

RECORD OF THE SENATE

MONDAY, MAY 28, 1990

OPENING OF THE SESSION

At 3:19 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado.

NATIONAL ANTHEM

Aawitin ng Central Bank Chorale ang Pambansang Awit at *Sampaguita*, at pagkatapos ay pangungunahan tayo sa panalangin ni Senador Aquilino Q. Pimentel, Jr.

Everybody rose for the singing of the National Anthem and for the opening prayer.

PRAYER

Senator Pimentel.

O Lord,

When will the killings in our country end?

When will our children be able to live in peace?

When will our people have enough food on their tables, enough clothing on their backs, enough roof over their heads?

A part of the answer rests with You, O Lord. But the greater burden lies with us, your servants in government:

To give justice wherever it is due, not turn a blind eye to injustice wherever it is done;

To produce wealth for our people, not line our pockets with ill-made pelf;

To promote peace, not to provoke hatred among our people.

Inspire us to attain these ends in our lifetime, O Lord.

Amen.

ROLL CALL

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

The Secretary.

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, Jr.	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	Present
Senator Wigberto E. Tañada	Present
Senator Victor S. Ziga	Present
The President	Present

The President. Dalawampu't dalawa 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 the previous session and consider the same as approved.

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

The Secretary will now proceed with the reading of 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. 23834, entitled

(Sgd.) JUAN PONCE ENRILE

*CONFEREES ON THE PART OF THE
HOUSE OF REPRESENTATIVES*

(Sgd.) RENATO P. DRAGON

(Sgd.) CARLOS M. PADILLA

(Sgd.) CIRILO ROY G. MONTEJO

(Sgd.) MARIANO M. YULO

(Sgd.) SALVADOR H. ESCUDERO

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

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

The President. Consideration of Senate Bill No. 88 is now in order.

Senator Maceda. We are in the period of Committee amendments. I ask that Senator Guingona be recognized.

The President. Senator Guingona is recognized.

Senator Guingona. We have distributed again the same document containing the proposed Committee amendments and we are now on page 5.

The last time, Senator Gonzales asked for some data concerning the number of registrants, how many would be registered comprising ages 18 to 35, and for ages 18 to 25, and, also, how much would be needed to train the percentage of those registrants. We made an effort to get the requested data.

The Bureau of Census categorizes the ages by five; therefore, the categories here are 15 to 19 years, 20 to 24 years, 25 to 34 years, 35 to 44 years old, and this is limited to male citizens as of October 1989.

If we go by 18 to 25 years, the number of registrants, excluding students, will be about 6,000,000, Mr. President. The unemployed is about 286,000; the professionals, about 2,210,000; the workers and employees, about 3,000,000 plus; and the students, 2,720,000. If we exclude the students, because they would be undergoing ROTC, the expected number of registrants in the 18 to 25 years

category would be 6,000,000 persons. The unemployed would be 286,000.

One battalion at 600 persons per six months' training would cost P8.2 million. If we have 13 battalions for the 13 regions, we would have an estimated expense of P8.2 million for training. The CAFGU budget for 1990 is already P500 million and, if we train 13 battalions, it would only be about P22 million.

So, I hope this responds to the questions of Senator Gonzales and the others.

Senator Pimentel. Mr. President.

The President. Senator Pimentel would like to say something. Senator Pimentel is recognized.

Senator Pimentel. Thank you, Mr. President. Is the distinguished Sponsor referring to this newly distributed copies of the bill with proposed amendments?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. And we are now on page 5?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. May I request that we go back to page 4, if that is still possible, Mr. President?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. At the end of Section 14, I would like to introduce the concept that conscientious objectors may be compelled to render civil or community service which is non-military in character. It is important for us to provide exemption for those who, out of conscience, really would have nothing to do with rendering military service.

Senator Guingona. Yes. They can be assigned to non-combat duties.

Senator Pimentel. Not only that. They can be in non-combat duty but they are still in the military. What we would like to introduce is a concept where a conscientious objector can be assigned to render, let us say, community service, an administrative work in one civilian office, that kind of thing.

Senator Guingona. Yes, Mr. President. We have an open mind there. We will accept that at the proper time.

Senator Pimentel. Thank you.

The President. So, we are still on page 5.

COMMITTEE AMENDMENTS

Senator Guingona. Yes, Mr. President.

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 President. Is that a Committee amendment?

Senator Guingona. Yes, Mr. President, on page 5, Section 22.

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

Senator Guingona. SEC. 24. *ACCEPTANCE BOARD.* - 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 A MAJORITY VOTE. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE PROCEDURES FOR THE OPERATION OF THE ACCEPTANCE BOARD.

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

Senator Guingona. SEC. 25. *COMPOSITION OF THE ACCEPTANCE BOARD.* - THE BOARD SHALL BE COMPOSED AS FOLLOWS:

(1) IN CHARTERED CITIES

LOCAL CIVIL REGISTRAR CHAIRMAN
CITY HEALTH OFFICER MEMBER
CHIEF OF POLICE MEMBER
ONE CIVIL LEADER (TO BE
CHOSEN BY LOCAL CIVIC
ORGANIZATIONS) MEMBER

The President. Is that "CIVIL" or "CIVIC"?

Senator Guingona. "CIVIC".

The President. All right. Is there any objection? [Silence] There being none, the amendment is approved.

Senator Guingona.

(2) IN MUNICIPALITIES

LOCAL CIVIL REGISTRAR/
MUNICIPAL TREASURER CHAIRMAN
MUNICIPAL HEALTH OFFICER MEMBER
CHIEF OF POLICE MEMBER
ONE CIVIC LEADER (TO BE
CHOSEN BY LOCAL CIVIC
ORGANIZATIONS) MEMBER

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

Senator Guingona. SEC. 26. *CLASSIFICATION OF SELECTED REGISTRANTS.* - REGISTRANTS SHALL UNDERGO PHYSICAL EXAMINATION TO BE CONDUCTED BY THE HEALTH OFFICER. THE ACCEPTANCE BOARD SHALL THEN CLASSIFY THEM INTO THE FOLLOWING CATEGORIES:

CLASS A - FIT FOR UNLIMITED SERVICE
CLASS B - FIT FOR LIMITED SERVICE ONLY
CLASS C - DEFERRED UNTIL LATER DATE
CLASS D - EXEMPTED FOR MENTAL/PHYSICAL
REASONS

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

Senator Guingona. SEC. 27. DEFERMENT FROM TRAINING. - THE ACCEPTANCE BOARD, UPON EVALUATION OF THE EVIDENCE TO SUPPORT APPLICATION FOR DEFERMENT, MAY GRANT DEFERMENT ON THE FOLLOWING GROUNDS AND CONDITIONS:

(1) INDIVIDUALS WHO ARE INDISPENSABLE TO THE SUPPORT OF THEIR DEPENDENT FAMILIES MAY BE GRANTED DEFERMENTS NOT EXCEEDING TWO YEARS AFTER WHICH THEY SHALL BE SUBJECT FOR TRAINING.

(2) STUDENTS ENROLLED IN THE RESERVE OFFICERS TRAINING CORPS IN COLLEGES AND UNIVERSITIES ARE AUTOMATICALLY GRANTED DEFERMENT WHICH SHALL NOT EXTEND BEYOND THE PERIOD THEY ARE TO COMPLETE THEIR BASIC ROTC TRAINING. STUDENTS WHO SUCCESSFULLY COMPLETE SUCH TRAINING SHALL BE EXEMPTED. THOSE WHO FAIL TO COMPLETE, OR DISCONTINUE THE TRAINING SHALL BE SUBJECT FOR TRAINING.

(3) SEMINARY STUDENTS OF ANY RELIGIOUS SECT SHALL BE GRANTED DEFERMENTS NOT EXCEEDING THE PRESCRIBED COURSE IN THE SEMINARY. THOSE WHO COMPLETE THE COURSE SHALL BE EXEMPTED FROM TRAINING. THOSE WHO FAIL TO COMPLETE SHALL BE SUBJECT FOR TRAINING.

(4) CADETS OF THE PHILIPPINE MILITARY ACADEMY AND OF OTHER MILITARY SERVICE ACADEMIES, LOCAL OR FOREIGN, TO INCLUDE CADETS OF THE PHILIPPINE MERCHANT MARINE ACADEMY AND OTHER SIMILAR LOCAL MERCHANT MARINE ACADEMIES DULY RECOGNIZED BY THE GOVERNMENT FOR THE TRAINING OF OFFICER CANDIDATES, INCLUDING THOSE SELECTED FOR CADETSHIP IN SUCH ACADEMIES, SHALL BE GRANTED DEFERMENT FOR NOT EXCEEDING TWO YEARS. THOSE WHO SUCCESSFULLY COMPLETE AT LEAST ONE HALF OF THE PRESCRIBED PERIOD OF THE COURSE SHALL BE EXEMPTED FROM TRAINING. THOSE WHO FAIL TO COMPLETE ONE HALF OF THE PRESCRIBED PERIOD SHALL, UPON THEIR DISCHARGE FROM THEIR COURSES, BE SUBJECT FOR TRAINING.

(5) HIGH SCHOOL STUDENTS WHO ARE IN THEIR LAST YEAR OF SCHOOLING MAY BE GRANTED DEFERMENT FOR NOT MORE THAN ONE YEAR.

(6) SELECTED REGISTRANTS RESIDING OR WORKING ABROAD SHALL BE GRANTED DEFERMENT FOR THE DURATION OF THEIR STAY ABROAD.

(7) ELECTED OFFICIALS AND PRESIDENTIAL APPOINTEES WHOSE APPOINTMENTS ARE PASSED UPON BY THE COMMISSION ON APPOINTMENTS DURING THEIR INCUMBENCY.

The President. Is there any objection?

Senator Enrile. Mr. President.

Senator Maceda. Mr. President.

The President. Senator Enrile is recognized first, and then Senator Maceda.

Senator Enrile. Just for clarification, Mr. President. May I know the reason why item No. 7 is included on deferment of elected officials and presidential appointees whose appointments are passed upon by the Commission on Appointments?

Senator Guingona. The reason is they are already rendering the service due to the nation, and therefore, it would be to the prejudice of the nation that they be taken away from the duties they are already discharging.

Senator Enrile. Does not the Gentleman think, Mr. President, that these elective officials and government functionaries should show by example that they are the first ones to lay down their lives in the battlefield if such a contingency should arise in the life of the nation?

Senator Guingona. Yes, Mr. President, that is a very valid thought. However, it was also suggested here the last time that because of the number of registrants, that we give preference to those who are unemployed, single, and who would be more responsive to volunteering.

Senator Enrile. I would say that if these people are blessed with trust and confidence by the Filipino people, they should be the first ones to go to the battlefields, and I would suggest that we delete paragraph 7 from these proposed amendments, if the Gentleman would care to accept this proposed amendment to his amendment?

Senator Guingona. We will be open, Mr. President.

ENRILE AMENDMENT

Senator Enrile. I am moving that this item No. 7 be deleted, Mr. President.

Senator Guingona. We accept the proposed amendment, Mr. President.

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

Senator Enrile. Thank you, Mr. President.

Senator Maceda. I noted the same item. If it was retained, I would have proposed that it be extended not only to elective officials but also to all appointive officials.

Anyway, the only other point I would like to bring out is, I am a little uncomfortable with No. 1, on individuals who are indispensable to the support of their dependent families. I think that as long as the condition of indispensability of support is there, it should not be limited to a two-year period.

So, I would like to propose that the "not exceeding two years" condition be deleted and we just leave it up to the Board to decide, and say that the indispensability of support cannot be limited to a certain period, if it is still there.

Senator Guingona. My problem with that is that this could be a subjective judgment on the part of the Board and if there were no limits, it could be a source of undue abuse. That is why the limitation is there. Perhaps the rules and regulations can cope with the possible extensions.

Senator Maceda. That is correct, it is subject to abuse. But I could very well see that, if a son happens to be the only bread earner in the family, and they are on a hand-to-mouth existence, minimum wage earner, for example, taking him out of his job even for six months, there should be some scheme that would be adopted that would extend some financial support in these cases. But it could very well be that, with a lot of our young kids for years and years at end, more than two years, they are the only bread earner in the family...

Senator Guingona. Yes, Mr. President. On the other side of the same picture, the same issue, we are giving preference to single unemployed person to undergo initial training. So, based on the figures here, for example, as of October 1989, 286,000 are unemployed, almost 300,000. So, in the nature of things, the one who is indispensable, assuming that he has employment, would not be selected.

MACEDA AMENDMENT

Senator Maceda. Maybe, we can have this amendment then: After the words "two years", we insert the words "AT ONE TIME."

Senator Guingona. May we hear that again.

Senator Maceda. "AT ONE TIME." Meaning to say, they can get two years. Then, after that, it could be reviewed again. Because, without that, this is absolute.

Senator Guingona. Yes, we agree with that, Mr. President.

Senator Maceda. Thank you.

The President. Senator Enrile is recognized. Is it on the same point?

Senator Enrile. No, Mr. President. I would like to clarify this entire Section.

Mr. President, with your permission. For clarification, I would like to ask whether this Section 27 establishes the proposition that this is inclusive. Meaning, all others who are not enumerated here cannot ask for deferment.

Senator Guingona. Yes, in theory, Mr. President.

Senator Enrile. How would the distinguished Gentleman treat a male or female member of the society who is on board the vessel, earning a living somewhere in the world as a seaman, and he comes of age for training, but he has a contract?

Senator Guingona. Section 22 on page 5, I think, answers that.

Senator Enrile. Yes, but he cannot come for training because he is in the North Pole or in the South Pole.

Senator Guingona. That is why they would have to qualify for the duration of their contract. On page 7, paragraph 6, states: "Selected registrants residing or working abroad shall be granted deferment for the duration of their stay abroad."

Senator Enrile. So that is covered by Section 32.

Senator Guingona. Yes, Mr. President.

Senator Enrile. In other words, if they are under contract and gainfully employed abroad, when they come of age for training, they should not be compelled to break their contract and come back for training, but rather, there should be also given to them the privilege of deferment.

Senator Guingona. Yes, Mr. President.

Senator Enrile. How about Filipino students studying in private colleges abroad, especially in military schools, would we require them to come back for training in spite of the fact that they are enrolled abroad in military schools?

Senator Guingona. No, Mr. President.

Senator Enrile. Will No. 2 then apply both to students enrolled in our local colleges and universities, as well as those enrolled in foreign universities?

Senator Guingona. I am sorry. No. 4, I think, will cover that.

Senator Enrile. So, No. 4 will take care of that, local or foreign, including cadets of the Philippine Merchant Marine. How about cadets of the Police Academy? Will they be included under No. 4?

Senator Guingona. Yes, Mr. President.

Senator Enrile. Although that academy is not mentioned. This paragraph simply mentions military service academies.

Senator Guingona. Yes, I would presume that that would include police academies.

Senator Enrile. Does not the Gentleman think that it would be better to include military or police service academies?

Senator Guingona. Yes, we have no objection, Mr. President.

Senator Enrile. I would propose an amendment along that line.

How about Filipino students studying abroad coming of age for training, would they be covered by the provision bearing on students, under No. 2, although they are not enrolled in reserve officers' schools? For instance, if Teofisto Guingona, Jr. happens to be at the Harvard law school, and he comes of age for training, would he have to come back to Manila for training?

Senator Guingona. I think, Subsection (6), page 7, "SELECTED REGISTRANTS RESIDING OR WORKING ABROAD SHALL BE GRANTED DEFERMENT FOR THE DURATION OF THEIR STAY ABROAD", would apply.

Senator Enrile. Would the meaning of "residing" then refer to temporary sojourn as a student abroad, not necessarily a permanent residency?

Senator Guingona. Yes, Mr. President.

Senator Enrile. Thank you, Mr. President. My last question is: How about people who may not want to be trained in the art of war because of religious belief, like the Jehovah's Witnesses?

Senator Guingona. I think that would come under the class of "conscientious objectors" voiced by Senator Pimentel. We can have an amendment, so that they can be assigned noncombatant or community service duties.

Senator Enrile. Thank you, Mr. President.

The President. All right. Let us dispose of the Maceda amendment.

Senator Guingona. Yes, Mr. President.

The President. The Maceda amendment is AT ANY ONE TIME. Is there any objection to that? [Silence] There being none, the amendment is approved.

Senator Saguisag. Mr. President.

The President. Senator Saguisag is recognized.

Senator Saguisag. May I move for a reconsideration of the ruling. I was raising my hand, Mr. President.

The President. All right.

Senator Saguisag. I would like to pursue the point, because, really, if there is indispensability for purposes of support, if there is discretion as to whether the exemption here would be renewed or not when it is obvious that it is a hardship case, I do not think it should be subjected to any limitations, otherwise, it will just be operated against the poor, because the rich ones are those who can afford to go to college and take advantage of Section 2 via the ROTC.

The President. That was the observation of Senator Maceda.

Senator Saguisag. I know, Mr. President, but the periodic renewal in itself could be open to subtle influences, even to outright corruption when it may be obvious baka po after two years lalong hirap na hirap. Baka namatayan iyong isa pang breadwinner. Anyway, the system cannot really handle all these hundreds of thousands of applications. So, to me, I like better the original formulation of Senator Maceda, if he would not mind.

The President. Alisin na iyong dalawang taon?

Senator Saguisag. Opo, kasi ang tatamaan nito ay iyong mga pobre, dahil sa iyong may kaya ay makaka-exempt.

The President. Di kinakailangang i-reconsider muna natin iyong Maceda amendment?

Senator Saguisag. Iyon po ang hinihingi ko kung papayag kayo, kung papayag ang mga Kasamahan, and particularly, Senator Maceda, na I thought the original formulation was more compassionate in relation to the poor.

SUSPENSION OF THE SESSION

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

Why do we not suspend the session for a moment, if there is no objection? [There was none.]

It was 4:22 p.m.

RESUMPTION OF THE SESSION

At 4:28 p.m., the session was resumed.

The President. The session is resumed.

Senator Guingona. Mr. President, after conferring with Senator Saguisag, he proposed that instead of "TWO", it be made "THREE YEARS". And so, the proposed amendment will read:

INDIVIDUALS WHO ARE INDISPENSABLE TO THE SUPPORT OF THEIR DEPENDENT FAMILIES MAY BE GRANTED DEFERMENTS NOT EXCEEDING THREE YEARS AT ANY ONE TIME AFTER WHICH THEY SHALL BE SUBJECT FOR TRAINING.

The President. Does he mean at any one time?

Senator Guingona. At any one time.

The President. All right. Senator Herrera is recognized.

Senator Herrera. My concern are those workers who are contracted for a specific period. So, if the contract is for four years, why should we not exempt him especially if there is no chance that he can look for another job? And many of these workers, especially the overseas workers, have their contracts. It can be more than two years or three years. So that, my suggestion is that let us exempt those overseas workers until they come back; and those workers who are contracted for a specific period, until their contract expires.

Senator Guingona. Yes, Mr. President, there is a deferment here for those who have contracts abroad for the duration of their contract.

Senator Herrera. It is not in the bill.

The President. Bakit hindi muna natin tapusin iyong point at issue. Why do we not finish it first? We are in Subsection (1) of Section 27 and Senator Saguisag has proposed the amendment already agreed to by Senator Guingona: THREE YEARS AT ANY ONE TIME.

Senator Guingona. Yes, Mr. President.

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

All right, Senator Herrera is recognized.

Senator Guingona. In response to Senator Herrera, I think it is on page 7, Subsection (6), "SELECTED REGISTRANTS RESIDING OR WORKING ABROAD SHALL BE GRANTED DEFERMENT FOR THE DURATION OF THEIR STAY ABROAD."

Senator Herrera. That is for the overseas workers. But what about those workers who may be working within the country but for a specific period, say, for four years? I think, they should be exempted until the contract expires.

Senator Guingona. In the nature of things, we have given priority to the unemployed, the single and the volunteers. So that, those who are working will not be included in the training.

Senator Herrera. Pero mabuti na siguro na we will make it clear in the bill that those who are contracted for a specific period should be exempted until their contract expires.

Senator Guingona. Yes, in the period of amendments.

Senator Herrera. All right.

Senator Guingona. Mr. President, we are on page 7, Section 28:

APPEAL FROM DECISION OF THE ACCEPTANCE BOARD. - WHERE THE ACCEPTANCE BOARD DENIES THE CLAIM OF AN INDIVIDUAL FOR DEFERMENT, HE MAY WITHIN THIRTY DAYS AFTER RECEIPT OF WRITTEN NOTIFICATION BY THE BOARD APPEAL HIS CASE IN WRITING DIRECTLY TO THE SECRETARY OF NATIONAL DEFENSE. THE SECRETARY OF NATIONAL DEFENSE SHALL RENDER A DECISION THEREON WITHIN SIXTY DAYS FROM THE DATE OF FILING OF APPEAL. THE APPELLANT SHALL BE ACCORDED THE RIGHT TO ENJOY THE RIGHT TO BE HEARD BY HIMSELF AND COUNSEL AND TO PRESENT EVIDENCE IN HIS BEHALF. THE DECISION OF THE SECRETARY OF NATIONAL DEFENSE SHALL BE FINAL.

The President. Baka wala nang gagawin ang Secretary of National Defense kung hindi ito.

Senator Guingona. No, he will assign the appropriate assistants.

The President. I can imagine he will be flooded with appeals.

Senator Guingona. There are adequate personnel.

The President. I hope so. Anyway, is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Pimentel is recognized.

Senator Pimentel. Mr. President, I am sorry, but I have to ask the Gentleman's forbearance in hearing this issue on the deferment of registrants residing or working abroad. The reason for my apprehension is not only as regards the workers but of those who, because of their affluence, will be able to subvert the intention of this law by enrolling their children abroad which can always be done by those who have money. Also, I understand that the compulsory registration is for those between the ages of 18 and 35. Supposing he is 34 and he is already abroad for one year, after that, he will no longer be compelled.

Senator Guingona. I understand that there is an amendment to make it 25. At any rate, the same principle applies.

Senator Pimentel. The same principle will apply.

Senator Guingona. If he is already abroad and he is —

Senator Pimentel. Twenty-four years old.

Senator Guingona. — twenty-four years old, there is no exact provision on that. He would have to be covered. But since he is abroad, that is the problem.

Senator Pimentel. Yes. At any rate, what we are saying here is that, as long as he is here in the country, and he is between 18 and 25, he is subject to compulsory registration.

Senator Guingona. Yes. If he is abroad, he registers with the officials of the Philippine government abroad.

Senator Pimentel. Yes. I just brought that up as part of my concerns.

Senator Guingona. "SEC. 29. EXPENSES OF THE ACCEPTANCE BOARD. - THE EXPENSES INCIDENT TO

THE OPERATION OF THE ACCEPTANCE BOARD SHALL BE BORNE BY THE DEPARTMENT OF NATIONAL DEFENSE WHICH SHALL INCLUDE THE FUNDS THEREFOR IN ITS ANNUAL APPROPRIATIONS. THE NATURE AND AMOUNT OF SUCH EXPENSES SHALL BE PRESCRIBED BY THE SECRETARY OF NATIONAL DEFENSE. MEMBERS OF THE ACCEPTANCE BOARD SHALL NOT RECEIVE ANY SALARY OR COMPENSATION FOR THEIR SERVICES IN THE BOARD. THEY SHALL BE ENTITLED TO RECEIVE ALLOWANCES AS THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE."

The President. Is there any objection? Senator Saguisag is recognized.

Senator Saguisag. Is it a fair question to ask how much we are talking about here? Maybe, some ball-park figures.

Senator Guingona. Five members per Acceptance Board. In every municipality, one; and in every city, one. Assuming that there is a per diem of P100....

SUSPENSION OF THE SESSION

The President. Why do we not suspend the session for a while so the computation can be done, if there is no objection? *[There was none.]*

It was 4:37 p.m.

RESUMPTION OF THE SESSION

At 4:40 p.m., the session was resumed.

The President. The session is resumed.

Senator Guingona. Mr. President, we will suspend consideration of Section 29 until the computation shall have been done, together with the canvassers.

The President. All right.

Senator Guingona. SEC. 30. FINAL ACCEPTANCE BY THE BOARD. - REGISTRANTS WHO SHALL HAVE BEEN FINALLY QUALIFIED AND SELECTED BY THE ACCEPTANCE BOARD SHALL BE REPORTED TO THE SECRETARY OF NATIONAL DEFENSE. THOSE SELECTED SHALL UPON INSTRUCTION REPORT TO THE DESIGNATED MILITARY CAMP OR UNIT FOR TRAINING.

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

Senator Guingona. SEC. 31. *PROCUREMENT OF RESERVIST OFFICERS AND NON-COMMISSIONED OFFICERS FOR AFFILIATED RESERVE UNITS.* - KEY OFFICERS AND EMPLOYEES OF GOVERNMENT OR PRIVATE ENTITIES, CORPORATIONS, ESTABLISHMENTS AND ORGANIZATIONS WHICH HAVE AFFILIATED UNITS SHALL BE ENCOURAGED TO UNDERGO MILITARY TRAINING TO QUALIFY THEM AS RESERVE OFFICERS OR NON-COMMISSIONED OFFICERS. AS SUCH, THEY SHALL BE ASSIGNED TO KEY POSITIONS IN THE AFFILIATED UNITS WHERE THEY ARE EMPLOYED AND CALLED TO ACTIVE SERVICE WITH THESE UNITS ONCE THEY ARE ACTIVATED.

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

Senator Guingona. SEC. 32. *SECURITY OF TENURE IN GOVERNMENT OR PRIVATE EMPLOYMENT WHILE ON MILITARY TRAINING.* - AN EMPLOYEE OF A GOVERNMENT-OWNED OR -CONTROLLED CORPORATION OR PRIVATE EMPLOYMENT WITH MONTHLY OPERATING VOLUME OF NOT LESS THAN THREE HUNDRED THOUSAND PESOS AND NOT LESS THAN TWENTY EMPLOYEES, WHO UNDERGOES MILITARY TRAINING, SHALL NOT BE SEPARATED OR TERMINATED FROM SUCH EMPLOYMENT, SHALL NOT FORFEIT HIS SENIORITY STATUS, IF ANY, AND SHALL CONTINUE TO RECEIVE THE SALARY HE WAS RECEIVING PRIOR TO HIS CALL TO MILITARY TRAINING. IN THE CASE OF PRIVATE EMPLOYMENT, PAYMENT OF BASIC SALARY DURING SUCH MILITARY TRAINING SHALL BE IN ACCORDANCE WITH EXISTING LAWS OR WITH HIS COMPANY'S POLICIES ON ITS EMPLOYEES ON LEAVE FROM HIS EMPLOYMENT. UPON TERMINATION OF HIS MILITARY TRAINING, HE SHALL RESUME HIS FORMER POSITION, OR IF NOT PRACTICABLE, ASSIGNED TO A NEW POSITION WITHOUT DIMINUTION OF HIS PAY AND ALLOWANCES, PROVIDED HE IS HONORABLY TERMINATED OR DISCHARGED FROM SUCH TRAINING OR SERVICE, OTHERWISE HIS RECORD OF DISHONORABLE DISCHARGE FROM MILITARY TRAINING OR SERVICE SHALL BE TAKEN INTO ACCOUNT AS TO WHETHER HE SHOULD BE REINSTATED TO HIS FORMER EMPLOYMENT.

The President. With respect to that forfeiture, should it not read: "SHALL NOT BE CONSIDERED AS HAVING FORFEITED"?

Senator Guingona. Yes, Mr. President.

Senator Rasul. Mr. President.

The President. Senator Rasul is recognized.

Senator Rasul. I wonder, if the security of tenure referred to in Section 32 and which refers to security of tenure of those working in government-owned or -controlled corporations also applies to other government agencies.

Senator Guingona. Yes, Mr. President.

Senator Rasul. Is there any provision in this bill that gives the same privilege to those working in other branches of the government?

The President. The title says: SECURITY OF TENURE IN GOVERNMENT.

Senator Rasul. "IN GOVERNMENT OR PRIVATE EMPLOYMENT..." The section speaks of an employee of a government-owned or -controlled corporation. I was wondering if this also includes employees in other government offices, not necessarily government-owned corporations.

The President. It should read: "AN EMPLOYEE IN THE GOVERNMENT INCLUDING..."

Senator Guingona. Yes, Mr. President.

Senator Rasul. Thank you, Mr. President.

The President. Is there any objection, as amended? [Silence] There being none, the amendment is approved.

Senator Guingona. SEC. 33. *DRAFTEE TRAINING AND SERVICE.* - AS MAY BE ORDERED BY THE PRESIDENT, MALE CITIZENS BETWEEN THE AGES OF EIGHTEEN AND THIRTY-FIVE...

There has been an amendment that has been proposed and which we are prone to accept. Instead of "EIGHTEEN AND THIRTY-FIVE", "EIGHTEEN AND TWENTY-FIVE" SHALL BE CALLED FOR TRAINING AND ACTIVE SERVICE FOR A PERIOD NOT TO EXCEED TWENTY-FOUR MONTHS, BROKEN DOWN INTO A TRAINING PERIOD OF NOT MORE THAN SIX MONTHS AND AN ACTIVE SERVICE PERIOD OF NOT MORE THAN EIGHT MONTHS. REGISTRANTS SHALL BE SELECTED FOR DRAFTEE TRAINING AND SERVICE IN ACCORDANCE WITH SECTIONS 14 TO 26 HEREIN. A DRAFTEE MAY VOLUNTEER AND BE ACCEPTED FOR AN EXTENSION OF ACTIVE SERVICE OF NOT MORE THAN TWELVE

CONSECUTIVE MONTHS, AFTER WHICH HIS SERVICES AS DRAFTEE SHALL BE TERMINATED. A DRAFTEE DURING THE PERIOD OF HIS ACTIVE DUTY SERVICE IS ENTITLED TO RECEIVE ALL THE PAY AND ALLOWANCES DUE HIS GRADE AS RECEIVED BY ANY MEMBER OF THE REGULAR FORCE: *PROVIDED*, THAT UPON TERMINATION OF HIS DRAFTEE SERVICE, HE SHALL RECEIVE A SEPARATION GRATUITY OF NOT LESS THAN ONE MONTH SALARY FOR EVERY YEAR OF HIS SERVICE TO INCLUDE THE SIX MONTHS OF TRAINING UPON THE CONDITION THAT A PERIOD OF SIX MONTHS SHALL BE CONSIDERED A COMPLETE YEAR FOR PURPOSES OF GRATUITY."

The President. Is there any objection?

Senator Gonzales. Mr. President.

The President. Senator Gonzales is recognized.

Senator Gonzales. Mr. President, may I just clarify certain points from the distinguished Sponsor?

Senator Guingona. Yes, Mr. President.

Senator Gonzales. This is definitely better than the original. I just want some clarifications. So the age group required to register for military training is from 18 to 25?

Senator Guingona. Yes, Mr. President.

Senator Gonzales. All of them, of course, will not undergo military training, but only such number as shall have been determined by the Acceptance Board in accordance with the rules and regulations that the Armed Forces may provide. Is it not, Mr. President?

Senator Guingona. Yes, Mr. President.

Senator Gonzales. If one is not chosen by the Acceptance Board in a year, the following year he will have to register again?

Senator Guingona. He will have to register again.

Senator Gonzales. So that, if one is not called at all for the next seven years, he will have to register every year for military training. Is that the concept, Mr. President?

Senator Guingona. Yes, until after reaching the age of 25.

Senator Gonzales. So, in short, iyong talagang hindi natatawag, taun-taon magre-register ka for military training until tumanda ka na that you shall have passed the age of 25?

Senator Guingona. Opo.

Senator Gonzales. Sige po. Iyon lamang po ang gusto kong malinawan. Si Ka Teroy ay tumitingin sa akin. Umiling po. [Laughter]

Thank you, Mr. President.

The President. Baka naman gustong magtanong ni Ka Teroy. [Laughter] Is there any objection? [Silence] There being none, the amendment is approved.

Senator Guingona. Section 34, Mr. President.

RETENTION FOR MAXIMUM HOSPITALIZATION - A RESERVIST/DRAFTEE WHO IS INJURED OR CONTACTS A DISEASE OR SICKNESS WHILE UNDERGOING TRAINING AND SERVICE, NOT DUE TO HIS INTENTIONAL MISCONDUCT, WILLFUL FAILURE OR NEGLECT, OR VICIOUS OR IMMORAL HABITS, SHALL BE RETAINED BEYOND THE PERIOD OF HIS RESERVIST SERVICE WITH HIS CONSENT FOR THE NECESSARY HOSPITALIZATION AND MEDICAL CARE UNTIL SUCH TIME THAT HE RECOVERS, OR IS DETERMINED THAT FURTHER HOSPITALIZATION WILL NOT IMPROVE HIS CONDITION. DURING THE PERIOD OF HOSPITALIZATION, HE SHALL BE ENTITLED TO SUBSISTENCE ALLOWANCES AND HOSPITALIZATION BENEFITS AS ARE AVAILABLE TO THE MEMBERS OF THE REGULAR FORCE WHO ARE PATIENTS IN ARMED FORCES HOSPITALS."

The President. Is there any objection? Any comments? [Silence] There being none, the amendment is approved.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

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

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

Senator Guingona. Mr. President.

The President. Why do we not call a break first?

Senator Guingona. Yes. I just wanted to say that during our last caucus, we agreed to have another caucus, if possible, on the Foreign Service Act, but we have already closed the period of interpellations. If the Sponsor is ready with the amendments, we can proceed with the period of amendments.