

RECORD OF THE SENATE

WEDNESDAY, MAY 23, 1990

OPENING OF THE SESSION

At 3:24 p.m., the Honorable Sotero H. Laurel, President Pro Tempore of the Senate, called the session to order.

The President Pro Tempore. The session is called to order.

Senator John H. Osmeña will lead us in the opening prayer.

Everybody remained standing for the opening prayer.

PRAYER

Senator Osmeña.

Almighty God, First Lawgiver:

You have made man
In Your image
With the power
To know Your laws
And fashion
Others of his own.

Let Your Spirit be in our minds
So that our counsel may be wise
And towards truth in our hearts
To cleanse them from every evil
And unclean desire upon our lips
To preserve us from all wrong speaking
And to help us by Your words
To command You unto others
Upon our eyes that they may be fixed on You
Upon our hands that they may be
Faithful in work and eager in service.

That our dealings
in human jurisprudence
will reflect
the plan
of Your Eternal Law.

Amen.

ROLL CALL

The President Pro Tempore. The Secretary will please call the roll.

The Secretary.

Senator Heherson T. Alvarez	Present
Senator Edgardo J. Angara	Present
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, Jr.	**
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	Present*
Senator Wigberto E. Tafiada	Present
Senator Victor S. Ziga	Present
The President	Present*

The President Pro Tempore. With 19 Senators present; there is a quorum.

The Majority Floor Leader is recognized.

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 Pro Tempore. Is there any objection? [Silence] There being none, the *Journal* is approved.

The Secretary will please read the Order of Business.

REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Secretary.

April 16, 1990

Mr. President:

I have been directed to inform the Senate that the House of Representatives on April 5, 1990 passed House Bill No. 12162, entitled

*Arrived after the roll call

**On official mission

The President Pro Tempore. Any objection? [Silence] No. 88.
There being none, the amendment is approved.

The Majority Floor Leader is recognized.

BILL ON SECOND READING
Senate Bill No. 88 — Citizens Soldiers
(Continuation)

Senator Guingona. Mr. President, I move that we resume consideration of Senate Bill No. 88 as reported out under Committee Report No. 548.

We are in the period of amendments. I ask that this Representation be recognized.

The President Pro Tempore. Senator Guingona is recognized. We are in the period of amendments.

Senator Maceda. Mr. President.

The President Pro Tempore. Senator Maceda is recognized.

Senator Maceda. We are in the period of Committee amendments and I guess, it is understood that the Committee would rather go through with all its Committee amendments before individual amendments are presented; that may alter a little bit the Committee amendments.

Senator Guingona. Yes. But if the Gentleman wishes to introduce one amendment to a particular amendment, to expedite, we will certainly give way.

Senator Maceda. It might be better that we just allow him to go through and our individual amendments will be presented later on.

Senator Guingona. Yes, Mr. President.

The President Pro Tempore. The Sponsor will proceed now to present the Committee amendments.

Senator Guingona. We have distributed new copies of the proposed Committee amendments, and in the proposed amendments, we ask that it be the guide alongside with the original document, Senate Bill No. 88. In the new proposed amendments, we are on page 4, Section 16, Mr. President.

The President Pro Tempore. Section 16.

Senator Guingona. Yes, page 4. This proposed amendment, affects page 5, between lines 25 and 26 of the original Senate Bill

The President Pro Tempore. Have copies of this proposed Committee amendments been distributed?

Senator Guingona. Yes, Mr. President.

The President Pro Tempore. All right. Without objection, we shall proceed to page 4 of the proposed amendments.

Senator Guingona. "SEC. 16. REGISTERING OFFICER. - FOR THE PURPOSE OF REGISTRATION AS PROVIDED FOR IN SECTION 14, THE CITY MUNICIPAL TREASURERS OF CHARTERED CITIES AND MUNICIPALITIES ARE HEREBY DESIGNATED AS REGISTERING OFFICER. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE AND PROVIDE THE FORMS TO BE USED IN REGISTRATION AND PRESCRIBE THE PROCEDURES FOR THE CONDUCT AND REPORTING OF THE RESULTS OF THE REGISTRATION."

The President Pro Tempore. Page 4, the Chair is trying to pinpoint the particular line.

SUSPENSION OF THE SESSION

Senator Guingona. Mr. President, may I ask for a minute suspension.

The President Pro Tempore. Yes, I think, we better do. The session is suspended for a few minutes, if there is no objection. [There was none.]

It was 3:39 p.m.

RESUMPTION OF THE SESSION

At 3:43 p.m., the session was resumed.

The President Pro Tempore. The session is resumed. The Majority Floor Leader is recognized.

**SUSPENSION OF CONSIDERATION OF
SENATE BILL NO. 88**

Senator Guingona. Mr. President, I move that we suspend consideration because there are some needed revisions in the copies that were distributed.

The President Pro Tempore. Without objection, consideration of Senate Bill No. 88 is suspended.

a disputable presumption. In fact, there is nothing here that indicates that it is a disputable presumption. So, here, we are foisting and imposing upon all the members of the tribal communities the communal system of ownership of ancestral lands. Is that not a form of colonization?

Senator Rasul. I realized that we did not anticipate the implications of that provision, and as usual, the legal expertise of the distinguished Senator will be very much needed when we go to the period of amendments.

Senator Gonzales. Thank you, Mr. President. I do not know, but we received yesterday, not only I but practically all the members of this Chamber, a two-page letter, dated April 10, 1990, from Mrs. Amelia B. Miranda, former commissioner of the defunct Cordillera Regional Consultative Commission. This is what she stated in one of the first suggestions that she is making: (1) that as far as ancestral agricultural lands are concerned, the basis of any award or grant of title should be....

At this juncture, there was a power failure.

SUSPENSION OF THE SESSION

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

It was 5:01 p.m.

RESUMPTION OF THE SESSION

At 5:03 p.m., the session was resumed.

The Presiding Officer [Senator Maceda]. The session is resumed. The Majority Floor Leader is recognized.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 909

Senator Guingona. Mr. President, I move that we suspend consideration of this measure.

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

BILL ON SECOND READING Senate Bill No. 88 — Citizens Soldiers (Continuation)

Senator Guingona. Mr. President, we now have the copies of the proposed amendments to Senate Bill No. 88. May we now resume consideration of the same.

The Presiding Officer [Senator Maceda]. Resumption of consideration of Senate Bill No. 88 is now in order.

Senator Guingona. May I propose that we use as the basic copy the proposed Committee amendments to Senate Bill No. 88. Copies have been distributed.

The Presiding Officer [Senator Maceda]. Are we on page 4?

COMMITTEE AMENDMENTS

Senator Guingona. We are on page 4, Mr. President, "SEC. 16. REGISTERING OFFICER. - FOR THE PURPOSE OF REGISTRATION AS PROVIDED FOR IN SECTION 14, THE CITY MUNICIPAL TREASURERS OF CHARTERED CITIES AND MUNICIPALITIES ARE HEREBY DESIGNATED AS REGISTERING OFFICER. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE AND PROVIDE THE FORMS TO BE USED IN REGISTRATION AND PRESCRIBE THE PROCEDURES FOR THE CONDUCT AND REPORTING OF THE RESULTS OF THE REGISTRATION."

The Presiding Officer [Senator Maceda]. "CITY AND MUNICIPAL TREASURERS?"

Senator Guingona. Yes, Mr. President.

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

Senator Guingona. "SEC. 17. PERSONS DISQUALIFIED FROM..." The words "OR EXEMPTED" are proposed to be deleted. It will read: "PERSONS DISQUALIFIED FROM REGISTRATION. THE FOLLOWING PERSONS ARE DISQUALIFIED FROM REGISTERING:

(1) PERSONS WHO ARE DISQUALIFIED BY LAW FROM EMPLOYMENT IN GOVERNMENT SERVICE;

(2) THOSE WHO ARE PHYSICALLY AND MENTALLY UNFIT AS CERTIFIED BY AN AFP MEDICAL OFFICER;

(3) THOSE SUFFERING INCARCERATION AWAITING TRIAL BY A COURT OF LAW: PROVIDED, THAT UPON THEIR RELEASE FROM CUSTODY THEY SHALL WITHOUT DELAY REGISTER; and

(4) THOSE CONVICTED BY FINAL JUDGMENT FOR CRIMINAL OFFENSES INVOLVING MORAL TURPITUDE."

The rest of the sentence is proposed to be deleted up to the word "RESERVISTS" in item No. 5.

The Presiding Officer [Senator Maceda]. And is item No. 6 retained?

Senator Guingona. Item No. 6, we propose that it be Item No. 5.

The Presiding Officer [Senator Maceda]. All right. The Senator from Pasig and Mauban is recognized.

Senator Saguisag. Mayroon lamang po akong nais linawin: No. (3) THOSE SUFFERING INCARCERATION AWAITING TRIAL BY A COURT OF LAW: *PROVIDED*, THAT UPON THEIR RELEASE FROM CUSTODY THEY SHALL WITHOUT DELAY REGISTER." Suppose the one concerned was incarcerated at the age of, say, 18, 19, or 20 and was released a decade or two later, is he covered by the intent of this provision?

Senator Guingona. When was his release?

Senator Saguisag. When he is, maybe, 40 or 50 years old.

Senator Guingona. As long as he qualifies under the law, he is mandated, but he has gone beyond the age already, after 35.

Senator Saguisag. Thank you, Mr. President.

Senator Guingona. And so, item "No. 6" would now be "No. 5":

"THOSE PERSONS WHO ARE CONSTITUTED AS MEMBERS OF AFFILIATED UNITS FOR THE DURATION OF TIME THAT THEY HOLD SUCH MEMBERSHIP: *PROVIDED*, THAT UPON THE TERMINATION OF THEIR MEMBERSHIP, THEY SHALL BE SUBJECT TO MILITARY TRAINING."

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

Senator Guingona. "SEC. 18. *SELECTION OF REGISTRANTS FOR COMPULSORY TRAINING.* - REGISTRANTS WHO ARE TO UNDERGO COMPULSORY TRAINING AS PROVIDED FOR IN THIS ACT SHALL BE SELECTED IN THE MONTH OF MAY EVERY YEAR BY DRAWING OF LOTS BY A BOARD OF CANVASSERS. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE PROCEDURES FOR THE SELECTION OF REGISTRANTS."

The Presiding Officer [Senator Maceda]. Is there any objection? The Gentleman from Pasig is recognized.

Senator Saguisag. This is really a policy question, whether we would give preference to those who may want to volunteer,

assuming that we need "X" number and "X" plus are willing to undergo compulsory training. Do we need to go through this system when some people may not prefer to undergo such training?

Senator Guingona. The proposal has some merit, Mr. President, but it would defeat the compulsory nature of registration and training, and could run into some administrative difficulties. It is intended that the law applies to all without favor.

Senator Saguisag. But in many countries, they are really trying to move away from the draft system. There will be more problems if people who are not willing to undergo compulsory military training are conscripted, while there are people who are willing to do it on a voluntary basis. Suppose, ang napiling lahat ay ayaw. Samantalang ang haba ng pila ng mga gustong mag-compulsory training. Maybe, dapat suriin natin iyan.

In a democracy, normally, the intent is to honor the free will of the individual.

Senator Guingona. So that only after no volunteer or lack of volunteers would they apply.

Senator Saguisag. Probably.

Senator Guingona. We will be open to that, Mr. President, during the period of amendments.

Senator Saguisag. Thank you, Mr. President.

The Presiding Officer [Senator Maceda]. The suggestion of the Gentleman from Pasig has merit, because as far as the regular recruitment is concerned, the present experience now of the military is that for every soldier slot, we have 100 to 150 applying. So, if there is a perception that by undergoing this training, eventually, it would be easier for them to be appointed or recruited to a regular soldier slot, we will have a lot of volunteers.

Senator Guingona. Yes, Mr. President. So, during the period of individual amendments, we will be open.

The Presiding Officer [Senator Maceda]. All right.

Senator Guingona. On page 5, "SEC. 19. *BOARD OF CANVASSERS.* - THERE IS HEREBY CREATED A BOARD OF CANVASSERS, ONE FOR EACH PROVINCE AND CHARTERED CITY FOR THE PURPOSE OF SELECTING THE REGISTRANTS WHO WILL UNDERGO COMPULSORY MILITARY TRAINING AS PROVIDED FOR IN SECTION 18. THE BOARD SHALL BE COMPOSED OF THE FOLLOWING:

PROVINCE

Division Superintendent of Schools	Chairman
Provincial Fiscal	Member
Constabulary Provincial Commander, or the appropriate military commander as the Secretary of National Defense may designate	Member

CHARTERED CITY

City Superintendent of Schools	Chairman
City Fiscal	Member
Chief of Police	Member

The Presiding Officer [Senator Maceda]. Are there any objections to Sections 18 and 19? [Silence] There being none, the amendments are approved.

Senator Guingona. "SEC. 20. *QUOTA FOR COMPULSORY TRAINING* - THE SECRETARY OF NATIONAL DEFENSE SHALL FURNISH EACH PROVINCIAL GOVERNOR AND CITY MAYOR WITH A QUOTA OF REGISTRANTS FOR COMPULSORY MILITARY TRAINING TO BE DRAWN FROM THEIR RESPECTIVE PROVINCE OR CHARTERED CITY. THE QUOTA FOR THE PROVINCE SHALL BE BROKEN DOWN INTO MUNICIPAL QUOTAS."

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

Senator Guingona. "SEC. 21. *ACCEPTANCE OF REGISTRANTS VOLUNTEERING MILITARY TRAINING*. - REGISTRANTS WHO ARE NOT SELECTED FOR COMPULSORY MILITARY TRAINING BUT WHO VOLUNTEER FOR SUCH TRAINING MAY BE ACCEPTED AND ALLOWED TO UNDERGO MILITARY TRAINING; PROVIDED, THAT SAID VOLUNTEERS SHALL PHYSICALLY QUALIFY FOR FITNESS AFTER EXAMINATION FOR TRAINING AND SHALL BE MADE TO EXECUTE A WRITTEN TESTAMENT THAT THEY VOLUNTEERED FOR TRAINING ON THEIR OWN WILL."

The Presiding Officer [Senator Maceda]. Maybe this section could be reworded to reflect the Saguisag amendment.

Senator Guingona. Yes, Mr. President.

The Presiding Officer [Senator Maceda]. The first sentence here should be that "THOSE WHO VOLUNTEERED SHALL BE GIVEN PREFERENCE", et cetera.

Senator Guingona. We will take note of that, Mr. President.

The Presiding Officer [Senator Maceda]. So, let us withhold approval of this particular section, and I think this will be substantially reworded.

Senator Guingona. Yes, we will withhold that.

"SEC. 22. *REGISTRATION OF CITIZENS RESIDING OR WORKING ABROAD*. - FILIPINO CITIZENS RESIDING OR WORKING ABROAD WHEN THEY BECOME LIABLE TO REGISTER FOR RESERVISTS TRAINING UNDER THIS ACT, SHALL REGISTER WITH THE NEAREST DIPLOMATIC OR CONSULAR OFFICE OF THE REPUBLIC OF THE PHILIPPINES WHICH SHALL TRANSMIT THE REGISTRANTS DATA TO THE SECRETARY OF NATIONAL DEFENSE."

The Presiding Officer [Senator Maceda]. There is a practical problem here in implementation, especially in Africa. For many Filipinos working in an African country, the nearest consulate is Kenya or Tanganyika or just one or two places. I guess there has got to be some escape clause.

Senator Guingona. Within reason, Mr. President.

The Presiding Officer [Senator Maceda]. Will the Gentleman's staff study how to open that up a little bit?

Senator Guingona. Yes, Mr. President.

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

Senator Paterno. Thank you, Mr. President. There is another suggestion, and that is, that the resident or worker abroad registered for such training should not be required to undergo training until he has come back to the Philippines.

Senator Guingona. Yes, Mr. President.

Senator Paterno. Otherwise the government would have to spend for his passage.

Senator Guingona. Especially if he is a contract worker.

Senator Paterno. Yes, Mr. President.

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

Senator Guingona. "SEC. 23. *NOTICE TO SELECTED REGISTRANTS*. - THE BOARD OF CANVASSERS SHALL CAUSE THE IMMEDIATE AND ADEQUATE PUBLICATION OF THE NAMES OF THE REGISTRANTS WHO HAVE BEEN

SELECTED IN ACCORDANCE WITH SECTION 18 HEREIN AND NOTIFY AT ONCE THE REGISTRANTS CONCERNED TO REPORT TO THE ACCEPTANCE BOARD OF THE CITY OR MUNICIPALITY WHERE THEY RESIDE. THE BOARD OF CANVASSERS SHALL FURNISH EACH ACCEPTANCE BOARD THE LIST OF THE REGISTRANTS WHOSE NAMES WERE DRAWN."

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

Senator Guingona. "SEC. 24. ACCEPTANCE BOARDS. - THERE IS HEREBY CREATED AN ACCEPTANCE BOARD IN EACH MUNICIPALITY AND CHARTERED CITY WHICH SHALL EXAMINE AND CLASSIFY REGISTRANTS WHOSE NAMES HAVE BEEN REFERRED TO IT BY THE BOARD OF CANVASSERS AND PASS UPON THE REGISTRANTS, FITNESS FOR TRAINING AND APPLICATION FOR DEFERMENT, IF ANY. THE DECISION OF THE BOARD SHALL BE BY MAJORITY VOTE. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE PROCEDURES FOR THE OPERATION OF THE ACCEPTANCE BOARD."

Senator Gonzales. Mr. President, may I ask a question?

The Presiding Officer [Senator Maceda]. The Gentleman from Mandaluyong is recognized.

Senator Gonzales. We just ask a question because in Commonwealth Act No. 1 as amended, the Board of Canvassers, as herein provided, is used to be known as the Acceptance Board, is it not?

Senator Guingona. Yes.

Senator Gonzales. May we know the reason for changing it to Board of Canvassers? I mean, what is being canvassed?

Senator Guingona. In the National Defense Act, there is also a Board of Canvassers, I understand. There is no change.

Senator Gonzales. There is also an Acceptance Board?

Senator Guingona. There is also an Acceptance Board.

Senator Gonzales. If I read the other provisions correctly, those from the ages of, is it 20 to 35?

Senator Guingona. Eighteen to 35.

Senator Gonzales. Eighteen to 35. Under the National Defense Law, only those who attain the age of 20 during the year

are required to report for military training to the proper registering authority, from April 1 to 7 of that year. Why are they now from 18 to 35? Do we really plan a very big army?

Senator Guingona. Yes. The intent is to follow the mandate of the Constitution asking that we have a citizens army. Since the age of majority, I understand, has been changed to 18, the proposal is to make it 18 to certify to cover substantially.

Senator Gonzales. Yes, because one of the reasons why the National Commonwealth Act No. 1 had required registration only for Filipino males, in fact, who attain the age of 20 to register is the fact that these are mostly unmarried, without families, and most of them do not have employment. But if we stretch it up to 35, then that is the time where most Filipinos are already married, starting their families, and it may not really be necessary. If it were a mobilization, then there is no question as to age. But here, it is for military training, and whether we like it or not, under Commonwealth Act No. 1, they are already part of the reserve force.

Senator Guingona. Yes. But, in that case, there were paper reserves in many instances or in most cases.

Senator Gonzales. That will be the situation, because even only with respect to the 20-year-olds, the resource persons of the distinguished Gentleman will be able to inform us what percentage is actually called to undergo military training. Hardly about 10 or 15 percent of them. We increase the field. Considering our limited resources, there will be a smaller percentage of them who would actually be called to undergo military training.

Senator Guingona. Although the percentage is really 10-15, under the present system, the 20-year-olds, once they are not selected, do not undergo training anymore.

Senator Gonzales. Yes. Do they not automatically become part of the reserve force?

Senator Guingona. No more, because they have no training.

Senator Gonzales. So, what happens to them? Whom does the Gentleman prefer: a 20-year-old soldier or a 35-year-old soldier?

Senator Guingona. If he is a reserve, then he has to undergo periodic training. That is the concept. Because, what is the use of a paper reserve if he does not undergo training?

Senator Gonzales. But, by this bill, the Gentleman is enlarging the number of paper reserves, because his range of selection is from 18 to 35.

Senator Guingona. The statistics would show that 15 percent would undergo training periodically depending on how our

budgetary resources can match. The studies show that we can absorb 15 percent between the 18- and 35-year-olds.

Senator Gonzales. Yes.

The Presiding Officer [Senator Maceda]. The Chair would like to know, in relation to the question of the Gentleman from Mandaluyong, what the estimated cost of training such a huge number of people is. Because, if the cost is too much then, maybe, we have to reduce the age, as suggested, to below 35.

Senator Guingona. One battalion, I understand, is approximately P1 million. That is, one battalion of full force is 630.

The Presiding Officer [Senator Maceda]. So, under this 18 to 35, giving allowances for the exemptions and disqualifications, what is the total estimated number of people to be trained annually?

SUSPENSION OF THE SESSION

Senator Guingona. Mr. President, may I ask for a minute suspension?

The Presiding Officer [Senator Maceda]. All right. The session is suspended, if there is no objection. *[There was none.]*

It was 5:23 p.m.

RESUMPTION OF THE SESSION

At 5:28 p.m., the session was resumed.

The Presiding Officer [Senator Maceda]. The session is resumed. The Gentleman from Mandaluyong is recognized.

Senator Gonzales. Mr. President, I think this question requires some study. At any rate, it is not yet too late, because there will still be individual amendments to be presented. Therefore, in the meantime, we would request the distinguished Sponsor to submit to the Members of this Body a cost study on the basis of the age level of what will have to be incurred in military training conceived under this bill.

Thank you, Mr. President.

Senator Guingona. We will do that, Mr. President, including the estimated....

The Presiding Officer [Senator Maceda]. Number of registrants, depending on the age level.

Senator Guingona. Yes, if it were cut down from 18 to 25 —

The Presiding Officer [Senator Maceda]. That is correct.

Senator Guingona. — and if it were 18 to 35.

The Presiding Officer [Senator Maceda]. All right.

Senator Gonzales. There is an information which might be helpful — I am not vouching for the veracity of this, but it can be checked by the resource persons of the Committee — that in the United States reservists go by age group — the first to go to war, 18 to 25; the second to go to war, 26 to 30; the third, 31 to 35. As far as military training is concerned as conceived under this bill, 18 to 35 is a big age group.

Can we divide this into age groups so that we would be able to get more from the lower bracket and get less from the upper bracket? Because these are six months training, and six months to a head of a family is a very disturbing matter. If, on the other hand, the law would require his employer to pay him during that period, then also there is much tremendous waste of resources that might be involved. So, probably we are just passing on this information.

Senator Guingona. Yes, we will be open to that.

Senator Herrera. Mr. President.

The Presiding Officer [Senator Maceda]. The Gentleman from Cebu and Bohol is recognized.

Senator Herrera. I would have liked to suggest, to include in the study that was mentioned earlier — the profile of those who will be drafted, and the cost involved on the part of the draftees — because, if one is called for a training of six months, it could be too expensive on the part of the family of the one concerned. I think, we should have a study on that because our records in the union will show that many of our employed now are from the ages of 16 to 35 or above.

So, most of those who will be drafted are employed. How much shall it cost the draftee in terms of loss of pay, and if they will be required to pay, how much will it cost the industries? I want to study this, in addition, of course, to the cost on the part of the government for the training. So, I wish that could be included in the study.

Senator Guingona. Yes, we will include it, although there is a provision here which entitles one, who is the breadwinner, for deferment.

The Presiding Officer [Senator Maceda]. For two years.

Senator Guingona. Yes, Mr. President.

Senator Paterno. Mr. President.

The Presiding Officer [Senator Maceda]. The Gentleman from Cavite is recognized.

Senator Paterno. I wonder whether deferment would answer the problem, because the longer we defer his training, the more family responsibilities he will get. So, perhaps, we should put them on a list of priorities so that a person who has a family, the more children he has, the lower the priority for being called.

Senator Guingona. Yes, we will consider that, Mr. President.

Senator Paterno. Thank you, Mr. President.

The Presiding Officer [Senator Maceda]. The Gentleman from Bohol and Cebu again.

Senator Herrera. I would have liked to point out that in the case of Makati, the number of employed in the family is 1.2 percent. Outside, it may be one in the family. The possibility is that most of these draftees are the breadwinners in the family. He may not be the father, but he is the breadwinner. So, that is my concern and I think, it is very important that we should have these data.

The Presiding Officer [Senator Maceda]. I guess, maybe, somewhere along the lines being suggested, it could be stated that those unemployed volunteers who are 18 to 24 should be given priority or something like that.

So, shall we take our usual break?

Senator Guingona. Yes, Mr. President.

SUSPENSION OF THE SESSION

The Presiding Officer [Senator Maceda]. The session is suspended for our usual break, if there is no objection. *[There was none.]*

It was 5:34 p.m.

RESUMPTION OF THE SESSION

At 6:18 p.m., the session was resumed with the Honorable Jovito R. Salonga, President of the Senate, presiding.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

Senator Guingona. Mr. President, I move that we suspend consideration of Senate Bill No. 88.

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

BILL ON SECOND READING

Senate Bill No. 1468 — Returning to Civil Courts Jurisdiction Over Offenses by Military Men (Continuation)

Senator Guingona. Mr. President, I move that we consider Committee Report No. 1013 on Senate Bill No. 1468. We are now in the period of individual amendments. I ask that we recognize Senator Tañada.

The President. Senator Tañada is recognized.

Senator Tañada. Before the consideration of this bill was suspended, Senator Gonzales had proposed an amendment on page 1, line 7, after the comma (,) appearing after the word "accused," to delete the phrase "victims or offended parties," and add the following phrase: "WHETHER OR NOT THEY ARE CHARGED IN THE SAME INFORMATION OR CHARGE SHEET FILED WITH THE CIVIL COURT OR COURT MARTIAL, AS THE CASE MAY BE, SO LONG AS THEY ARE ACCUSED OF ESSENTIALLY THE SAME OFFENSE."

So, the complete Section 1 would read as follows:

"Members of the Armed Forces of the Philippines and other persons subject to military law, AS WELL AS MEMBERS OF THE CITIZENS ARMED FORCE GEOGRAPHICAL UNITS who commit crimes or offenses penalized under the Revised Penal Code, other special laws, or local government ordinances where civilians are co-accused, WHETHER OR NOT THEY ARE CHARGED IN THE SAME INFORMATION OR CHARGE SHEET FILED WITH THE CIVIL COURT OR COURT MARTIAL, AS THE CASE MAY BE, SO LONG AS THEY ARE ACCUSED OF ESSENTIALLY THE SAME OFFENSE SHALL BE TRIED BY THE PROPER CIVIL COURT EXCEPT WHEN THE CRIMES OR OFFENSES as determined before arraignment by the civil court is service-connected in which case the offense shall be tried by the court martial."

The President. The Chair would like to ask: Were not the words "victims" or "offended parties" placed there the last time when we amended this?

Senator Tañada. It was placed in lines 14 and 15, Mr. President.

The President. So, that is now in lines 14 and 15?

Senator Tañada. Yes, Mr. President. And by reason of this amendment, I propose that the word "either" in line 6 be deleted.