

## RECORD OF THE SENATE

WEDNESDAY, FEBRUARY 16, 2000

### OPENING OF THE SESSION

*At 3:39 p.m., the Senate President, Sen. Blas F. Ople, called the session to order.*

**The President.** The 61st session of the Second Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Raul S. Roco.

*Everybody rose for the prayer.*

### PRAYER

**Senator Roco.** Let us bow our heads in prayer.

Lord, in this time of confusion, when the Executive cannot seem to enforce policy with stability, or execute the law with finality;

When the Judiciary cannot seem to determine whether to interpret Philippine law or foreign law in an extradition treaty;

When we ourselves in the Legislature cannot seem to decide whether we want to collect or forgive or directly spend our taxes,

Please guide us, Lord, to a clarity of direction -

THAT the nation may unite;

THAT the wounds may heal;

THAT the TRUTH may prevail.

Amen.

### ROLL CALL

**The President.** The Secretary will please call the roll.

**The Secretary, reading:**

Senator Teresa Aquino-Oreta ..... Absent  
Senator Robert Z. Barbers ..... Present

Senator Rodolfo G. Biazon ..... Present  
Senator Renato L. Compañero Cayetano ... Present  
Senator Anna Dominique M. L. Coseteng .. Present\*  
Senator Franklin M. Drilon ..... Present  
Senator Juan Ponce Enrile ..... Present\*  
Senator Juan M. Flavier ..... Present  
Senator Teofisto T. Guingona Jr. .... Present  
Senator Gregorio B. Honasan ..... Present  
Senator Robert S. Jaworski ..... Present  
Senator Loren B. Legarda-Leviste ..... Present  
Senator Ramon B. Magsaysay Jr. .... Present  
Senator John Henry R. Osmeña ..... Present  
Senator Sergio R. Osmeña III ..... Present\*  
Senator Aquilino Q. Pimentel Jr. .... Present  
Senator Ramon B. Revilla ..... Present\*  
Senator Raul S. Roco ..... Present  
Senator Miriam Defensor Santiago ..... Present  
Senator Vicente C. Sotto III ..... Present  
Senator Francisco S. Tatad ..... Present  
The President ..... Present

**The President.** With 17 senators present, there is a quorum.

**Senator Drilon.** Mr. President.

**The President.** The Majority Leader is recognized.

### THE JOURNAL

**Senator Drilon.** Mr. President, I move that we dispense with the reading of the *Journal* of the previous session and consider it approved.

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

**Senator Drilon.** 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.

The Secretary will read the Reference of Business.

\* Arrived after the roll call

**Senator Flavier.** Thank you, Mr. President.

**Senator Enrile.** I accept the amendment of Senator Magsaysay, Mr. President.

**The Presiding Officer [Sen. Sotto].** It is accepted. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Magsaysay.** So, another amendment. We will put a new paragraph added to Section 10.

**The Presiding Officer [Sen. Sotto].** After the word "country"?

**Senator Magsaysay.** Yes, Mr. President, a new paragraph after the word "country", after line 31.

**The Presiding Officer [Sen. Sotto].** May we hear the proposal.

**Senator Magsaysay.** A new paragraph, 10A, will read: THIS PROVISION SHALL APPLY TO ALL MOTOR VEHICLES, INCLUDING TRICYCLES, MOTORIZED PEDICABS AND *TRISIKADS*.

**Senator Enrile.** Mr. President, the amendment is accepted gladly.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Magsaysay.** That is it. Thank you, Mr. President.

**The Presiding Officer [Sen. Sotto].** Is there any other amendment on page 5? *[Silence]* Is there any other amendment on page 6? *[Silence]*.

The Majority Leader is recognized. We are through with all the pages of the proposed bill.

**Senator Drilon.** Mr. President, in view of the extensive amendments proposed, may I request that before we close the period of amendments, a new draft be prepared containing now the amendments as approved by the Chamber for the final review of our colleagues, so that if there are other amendments, these can be proposed.

#### SUSPENSION OF CONSIDERATION OF S. NO. 1830

With that, I move that we suspend consideration of Senate Bill No. 1830 as reported out under Committee Report No. 89 with the

direction to the Secretariat to prepare a new version now incorporating the amendments approved by the Chamber.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, the motion is approved.

**Senator Enrile.** *Salamat po.*

**The Presiding Officer [Sen. Sotto].** The Majority Leader is recognized.

#### BILL ON SECOND READING S. No. 1595--Integrated Solid Waste Management Act of 1999 *(Continuation)*

**Senator Drilon.** Mr. President, I move that we resume consideration of a measure sponsored by the Minority, Senate Bill No. 1595 as reported out under Committee Report No. 52. This is sponsored by Sen. Loren Legarda-Leviste.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1595 is now in order.

May we know the parliamentary status of the bill.

**Senator Drilon.** We are in the period of interpellations, Mr. President.

#### SUSPENSION OF SESSION

I move that we suspend the session for one minute to allow Senator Revilla to come to the Session Hall.

**The Presiding Officer [Sen. Sotto].** The session is suspended, if there is no objection. *[There was none.]*

*It was 4:48 p.m.*

#### RESUMPTION OF SESSION

*At 4:50 p.m., the session was resumed.*

**The Presiding Officer [Sen. Sotto].** The session is resumed. The Majority Leader is recognized.

**Senator Drilon.** Mr. President, may I ask that the principal sponsor of this measure, Sen. Loren Legarda-Leviste, be recognized. We are in the period of interpellations.

**The Presiding Officer [Sen. Sotto].** The principal sponsor of Senate Bill No. 1595, Senator Leviste, is recognized.

**Senator Drilon.** To avail himself of the period of interpellations, may I ask the Chair to recognize Sen. Ramon B. Revilla.

**The Presiding Officer [Sen. Sotto].** Senator Revilla is recognized for the period of interpellations.

**Senator Revilla.** Thank you, Mr. President.

Before I begin my interpellation, I would like to thank the distinguished sponsor of this measure for incorporating in this committee report some of the important provisions of the bills and resolutions that I authored, namely, Senate Bill Nos. 514, 519, 523 and 991; and Senate Resolution Nos. 120 and 129, respectively. However, there are provisions in this proposed measure with which I am very much concerned.

With that, Mr. President, will the distinguished sponsor, who is known to be an environmentalist/activist, yield for some questions?

**Senator Legarda-Leviste.** It would be my honor, Mr. President, to enlighten the distinguished senator from Cavite on his questions.

**Senator Revilla.** Mr. President, before anything else, I would like to say that the sponsorship of this measure is very timely *lalung-lalo na po para sa mga mamamayan ng Cavite*.

For the information of the distinguished sponsor of this noble measure, *mayroong panukala ang isang pressured group na kinabibilangan ng ex-local government officials ng Cavite na gustong magtatag ng isang landfill project sa Magallanes, Cavite. Ang proposed Magallanes landfill project ay ilalagay sa isang watershed, I repeat, isang watershed area sa Cavite.*

According to reliable sources, Mr. President, this pressured group is pressuring Dir. Peter Anthony Abaya of the DENR's Environmental Management Bureau to issue the required ECC permit. But Director Abaya has the courage to deny the ECC permit because it will violate our environmental law.

*Ginoong Pangulo, ang landfill project na ito ay mahigpit na tinututulan hindi lamang ng mga taga-Magallanes kundi pati kalapit na lalawigan, tulad ng Batangas. Spearheading the opposition in the establishment of this Magallanes landfill is no less than Gov. Bong Revilla and Provincial Board Member Edwin Bautista. Joining them are Tourism Secretary Gemma Cruz Araneta and several municipal mayors of Batangas, majority of Cavite's barangay level, NGOs and the Catholic Bishops' Conference of the Philippines.*

*Ginoong Pangulo, ang inyong abang lingkod ay masidhi ring tumututol sa iminumungkahing proyektong ito sa Magallanes, Cavite. Kaya makikita po natin na napakalakas ang pagtutol dito sa Magallanes landfill project. Sa aking kaalaman, ang landfill waste system ay magdudulot ng serious environmental and health hazards na dapat nating iwasan para sa kapakanan ng mga darating pang henerasyon.*

If the project pushes through, Mr. President, environmentalists argue that seepage or leachate from the garbage will definitely contaminate the underground waterways which run through several towns in Cavite and Batangas before draining into the Nasugbu Bay.

*Ang tanong ko po ay ganito, Ginoong Pangulo: Kapuna-puna sa Section 12 ng panukalang-batas ng magiting na senadora na ipinagbabawal ang establishment of new open dumps. Ano po ba ang malaking pagkakaiba ng open dumpsite sa isang sanitary landfill?*

**Senator Legarda-Leviste.** *Salamat po sa introduksiyon ng magiting na senador, Ginoong Pangulo.*

*Sa akin pong kaalaman, ay malaking pagkakaiba ng sanitary landfill at ang open dumpsite. Ang open dumpsite ay isang tambakan lamang po ng mga basura o iyong tinatawag na "solid wastes." These are disposed of, these are thrown into an area which is not a sanitary landfill. Ito ay isang lugar na tambakan lamang ng basura, while a sanitary landfill refers to an engineered facility for the disposal of solid wastes in land by spreading the wastes in thin layers, compressing these into the smallest practical volume and covering these with compacted soil.*

In short, *kung papipiliin po tayo, mas acceptable ang sanitary landfill kaysa open dumpsite na nilalangaw at nakapagbibigay ng sakit.*

**Senator Revilla.** As a follow-up question, Mr. President: May we know if this proposed measure allows the construction of landfills along the watershed area of this country? Being the environmentalist-activist, I believe the distinguished senator would not allow it.

**Senator Legarda-Leviste.** *Ginoong Pangulo, unang-una po, ang nagbibigay ng permiso ay ang EMB ng DENR. But as a layman—nabanggit na ng kagalang-galang na senador mula sa Cavite ang mga environmentalists pati na ang mga laymen—hindi ako pumapayag na ang isang watershed ay gawing landfill o gawing dumpsite. Because we know that watersheds are very important to our ecosystem and therefore, we must even conserve and preserve these watersheds and not use them for human needs.*

Therefore, I believe that if indeed it is a watershed, construction of a sanitary landfill must not be allowed.

**Senator Revilla.** I thank the distinguished senator for the very beautiful answer. I am sure the people of Cavite and Batangas will be very happy about the answer she gave now.

**Senator Legarda-Leviste.** *Gusto ko po lamang dagdagan, Ginoong Pangulo.*

Ang Greenpeace advocates *po ay nagbigay na ng kanilang mga pahayag tungkol sa landfill, at kung maaari ay nais kong ibigay ito sa inyo ngayon sa panahong ito.*

These landfills, when they reach their maximum capacity to hold wastes, will, of course, lead to their closedown. *Ang landfills, kahit na sanitary at engineered properly ay kailangang isara na pag sumobra na ang kanilang capacity.* And if we just rely on landfills, eventually we will run out of space to hold all these landfills.

*Pangalawa po. May tinatawag na "toxic chemicals" from households, from industries that leak out of landfills, most especially pag dumpsite lamang. Ito ang tinatawag na "leachates." These leachates go into the groundwater and into the soil. These contaminants can accumulate in the body over time and eventually, these could cause problems in our nervous system, lung, kidney and liver damage, and even birth defects and cancer.*

*Ang pangatlong pahayag po ng Greenpeace ay iyong tinatawag na "raw garbage landfills." Kagaya noong controversial issue sa San Mateo landfill at gayundin sa Magallanes, Cavite na nabanggit ng kagalang-galang na senador. These raw garbage landfills can also leak wastes into high levels of toxins, bacteria and viruses which get into surrounding soils and groundwater and result in the outbreaks of gastro-intestinal illnesses, typhoid, hepatitis, cholera at iba't ibang communicable diseases. Maraming problema ang idudulot ng landfill kung hindi natin ito pangangalagaan o engineered properly.*

**Senator Revilla.** *Dahil sa binanggit ninyong mga sakit, lalong hindi papayag ang mga taga-Cavite at ang mga taga-Batangas na magtaayo ng landfill sa Magallanes, Cavite. Hindi po ba?*

**Senator Legarda-Leviste.** *Maaaripo, kung hindi maganda ang pagkakagawa ng landfill at kung ito ay nasa isang watershed. Hindi lamang sakit ang idudulot nito kundi makakasira pa sa ating overall environment at ecosystem kung ito ay nasa isang watershed.*

**Senator Revilla.** *Salamat po.*

Mr. President, page 1, line 7 of this proposed measure mentions the term "environmentally sustainable methods" that will maximize the utilization of valuable resources.

I understand, Mr. President, that under the recent law, entitled "Clean Air Act of 1999" of our good friend here, Senator Honasan, the use of open-burning and incineration has been prohibited and banned.

*Ginoong Pangulo, ang tanong ko po ay ganito: Puwede bang malaman ko kung anu-ano ang natitira pang environmentally sound method and waste management technologies na puwedeng gamitin ng ating mga kababayan para malutas ang problema ng basura sa ating bayan?*

**Senator Legarda-Leviste.** I thank the gentleman for that question, Mr. President.

I believe at this point that the DENR is still in the process of drafting the IRR or the Implementing Rules and Regulations for the Clean Air Act. Therefore, it would probably be premature for me to identify the alternative technologies that will be allowed. However, if we are to define what "environmentally sound methods" mean, the DENR defines it as methods or ways of implementing activities that will not adversely affect the environment.

For example, in garbage disposal, *iyong environmentally sound method is that which will not expose the garbage when discharged by the households to flies, insects and other things that could cause disease. This method is to put these in proper containers and at the garbage disposal site to prevent the underground water from being contaminated with so-called leachates. The method is to install protective lining on the bed of the garbage pit.*

*Ang tanong ninyo ay, ano ba iyong other alternative forms? Hindi po totally na masama o bina-ban ang landfill. Kailangan lamang po ay may protective lining at engineered properly. Iyong ibang mga method ay ginagawan pa ng IRR ng DENR. Paglabas po ng IRR sa Clean Air Act, doon natin malalaman iyong ibang mga teknolohiya na papayagan ng DENR.*

**Senator Revilla.** Mr. President, may we know how much is the estimated cost in the installation and in the construction of this DENR-approved environmentally sound method and waste management plant?

**Senator Legarda-Leviste.** *Kagaya po ng sinabi ko, dahil hindi pa naman naka-define sa IRR ng Clean Air Act ang mga alternative technologies, mahirap pong magbigay ng halaga kung magkano ang aabutin. But we are hopeful and we have faith in*

the experts in the DENR that they would be able to come up with a list of technologies that will not only be acceptable environmentally, but could also be approved or afforded by the national government.

**Senator Revilla.** I thank our distinguished colleague for that answer, Mr. President.

Under Section 5, page 6 of this proposed measure, it speaks of the creation of a National Solid Waste Management Council. I understand that there was an executive order signed by Pres. Joseph Estrada creating the Presidential Task Force on Solid Waste Management headed by the Environmental Management Bureau of the Department of Environment and Natural Resources, and the said Presidential Task Force on Solid Waste Management was created to perform the functions envisioned by the proposed Solid Waste Management Council.

My question is this: Why is there a need to create a National Solid Waste Management Council when in fact there is already an existing Presidential Task Force on Solid Waste Management doing the functions envisioned in this bill?

**Senator Legarda-Leviste.** I thank the distinguished gentleman for that question, Mr. President.

This representation strongly believes that there is a need to create a National Solid Waste Management Council in order to have a permanent agency that will oversee the formulation and the implementation of all the pertinent laws regarding solid waste management. *Ang Presidential Task Force ay naririyang ngayon subalit sa susunod na mga administrasyon, maaaring ito ay i-abolish dahil ito ay ad hoc in nature.* The creation of this National Solid Waste Management Council will be in accordance with EO No. 90 which provides for the establishment of a Solid Waste Management Authority which will eventually take over the functions of the Presidential Task Force on Solid Waste Management. *Ad hoc lamang po ang nature niyan kaya kailangang gawing permanente dahil ang problema ng ito ay malaki ang sakop. Hindi temporary lamang ang problema ng solid waste.*

**Senator Revilla.** Mr. President, the members of the National Solid Waste Management Council as enumerated in Section 5 of the proposed measure are composed of seven directors from the different government agencies.

My experience in other related bills is that, as a practice, the members of the national council of this similar nature are composed of either the assistant secretaries or undersecretaries of government departments and not just directors.

My question is this: May we know the reason as to why under

this proposed measure the Committee on Environment and Natural Resources has recommended that a director from the DENR, the DTI, the DOH, the DILG, the DA, the DECS and the DOST be given a seat in the National Solid Waste Management council instead of their superiors, which are the assistant secretaries or undersecretaries of their respective government agencies? May we have the lady senator's comment on this?

**Senator Legarda-Leviste.** I thank the gentleman for that question.

This concern was raised during the TWG meetings which were conducted for this bill. We believe and we come to conclusion that it would be more beneficial for the directors of a specified agency concerned with solid waste to have a seat in the council rather than their secretaries or undersecretaries. Because the director's job basically is to focus on a more specified or particular field.

We believe that in this manner more focus, more technical know-how can be contributed towards the solution of the problems regarding solid waste management. And in practice, secretaries and undersecretaries and even assistant secretaries are being assigned to members of various interagency committees already or in collaboration with other agencies. As such, it would be impractical, impossible, and improbable for them to attend and participate in all their meetings and conferences.

As I said, the TWG agreed that it would be better to designate a director to take part in the council even from the start, so that he would have the expertise and the technical know-how to address the very technical issues involved.

**Senator Revilla.** I thank the lady senator for that very beautiful answer.

Mr. President, *isa sa pinakamalaking problema sa pagtatatag, pagtatayo at pamamahala ng isang solid waste management recycling plant sa Pilipinas ay ang problema sa pagkukunan ng funding sources in the form of capital investment, equity or loans para pondohan ang pagtatatag, pagtatayo at pamamahala ng isang multimilyon na solid waste recycling plant.*

Given this reality, Mr. President, may we know if there is a provision in the proposed measure that seeks to help prospective investors in identifying sources of funds to build and construct a solid waste recycling plant in the Philippines?

**Senator Legarda-Leviste.** Mr. President, Section 26 of Chapter IV provides or encourages government and private financial institutions to set aside capital for the purpose of solid waste management. However, if there is no money forthcoming

in the future, the local government unit may include a schedule of alternative measures that could either lead up to the upgrading of its dumpsite within a period not to exceed three years for the establishment of a common facility among the other LGUs. *Dahil sa tingin natin ay hindi naman bawat LGU, bawat municipality ay magkakaroon ng sariling sanitary landfill. Maganda siguro sa Batangas, Cavite o iyong mga karatig bayan ay mag-share ng isang maganda, mamahalin ngunit makakapag-share naman sa costs ng landfill na ito.*

In Section 27 of the same chapter, it provides incentives for the registered investors in the recycling industry through income tax holidays, the reduction of duties and taxes on capital equipment import, access to credit, access to facilities provided by law for pioneering projects, and financial support, Mr. President.

**Senator Revilla.** Mr. President, another issue that I would like to raise in relation to this proposed measure is the issue of tipping fee.

Tipping fee, Mr. President, is the payment paid by the government to the investor for processing the garbage in a designated area.

As an example, I read in the newspaper a year ago that the tipping fee being charged by the French investor by the name of JANCOM Consortium to the Philippine government was around US\$50 to US\$59 per ton of municipal waste dump in the proposed landfill in San Mateo, Rizal.

Considering that this project is to process volume of 7,000 tons per day, the government will pay the investor an amount of around US\$300,000 computed at \$50 per ton or in Philippine peso, that would be P14 million. *Masyadong napakalaki ang gagastusin sa tipping fee lamang.*

May we know if under this proposed measure there is a provision that will monitor, check or regulate the basis for computing the reasonable tipping fees that the investor will charge to the LGUs or national government for their proposed solid waste management plan?

**Senator Legarda-Leviste.** I would like to thank the gentleman for that question. *Unang-una ay ipinahahayag natin* that according to representatives of the DENR, *iyong halagang binanggit ng kagalang-galang na senador ng Cavite ay proposal lamang yata ng JANCOM Corporation or consortium and this has not been contracted to date.* At present, there is no central authority that negotiates tipping fees. However, tipping fees will vary according to municipalities because they produce different amounts of waste. The LGUs can negotiate with the collector how much a tipping fee should be. However, this representation

believes that tipping fees cannot be legislated, or if they can be legislated, it may not be practical to do so because the fees are normally intended to facilitate the recovery of the investments of a proponent of a project. The reasonableness of any amount can, however, be tested basically by the traditional market considerations. Are they affordable? Are the services necessary? Is there competition? And all these answers. I believe that this would vary depending on the need of the local government unit.

**Senator Revilla.** I would like to thank the lady sponsor for that answer. Another problem that solid waste management investors face towards their goal to address the solid waste problem in the country is the strong opposition being lobbied by the small recyclers in this country, namely, *iyong mga magbobote, magbabakal, magkakarton, magpaplastik, at iba pa. Sinabi nila na maraming mahihirap ang mawawalan ng hanapbuhay. Ano po ang magagawa natin dito?*

**Senator Legarda-Leviste.** Maganda po ang inyong concern dahil marami na pong nagtanong sa aming tanggapan na mga magbabakal, magbobote. Sila naman ay kasama sa ating mga constituents. Sila ang talagang nagugutom at naghihirap at kailangan ay makita natin kung anong mangyayari sa kanila. Ngunit ang opinyon po ng DENR which I also share, ang mga magbobote, magbabakal, magpaplastik will not be affected by the establishment of the facility because they ply their trade even before these solid wastes are taken into the final disposal site. Ang maaapektuhan lamang siguro dito ay iyong mga scavenger, dahil iyong tinatawag na mga scavenger source their livelihood from the dumpsite itself. Scavenging will eventually be prohibited at the end of this whole cycle which is the sanitary landfill. This bill does not call, therefore, for the displacement of these small people. In fact, under this measure, they can and they may continue with their trade as the ones responsible for waste segregation, collection, and recycling in small-scale areas. They are even encouraged to do so. Dahil recycling ang ipinopromote dito, ang mga magbobote, ang mga magbabakal ay magkakanegosyo pa dahil magkakaroon ng mga recycling center.

If I may add, if the honorable senator would allow me to quote in Section 9, *iyong creation po ng local solid waste management councils and ecology centers:*

There shall be established in every province, a provincial solid waste management council, in every city or municipality, a municipal or city solid waste management council and in every barangay, a barangay solid waste management council.

Kaya dito, magiging organisado at magkakaroon pa ng

negosyo ang mgamagbobote at magbabakal. Magandang negosyo po ang galing sa basura.

**Senator Revilla.** Maraming salamat po, Ginoong Pangulo. Habang akin pong pinag-aaralan ang panukalang-batas na ito tungkol sa pagtugon sa problema ng basura sa ating bansa, akin pong napag-alaman na mayroon palang iba't ibang mga produkto o by-products ang magagawa at makukuha sa basura. Ilan na dito ay ang organic fertilizer, alternative livestock feeds, carbon ash, metal scrap and slabs, recycled plastics, recycled paper, monoblocs, ethanol, methane gas, condensed oil, electricity, clay products, at iba pa.

The problem however, Mr. President, lies in how to sell and look for the market for these solid waste by-products.

Under this proposed measure, Mr. President, may I know which agency in the government is tasked to conduct an information, education, and communication campaign to educate the public to buy and patronize environmentally friendly recycled products so that there will be a market for the solid waste by-products?

**Senator Legarda-Leviste.** Opo, Ginoong Pangulo. Maganda ang pakay ng bill na ito dahil sa ang mga barangay solid waste centers ay maaaring mag-organize ang mga nagsu-supply nito, at importante na kung may produkto ay may bibili kaagad. Paano ba ang marketing? Magandang tanong iyan.

Kaya, dapat na maging aggressive ang DENR sa pagpapa-promote nito. At maaaring katulong ng DENR ang DECS at ang Philippine Information Agency, because the PIA is tasked with promoting and providing education and information to all government agencies.

And since this solid waste management will basically be implemented by the DENR and other concerned and affiliated agencies, then the PIA could help out in this regard. But the marketing can also be done by the local government units which play an integral role in the barangay and the municipal solid waste and national ecology centers.

**Senator Revilla.** I thank the lady senator for that answer, Mr. President.

On page 18, letters (c) and (d) of Section 21, Prohibited Acts, this proposed measure states and I quote: "The following acts are hereafter prohibited: ... c) The manufacture, distribution or use of packaging materials for consumer products, other than those indicated as recyclable on the list of the EMB-DENR; and d) The importation of consumer products packaged in materials other than those indicated in the same list."

Mr. President, some importers in this country have reacted seriously on this proposed section because they say that this is a concrete example of a barrier of trade policy.

As a signatory to the GATT-WTO Agreement, we have committed our country to reduce policies that are construed as barriers to entry in trade.

May we have the comments of the distinguished senator on this issue, Mr. President?

**Senator Legarda-Leviste.** Mr. President, our commitment to the GATT-WTO does not mean that we will be constrained in adopting policies that will enhance and will be beneficial to the well-being of our people. The intent of this provision is to encourage the importation and the manufacture of environmentally sound and environment-friendly materials. These products are biodegradable; they are also recyclable.

The global trend now, Mr. President, is directed towards the manufacture of environment-friendly products. We do not agree that this provision is contrary to our adopting policies in the GATT-WTO. In fact, I think we are just following a global trend which really promotes the use of environment-friendly products.

**Senator Revilla.** Thank you, Mr. President. My last question will deal on the issue of technology transfer.

I understand that most of the dominant players, investors and technologies used in addressing the solid waste problem come from the United States of America, France, Canada, Japan and highly industrialized countries in the world.

As a matter of practice, Mr. President, these foreign investors in solid waste management bring with them their own foreign consultants, technocrats, technicians, experts and prefabricated waste management technologies to be installed in the different local government units in the Philippines.

Mr. President, I would like to see a situation wherein there is a close cooperation between these foreign experts and our local consultants in installing these high technology waste management plants so that our Filipino inventor, scientist, and technician will learn these new technologies and skills.

My question, therefore, is this: Is there a provision under this proposed measure which requires that foreign investors and consultants engaged in the solid waste management business in the Philippines should collaborate and cooperate with our local Filipino consultants and engineers to facilitate technology and skill transfer?

**Senator Legarda-Leviste.** Mr. President, this bill does

not contain any provision which provides for the technology and skills transfer from foreigners to the local solid waste managers. However, this representation is open to the idea of adding this provision, at the proper time, during the period of amendments.

**Senator Revilla.** I thank the lady senator, Mr. President, for giving a good answer.

Before I end, I respectfully manifest that at the proper time, this representation shall introduce amendments to this proposed measure.

Thank you, Mr. President.

**Senator Legarda-Leviste.** Thank you, Mr. President. I thank the distinguished senator from Cavite for his very relevant and highly insightful questions to this important piece of legislation. Thank you.

**The Presiding Officer [Sen. Sotto].** The Majority Leader is recognized.

**Senator Drilon.** Mr. President, there are still a number of our colleagues who wish to avail themselves of the period of interpellations, but they are not available at this point.

#### SUSPENSION OF CONSIDERATION OF S. NO. 1595

I move, therefore, that we suspend consideration of Senate Bill No. 1595.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, the motion is approved.

#### RESOLUTION ON SECOND READING P. S. Jt. Res. No. 15--Creating the Congressional Oversight Committee on VFA (Continuation)

**Senator Drilon.** Mr. President, I move that we resume consideration of Proposed Senate Joint Resolution No. 15.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, resumption of consideration of Proposed Senate Joint Resolution No. 15 is now in order.

May we know the parliamentary status?

**Senator Drilon.** We are now in the period of amendments. For that purpose, may I ask the Chair to recognize the chairman of the Committee on Foreign Affairs and the principal sponsor of the measure, Sen. Francisco S. Tatad.

**The Presiding Officer [Sen. Sotto].** Senator Tatad is recognized.

**Senator Tatad.** Thank you, Mr. President. The committee has no amendments to this resolution and we manifested that earlier. So I move that we now proceed to the period of individual amendments.

**The Presiding Officer [Sen. Sotto].** If there are no committee amendments, we have a motion to proceed to the period of individual amendments. Is there any objection? *[Silence]* There being none, the motion is approved.

We are in the period of individual amendments. Is there any amendment? Senator Osmeña III is recognized.

**Senator Osmeña III.** Thank you, Mr. President. Would the kind sponsor kindly entertain some proposed amendments to Proposed Senate Joint Resolution No. 15?

**Senator Tatad.** With pleasure, Mr. President.

#### OSMEÑA III AMENDMENTS

**Senator Osmeña III.** In the third "Whereas" clause, delete the word "Congressional" and replace it with the word LEGISLATIVE. This was the original wording utilized in Resolution No. 18 which we passed last May.

**Senator Tatad.** We accept the amendment with the observation that there may be other places in the resolution where the same usage occurs, so probably the proponent would like to convert it into an omnibus motion.

**Senator Osmeña III.** Well, there are only two other places, the title being the last to be amended.

So in line 3 again, delete the word "Congressional" and replace it with the word LEGISLATIVE.

**Senator Tatad.** It is accepted, Mr. President.

**Senator Osmeña III.** On lines 5 and 6, delete the phrase "on the national defense and security concerns".

**Senator Tatad.** It is accepted, Mr. President.

**The Presiding Officer [Sen. Sotto].** Let us first dispose of the first omnibus amendment.

The omnibus amendment is to replace the word "Congressional" with the word LEGISLATIVE. Is there any objection? *[Silence]* There being none, the amendment is approved.