred to the Committee on Banks, Financial Institutions, and Currencies.

Senator Roco. Thank you, Mr. President. The other one, the Majority Leader will furnish us.

**MANIFESTATION OF SENATOR SOTTO
(Senator Flavio as Coauthor of S. Nos. 1887 and 2103)**

Senator Sotto. Mr. President, I am in receipt of a letter from Sen. Juan Ponce Enrile requesting that Senator Flavio be made coauthor of Senate Bill Nos. 1887 and 2103.

The President. Senator Flavio is so made coauthor of said Senate bills.

Senator Sotto. Mr. President, I move that we resume consideration of Senate Bill No. 2038.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2038 is now in order.

Senator Roco. Mr. President.

The President. Sen. Raul S. Roco is recognized.

Senator Roco. Mr. President, before that is acted on, may we request that it be set for tomorrow, and that the closing of the period of interpellations be reconsidered. I was not here yesterday. I would have been very happy to ask some questions about the bill. I am not quite through with my homework. So, may I request that it be set for tomorrow so that I can ask some questions.

Senator Sotto. I therefore withdraw the motion, Mr. President, that we resume consideration of Senate Bill No. 2038. We can call it tomorrow and then move for a reconsideration of the closing of the period of interpellations tomorrow.

Senator Roco. I think we can reopen it now and we can continue tomorrow.

The President. Perhaps it is appropriate that the Majority Leader move for a reconsideration of the termination of the period of interpellations and we can continue with the interpellations tomorrow.

**MOTION OF SENATOR SOTTO
(To Reconsider the Closing of the Period
of Interpellations on S. No. 2038)**

Senator Sotto. With that, Mr. President, I move that we reconsider the closing of the period of interpellations on Senate Bill No. 2038.

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

Senator Roco. Thank you, Mr. President.

The President. Upon motion of Senator Roco who is next in line, the resumption of consideration of Senate Bill No. 2038 is scheduled for tomorrow's session.

**BILL ON SECOND READING
S. No. 1168—Prohibiting the Use of Hard Surfactants
(Continuation)**

Senator Sotto. Mr. President, I move that we resume consideration of Senate Bill No. 1168 as reported out under Committee Report No. 188.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1168 is now in order.

Senator Sotto. We are in the period of amendments, Mr. President. May I ask that the sponsor, Sen. Ramon B. Magsaysay Jr. be recognized, and for the period of amendments, Sen. Miriam Defensor Santiago.

The President. Sen. Ramon B. Magsaysay Jr. is hereby recognized, and to propose amendments to the measure, Sen. Miriam Defensor Santiago is likewise recognized.

Senator Magsaysay. Mr. President, before the lady senator from Iloilo introduces her amendments, there is only one committee amendment that I would like to introduce. On page 1, line 21, after the period (.) and before the article "The", we insert the following proviso: *PROVIDED, HOWEVER, THAT THE PROHIBITION SHALL TAKE EFFECT AFTER TWELVE MONTHS FROM THE APPROVAL OF THIS ACT.*

The President. Is there any objection?

Senator Guingona. Mr. President.

The President. The Minority Leader is recognized.

**MOTION OF SENATOR GUINGONA
(To Defer the Approval of the Committee
Amendment Until Tomorrow)**

Senator Guingona. Mr. President, the ChemPhil people went to see me yesterday and presented a letter with some annexes. Unfortunately, because of lack of time, we did not have the opportunity to go over the same. So, I move that we defer the approval of this matter until tomorrow.

The President. The Minority Leader has requested that the voting and the approval of the committee amendment be postponed until tomorrow. Will that be all right with the sponsor?

Senator Magsaysay. We have no objection, Mr. President.

The President. The action on the amendment of the committee is hereby deferred until tomorrow's session, if there is no objection. *[There was none.]*

Sen. Miriam Defensor Santiago is again recognized.

DEFENSOR SANTIAGO AMENDMENTS

Senator Defensor Santiago. Thank you, Mr. President, I move to amend the bill in the manner that I shall indicate going by page and line numbers in the proper sequence. I would like to begin, with the permission of the distinguished sponsor, on page 2, line 26. I am referring to Section 5. After the word "fines" insert the phrase *IN CASE OF VIOLATION OF THIS ACT.* So that the paragraph will read: "In addition to the administrative sanctions imposable under Executive Order No. 913, as amended, the Bureau of Product Standards is hereby authorized to recommend the imposition of fines *IN*