

RECORD OF THE SENATE

TUESDAY, MARCH 27, 1990

OPENING OF THE SESSION

At 3:03 p.m., the Honorable Sotero H. Laurel, President Pro Tempore of the Senate, called the session to order.

The President Pro Tempore. Binubuksan ang pulong ng Senado.

Pangungunahan tayo sa panalangin ni Senate President Jovito R. Salonga.

Everybody remained standing for the opening prayer.

PRAYER

Senator Salonga.

O God of truth and wisdom and power:

You know us better than we know ourselves.

You know our secret thoughts, our hidden motives, and there is no way we can deceive You.

Help us to be what we really are, without any pretense, but always aspiring to be what You want us to be — serving You and serving our people with integrity, courage, and dedication. Teach us to follow the dictates of our conscience, regardless of the applause of the crowd or the heckling of the cynics. We know that if we are with You every step of the way, nothing else should matter.

In Jesus' name,

Amen.

ROLL CALL

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

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.	**
Senator Ernesto M. Maceda	Present

*Arrived after the roll call

**On official mission

Senator Orlando S. Mercado	Present*
Senator John H. Osmefia	Present
Senator Vicente T. Paterno	Present
Senator Aquilino Q. Pimentel, Jr.	Present
Senator Santanina T. Rasul	**
Senator Alberto G. Romulo	Present
Senator Rene A.V. Saguisag	Present
Senator Leticia Ramos Shahani	**
Senator Mamintal Abdul J. Tamano	Present
Senator Wigberto E. Tañada	Present
Senator Victor S. Ziga	Present
The President	Present.

The President Pro Tempore. Labingwalong Senador ang dumalo sa ating pagpupulong; mayroon tayong korum.

THE JOURNAL

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

The President Pro Tempore. 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.

March 21, 1990

Mr. President:

I have been directed to inform the Senate that in view of the disagreeing provisions of House Bill No. 28379, entitled

AN ACT TO DECLARE THE EIGHTH DAY OF MARCH OF EVERY YEAR AS A SPECIAL PUBLIC HOLIDAY TO BE KNOWN AS THE NATIONAL WOMEN'S DAY,

passed by the House of Representatives on March 7, 1990 and Senate Bill No. 1430, entitled

AN ACT TO DECLARE MARCH EIGHT OF EVERY YEAR AS AN OFFICIAL WORKING HOLIDAY FOR WOMEN TO BE KNOWN AS NATIONAL WOMEN'S DAY,

which was passed by the Senate on March 12, 1990, the House of Representatives on March 20, 1990 requests a conference on these two bills and has designated Congressmen Pablo P. Garcia, Cirilo Roy G. Montejo, and Congresswomen

RESUMPTION OF THE SESSION

At 6:00 p.m., the session was resumed with the Honorable Jovito R. Salonga, President of the Senate, presiding.

The President. The session is resumed.

SUSPENSION OF CONSIDERATION OF
SENATE BILL NO. 155

Senator Guingona. Mr. President, may I move that we suspend consideration of Senate Bill No. 155.

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

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

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

The President. Consideration of Senate Bill No. 88 is now in order. With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 88, entitled

AN ACT PROVIDING FOR THE ADMINISTRATION,
ORGANIZATION, TRAINING, MAINTENANCE
AND UTILIZATION OF CITIZEN SOLDIERS
OR RESERVISTS OF THE ARMED FORCES OF
THE PHILIPPINES, AND FOR OTHER
PURPOSES.

The following is the full text of Senate Bill No. 88:

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

ARTICLE I. TITLE

SECTION 1. *TITLE OF THIS ACT.* - THIS ACT SHALL BE KNOWN AS THE "CITIZEN SOLDIERS OR AFP RESERVISTS ACT."

ARTICLE II. DECLARATION OF PRINCIPLES

SEC. 2. *THE REGULAR FORCE.* - IT IS THE POLICY OF THE STATE TO MAINTAIN A SMALL STANDING OR REGULAR MILITARY FORCE IN TIME OF PEACE CONSONANT WITH ITS ADEQUATE AND ACTUAL NEEDS ON THE SECURITY OF THE STATE BUT WHICH CAN BE RAPIDLY EXPANDED BY THE WELL-DISCIPLINED CITIZEN ARMED FORCE IN THE EVENT OF WAR, INVASION, OR REBELLION.

SEC. 3. *THE SECURITY AND SOCIO-ECONOMIC DEVELOPMENT OF THE STATE.* - THE CITIZEN ARMED

FORCE SHALL BE PROVIDED THE MAXIMUM OPPORTUNITY TO PARTICIPATE IN SAFEGUARDING THE SECURITY OF THE STATE AND IN ASSISTING IN SOCIO-ECONOMIC DEVELOPMENT.

SEC. 4. *THE CALL TO PERSONAL MILITARY AND CIVIL SERVICE.* - THE CITIZEN ARMED FORCE SHALL BE SO ORGANIZED, TRAINED, DEVELOPED AND MAINTAINED AS TO ENSURE THEIR READINESS TO IMMEDIATELY RESPOND TO THE CALL FOR SERVICE.

SEC. 5. *THE PUBLIC AWARENESS.* - THE STATE SHALL PROMOTE AND DEVELOP PUBLIC SUPPORT TO AND AWARENESS OF THE IMPORTANT ROLE OF THE CITIZEN ARMED FORCE AS A PROTECTOR OF THE PEOPLE AND THE STATE.

SEC. 6. *THE MANPOWER OF THE CITIZEN ARMED FORCE.* - THE MANPOWER OBJECTIVE FOR THE CITIZEN ARMED FORCE SHALL CONFORM TO PROJECTED AND ACTUAL NEED. IT IS NOT ENVISIONED BY THE STATE TO HAVE A NATION UNDER ARMS, UNLESS EXTREMELY NECESSARY.

ARTICLE III. MISSION AND ORGANIZATION
OF THE CITIZEN ARMED FORCE

SEC. 7. *MISSION.* - THE MISSION OF THE CITIZEN ARMED FORCE, ALTERNATELY REFERRED TO AS THE RESERVE FORCE, IS TO PROVIDE THE BASE FOR THE EXPANSION OF THE ARMED FORCES OF THE PHILIPPINES IN THE EVENT OF WAR, INVASION, OR REBELLION; TO ASSIST GOVERNMENT FORCES IN THE MAINTENANCE OF LOCAL SECURITY, LAW, AND ORDER; ASSIST IN RELIEF AND RESCUE OPERATIONS DURING DISASTERS OR CALAMITIES; ASSIST IN SOCIO-ECONOMIC DEVELOPMENT; AND ASSIST IN THE OPERATION AND MAINTENANCE OF ESSENTIAL GOVERNMENT OR PRIVATE UTILITIES IN THE FURTHERANCE OF OVERALL MISSION.

SEC. 8. *ORGANIZATION.* - THE RESERVE FORCE SHALL BE ORGANIZED INTO FIVE COMPONENTS, NAMELY:

- (1) ARMY RESERVE COMPONENT
- (2) AIR FORCE RESERVE COMPONENT
- (3) NAVY RESERVE COMPONENT
- (4) AFP-WIDE TECHNICAL RESERVE COMPONENT
- (5) AFFILIATED RESERVES

SEC. 9. *ORGANIZATION OF RESERVE COMPONENTS.* - THE ORGANIZATION OF EACH COMPONENT OF THE RESERVE FORCE AND THE MANPOWER OBJECTIVE OF EACH COMPONENT SHALL BE AS PRESCRIBED BY THE NATIONAL SECURITY COUNCIL. THE ORGANIZATION, STRUCTURE, MANNING, AND EQUIPMENT OF RESERVE UNITS SHALL CONFORM TO THE ORGANIZATION OF THE REGULAR FORCE. RESERVE UNITS OF A BATTALION TYPE OR EQUIVALENT SHALL BE ORGANIZED ON A PROVINCIAL BASIS, AND RESERVE UNITS OF A

BRIGADE AND DIVISION TYPE OR EQUIVALENT ON A REGIONAL BASIS. THE ORGANIZATIONAL STRUCTURE AND MANNING OF THE AFFILIATED RESERVE UNITS WILL BE PRESCRIBED BY THE SECRETARY OF NATIONAL DEFENSE AND WILL AS MUCH AS POSSIBLE CONFORM TO THEIR EXISTING CIVILIAN ORGANIZATION.

SEC. 10. *AFFILIATED RESERVES.* - AS THE PRESIDENT SHALL APPROVE UPON THE RECOMMENDATION OF THE SECRETARY OF NATIONAL DEFENSE, CERTAIN PRIVATE AND GOVERNMENT ENTITIES, CORPORATIONS, ESTABLISHMENTS AND ORGANIZATIONS AT THE NATIONAL, PROVINCIAL AND MUNICIPAL LEVELS WHICH PROVIDE ESSENTIAL PUBLIC SERVICES SUCH AS WATER, LIGHT, TRANSPORTATION, AND COMMUNICATION WHICH ARE NECESSARY TO SUPPORT THE PROSECUTION OF NATIONAL DEFENSE PLANS OR TO MEET AN EMERGENCY SHALL BE ORGANIZED AS AFFILIATED UNITS OF THE RESERVE FORCE. THESE AFFILIATED UNITS SHALL BE CONSTITUTED BY THE APPROPRIATE ORDERS TO BE ISSUED BY THE SECRETARY OF NATIONAL DEFENSE, GIVEN UNIT DESIGNATIONS AND ASSIGNED TO THE APPROPRIATE RESERVE COMPONENTS OF THE ARMED FORCES OF THE PHILIPPINES (AFP). THE ROSTER OF THE OFFICIALS AND EMPLOYEES OF THESE AFFILIATED UNITS SHALL BE INCLUDED IN THE ORDERS CONSTITUTING THE UNITS. THESE UNITS SHALL BE SO UTILIZED IN TIMES OF WAR OR EMERGENCY TO ENSURE THE CONTINUOUS AND UNINTERRUPTED PROVISION OF THE ESSENTIAL SERVICES THEY ARE RENDERING.

[SECTION 2] ARTICLE IV. DEFINITION OF
CITIZEN SOLDIERS

SEC. 11. *Definition of Citizen Soldiers.* - Citizen soldiers are reservists of the Armed Forces of the Philippines (AFP) who shall constitute armed force as provided for in Article XVI, Section 4 of the 1987 Constitution of the Republic of the Philippines. Citizen soldiers [are] INCLUDE those citizens of the Philippines who are:

1. Graduates of the [Citizen Military Training (formerly the Reserve Officers Training Corps)] RESERVE OFFICERS TRAINING CORPS (ROTC) basic and advance courses and AFP Training Command/service schools and who, as a result thereof, were issued orders as reservists or reservist officers of the AFP;

2. Graduates of the [20-year-old trainee instruction] AUTHORIZED BASIC MILITARY TRAINING INSTRUCTIONS and who, as a result thereof, were issued orders as reservists of the AFP;

3. Ex-servicemen of the AFP and the United States Armed Forces who were honorably discharged from the service and are Filipino Citizens;

4. Recognized World War II guerillas who were honorably discharged from the service;

5. Commissioned and non-commissioned officers and enlisted personnel procured under Project 36-70;

6. Members of the Integrated Civilian Home Defense Force (ICHDF) and private security units who have completed the ICHDF and Security Guard Basic Military Course and were subsequently issued orders as reservists of the AFP]

ARTICLE [II] V. CATEGORIZATION AND
CLASSIFICATION OF CITIZEN SOLDIERS

SECTION [3] 12. *Categories of Citizen Soldiers.* - There shall be three (3) categories of reservists or citizen soldiers: the First Category Reserve, the Second Category Reserve and the Third Category Reserve.

1. *First Category Reserve.* - The First Category Reserve shall be composed of able-bodied reservists whose ages are between [twenty (20)] EIGHTEEN (18) years and thirty-five (35) years inclusive.

2. *Second Category Reserve.* - The Second Category Reserve shall be composed of able-bodied reservists whose ages are between thirty-six (36) years and fifty-one (51) years inclusive.

3. *Third Category Reserve.* - The Third Category Reserve shall be composed of able-bodied reservists who are above fifty-one (51) years of age.

SECTION 13. *Classification of Reserve Force Units.* - Based on the categorization provided in Section 12 [3] above, the Reserve Force Units shall further be classified into the Ready Reserve, the Standby Reserve and the Retired Reserve, BASED ON THEIR OPERATIONAL READINESS FOR IMMEDIATE DEPLOYMENT/UTILIZATION.

1. *Ready Reserve.* - The Ready Reserve shall be composed of citizen soldiers belonging mostly to the First Category Reserve and others as provided in the Act, who shall be organized, trained and maintained as mobilizeable ready reserve subject to call at any time to augment the regular armed force of the AFP not only in time of war or national emergency but also to meet local emergencies arising from calamities, disasters and threats to peace, order, security and stability in any locality including the need to provide assistance in relief and rescue work and other civil assistance activities.

Any reservist or citizen soldier belonging to the Second Category Reserve and/or the Third Category Reserve, particularly the commissioned and non-commissioned officers, who will volunteer to serve with the Ready Reserve shall be allowed, if qualified and fit for duty, to join and actively participate as part of the Ready Reserve and shall serve with an appropriate Ready Reserve Unit.

Furthermore, members of the AFP affiliated Reserve Units of the various government and private utilities and services considered essential for preservation of the economic stability of the country or particular locality, such as power and electricity, water supply, transportations and communications, among others, regardless of the categorization shall be classified as Ready Reserve.

All citizen soldiers belonging to the First Category Reserve, except those exempted under this Act, shall be required to serve with Ready Reserve Units and will have assignments and promotions [similar to that of the active force] IN ACCORDANCE WITH EXISTING POLICIES OF THE AFP until [they shall have been] transferred to the Standby Reserve by virtue of their age.

The following citizen soldiers may be exempted from rendering service with said Reserve Units:

- (a) Active members of the Armed Forces of the Philippines and the Integrated National Police;
- (b) Those who are residing abroad but only during the duration of their absence from the Philippines;
- (c) Those who are physically and mentally unfit to serve their tour of duty;
- (d) Those who are convicted for crimes involving moral turpitude AND HAVE DEROGATORY RECORDS; and
- (e) STUDENTS OF COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS WHO ARE UNDERGOING ROTC TRAINING DURING THE PENDENCY OF THEIR TRAINING RECOGNIZED BY THE MILITARY AUTHORITIES AS AMONG THOSE UNDERGOING TRAINING TO QUALIFY AS RESERVISTS.

[(e)] (f) Those who may be exempted from duty for valid reasons which may be authorized on a case-to-case basis by appropriate and competent authority. For this purpose, the AFP shall issue such appropriate guidelines, rules and regulations as may be necessary.

2. *Standby Reserve* - The Standby Reserve shall be composed of citizen soldiers belonging mostly to the Second Category Reserve and the Third Category Reserve, except as provided in this Act. Members of the Standby Reserve shall be organized and assigned to [paper] SPECIFIED reserve units and shall be maintained through annual assembly tests to update their records and their present addresses, among others. The Standby Reserve may be mobilized or ordered to active duty only in times of national emergency or war. Ranks of members of the Standby Reserve may be upgraded if they voluntarily participate in training or serve with the Ready Reserve Units in their areas or if their Standby Reserve Units undergo retraining. They will, however, be encouraged to upgrade their military knowledge and skills by taking up non-resident or resident courses which shall be set up for the purpose.

3. *Retired Reserve*. - The Retired Reserve shall be composed of citizen soldiers who have qualified for retirement through length of service, old age or disability. For this purpose, sixty-five (65) years will be considered as the retirement age. However, if qualified and fit for duty, a member of the Retired Reserve may be ordered to active duty in times of local or national emergencies if he volunteers for active duty and when the Secretary of National Defense determines that there are not enough qualified citizen soldiers with his special skills and qualifications in the Ready Reserve

or the Standby Reserve in his particular area of residence.

[ARTICLE III. ADMINISTRATION, ORGANIZATION AND TRAINING]

ARTICLE VI. MANPOWER DEVELOPMENT

**NOTE: Insert the following pertinent provisions on Manpower Development.*

SECTION 14. *COMPULSORY MILITARY REGISTRATION AND TRAINING*. - ALL MALE CITIZENS BETWEEN THE AGES OF 18 AND 35 YEARS, WHO ARE NOT RESERVISTS SHALL BE REQUIRED TO REGISTER FOR MILITARY INSTRUCTION. REGISTRATION SHALL TAKE PLACE IN SUITABLE REGISTRATION PLACES TO BE PRESCRIBED BY THE CITY, OR MUNICIPAL GOVERNMENT BETWEEN THE DATES OF APRIL FIRST AND SEVENTH COMMENCING ONE YEAR AFTER THE EFFECTIVITY OF THIS ACT. ANNUAL REGISTRATIONS SHALL BE HELD DURING THE SAME PERIOD IN SUCCEEDING YEARS.

SEC. 15. *EXEMPTION FROM COMPULSORY MILITARY TRAINING*. - THE FOLLOWING ARE EXEMPTED:

- (1) MEMBERS OF THE CLERGY OF ANY RELIGIOUS ORDER OR SECT;
- (2) THOSE IN THE ACTIVE SERVICE OF THE ARMED FORCES OF THE PHILIPPINES AND POLICE MEMBERS OF THE INTEGRATED NATIONAL POLICE;
- (3) SUPERINTENDENT AND UNIFORMED MEMBERS OF THE NATIONAL PENITENTIARY, CORRECTIVE INSTITUTIONS, AND INSANE ASYLUMS; AND
- (4) LICENSED AIR AND MARITIME PILOTS, NAVIGATORS AND MERCHANT MARINE OFFICERS.

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.

SEC. 17. *PERSONS DISQUALIFIED OR EXEMPTED FROM REGISTRATION*. - THE FOLLOWING PERSONS ARE DISQUALIFIED OR EXEMPTED FROM REGISTERING:

- (1) PERSONS WHO ARE DISQUALIFIED BY LAW FROM EMPLOYMENT IN GOVERNMENT SERVICE;
- (2) THOSE WHO ARE PHYSICALLY OR 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;

(4) THOSE CONVICTED BY FINAL JUDGMENT FOR CRIMINAL OFFENSES INVOLVING MORAL TURPITUDE. THOSE KNOWN IN THE COMMUNITY AS HAVING DEROGATORY RECORD OR OF DISREPUTABLE CONDUCT AND CHARACTER;

(5) STUDENTS OF COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS WHO ARE UNDERGOING ROTC TRAINING DURING THE PENDENCY OF THEIR TRAINING RECOGNIZED BY THE MILITARY AUTHORITIES AS AMONG THOSE UNDERGOING TRAINING TO QUALIFY AS RESERVISTS.

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

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.

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

SEC. 20. *QUOTA FOR COMPULSORY TRAINING.* - THE SECRETARY OF NATIONAL DEFENSE SHALL FURNISH EACH PROVINCIAL GOVERNOR AND CITY MAYOR WITH THE 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.

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.

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.

SEC. 23. *NOTICE TO SELECTED REGISTRANTS.* - THE BOARD OF CANVASSERS SHALL CAUSE THE IMMEDIATE AND ADEQUATE PUBLICATION OF THE NAMES OF REGISTRANTS WHO HAVE BEEN SELECTED IN ACCORDANCE WITH SECTION 18 HEREIN AND AT ONCE NOTIFY 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.

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.

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 Civic Leader (to be chosen by local civic organizations)	member

(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

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

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.

SEC. 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.

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.

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.

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 NONCOMMISSIONED 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.

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.

SEC. 33. *DRAFTEE TRAINING AND SERVICE.* - AS MAY BE ORDERED BY THE PRESIDENT, MALE CITIZENS BETWEEN THE AGES OF EIGHTEEN AND THIRTY-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 WILL 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 TO INCLUDE THE PERIOD OF EXTENSION OF SUCH 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.

SEC. 34. *RETENTION FOR MAXIMUM HOSPITALIZATION.* - A RESERVIST/DRAFTEE WHO IS INJURED OR CONTRACTS 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 AN 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.

ARTICLE VII CITIZEN MILITARY TRAINING

SEC. 35. *BASIC CITIZEN MILITARY TRAINING.* - REGISTRANTS FINALLY SELECTED FOR MILITARY TRAINING PURSUANT TO SECTION 30 SHALL UNDERGO A BASIC MILITARY TRAINING FOR A PERIOD OF NOT MORE THAN SIX MONTHS. THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE COURSE OF INSTRUCTION.

THE COURSE OF INSTRUCTION SHALL INCLUDE SUBJECTS ON MORAL VIRTUES, PATRIOTISM, DISCIPLINE, SUPPORT FOR AND ADHERENCE TO THE CONSTITUTION, AND RESPECT FOR THE RIGHTS OF CIVILIANS.

SEC. 36. *CITIZEN MILITARY TRAINING CENTERS.* - THERE SHALL BE ESTABLISHED IN EVERY PROVINCE AT LEAST ONE TRAINING CENTER FOR THE CONDUCT OF CITIZEN MILITARY AND RESERVIST TRAINING WITH A MINIMUM TRAINING CAPACITY FOR ONE INFANTRY RIFLE COMPANY AT A TIME. THESE TRAINING CENTERS SHALL FORM PART OF THE RESERVE COMPONENT ORGANIZATION OF THE MAJOR SERVICES AND SHALL BE REFERRED TO AS CITIZEN MILITARY TRAINING CENTER.

SEC. 37. *INCORPORATION INTO TRAINING.* - UPON REPORTING TO THEIR ASSIGNED TRAINING CENTERS, THE SELECTED REGISTRANTS SHALL BE PHYSICALLY EXAMINED AND IF FOUND FIT FOR THE SERVICE SHALL BE INDUCTED INTO SERVICE. WHERE A CHANGE OF TRAINING CENTER IS NECESSARY TO PROVIDE THE REQUISITE TRAINING, THE COMMANDING OFFICER OF THE TRAINING CENTER SHALL BE AUTHORIZED TO ISSUE THE NECESSARY ORDERS COVERING HIS TRANSPORTATION AND PROVIDE THE FUNDS FOR THE PURPOSE: *PROVIDED*, THAT NO REGISTRANTS SHALL BE TRANSFERRED TO A TRAINING CENTER OUTSIDE HIS PROVINCE OR DESIGNATED TRAINING CENTER EXCEPT IN THE CASE OF PHILIPPINE NAVY AND PHILIPPINE AIR FORCE REGISTRANTS IF THERE ARE NO AIR OR NAVAL TRAINING CENTERS THEREAT.

SEC. 38. *RESERVE OFFICERS TRAINING CORPS.* - MILITARY TRAINING FOR STUDENTS ENROLLED IN COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS OF LEARNING IS MANDATORY PURSUANT TO THE PROVISIONS OF THE NATIONAL DEFENSE ACT AND THE 1987 CONSTITUTION.

SECTION 39. *ESTABLISHMENT OF ROTC UNITS IN SCHOOLS.* - AT SUCH COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS OF LEARNING THAT REQUEST FOR THE CONDUCT OF MILITARY TRAINING

IN THEIR INSTITUTIONS, THERE SHALL BE ESTABLISHED AND MAINTAINED RESERVE OFFICERS TRAINING CORP UNITS AS THE SECRETARY OF NATIONAL DEFENSE MAY APPROVE, WHICH SHALL CONDUCT MILITARY TRAINING FOR THE STUDENTS OF SUCH INSTITUTIONS FOR THE PURPOSE OF PRODUCING ENLISTED AND OFFICER RESERVISTS. THE PROGRAM OF INSTRUCTION SHALL BE PRESCRIBED BY THE SECRETARY OF NATIONAL DEFENSE AND MAY INCLUDE INSTRUCTION TO PREPARE FEMALE STUDENTS FOR MILITARY SERVICE: *PROVIDED*, THAT SUCH COURSE OF INSTRUCTION SHALL NOT EXCEED TWO ACADEMIC YEARS IN THE CASE OF ENLISTED RESERVISTS, AND FOUR ACADEMIC YEARS IN THE CASE OF OFFICER RESERVISTS WHICH SHALL INCLUDE AS NECESSARY SUMMER OR PROBATIONARY TRAINING OF NOT MORE THAN SIXTY CONSECUTIVE DAYS. THE FIRST TWO YEARS OF ROTC TRAINING, WHICH IS MANDATORY, IS REFERRED TO AS BASIC ROTC WHILE THE SECOND TWO YEARS AFTER SAID BASIC ROTC, WHICH IS VOLUNTARY, IS REFERRED TO AS ADVANCE ROTC. THE ALLOCATION OF ROTC UNITS TO THE VARIOUS MAJOR SERVICES OF THE AFP SHALL CONFORM TO THE PROJECTED MANPOWER NEEDS OF THEIR RESPECTIVE RESERVE COMPONENTS.

SECTION 40. *ACCEPTANCE FOR ADVANCE ROTC.* - STUDENTS WHO VOLUNTEER FOR ADVANCE ROTC SHALL BE SCREENED BY AN ROTC ACCEPTANCE BOARD WHICH IS HEREBY CREATED FOR THE PURPOSE, COMPOSED OF THE COMMANDANT OF THE ROTC UNIT, A REPRESENTATIVE OF THE SCHOOL NOMINATED BY THE SCHOOL AUTHORITIES, AND A MILITARY PHYSICIAN. THE STUDENT VOLUNTEER SHALL BE PHYSICALLY EXAMINED FOR FITNESS FOR TRAINING AND SHALL FURTHER BE MADE TO EXECUTE IN WRITING A STATEMENT THAT HE VOLUNTEERED FOR TRAINING ON HIS OWN VOLITION. WHERE THE STUDENT IS BELOW EIGHTEEN YEARS OF AGE, HE SHALL BE REQUIRED TO OBTAIN HIS PARENT'S OR GUARDIAN'S CONSENT. IN THE CASE OF STUDENTS VOLUNTEERING FOR RESERVE OFFICER TRAINING, THEY SHALL BE FURTHER SUBJECT TO COMPETITIVE EXAMINATION IN ORDER TO SELECT THE BEST MATERIAL. THE STUDENTS UNDERGOING ROTC WILL BE REFERRED TO AS ROTC CADETS.

SECTION 41. *ORGANIZATION AND STAFFING OF ROTC UNITS.* - THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE ORGANIZATION AND STAFFING OF ROTC UNITS. RESERVE OFFICERS IN ACTIVE SERVICE AS WELL AS QUALIFIED ENLISTED AND OFFICER RESERVISTS ON INACTIVE STATUS SHALL BE GIVEN PRIORITY TO HANDLE TRAINING INSTRUCTION AND TO ASSIST IN ADMINISTRATION AND SHALL BE ENTITLED TO RECEIVE HONORARIA AND OTHER ALLOWANCES AS THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE.

SECTION 42. *FUND FOR MAINTENANCE AND*

OPERATION OF SCHOOL ROTC UNITS. - THE FUNDS FOR THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF ROTC UNITS SHALL BE PROVIDED FOR IN THE REGULAR ANNUAL APPROPRIATIONS OF THE ARMED FORCES OF THE PHILIPPINES. SUCH APPROPRIATIONS SHALL PROVIDE FOR THE FULL FUNDING SUPPORT FOR THE ADVANCE ROTC ONLY. THE SCHOOL OF THE STUDENT MAY NOT BE REQUIRED TO SPEND ANY AMOUNT FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF ROTC TRAINING: *PROVIDED*, THAT THE SCHOOL REQUESTING FOR THE ESTABLISHMENT SHALL PROVIDE THE TRAINING GROUND AND OFFICE FACILITIES FREE OF CHARGE. THE ADVANCE ROTC CADET SHALL EACH BE PROVIDED FREE TWO SUITS OF FATIGUE UNIFORM WITH HEADGEAR, BELT AND ONE PAIR OF COMBAT BOOTS FOR THE DURATION OF TRAINING. HOWEVER, THOSE TAKING THE BASIC ROTC ARE REQUIRED TO PAY A REASONABLE ROTC FEE, THE AMOUNT TO BE DETERMINED BY THE SECRETARY OF NATIONAL DEFENSE IN COORDINATION WITH THE SCHOOL OFFICIALS CONCERNED.

SECTION 43. *SCHOLARSHIP INCENTIVE FOR ADVANCE ROTC TRAINING.* - STUDENTS UNDERGOING ADVANCE ROTC WHO BELONG TO THE UPPER FIVE PERCENT OF THEIR ACADEMIC CLASS SHALL BE PROVIDED A TUITION SUBSIDY OF FIFTY PERCENT OF THEIR ANNUAL TUITION FOR THE PERIOD OF THEIR ADVANCE ROTC. THE FUNDS FOR THIS PURPOSE SHALL BE CARRIED IN THE ANNUAL APPROPRIATIONS OF THE AFP. THE CHIEF OF STAFF, AFP SHALL PROMULGATE THE GUIDELINES FOR THE IMPLEMENTATION OF THIS PROVISION.

ARTICLE VIII. INCORPORATION INTO THE RESERVE FORCE

SECTION 44. *ELECTED OFFICIALS AND PRESIDENTIAL APPOINTEES.* - ELECTED OFFICIALS AND PRESIDENTIAL APPOINTEES MAY BE COMMISSIONED IN THE RESERVE FORCE SUBJECT TO THE EXISTING AFP RULES AND REGULATIONS.

SECTION 45. *AWARD OF RANKS AND ASSIGNMENTS TO RESERVE UNITS OF GRADUATES OF ROTC.* - GRADUATES OF BASIC ROTC SHALL BE GIVEN A RESERVE ENLISTED RANK AND SERIAL NUMBER AND ASSIGNED TO RESERVE UNITS AND MOBILIZATION CENTERS IN THEIR PROVINCES. THE RANKS TO BE AWARDED SHALL BE FROM PRIVATE TO SERGEANT OR ITS EQUIVALENT: *PROVIDED*, THAT THE QUOTA FOR NON-COMMISSION OFFICERS SHALL NOT EXCEED FIVE PERCENT OF THE AUTHORIZED STRENGTH OF THE UNIT TO WHICH THE RESERVISTS SHALL BE ASSIGNED AFTER GRADUATION AND: *PROVIDED, FURTHER*, THAT THOSE TO BE AWARDED RANK ABOVE PRIVATE SHALL BE CHOSEN BASED ON MERIT. THOSE WHO CONTINUE TO THE ADVANCE ROTC COURSE SHALL CONTINUE TO CARRY THEIR ENLISTED RANK UNTIL THEIR SUCCESSFUL COMPLETION OF ADVANCE ROTC.

SECTION 46. DISPOSITION OF GRADUATES OF ADVANCE ROTC. - THOSE WHO SUCCESSFULLY COMPLETED ADVANCE ROTC COURSE SHALL BE RECOMMENDED FOR COMMISSION IN THE RESERVE AS SECOND LIEUTENANTS AND ASSIGNED TO THE RESERVE UNITS AND MOBILIZATION CENTERS IN THEIR PROVINCES. THOSE WITH MANIFEST POTENTIAL MAY BE COMMISSIONED IN THE REGULAR FORCE AS SECOND LIEUTENANT SUBJECT TO THE CRITERIA FOR REGULAR OFFICERS OF THIS RANK FOR THAT PARTICULAR SERVICE. THOSE WHO FAIL TO COMPLETE THE COURSE SHALL BE CONFERRED THE ENLISTED RANK OF SERGEANT OR ITS EQUIVALENT AND SIMILARLY ASSIGNED TO RESERVE UNITS AND MOBILIZATION CENTERS. PROBATIONARY TRAINING AS A REQUISITE BEFORE COMMISSIONSHIP SHALL BE DETERMINED BY THE AFP RESERVE COMMAND ON TECHNICAL SKILLS, EXPERIENCES OR QUALIFICATIONS OF THE APPLICANTS.

SECTION 47. NOTIFICATION OF RESERVE ASSIGNMENT. - THE RESERVIST SHALL BE NOTIFIED IN WRITING OF HIS ASSIGNMENT TO A RESERVE UNIT AND A MOBILIZATION CENTER. HE SHALL BE MADE TO ACKNOWLEDGE RECEIPT IN WRITING OF SUCH NOTIFICATION.

SECTION 48. RESERVISTS REGISTRY. - THE ARMED FORCES OF THE PHILIPPINES RESERVE COMMAND SHALL PROVIDE ALL CITY/MUNICIPAL TREASURERS OF CHARTERED CITIES AND MUNICIPALITIES OF THE LIST OF THOSE WHO HAVE SUCCESSFULLY COMPLETED MILITARY TRAINING, INDICATING THEREIN AMONG OTHERS THEIR RANK, SERIAL NUMBER, RESERVE UNIT ASSIGNMENT AND MOBILIZATION CENTER. IT SHALL BE THE DUTY OF THE LOCAL CIVIL REGISTRAR TO MAINTAIN AND UPDATE THE RESERVISTS REGISTRY UNDER THE SUPERVISION AND CONTROL OF THE AFP RESERVE COMMAND.

ARTICLE [III] IX. ADMINISTRATION, ORGANIZATION AND TRAINING OF RESERVE FORCE

SECTION [5] 49. Administration of the Citizen Soldiers. - All citizen soldiers shall be managed and their affairs administered under the same policies, rules and regulations governing those in the active AFP Forces. They shall be accounted for, their records updated and shall be classified according to their age, residence, profession, special skills and military training and experience, if any.

For the purpose of administering the affairs of citizen soldiers, including their organization, training, maintenance and utilization, an AFP Reserve Command is hereby established within the Armed Forces of the Philippines. [The Metropolitan Citizen Military Training Command (MCMTC) shall be the nucleus of this command.] It shall be manned by qualified reserve officers and reservists who shall serve in the active service of the Armed Forces or as civilian personnel. The AFP shall take such steps, issue such rules and regulations and provide such funds as will be necessary to establish the AFP Reserve Command including the screening and appointment of reserve officers and other reservists who will be assigned to

man the Command and its local units in each region or province.

As far as practicable and possible, the AFP Reserve Command shall utilize the local chapters and posts as well as individual members of reservists organizations, such as the AFP National Reservists Association, the Reserve Officers Legion of the Philippines, and other similar reservists or war veterans associations as may be necessary in the accounting, organization and maintenance of the citizen soldiers in their areas.

The AFP Reserve Command shall maintain for every citizen soldier his own records to show his development, promotions and transfers while in the reserve force. The maintenance of such records shall be decentralized to the regional or provincial units of the Command as far as practicable.

The citizen soldier shall be motivated and encouraged to participate fully in the activities of mobilizable Ready Reserve Units in his area.

[To provide the link between policy making and implementation/execution, there is, likewise, created an office within the Department of National Defense, to be headed by an Undersecretary of National Defense for Citizen Soldier Affairs. This office shall exercise general supervision and control, through the AFP, over the administration, organization, training, maintenance, mobilization and utilization of citizen soldiers and shall formulate such policies and guidelines as may be required or necessary for the efficient and effective implementation of the provisions of this Act.]

SECTION [6] 50. ORGANIZATION OF CITIZEN SOLDIERS. - Citizen soldiers shall be organized according to their categorization, classification and permanent place of residency. All reservists belonging to the First Category Reserve or the Ready Reserve and reservists commissioned and non-commissioned officers belonging to the Standby Reserve who volunteer for service with the Ready Reserve and who are permanently residing in a particular area shall be organized into a Ready Reserve Unit of the AFP Reserve Command, Armed Forces of the Philippines for that particular area. Depending on the number of qualified and able-bodied reservists residing permanently in each province, city and district in Metropolitan Manila, there shall be organized initially at least one Ready Reserve Unit of battalion strength or size in each province, city and district in Metro Manila. These mobilizable Ready Reserve Units will follow the Table of Organization and Equipment (TO/E) or the Table of Distribution (TD) of the regular armed force units of the AFP.

All Second Category Reserve and Third Category Reserve citizen soldiers shall, likewise, be organized into Standby Reserve Units in their respective areas.

The Standby Reserve Units will be (TO/E) OR (TD) paper reserve units which shall be called to annual assembly tests for the accounting of reservists and updating of their records.

Citizen soldiers belonging to the Retired Reserve shall be listed according to their skills, expertise, experience and qualifications. They will be maintained as a reserve pool to be availed of in cases where their expertise are particularly required and where such expertise are not available in the

Ready Reserve or the Standby Reserve.

The organization of these citizen soldiers reserve units shall be parallel or similar to the organization of existing active land, sea and air units of the regular armed force of the AFP.

SECTION [7] 51. TRAINING OF RESERVE UNITS. - Maximum participation of citizen soldiers in the reserve force development program is necessary and imperative, hence, no limits shall be placed on the number of days of voluntary active duty training (ADT), except for those ADT programs which are funded by the AFP. AFP-funded ADT of thirty (30) days followed by about a week field exercise shall be programmed for each Ready Reserve Unit at least once every three (3) years to maintain their proficiency and readiness status.

Training of these reserve units shall essentially concentrate on individual soldier and small unit up to company level proficiency. These reserve units shall be authorized to use any or all existing military training facilities, equipment, grounds firing ranges and installations of the AFP and the INP.

Subject to fund availability, Standby Reserve Units may also undergo pre-mobilization training at least once every five (5) years.

Reservist commissioned and non-commissioned officers shall be required to undergo training according to their grade and unit assignment to develop and maintain their proficiency as leaders of their reserve units. They shall be provided with non-resident instructions followed by about a week practical field exercises in AFP service schools. Subject to funds availability, they may be allowed to attend resident courses in AFP service schools.

The AFP Reserve Command shall be directly responsible for the training of all reserve units whether Ready or Standby, including the training of AFP Affiliated Reserve Units of government and private utilities and services, the [Citizen Military Training (CMT)] RESERVE OFFICERS TRAINING CORPS (ROTC) in schools, colleges and universities and the non-resident training of reservist commissioned and non-commissioned officers.

SECTION 52. CLASSIFICATION AND MAINTENANCE OF READINESS OF RESERVE UNITS. - UNITS WHICH ARE COMPOSED OF RESERVISTS OF THE READY RESERVISTS SHALL BE CLASSIFIED AS TO DEGREE OF READINESS TO RESPOND TO THE CALL FOR SERVICE, AS FOLLOWS:

(1) **READY RESERVE-I. UNITS CLASSIFIED AS READY RESERVE-I** SHALL BE MAINTAINED IN A HIGH DEGREE OF READINESS AS TO BE READY FOR OPERATIONAL EMPLOYMENT IN NOT MORE THAN SEVEN DAYS AFTER ACTIVATION. THE INDIVIDUAL AND CREW SERVED WEAPONS AND INDIVIDUALS CLOTHING AND EQUIPMENT SHALL BE READY FOR DISTRIBUTION UPON THEIR ACTIVATION. THE WHEREABOUTS OF THEIR RESERVISTS SHALL BE CONSTANTLY ASCERTAINED. AS NECESSARY, THESE UNITS WILL CARRY AN EXCESS OF TWENTY PERCENT

OF THEIR AUTHORIZED PERSONNEL STRENGTH TO COMPENSATE FOR THOSE WHO MAY FAIL TO REPORT OR BE LATE IN REPORTING FOR DUTY.

(2) **READY RESERVE-II. UNITS CLASSIFIED AS READY RESERVE-II** SHALL BE MAINTAINED IN A DEGREE OF READINESS AS TO BE READY FOR OPERATIONAL EMPLOYMENT IN NOT MORE THAN FIFTEEN DAYS.

THE CHIEF OF STAFF, AFP SHALL SELECT AND RECOMMEND TO THE SECRETARY OF NATIONAL DEFENSE THE RESERVE UNITS UNDER READY RESERVE-I AND READY RESERVE-II: *PROVIDED*, THAT IN AREAS THREATENED BY INSURGENCY, THERE SHALL BE AT LEAST ONE UNIT OF INFANTRY BATTALION STRENGTH UNDER READINESS STATUS OF READY RESERVE-I.

SECTION 53. MOBILIZATION STOCK. - THE MINIMUM ESSENTIAL INDIVIDUAL AND ORGANIZATIONAL EQUIPMENT AND SUPPLIES SHALL BE PROCURED, STORED AND MAINTAINED FOR SELECTED READY RESERVE UNITS TO ENHANCE RAPID TRANSITION TO READINESS REQUIRED FOR EMPLOYMENT IN THE SHORTEST POSSIBLE TIME.

ARTICLE [IV] X. MAINTENANCE AND UTILIZATION OF RESERVE UNITS

SECTION [8] 54. MAINTENANCE OF RESERVE UNITS. - It shall be the responsibility of the Armed Forces of the Philippines (AFP) to keep the Ready Reserve Units in a state of constant readiness and high proficiency. If funds are inadequate, volunteer "weekend warrior" training shall be instituted to maintain the desired state of proficiency and readiness of these Ready Reserve Units.

As far as practicable and possible, the AFP Reserve Command shall coordinate with, secure the cooperation of, and utilize the services of reservists organizations, such as the AFP National Reservists Association, the Reserve Officers Legion of the Philippines, et cetera, in insuring that the citizen soldiers meet regularly and on a continuing basis when they are not on actual training or in active duty with the AFP. These reservists organizations may be utilized for accounting and updating records of the citizen soldiers, as well as provide off-duty liaison with the AFP.

SECTION [9] 55. UTILIZATION OF READY RESERVE UNITS. - The Ready Reserve Units are mobilizable reserve units which may be utilized to render service to the community during calamities and disasters, provide augmentation to local armed force units of the AFP to meet threats to peace and security resulting from local civil disturbances and insurgency, and form part of the regular armed force of the AFP in case of war or national emergency.

Authority for the utilization of Ready Reserve Units shall be in accordance with the provisions of this Act as may subsequently be provided by law or by guidelines, rules and regulations to be issued by the Department of National Defense and the AFP as approved by the President of the Philippines.

However, to meet local emergencies such as typhoons, fire, relief, and rescue missions and other natural calamities or disasters purely civil in nature, the use of ready reserve units may be authorized by the AFP Regional Unified Commander who has jurisdiction over such ready reserve units in coordination with the Office of the President.

Upon the request of the provincial governor or the city mayor, as the case maybe, and duly recommended by the appropriate military commander of the area and the AFP Regional Unified Commander of the region concerned, the President of the Philippines may authorize the utilization of the ready reserve units for local emergencies. It can also electively mobilize appropriate Ready Reserve Unit or Units necessary to meet the threats of local civil disturbances or augment regular armed force units in their respective specific areas to meet the threats to national or local security.

On the other hand, the Standby Reserve Units shall be utilized only in case of war or national emergency when a full or total (national) mobilization is declared.

ARTICLE [V] XI MOBILIZATION OF RESERVE UNITS

SECTION [10] 56. MOBILIZATION. - The emergency employment of the nation's citizens and resources for national defense, to counter the local insurgency problem, or to meet a national or local emergency or contingency shall be effected by a call for mobilization. Mobilization includes the execution of all measures necessary to move the country or part thereof from peace status to a full war footing. Mobilization may also be resorted to on a limiting scale to meet a national or local emergency or disaster.

There are four (4) types of mobilization: full mobilization, total or national mobilization, partial mobilization and selective mobilization.

1. **Full mobilization** - Full mobilization is the expansion of the regular armed force of the AFP, through the joint act of Congress and the President of the Philippines, by the mobilization of all ready and standby reserve units in the approved citizen armed force structure and all citizen soldiers (reservists) and the materials resource needed to sustain such forces.

WHEN FULL MOBILIZATION IS ORDERED, ALL UNITS OF THE READY AND STANDBY RESERVES WILL BE ACTIVATED, THE RESERVISTS CONSTITUTING THEM ARE CALLED TO ACTIVE DUTY, AND THE UNITS ACTIVATED ARE PLACED ON OPERATIONAL READINESS. ALL OTHER RESERVISTS NOT ASSIGNED TO ANY UNIT OR THOSE ASSIGNED TO RESERVE POOLS SHALL BE ORGANIZED INTO REPLACEMENT UNITS.

2. **Total or National Mobilization** - Total or national mobilization is the expansion of the regular armed force of the AFP, through the joint act of Congress and the President of the Philippines, by the mobilization of all reserve units in the approved citizen armed force structure and all citizen soldiers (reservists) and the organization, training and subsequent mobilization of additional units composed of volunteers (non-reservists) from the entire citizenry and the

mobilization of all national resources to sustain such forces.

3. **Partial Mobilization** - Partial mobilization is the expansion of the regular armed force of the AFP, through the joint act of Congress and the President of the Philippines, by the mobilization of ready reserve units and citizen soldiers (reservists) to meet all or part of the requirements of a particular national contingency and/or operational war plan.

WHEN PARTIAL MOBILIZATION IS ORDERED, ONLY THE UNITS OF THE READY RESERVE AS ARE NECESSARY TO MEET THE THREAT WILL BE ACTIVATED, THE RESERVISTS ASSIGNED TO THESE UNITS CALLED TO ACTIVE DUTY AND THE ACTIVATED UNITS PLACED ON OPERATIONAL READINESS. THE PRESIDENT WILL SPECIFY THE UNITS TO BE ACTIVATED.

4. **Selective Mobilization.** - Selective mobilization is the expansion of the regular armed force of the AFP, by authority of the President of the Philippines, by the mobilization of a particular ready reserve unit or units to meet a local emergency situation such as civil disturbances and insurgency where the AFP may be used to protect life, government property and function, or to prevent disruption of government and economic activity.

Selective mobilization differs from *national or partial* mobilization in the sense that the former will not normally be associated with requirements for contingency involving external threats to the national security.

SECTION 57. MOBILIZATION CENTERS. - THERE SHALL BE ESTABLISHED IN EACH PROVINCE AS MANY MOBILIZATION CENTERS AS NEEDED CORRESPONDING TO THE NUMBER AND DISTRIBUTION OF RESERVISTS IN THE PROVINCE TO WHICH RESERVISTS WILL REPORT WHEN MOBILIZATION IS ORDERED. THE CITIZEN MILITARY TRAINING CENTERS IN THE PROVINCES ESTABLISHED UNDER THIS ACT MAY ALSO BE USED AS MOBILIZATION CENTERS. THE SECRETARY OF NATIONAL DEFENSE, UPON RECOMMENDATION OF THE CHIEF OF STAFF, AFP AND IN CONSULTATION WITH THE LOCAL EXECUTIVES, SHALL PRESCRIBE THE LOCATION OF THE MOBILIZATION CENTERS. THE LOCATION OF THESE CENTERS SHALL BE GIVEN THE WIDEST PUBLIC INFORMATION BY THE LOCAL EXECUTIVES.

SECTION 58. DEMOBILIZATION. - WHEN THE THREAT OR EMERGENCY FOR WHICH MOBILIZATION HAD BEEN ORDERED HAS PASSED, THE PRESIDENT WILL ORDER THE DEMOBILIZATION OF THE RESERVE UNITS ACTIVATED AND THE RESERVISTS OF SUCH DEACTIVATED UNITS SHALL BE REVERTED INTO INACTIVE STATUS.

SECTION 59. AUXILIARY SERVICE. - FOR THE PURPOSE OF ASSISTING IN RESCUE AND RELIEF OPERATIONS DURING DISASTERS AND CALAMITIES, HEALTH WELFARE ACTIVITIES AND PARTICIPATING IN LOCAL SOCIOECONOMIC DEVELOPMENT PROJECTS, THE PRESIDENT MAY CALL UPON THE RESERVISTS IN THE AFFECTED OR CONCERNED

LOCALITIES TO VOLUNTEER THEIR SERVICES.

SECTION 60. WOMEN RESERVISTS. - WOMEN SHALL NOT BE DEPRIVED OF THEIR RIGHT AND PRIVILEGE TO SERVE WITH THE AFP. HOWEVER, THEY SHALL BE ACCORDED SPECIAL PRIVILEGES/ PROHIBITIONS RELATIVE TO THEIR PHYSICAL/ MEDICAL PECULIARITIES AND SHALL BE EXEMPTED FROM COMBAT DUTIES OR FIELD SERVICE INVOLVING HARD PHYSICAL EXERTIONS. THEY SHALL BE PROVIDED SEPARATE BILLETING FROM THE MEN AND SUCH OTHER AMENITIES AS ARE PECULIARLY NECESSARY.

ARTICLE [VI] XII. FUNDING

SECTION [11] 61. FUNDING. - All funds previously appropriated for the administration, development and training of the reserve component of the AFP and which will subsequently and hereinafter be appropriated for the purpose shall be used exclusively for the purpose of implementing the provisions of this Act.

To sustain the efficient and effective administration, organization, training, maintenance and utilization of ready reserve units and keep them appropriately and adequately equipped and in a state of readiness, as well as provide for the adequate training of citizen soldiers or reservists, adequate funds for this purpose, as may be requested or recommended by the AFP Reserve Command or the AFP, shall be appropriated and made available on a continuing basis.

THE PRESIDENT SHALL UTILIZE A PORTION OF THE MILITARY ASSISTANCE FUND AVAILABLE FROM ANY SOURCE TO AUGMENT THE APPROPRIATION FOR THE RESERVE FORCE.

ARTICLE [VII] XIII. PAY AND ALLOWANCES

SECTION [12] 62. MOBILIZED RESERVE UNITS. - If any reserve unit is mobilized by joint act of Congress and the President of the Philippines and thus integrated into the regular armed force, the members of the said reserve unit who will render active military service shall receive pay and allowances according to their grades and tenure of their services. All benefits granted to members of the regular armed force will also be extended to the citizen soldier so mobilized.

SECTION [13] 63. UTILIZED READY RESERVE UNITS. - If a ready reserve unit is utilized for local emergency as authorized by the President of the Philippines, the citizen soldiers of said ready reserve unit so utilized will receive allowances and/or honorarium on the case-to-case basis depending on their utilization or employment.

The difference between mobilization and utilization is that in mobilization, the reserve units will be committed and will operate as part of the regular force in the area, such as counter-insurgency operations or civil disturbances action. On the other hand, in utilization, the ready reserve unit is employed only for civil assistance activities during local emergency or disaster. Utilization may include community development activities or socioeconomic undertaking.

ARTICLE [VIII] XIV. OTHER PROVISIONS

[SECTION 14. There shall be only one classification of reserve officers, whether in the active or in the inactive status, regardless of their source or nature of commission.]

[SECTION 15. There shall be only one seniority and lineal list for all commissioned officers in the active service, whether he be a regular or a reserve officer. Similarly, there shall be only one seniority and lineal list for all reservist officers whether in the ready reserve or in the standby reserve and regardless of their source of commission.]

All reservist officers, regardless of their source or nature of commission, shall have the same benefits, privileges and rights befitting their respective ranks and promotions and assignment to positions shall be made on the basis of merit, qualifications, competence and seniority in the lineal list of reservist officers.]

SECTION [16] 64. PENALTIES. - All citizen soldiers belonging to the Ready Reserve including those who have volunteered for service with the Ready Reserve are required to render obligatory service once their ready reserve unit is utilized or mobilized and ordered to active duty. Failure to report for duty shall be punishable, upon conviction by a general court martial, by imprisonment of not less than two (2) months to not more than twelve (12) months.

All citizen soldiers belonging to the Standby Reserve are, likewise, required to render obligatory service when mobilization is called in time of national emergency or war. Penalty for failure to report for duty full or total (national) mobilization shall be subject to the decision of a general court martial according to the provisions of the Articles of War.

SECTION 65. RETENTION OF ROTC UNITS IN COLLEGES AND UNIVERSITIES. - ROTC UNITS IN COLLEGES AND UNIVERSITIES SHALL CONTINUE WITH ROTC TRAINING IN ACCORDANCE WITH THIS ACT.

SECTION [17] 66. REPEALING CLAUSE. - THE PROVISIONS OF E.O. NO. 264, E.O. NO. 292, C.A. NO. 1 AND OTHER LAWS, DECREES AND ISSUANCES INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE HEREBY REPEALED.

SECTION 67. SEPARABILITY CLAUSE. - IF FOR ANY CAUSE, ANY PART OF THIS ACT IS HEREBY DECLARED UNCONSTITUTIONAL, THE REST OF THE PROVISIONS SHALL REMAIN IN FORCE AND EFFECT.

SECTION 68. EFFECTIVITY. - THIS ACT SHALL TAKE EFFECT 15 DAYS AFTER ITS PUBLICATION IN THE OFFICIAL GAZETTE OR IN A NATIONAL NEWSPAPER OF GENERAL CIRCULATION.

Senator Maceda. I ask that we recognize Senator Guingona to sponsor the bill.

The President. Senator Guingona is recognized.

SPONSORSHIP SPEECH OF SENATOR GUINGONA

Senator Guingona. This is a bill concerning the mandate of the Constitution that we create a Citizens Army with a corps of professional soldiers.

This has been consolidated with Senate Bill No. 845 and the authors are Senators Pimentel, Laurel, Tañada, Mercado and Shahani. There is a similar bill in the House of Representatives, House Bill No. 12251, and we will consolidate all of the pertinent provisions during the period of amendments.

The Citizen Soldiers are reservists of the Armed Forces of the Philippines who were trained pursuant to the provisions of the Commonwealth Act No. 1, otherwise known as the National Defense Act.

Today, they number about one million and they represent all sectors of society. They are basically loyal, patriotic, and possess basic military-oriented skills. Many are experts in their respective fields of endeavor. But these AFP reserved manpower are just like an idle deflated tire; it is a reserved tire but it is useless because it is a paper organization. Many of us here in the Senate are part of that reservists organization, but we have never been called for periodic training. We are not ready. Many of us have forgotten the skills of military training; and, therefore, it is not the military citizens army that is envisioned in the Constitution.

The Constitution mandates that we create, revive the reorganization and give it new life and meaning. And so we have consolidated these three bills. The bill sets forth the definition of what is a "citizen soldier". It categorizes and classifies the same into three categories and in accordance with the classification, also classifies them correspondingly into "Ready Reserve," "Standby Reserve" and "Retired Reserve," depending upon age and capability.

Article III of the bill defines the Administration, Organization and Training; and Article IV, the Maintenance and Utilization of Reserve Units.

If approved, this bill, in effect, will replace the CAFGU, the present CAFGU, which unfortunately, has figured prominently in many instances of abuse, including that of being utilized for rebellious acts, which shows that CAFGU structure is deficient and needs to be corrected.

So, I earnestly urge that we adopt and approve this measure.

Thank you, Mr. President.

The President. Is there any question? Any interpellation?

Senator Guingona. If there are no interpellations, I move that we close the period of interpellations.

Senator Pimentel. Mr. President.

The President. Senator Pimentel is recognized.

SUSPENSION OF THE SESSION

Senator Pimentel. We would like to reserve the right to interpellate the Sponsor, if we can only, maybe, suspend the session for about one or two minutes.

Senator Guingona. Certainly, Mr. President.

The President. The session is suspended, if there is no objection. *[There was none.]*

It was 6:07 p.m.

RESUMPTION OF THE SESSION

At 6:10 p.m., the session was resumed.

The President. The session is resumed.

Senator Pimentel. Will the Gentleman kindly yield for some questions for clarification?

Senator Guingona. Certainly, Mr. President.

Senator Pimentel. How would the Citizen Soldiers differ from the present CAFGU organizations?

Senator Guingona. The present CAFGU is organized arbitrarily in the sense that the standards are as the military necessity dictates. There are no terms and conditions for their employment. Their allowance is limited but they may, precisely for that, accept donations and, therefore, their creation is of doubtful constitutional standing as embodied in Executive Order No. 264 and the corresponding Executive Order No. 292, Section 37. Whereas here, the Citizen Soldiers would be defined as stated embodying all the citizens enumerated therein similar to the Israeli concept where the citizens falling under those categories, depending on age, will form part of the citizens army. They would know when they would be called to arms. They would know when they can be harnessed for civic duties and they would know when they would be subjected to training and up to when they would serve as the active reserve, the secondary reserve or the retired reserve.

This is in accordance with the mandate of the Constitution that the calling to arms of citizens must be under stated conditions pursuant to law.

Senator Pimentel. So, in effect, while the CAFGUs are, actually, components of the military who are actually serving also with the Armed Forces of the Philippines, the Citizens Soldiers will not necessarily be so?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. And the structure, that we are suggesting in this bill is patterned after the Israeli experience. Is that correct?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. What will be the immediate effect of the organization of the Citizen Soldiers that we are envisioning in this bill on the standing army of the Republic?

Senator Guingona. Of the standing army of?

Senator Pimentel. Of the standing army of the country.

Senator Guingona. There will probably be, through another bill, a phaseout because the standing army as of now is very substantial and the bill would probably provide after the proper retraining of the soldiers so that they can be returned to civilian life after they have learned the proper trades or craftsmanship. This is a problem that must be faced by legislation.

Senator Pimentel. Exactly, because one of the reasons a citizen army is to be created is, precisely, to reduce the existing standing army of any nation and that is exactly how Israel has also been able to mobilize at any given time without necessarily maintaining a huge standing army, is that not correct?

Senator Guingona. Yes, that is correct, Mr. President.

Senator Pimentel. So, it is our intention, therefore, in this bill to probably lay the basis for the reduction of the present standing army of the country?

Senator Guingona. Yes, that is correct, Mr. President.

Senator Pimentel. Even if there is no provision that calls for that reduction in this bill, would the distinguished Gentleman think that it would be possible to insert some appropriate article or section in this bill that would effectuate such an intention?

Senator Guingona. Yes, I think it is possible as long as it does not violate the two-subject rule.

Senator Pimentel. Since the purpose is really to create a citizens army, it will not, I think, be violative of the two-subject rule if we insert a provision that would have something to do with the phasing out of some elements of the Armed Forces?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. When the citizen army soldiers are not in training, they are not going to receive salaries, are they?

Senator Guingona. No, they will not, Mr. President.

Senator Pimentel. In fact, what is envisioned here is for the citizen soldier to be gainfully employed in civilian life if they are not actually mobilized by the government, is that not correct?

Senator Guingona. That is correct, Mr. President.

Senator Pimentel. So, in effect, with an organization of this kind, we also can effectively reduce our military spending required in the maintenance of so many, let us say, soldiers of the country?

Senator Guingona. Yes, Mr. President.

Senator Pimentel. And the money that can thus be saved may, probably, be utilized for more productive enterprises, is that not correct?

Senator Guingona. That is one of the intentions, Mr. President.

Senator Pimentel. Since the distinguished Gentleman is always agreeing with me, I have no more questions.

Senator Guingona. Thank you.

Senator Enrile. Mr. President.

The President. The Minority Floor Leader, Senator Enrile, is recognized.

Senator Enrile. Mr. President, may I direct some questions to the distinguished Majority Floor Leader?

Senator Guingona. Certainly, Mr. President.

Senator Enrile. Under the National Defense Act, compulsory military training must be given to every 20-year-old citizen of the Republic. Does the distinguished Gentleman have any idea how many 20-year olds do we have every year?

Senator Guingona. About 5,000 to 10,000, Mr. President.

Senator Enrile. Five thousand to 10,000 20-year olds out of a population of 60 million?

Senator Guingona. Annually, yes.

Senator Enrile. That is the number of Filipinos reaching their 20th birthday every year?

Senator Guingona. Not all are qualified, and this has been suspended for three years.

Senator Enrile. Which one?

Senator Guingona. This compulsory military training.

Senator Enrile. In other words, we are not enforcing the compulsory military training of every 20-year old?

Senator Guingona. No, we are not. I understand, there are logistical problems.

Senator Enrile. How many 20-year olds do we train every year to become members of the reserve, Mr. President?

Senator Guingona. I think, the same number, between 5,000 to 10,000.

Senator Enrile. Can we have a clear idea of the exact number?

Senator Guingona. We can get the records, Mr. President.

Senator Enrile. These are trainees of the major services: Army, Navy, Air Force, and the Constabulary.

Senator Guingona. Yes, Mr. President.

Senator Enrile. And these 20-year olds who are trained annually to become members of the reserve are outside of those who are trained under the ROTC training, CMTs - Citizens Military Training, and in our high schools and universities?

Senator Guingona. Yes, Mr. President, outside.

Senator Enrile. All told, what would be the number of male and female citizens of the Republic that would be added annually to our reserved pool of trained military personnel?

Senator Guingona. I understand 40,000 to 50,000.

Senator Enrile. A year?

Senator Guingona. Yes, Mr. President.

Senator Enrile. Mr. President, what would be the acceptable level of the first reserved of the country, given our national condition and economic circumstance, especially, and the security environment where we find ourselves today?

Senator Guingona. About 150,000, Mr. President.

Senator Enrile. How many are there now in the Reserved Force of the Philippines that belong to the first category — meaning 20 years old up to not more than 35 years old?

Senator Guingona. Mr. President, about 150,000.

Senator Enrile. As of now?

Senator Guingona. Yes, Mr. President.

Senator Enrile. So we have already this, enough for the first reserved.

Senator Guingona. Yes, Mr. President.

Senator Enrile. How about in the second category?

Senator Guingona. About 250,000, Mr. President.

Senator Enrile. How about the last category?

Senator Guingona. I think about the same number — 250,000.

Senator Enrile. Given this situation and the very meager resources of the country, does not the Gentleman think that it is not a sound policy to continue training people when there is no need for it anyway?

Senator Guingona. First of all, it is a mandate of the Constitution that the concept of citizens army be implemented. Second, the finances of the present budgetary allocations for the Armed Forces of the Philippines, plus what is allocated for CAFGU, would have to be considered for the establishment of the citizens army.

Senator Enrile. Precisely, I am raising this issue, because there is a duplication in this area. We have the CAFGU, trainees, ROTC cadets, and CMTs that get into the reserved pool of the country, which all entail financial resources, and so we might just be wasting money in training people when there is no need for it. Why do we not stagger this training so that we can economize from our money costs in this area? Does not the Gentleman think that that would be a better policy, Mr. President?

Senator Guingona. Yes, the plan would envision a phasing out of the regular Armed Forces as the citizens army training increases proportionately, all within the constraints of logistical and budgetary considerations.

Senator Enrile. But since we have, at any given time, mobilizeable force of 150,000 in the first category, why should we not now start the attrition of the regular force, if that is the policy embodied in this particular measure? What is the point in continuing a training program and maintaining a force of about 170,000 force? This is exclusive of the CAFGU.

Senator Guingona. Yes, but part of this will go to the PNP and considerably reduce the regular armed forces.

Senator Enrile. The PC numbers about, I think, 50,000.

Senator Guingona. Sixty thousand.

Senator Enrile. Sixty thousand, out of a force of 170,000. So, we still have 110,000.

Senator Guingona. Yes, and we cannot reduce the regular soldiers without worrying about the absorption into the civilian stream. They have to be productive. Therefore, there has to be a separate piece of legislation to enable them to undergo training so that they will be useful citizens learning some craft, other than holding a gun and shooting.

Senator Enrile. We have already initiated that a long time ago — training program for members of the enlisted personnel of the military before they are mustered out of the service. In fact, if we will study the policies adopted then, we use military trainees in Mindanao. After six months training, some were extended for another six months, others were extended for one year up to a maximum of two years. After which, they were mustered out of

the service. And before they were mustered out of the service, they were given vocational training to help them.

Senator Guingona. I am glad to hear that. And so, the phaseout may be implemented more speedily in the light of that assertion.

Senator Enrile. I do not know the policies of the present administration now, whether they have followed the concepts that we have adopted in the past. But, what I am saying is that, I think, it is time for us to review our policies in this area because we keep on training people, spending money. We might not have any use for this trained personnel later on, and they could become a ready source of trained personnel for those who may wish to challenge the authority of our government. I think, it is not farfetched to say that some of those who were being used against the government, against the State, and against our soldiery were products of our training efforts.

Senator Guingona. Yes, that is the experience recently. That is why we would like to correct that.

Senator Enrile. After all, we are already training enough college students who probably would want to fight the enemies of the country, whether from inside or outside, since they are the ones who would lose more if the enemies of our country would succeed, instead of training our farmers to fight the worse for us.

Senator Guingona. The concept would still maintain a small corps of regular armed forces.

Senator Enrile. There is no question about that, but, I think, that is more of a wish than a reality that could be reached at any foreseeable future because we have been planning a streamlined military organization for years and years, running over decades and the organization continues to bloat every year. We can see in the budget of the military organization the "added personnel." I do not know what is the additional personnel for the current year of 1990. I think it is 4,000 for the entire AFP or only for the army. That only shows that instead of reducing our personnel, as the distinguished Gentleman envisioned, every year we are providing it in the budget. Maybe, what we should do is to trim down the budget by stopping the training program in the meantime.

Senator Guingona. That is a question of policy, whether to maintain a large armed force or to reduce the same and, in the process, have the savings allocated instead to a civilian army. We are just following the mandate of the Constitution.

Senator Enrile. The distinguished Gentleman talks of the citizens army similar to that of Israel or that of Switzerland. Does the Gentleman think that we can follow the practice in Switzerland where we allow our citizens, who are going to be part of the national army, to keep their guns in their homes? That is the essence of a real citizens army. Because if we mobilize them, what are they going to use to fight with, *kampilan*, *balisong*, or *badang*?

Senator Guingona. Each nation has its own culture. When we speak of citizens army, we do not follow literally the things that we should not follow. There is a way of having training. In 1948, I understand, the distinguished Gentleman trained in Floridablanca, and he did not carry the gun, which he used in training, with him to the civilian office.

Senator Enrile. That is true, Mr. President, we were provided with firearms by the government to train with. What I am saying is: Once we are impressed into the reserves, then we are a part of an army. But what are we going to use, if we are going to the colors?

Senator Guingona. It is when they are mobilized or when they are given guns. I recall that the distinguished Gentleman was sergeant, I think.

Senator Enrile. I was a sergeant in the guerrillas. I was a sergeant in the reserves. Until now, I am a sergeant.

Senator Guingona. I mean, in the Floridablanca training.

Senator Enrile. But I was saluted by generals, Mr. President. [Laughter]

Senator Guingona. He was a sergeant, I was a corporal. [Laughter]

Senator Enrile. The distinguished Gentleman will probably salute me, if we are called to the colors.

Anyway, what I am trying to point out is if we want really to develop a true citizens army in the country, then we must select the people who will become members of the reserved force, either because of their physical capabilities and their moral fitness, and entrust them with the weapons of war that they are trained to fight with, like the citizens army that we know of in other countries. Switzerland is a classic case. The trained members of the reserves bring their guns, including the ammunition, in their homes, and they keep them in their homes. So that if they are called to fight a war inside their country or outside of their country, they do not have to bother the supply sergeants with uniforms, handkerchiefs, boots, pouches, ammunitions and guns. They have them ready, and they are ready to go to war. Can we do that?

Senator Guingona. That is the ideal, Mr. President.

Senator Enrile. Not an ideal, it is a fact.

Senator Guingona. It is a fact for other countries. But, whether we can do so — and we should do so — that is another question. As a matter of fact, when they are mobilized, that is the time they are given the guns.

Senator Enrile. That was the problem in the last war. The distinguished Gentleman did not fight in Bataan. But some of our friends fought in Bataan without any gun, although they were

members of the citizens army of our Commonwealth Government then. I do not think we should allow a repetition of the same thing. That is why we should really rethink our position, because what is being advocated in this country as a citizens army is not really a citizens army. It is just a pool of trained people without anything to fight with.

Senator Guingona. The process of having a citizens army is not to get everyone. As a matter of fact, the bill itself states who would constitute it.

Senator Enrile. What is the difference between a trained citizen in the art of war and an untrained one, unless we give a gun to the trained one? There is none.

Senator Guingona. A citizen who has undergone training need not go to bed with his gun when he goes into civilian life. As long as the training is adequate, as long as the training is periodic enough, I think he can be a good member of a citizens army.

Senator Enrile. How long a time does the Gentleman think would be needed to really train a civilian to become proficient in the art of war, so that he can be considered as a part of an effective army of the people? Six months?

Senator Guingona. I would have wanted every year, at least.

Senator Enrile. A yearly training.

Senator Guingona. Yes. But under the bill, every three years, because of the budgetary constraints.

Senator Enrile. And the initial training would still be maintained at six months.

Senator Guingona. The initial training, yes.

Senator Enrile. Six months, just to gain proficiency in squeezing the trigger and aiming the gun, and, maybe, crawling and marching.

Senator Guingona. I think it is more sophisticated than that.

Senator Enrile. Then, the Gentleman would want a mobilization every year or every three years?

Senator Guingona. There is a refresher course periodically, every three years.

Senator Enrile. How long will that refresher course be, 30 days active duty training?

Senator Guingona. Thirty days plus one week of active field exercise.

Senator Enrile. All I can tell the Gentleman is I wish him the best of luck in his measure.

Senator Guingona. Thank you.

The President. All right. Is there any further questioning?

Senator Tamano. Mr. President.

The President. Senator Tamano, the Chairman of the Committee on National Defense in the Commission on Appointments is recognized.

Senator Tamano. I am very much interested in this bill, not just because I am the Chairman of the Committee on National Defense in the Commission on Appointments, but I happen to be a Lieutenant Colonel in the reserve. I have served also in the guerrilla.

Senator Guingona. So, Senator Enrile and this Representation will have to salute him.

Senator Tamano. I would like to direct questions to the distinguished Majority Floor Leader, who is sponsoring this bill, in order to gain some ideas on how this bill will operate with respect to reserve officers, who would be involved in this bill.

Senator Guingona. With pleasure, Mr. President.

Senator Tamano. There are presently reserve officers serving in the active service of the Armed Forces of the Philippines. Is that correct?

Senator Guingona. Yes, Mr. President.

Senator Tamano. These reserve officers in the active service of the Armed Forces, are not included in this group, are they?

Senator Guingona. They are not included.

Senator Tamano. This bill, if I understand it correctly, is for the purpose of creating a pool of citizen soldiers who would be trained to serve in case of an emergency. Is that correct?

Senator Guingona. Yes, Mr. President.

Senator Tamano. In the case of a citizen soldier who has served training under this bill, if it becomes a law, he is called to active duty in the Armed Forces of the Philippines on a regular basis. In other words, he is made to command a unit of the Armed Forces; that is a different story.

Senator Guingona. To command a reserve unit.

Senator Tamano. No, a line company or a battalion or a regiment or what. How does this operate with respect to him? He would be outside the purview of this office that is going to be organized. Is that the idea?

Senator Guingona. Yes, there will be a reserve man, and those who are called will have their own units but within the reserve command.

Senator Tamano. I am not speaking of the reserve command. I am speaking of officers who have been called to serve in the regular military service. Are they not included in this?

Senator Guingona. They are not included.

Senator Tamano. So, what the Gentleman is only concerned with in this bill are those citizens who are inducted into the reserve force and are given periodic training in order to be prepared for any eventuality. Is that correct?

Senator Guingona. Yes, Mr. President.

Senator Tamano. Under the present situation, do we not have this pool of reserves already existing?

Senator Guingona. We do not have. We have on paper, paper organization which has not been updated, which has not been followed through. As I said, it is like a reserve flat tire which is really not a reserve force, because when an emergency comes, we cannot rely on them.

Senator Tamano. What is the reason for that when under existing rules and regulations of the Armed Forces of the Philippines, they have what they call "annual active duty." Is it not that even to be called to annual active duty training is a sort of a *palakasan*, and only those who are close to the powers that be are called for active-duty training? Is that the situation now?

Senator Guingona. No. The deficiency in the present system is that there is no mandate; there is no law. It is only pursuant to a Commonwealth Act that the military had this periodic training. And since there had been limited funds, they discontinued such training.

Senator Tamano. Yes. That is why, I am trying to point out that under the present system, if one is a reserve officer, he cannot just be called.

Senator Guingona. Yes, he cannot.

Senator Tamano. Because it is really a matter of *palakasan*. There are no existing rules and regulations which would either compel the Armed Forces to call him to active duty. And so, a reserve officer who wants to serve in the army is really at the mercy of the military system or the Armed Forces of the Philippines at present?

Senator Guingona. Yes, Mr. President.

Senator Tamano. In this bill that the Gentleman is trying to pass would he be able to eliminate that *palakasan* system or haphazard or random selection of officers to serve in the active force?

Senator Guingona. We hope to do that because under this concept the mandate is for the reserves to have their own composite unit.

Senator Tamano. My understanding of the Gentleman's bill is that, although there is a reserve command, it is just a nucleus of

a command that will continually train and demobilize these trainees after a very short period.

Senator Guingona. Yes, that is the concept.

Senator Tamano. But many of our reserve officers want to serve in the active service not just for three months or six months or one year, but they want to make it a lifetime career. How do we take care of these officers?

Senator Guingona. That is taken care of by those who want to make the Armed Forces a regular profession, a career. This is different because this takes into account those who do not want to make the Armed Forces as their main occupation, but they would have to undergo periodic training just in case, and they would have their own units.

Senator Tamano. This is an organization for the purpose of putting into some sort of military training those who would constitute the reserve; and they would be periodically called to active duty to update their training in order that, at any time, if they are called in an emergency, they can serve with some competence. In other words, their knowledge of military tactics would not have been obsolete. So, it is a continuous training of those who constitute the reserve.

Senator Guingona. Yes, Mr. President.

Senator Tamano. This organization that the Gentleman is trying to create is not just for men but also for women. Is that correct?

Senator Guingona. Yes, Mr. President.

Senator Tamano. Because there are some women who are already in the auxiliary forces.

May I also inquire, how this reserve command would link up with the Reserve Officers Training Corps of the colleges and universities?

Senator Guingona. They would be the ones to administer the ROTC training.

Senator Tamano. I thought, Mr. President, the administration of the training will be through the reserve command.

Senator Guingona. Yes, through the reserve command.

Senator Tamano. And that the ROTC is a specialized branch dealing particularly with college students only.

Senator Guingona. Yes, Mr. President.

Senator Tamano. So the reserve command would be taken care of for training people who have either passed through the ROTC training course or may have been trained elsewhere, having been, maybe, a demobilized soldier from the active Armed Forces of the Philippines, or have had military training elsewhere.

Senator Guingona. Yes, but the reserve command would

also have the supervision over the ROTC, Mr. President.

Senator Tamano. As pointed out by the Minority Floor Leader, to what extent can we reduce the active military force that we have now? I understand that we have something like 250,000 which is quite a heavy drain on our budget.

Senator Guingona. Yes, perhaps, this would be a question of proportion. If we have enough reserves, then the national regular armed forces could be reduced from the present size to say, 50,000.

Senator Tamano. Because if we have a large reserve command, we will have to further increase the budget of the military, instead of reducing it.

Senator Guingona. We will have to work within the constraints of the present budget.

Senator Tamano. In that case, we are not achieving our purpose of reducing the military budget or reducing the army.

Senator Guingona. That is only a transition period. Eventually, it will be reduced because the reserve forces do not get the salaries or compensation when they are no longer called for mobilization or when they are not undergoing training.

Senator Tamano. That is true. But how many does he contemplate to be under training at any one time?

Senator Guingona. Sufficient to be supported by the funds, it is 10,000; then 10,000 will have to undergo the training. That is only for periodic training, let us say, every six months or every three months.

Senator Tamano. They will be training, at any one time, 10,000 people.

Senator Guingona. As I said, that depends on the budgetary constraints.

Senator Tamano. Precisely, what we want to do is to support this program; but at the same time, we want to be shown a way whereby the budget of the Armed Forces could be reduced by telling us that these 10,000 under training will spend only so much, but they could fill in the gap in the Armed Forces, if necessary. Could we demobilize, in other words, 10,000 from the Armed Forces because we have 10,000 under training?

Senator Guingona. Yes, if they are only properly trained. I am referring to the regular armed forces, the regular soldiers. We cannot just demobilize them now and have a social problem of unemployment. So, we want at least to train them so that we can demobilize them, and train as many as possible citizens' armed forces.

Senator Tamano. The way I see it, if we will demobilize an equal number, we will be maintaining the same number in the standing army but at the same time adding additional overhead by

having 10,000 people under training. That is what I am trying to point out.

Senator Guingona. No, this is only for the training. When they are no longer in training, they do not get any compensation. They are not paid if they are not members of the regular forces.

Senator Tamano. Yes, we understand that. But the reserve command at any one time, according to the Gentleman, will have 10,000 men in uniform under training in the military camp.

Senator Guingona. The reserved command will only have nucleus cadres. It will not have a large corps.

Senator Tamano. I understand that also, but I am speaking of these reserves under training. I am trying to find out how many at any one time will be under training by the reserved command which necessarily is a small training group.

I ask for a one-minute suspension, Mr. President.

SUSPENSION OF THE SESSION

The President. All right. The session is suspended for one long minute, if there is no objection. *[There was none.]*

It was 6:55 p.m.

RESUMPTION OF THE SESSION

At 7:00 p.m., the session was resumed.

The President. The session is resumed.

Senator Tamano. During the suspension, we had some consultation with Colonel Ganzon who is the President of the Reserve Officers Legion of the Philippines. We have some idea on how the citizens army will take shape. We would like the vision of the Majority Floor Leader, as proponent of the bill, put into the *Record* on how it will affect the reduction of the personnel component of the Regular Army. Because, that is our idea that we could have a smaller but better trained armed forces in the active service.

Senator Guingona. As soon as there is a sufficient number of trained citizens soldiers, say, several battalions comprising a brigade within a span of ten months, there could be a proportionate reduction of the regular Armed Forces, to that extent.

Senator Tamano. So, in other words, the creation of the citizens army is a prudent way of reducing the active armed forces and at the same time, being able to call the reserve in case there is a need for them to be in uniform.

Senator Guingona. Yes, Mr. President.

Senator Tamano. Thank you, Mr. President.

Senator Guingona. Mr. President, if there are no interpellations, I move that....

Senator Enrile. Mr. President.

The President. Senator Enrile is recognized.

Senator Enrile. May I just ask additional questions of the distinguished Sponsor?

Senator Guingona. Yes, Mr. President.

Senator Enrile. In the Gentleman's visualization of this citizens army, does he envision not only the training of adequate reserves, especially in the first category? But, equally, does the Gentleman envision the stocking of supplies like firearms or assault rifles, uniforms, and ammunitions that could be utilized by the reserves in case of actual mobilization?

Senator Guingona. Yes, Mr. President. That is part of the mobilization stock.

Senator Enrile. What would be the most ideal, in the Gentleman's opinion, the number of mobilizable battalions as part of their reserves? Let us take the case of the Philippine Army: How many battalions, in his opinion, would be necessary to be maintained and equipped for the Philippine Army as a mobilizable force in the event of an actual need?

Senator Guingona. Usually, one battalion per province.

Senator Enrile. One battalion per province. Is it the concept that these battalions would be deployed in the provinces? Or are they going to be brought together into a maneuver regiment, brigade, or division? Or would he rather that they be scattered by provinces within the region?

Senator Guingona. Within the region, Mr. President.

Senator Enrile. Within the region. So, that means that we will have to maintain 73 battalions for the Philippine Army alone.

Senator Guingona. Yes, Mr. President.

Senator Enrile. What would be the fill-up for each battalion?

Senator Guingona. About 600.

Senator Enrile. Six hundred — that will be, approximately, how many warm bodies?

Senator Guingona. Ilan iyon?

Senator Enrile. It is about 48,000. Let us say, 40,000. Will we have to provide them with assault rifles?

Senator Guingona. Yes, Mr. President.

Senator Enrile. Including uniforms already?

Senator Guingona. Yes, Mr. President.

Senator Enrile. If we are going to use provincial mobilization centers, would the firearms be kept in the provinces or would they be kept in the regional headquarters?

Senator Guingona. Regional Commands.

Senator Enrile. Including the ammunitions?

Senator Guingona. Yes, Mr. President.

Senator Enrile. How much appropriation does the Gentleman think would this entail per battalion to equip them with assault rifles, a basic load, plus ammunition supply of, let us say, P300 per head, plus uniforms, plus all their equipment, including their transports and communications? I suppose, what would be the cost of maintaining a battalion reserve such as we envisioned here?

Senator Guingona. I understand, about P4 million, Mr. President. Four million pesos each.

Senator Enrile. Four million each? I do not think that that will be enough. I do not know the costings now, but I think the figures should be much higher than that.

Senator Guingona. It could be a little higher, but that is the educated estimate, Mr. President.

Senator Enrile. Thank you, Mr. President.

The President. All right. Why do we not suspend consideration of this bill?

Senator Guingona. Yes. If there are no further interpellations, I move that we close the period of interpellations.

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

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

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

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

Senator Guingona. In view of the lateness of the hour, unless—we still have one bill. But, I understand from the reaction of our Colleagues that they would prefer that we adjourn. I move that we adjourn until two thirty tomorrow afternoon.

ADJOURNMENT OF THE SESSION

The President. The session is adjourned until two-thirty tomorrow afternoon, if there is no objection. [There was none.]

It was 7:08 p.m.

RECORD OF THE SENATE

TUESDAY, MAY 22, 1990

OPENING OF THE SESSION

At 3:22 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado.

Pangungunahan tayo sa panalangin ni Senador Orlando S. Mercado.

Everybody remained standing for the opening prayer.

PRAYER

Senator Mercado.

Almighty and eternal lawgiver, instill in us such a strong thirst for social justice that we may strive mightily to lift the great masses of our people from the quagmire of poverty.

Stir in us such a deep anger at social inequity that we may courageously battle against the forces that chain our impoverished people to misery.

Bestow upon us, dear Lord, Your light and wisdom that we may see clearly the path we should take and the ways and means we should adopt to liberate our masses from their ills and woes.

Strengthen our faith and hope so that we may not falter in our efforts — for and in behalf of the Filipino people, we have to work for them.

Amen.

ROLL CALL

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	Absent
Senator Jose D. Lina, Jr.	Present
Senator Ernesto M. Maceda	Present
Senator Orlando S. Mercado	Present
Senator John H. Osmefia	Present
Senator Vicente T. Paterno	Present

*Arrived after the roll call

**On official mission

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. Tañada	Present
Senator Victor S. Ziga	Present
The President	Present

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

THE JOURNAL

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

The President. Is there any objection? [*Silence*] The Chair hears none; the *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 3, 1990

Mr. President:

I have been directed to inform the Senate that the House of Representatives on April 3, 1990 passed House Bill No. 25773, entitled

AN ACT INSTITUTING THE PUBLIC MARKET CODE OF THE PHILIPPINES,

in which it requests the concurrence of the Senate.

Very respectfully yours,

(Sgd.) QUIRINO D. ABAD SANTOS, JR.
Secretary

Honorable Jovito R. Salonga
President of the Senate
Manila

The President. Referred to the Committees on Trade and Commerce; and Local Government.

The Secretary.

The Presiding Officer [Senator Tañada]. The Majority Floor Leader is recognized.

MOTION OF SENATOR GUINGONA
(Referral of Senator Osmeña's Privilege Speech
to the Blue Ribbon Committee)

Senator Guingona. Mr. President, I move that that speech be referred to the Blue Ribbon Committee.

The Presiding Officer [Senator Tañada]. 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, I move that we resume consideration of Senate Bill No. 88 as reported out under Committee Report No. 548.

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

Senator Guingona. Mr. President, we are in the period of Committee amendments. I ask that this Representation be recognized.

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

Senator Guingona. Mr. President, last week we distributed two documents. Concerning the proposed amendments, we beg the indulgence of this Body, in view of the fact that we lifted many of the provisions of the House versions and incorporated them here, so that we will minimize differences and, perhaps there will be no need for the Conference Committee.

So, if the distinguished Members will bear with us, Mr. President:

On page 1 of Senate Bill No. 88, line 1, delete the words AND DEFINITIONS.

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

Senator Guingona. On the same page, between lines 3 and 4, insert the new Articles to read as follows:

ARTICLE I. TITLE

SECTION 1. TITLE OF THIS ACT. - THIS ACT SHALL BE KNOWN AS THE "CITIZEN SOLDIERS OR AFP RESERVISTS ACT."

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

Senator Guingona. ARTICLE II. DECLARATION OF PRINCIPLES

SEC. 2. THE REGULAR FORCE. - IT IS THE POLICY OF THE STATE TO MAINTAIN A SMALL STANDING OR REGULAR MILITARY FORCE IN TIME OF PEACE CONSONANT WITH ITS ADEQUATE AND ACTUAL NEEDS ON THE SECURITY OF THE STATE BUT WHICH CAN BE RAPIDLY EXPANDED BY THE WELL-DISCIPLINED CITIZEN ARMED FORCE IN THE EVENT OF WAR, INVASION, OR REBELLION.

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

Senator Guingona. SEC. 3. THE SECURITY AND SOCIO-ECONOMIC DEVELOPMENT OF THE STATE. - THE CITIZEN ARMED FORCE SHALL BE PROVIDED THE MAXIMUM OPPORTUNITY TO PARTICIPATE IN SAFEGUARDING THE SECURITY OF THE STATE AND IN ASSISTING IN SOCIO-ECONOMIC DEVELOPMENT.

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

Senator Guingona. SEC. 4. THE CALL TO PERSONAL MILITARY AND CIVIL SERVICE. - THE CITIZEN ARMED FORCE SHALL BE SO ORGANIZED, TRAINED, DEVELOPED AND MAINTAINED AS TO ENSURE THEIR READINESS TO IMMEDIATELY RESPOND TO THE CALL FOR SERVICE.

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

Senator Guingona. SEC. 5. THE PUBLIC AWARENESS. - THE STATE SHALL PROMOTE AND DEVELOP PUBLIC SUPPORT TO AND AWARENESS OF THE IMPORTANT ROLE OF THE CITIZEN ARMED FORCE AS A PROTECTOR OF THE PEOPLE AND THE STATE.

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

Senator Guingona. SEC. 6. THE MANPOWER OF THE CITIZEN ARMED FORCE. - THE MANPOWER OBJECTIVE

FOR THE CITIZEN ARMED FORCE SHALL CONFORM TO PROJECTED AND ACTUAL NEED. IT IS NOT ENVISIONED BY THE STATE TO HAVE A NATION UNDER ARMS, UNLESS EXTREMELY NECESSARY.

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

Senator Guingona. ARTICLE III. MISSION AND ORGANIZATION OF THE CITIZEN ARMED FORCE.

SEC. 7. MISSION. - THE MISSION OF THE CITIZEN ARMED FORCE, ALTERNATELY REFERRED TO AS THE RESERVE FORCE, IS TO PROVIDE THE BASE FOR THE EXPANSION OF THE ARMED FORCES OF THE PHILIPPINES IN THE EVENT OF WAR, INVASION, OR REBELLION; TO ASSIST GOVERNMENT FORCES IN THE MAINTENANCE OF LOCAL SECURITY, LAW, AND ORDER; ASSIST IN RELIEF AND RESCUE OPERATIONS DURING DISASTERS OR CALAMITIES; ASSIST IN SOCIO-ECONOMIC DEVELOPMENT; AND ASSIST IN THE OPERATION AND MAINTENANCE OF ESSENTIAL GOVERNMENT OR PRIVATE UTILITIES IN THE FURTHERANCE OF OVERALL MISSION.

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

Senator Guingona. SEC. 8. - ORGANIZATION. - THE RESERVE FORCE SHALL BE ORGANIZED INTO FIVE COMPONENTS, NAMELY:

- (1) ARMY RESERVE COMPONENT
- (2) AIR FORCE RESERVE COMPONENT
- (3) NAVY RESERVE COMPONENT
- (4) AFP-WIDE TECHNICAL RESERVE COMPONENT
- (5) AFFILIATED RESERVES

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

Senator Guingona. SEC. 9. ORGANIZATION OF RESERVE COMPONENTS. - THE ORGANIZATION OF EACH COMPONENT OF THE RESERVE FORCE AND THE MANPOWER OBJECTIVE OF EACH COMPONENT SHALL BE AS PRESCRIBED BY THE NATIONAL SECURITY COUNCIL. THE ORGANIZATION, STRUCTURE, MANNING, AND EQUIPMENT OF RESERVE UNITS SHALL CONFORM TO THE ORGANIZATION OF THE REGULAR FORCE. RESERVE UNITS OF A BATTALION TYPE OR

EQUIVALENT SHALL BE ORGANIZED ON A PROVINCIAL BASIS, AND RESERVE UNITS OF A BRIGADE AND DIVISION TYPE OR EQUIVALENT ON A REGIONAL BASIS. THE ORGANIZATIONAL STRUCTURE AND MANNING OF THE AFFILIATED RESERVE UNITS WILL BE PRESCRIBED BY THE SECRETARY OF NATIONAL DEFENSE AND WILL AS MUCH AS POSSIBLE CONFORM TO THEIR EXISTING CIVILIAN ORGANIZATION.

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

Senator Guingona. SEC. 10. AFFILIATED RESERVES. - AS THE PRESIDENT SHALL APPROVE UPON THE RECOMMENDATION OF THE SECRETARY OF NATIONAL DEFENSE, CERTAIN PRIVATE AND GOVERNMENT ENTITIES, CORPORATIONS, ESTABLISHMENTS AND ORGANIZATIONS AT THE NATIONAL, PROVINCIAL AND MUNICIPAL LEVELS WHICH PROVIDE ESSENTIAL PUBLIC SERVICES SUCH AS WATER, LIGHT, TRANSPORTATION, AND COMMUNICATION WHICH ARE NECESSARY TO SUPPORT THE PROSECUTION OF NATIONAL DEFENSE PLANS OR TO MEET AN EMERGENCY SHALL BE ORGANIZED AS AFFILIATED UNITS OF THE RESERVE FORCE. THESE AFFILIATED UNITS SHALL BE CONSTITUTED BY THE APPROPRIATE ORDERS TO BE ISSUED BY THE SECRETARY OF NATIONAL DEFENSE, GIVEN UNIT DESIGNATIONS AND ASSIGNED TO THE APPROPRIATE RESERVE COMPONENTS OF THE ARMED FORCES OF THE PHILIPPINES (AFP). THE ROSTER OF THE OFFICIALS AND EMPLOYEES OF THESE AFFILIATED UNITS SHALL BE INCLUDED IN THE ORDERS CONSTITUTING THE UNITS. THESE UNITS SHALL BE SO UTILIZED IN TIMES OF WAR OR EMERGENCY TO ENSURE THE CONTINUOUS AND UNINTERRUPTED PROVISION OF THE ESSENTIAL SERVICES THEY ARE RENDERING.

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

Senator Guingona. The next proposed amendment, Mr. President:

3. On the same page, also between lines 3 and 4, place a caption, to read as ARTICLE IV. DEFINITION OF CITIZEN SOLDIERS.

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

Senator Guingona. 4. On the same page, line 4, renumber "Sec. 2." to SEC. 11.

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

Senator Guingona. 5. On the same page, line 8, after the word "soldiers" change the word "are" to the word INCLUDE.

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

Senator Guingona. On the same page, lines 10 and 11, delete the words "Citizen Military Training (formerly the Reserve Officers Training Corps)" and in lieu thereof, insert the words RESERVE OFFICERS TRAINING CORPS (ROTC).

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

Senator Guingona. On the same page, line 15, delete the figure and the words "20-year old trainee instruction" and in lieu thereof, insert the phrase AUTHORIZED BASIC MILITARY TRAINING INSTRUCTIONS.

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

Senator Guingona. On page 2, delete the whole paragraph starting with the figure "6" in line 5 up to the acronym "AFP" in line 8.

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

Senator Guingona. On the same page, line 9, renumber "Article II" to ARTICLE V.

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

Senator Guingona. On the same page, line 11, renumber "Sec. 3" to SEC. 12.

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

Senator Guingona. On the same page, line 17, change the word "twenty" to EIGHTEEN and the figure "20" to "18".

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

Senator Guingona. On the same page, line 26, renumber "Sec. 4" to "SEC. 13" and after the word "of" delete the words "Citizen Soldiers" and in lieu thereof, insert the words RESERVE FORCE UNITS .

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

Senator Guingona. On the same page, lines 27 and 28, delete the phrase "three hereof, the citizen soldiers" and in lieu thereof, insert the figure and the phrase "12 ABOVE, THE RESERVE FORCE UNITS".

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

Senator Guingona. On the same page, line 30, after the word "Reserve" change the period to a comma and insert the following phrase: BASED ON THEIR OPERATIONAL READINESS FOR IMMEDIATE DEPLOYMENT/ UTILIZATION.

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

Senator Guingona. On page 4, delete the phrase starting with the word "similar" in line 4 up to the word "force" in line 5, and in lieu thereof, insert the following phrase: "IN ACCORDANCE WITH EXISTING POLICIES OF THE AFP".

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

Senator Guingona. On the same page, line 5, after the word "until" delete the phrase "they shall have been".

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

Senator Guingona. On the same page, delete the phrase starting with the word "belonging" in line 8 up to the word "Reserve" in line 9.

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

Senator Guingona. On the same page, line 10, change the word "Ready" to the word SAID.

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

Senator Guingona. On the same page, line 19, change the words "have been" to the word ARE and the words "of a" to the word FOR; add S to the word "crime" and delete the semicolon after the word "turpitude" and in lieu thereof, insert the phrase AND HAVE DEROGATORY RECORDS.

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

Senator Saguisag. Mr. President.

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

Senator Saguisag. Ano po ang ibig sabihin ng "DEROGATORY RECORDS"? Normally, in the case of conviction, there is no problem. But such an elastic criterion as having a derogatory record may be very hard to enforce.

Senator Guingona. Yes. Perhaps, this can be restricted. But this refers to official reports, for example, intelligence reports, concerning his background.

Senator Saguisag. The Gentleman and I, and the Presiding Officer and myself, on the basis of intelligence records, have derogatory ones. That is precisely my concern. Sabit po tayong lahat kung iyan ang pagbabatayan — intelligence records.

Nagkaroon na po ng report si General Canieso na kayo raw, Ginoong Tagapangulo, maging itong Tagapagtaguyod, at ang inyong Lingkod, ay masasamang tao.

Senator Guingona. We would yield to any strengthening, but there has to be a basis for admitting citizen soldiers.

Senator Saguisag. Sa palagay ba ninyo ay pag-aagawan ang paninilbihan dito? O baka naman magkaroon ng kani-kaniyang palusutan para huwag mapatawag upang makapagsilbi rito?

Senator Guingona. Tungkol po sa intelligence, kung mahusay naman ang intelligence at hindi magiging kasangkapan kagaya noong naganap sa panahon ni Marcos, siguro ay mapagkakatiwalaan natin iyan.

Senator Saguisag. Iyon nga po, if really, the basis would be intelligence reports, to which we have no access. That is why, normally, we are not even asked or allowed to ask in cross examination whether someone has been charged. Because anybody can charge anybody. Suspicion is even worse. So, the normally accepted standard is a conviction. But other than that, maybe, we can postpone consideration of that additional criterion, so we can move on. That is how probably we can tighten it.

Senator Guingona. Would the distinguished Gentleman be satisfied if we limit it to anti-government activities?

Senator Saguisag. That was what I was guilty of for many years, when before 1986, we were among the leaders in anti-government activities.

Senator Guingona. All right, we will defer this.

Senator Saguisag. Maybe, and hope to find some accommodation.

Senator Guingona. Yes, Mr. President.

Senator Saguisag. But in regard also to the stylistic formulation, I believe that this is really the standard style — those who have been convicted of. But we can check that with other people as to whether to say "those who are convicted for" is an improvement. I am not so sure. If probably it is not an improvement, then it may represent a deterioration in the usual formulation of that criterion. So, maybe we can check with our technical people if we can maintain the previous formulation or the new formulation. Siguro po ay i-suspend muna natin itong lines 19 to 20.

Senator Guingona. Yes, Mr. President, I so move.

The Presiding Officer [Senator Tañada]. Is there any objection? [Silence] There being none, the consideration of this amendment is suspended.

Senator Guingona. On the same page, page 4, between lines 20 and 21, insert a new subparagraph (e), to read as follows:

STUDENTS OF COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS WHO ARE UNDERGOING ROTC TRAINING DURING THE PENDENCY OF THEIR TRAINING RECOGNIZED BY THE MILITARY AUTHORITIES AS AMONG THOSE UNDERGOING TRAINING TO QUALIFY AS RESERVISTS.

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

Senator Guingona. On the same page, insert a comma (,) between the words "Reserve" and "except".

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

Senator Guingona. On page 5, line 2, change the word "paper" to the word SPECIFIED.

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

Senator Guingona. On the same page, between lines 26 and 27, insert the following Article to read as follows:

ARTICLE VI. MANPOWER DEVELOPMENT.

SEC. 14. *COMPULSORY MILITARY REGISTRATION AND TRAINING.* - ALL MALE CITIZENS BETWEEN THE AGES OF 18 AND 35 YEARS, WHO ARE NOT RESERVISTS SHALL BE REQUIRED TO REGISTER FOR MILITARY INSTRUCTION. REGISTRATION SHALL TAKE PLACE IN SUITABLE REGISTRATION PLACES TO BE PRESCRIBED BY THE CITY OR MUNICIPAL GOVERNMENT BETWEEN THE DATES OF APRIL FIRST AND SEVENTH COMMENCING ONE YEAR AFTER THE EFFECTIVITY OF THIS ACT. ANNUAL REGISTRATIONS SHALL BE HELD DURING THE SAME PERIOD IN SUCCEEDING YEARS.

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

Senator Guingona. SEC. 15. *EXEMPTION FROM COMPULSORY MILITARY TRAINING.* - THE FOLLOWING ARE EXEMPTED:

(1) MEMBERS OF THE CLERGY OF ANY RELIGIOUS ORDER OR SECT;

(2) THOSE IN THE ACTIVE SERVICE OF THE ARMED FORCES OF THE PHILIPPINES AND POLICE MEMBERS OF THE INTEGRATED NATIONAL POLICE;

(3) SUPERINTENDENT AND UNIFORMED MEMBERS OF THE NATIONAL PENITENTIARY, CORRECTIVE INSTITUTIONS, AND INSANE ASYLUMS;

(4) LICENSED AIR AND MARITIME PILOTS, NAVIGATORS AND MERCHANT MARINE OFFICERS.

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

Senator Alvarez. Mr. President.

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

Senator Alvarez. Among the enumerated exemptees or who are relieved from the burden of rendering military service, did I hear it right when the Gentleman said, those in the religious.

Senator Guingona. Yes. "MEMBERS OF THE CLERGY OF ANY RELIGIOUS ORDER."

Senator Alvarez. That is an offered amendment of the Committee, Mr. President.

Senator Guingona. Yes, Mr. President.

Senator Alvarez. They do serve in the armed services. Perhaps, we do not put them in front line battle positions, but they do serve, ministering to the spiritual needs of those who are in the armed services, and sometimes in the medical corps.

If the intention of the reserve is to train an army, and in that army will be ministers and members of religious sects, there is nothing abhorrent in allowing them to undertake the reservist training. So that, as reservists, they should not be exempt; they should be given an option to make a choice where to render service.

Taking them away entirely from the environment of military service will make them ineffective in discharging their spiritual or even their humanitarian duties, if they so choose to serve as spiritual leaders or chaplains or as personnel in the medical corps.

Senator Guingona. Yes, if they volunteer, certainly, they will be accepted. But to force them, to compel them to be within the reserve forces, we thought that the religious consideration should play a decisive factor as a basis for not compelling them.

Senator Alvarez. Is it possible to be in the reserve corps, and yet designated to belong to a particular branch of service, like the medical corps or the reserve chaplaincy?

Senator Guingona. Yes, it is possible, Mr. President.

Senator Alvarez. So that, they are not exempt from undertaking military service. What concerns me here is that, if and when, they should be called upon or they should volunteer if they have not been exposed to the military culture, then, they would not be effective participants. I do not insist that they participate in battle, that they become military tacticians. They should undertake the same training that you and I and everybody undertakes, and then if they are called to serve the colors as soldiers, they are a specific kind of soldiers or a particular kind of soldiers. They are religious leaders and office personnel.

Senator Guingona. That is our observation, that priests would be compelled to serve for six months, therefore, prejudicing their spiritual vocation. However, if the Gentleman insists, I will leave that to the Body.

Senator Alvarez. I do not know how extensively the Committee has deliberated on this.

Senator Guingona. Yes, the Committee feels that compelling them would do violence to their spiritual vocation. However, if they will volunteer, naturally, we will accept them.

Senator Alvarez. If the Committee is satisfied that it has explored these issues extensively — but I do feel that putting them in the reserve and not putting them as the frontline soldiers, but preparing them as fellow soldiers who will minister to the particular needs of the armed forces, enriches the quality of our armed services.

Senator Maceda. Mr. President.

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

Senator Maceda. May I just request the Sponsor at this point, to reconcile or explain page 6: "The following citizen soldiers may be exempted from rendering service with the said reserved units."

Then on page 8: "Exemption from compulsory military training."

Then on page 9: "Persons disqualified or exempted from registration."

Meaning to say, for example, on page 6, those who are physically and mentally unfit to serve their tour of duty may be exempted from rendering service with the said reserve units. The same with page 9, persons disqualified or exempted from registration, those who are mentally and physically unfit as certified by an AFP medical officer. But in Section 15, the same category is not exempted from compulsory military training.

Students of colleges and universities — on page 6 — they are not under Section 15, but they are under Section 17, and so on down the line.

I think that this is just trying to make heads or tails of these three different provisions.

SUSPENSION OF THE SESSION

Senator Guingona. Mr. President, may I ask for a one-minute suspension of the session.

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

It was 5:44 p.m.

RESUMPTION OF THE SESSION

At 5:48 p.m., the session was resumed.

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

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

Senator Guingona. Mr. President, we will make some adjustments here, before we give the answer to the distinguished Gentleman's query. So, therefore, I ask for the suspension of the consideration of this measure.

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

SUSPENSION OF THE SESSION

Senator Guingona. I ask that we have our usual break.

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

It was 5:49 p.m.

RESUMPTION OF THE SESSION

At 6:19 p.m., the session was resumed with the President of the Senate presiding.

The President. The session is resumed.

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

Senator Guingona. Mr. President, may we resume briefly the consideration of this measure, Senate Bill No. 88. In response to the query of Senator Maceda and Senator Saguisag on the proposed amendments on page 6, Mr. President, we will remove the "DEROGATORY RECORDS" from line 28. From lines 29 to 31, and then on page 7, line 2, we will delete that, in response to the query of Senator Maceda.

On page 8, line 18, as far as the religious clergy is concerned, EXCEPT WHEN THEY VOLUNTEER will be added.

On page 9, it will be: THE FOLLOWING PERSONS ARE DISQUALIFIED FROM REGISTERING. We will delete line 14: "THOSE KNOWN IN THE COMMUNITY AS HAVING DEROGATORY RECORD OR OF DISREPUTABLE CONDUCT AND CHARACTER."

The President. So, on page 6, we will first delete lines 27 up to the....

Senator Guingona. Line 28, place a period after "turpitude" and delete "AND HAVE DEROGATORY RECORDS"; and delete lines 29 to 31 of page 6, and lines 1 and 2 of page 7.

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

Senator Guingona. And then on page 8, add the phrase EXCEPT WHEN THEY VOLUNTEER after "SECT" in line 18.

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

Senator Guingona. And then on page 9, lines 4 and 5, delete the phrase "OR EXEMPTED".

The President. So that it will read: THE FOLLOWING PERSONS ARE DISQUALIFIED FROM REGISTERING:.

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

Senator Guingona. And then, delete lines 14, 15 and 16, after the word "turpitude" period.

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

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

Senator Guingona. So, we will make the changes accordingly, Mr. President.

I ask that we suspend consideration of this measure.

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

BILL ON SECOND READING Senate Bill No. 1500 — Crime of Coup d'Etat

Senator Guingona. Mr. President, I move that we consider Committee Report No. 1046 on Senate Bill No. 1500.

The President. Consideration of Senate Bill No. 1500 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 1500, entitled

AN ACT PUNISHING THE CRIME OF COUP D'ETAT BY AMENDING ARTICLES 134, 135 AND 136 OF CHAPTER ONE, TITLE THREE OF ACT 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND FOR OTHER PURPOSES.

The following is the full text of Senate Bill No. 1500:

EXPLANATORY NOTE

The bloody December 1-7, 1989 coup d'etat launched by mutinous and rebellious elements of the Armed Forces of the Philippines, which was apparently backed and supported by civil government functionaries as well as by private persons, almost toppled the duly constituted government. In its wake, numerous lives were lost and hundreds were seriously injured. Millions of pesos worth of public and private properties were destroyed and damaged. The task of reconstruction was again set back.

Under present laws, there is no crime known as "coup d'etat." Persons leading or otherwise participating in a coup are prosecuted merely for rebellion or for the alleged complex crime of rebellion with murder, arson, et cetera. While coups constitute a form of rebellion, not all rebellions are coups.

Unlike an ordinary rebellion, which ordinarily begins in the countryside, a coup d'etat is directed at the central seat of government — the Palace itself.

In an ordinary rebellion, the central figures are not key elements within the government itself while in a coup d'etat, the key personalities are elements within the establishment itself. The leaders are usually military officials in conspiracy with civilian personalities or vice versa.

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.

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.

RECORD OF THE SENATE

WEDNESDAY, MAY 30, 1990

OPENING OF THE SESSION

At 3:13 p.m., the Honorable Sotero H. Laurel, President Pro Tempore of the Senate, called the session to order.

The President Pro Tempore. Binubuksan ang pulong ng Senado.

Pangungunahan tayo sa panalangin ni Senador Alberto G. Romulo.

Everybody remained standing for the opening prayer.

PRAYER

Senator Romulo.

Dear Lord,

We come to You today, meek and humble, knowing that we can do nothing without You.

We acknowledge Your might and mercy and we pray for wisdom that we may fulfill the delicate task You have indulged us with.

We pray for courage and strength that despite the trials and tribulations, we may do our duty to our country and our people.

Dear Lord, we know that if we remain faithful to You, nothing is impossible; that through You we shall prevail and overcome.

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.	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 Pro Tempore. With 21 Senators present, we have a quorum.

The Majority Floor Leader is recognized.

THE JOURNAL

Senator Guingona. Mr. President, I move to 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 now proceed with the reading of the Order of Business.

REFERENCE OF BUSINESS

MESSAGE OF THE PRESIDENT OF THE PHILIPPINES

The Secretary.

25 May 1990

Gentlemen:

I have the honor to forward herewith one (1) certified true copy and sixteen (16) additional copies of the Convention on Social Security Between the Government of the Republic of the Philippines and the Government of the French Republic signed at Manila on 07 February 1990 by then Acting Secretary of Foreign Affairs Manuel T. Yan and the Ambassador of France to the Philippines, H. E. Jacques Le Blanc. On the same day, an Administrative Arrangement Relative to the Implementation of the Convention was signed by Social Security System Administrator Jose L. Cuisia, Jr., Ms.

*Arrived after the roll call

The President Pro Tempore. Is there any objection? [Silence] There being none, the period of interpellations is concluded.

SUSPENSION OF CONSIDERATION OF
SENATE BILL NO. 155

Senator Guingona. Mr. President, considering that this is a very voluminous bill and to give time to everyone to prepare for the amendments, I move that we suspend consideration of this measure.

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

SUSPENSION OF THE SESSION

The President Pro Tempore. Let us have a suspension of the session, if there is no objection. [There was none.]

It was 4:21 p.m.

RESUMPTION OF THE SESSION

At 4:23 p.m., the session was resumed.

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

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

Senator Guingona. I move that we consider Committee Report No. 548 on Senate Bill No. 88. We are in the period of Committee amendments. I ask that this Representation be recognized.

The President Pro Tempore. The Majority Floor Leader, the Sponsor of the bill, is recognized.

COMMITTEE AMENDMENTS

Senator Guingona. Mr. President, we have distributed anew the proposed amendments of the Committee. We are now on page 9, "ARTICLE VII - CITIZEN MILITARY TRAINING", Section 35:

SEC. 35. BASIC CITIZEN MILITARY TRAINING. - REGISTRANTS FINALLY SELECTED FOR MILITARY TRAINING PURSUANT TO SECTION 30 SHALL UNDERGO A BASIC MILITARY TRAINING FOR A PERIOD OF NOT MORE THAN SIX MONTHS. THE SECRETARY OF

NATIONAL DEFENSE SHALL PRESCRIBE THE COURSE OF INSTRUCTION.

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

Senator Guingona. SEC. 36. CITIZEN MILITARY TRAINING CENTERS. - THERE SHALL BE ESTABLISHED IN EVERY PROVINCE AT LEAST ONE TRAINING CENTER FOR THE CONDUCT OF CITIZEN MILITARY AND RESERVIST TRAINING WITH A MINIMUM TRAINING CAPACITY FOR ONE INFANTRY RIFLE COMPANY AT A TIME. THESE TRAINING CENTERS SHALL FORM PART OF THE RESERVE COMPONENT ORGANIZATION OF THE MAJOR SERVICES AND SHALL BE REFERRED TO AS CITIZEN MILITARY TRAINING CENTER.

The President Pro Tempore. Is there any objection?

Senator Saguisag. Mr. President.

The President Pro Tempore. Senator Saguisag is recognized.

Senator Saguisag. Ito po bang "AHLL", is that "ALL" or "SHALL"?

Senator Guingona. "SHALL".

Senator Saguisag. Nais ko lamang pong linawin.

The President Pro Tempore. So that should read "SHALL". Is there any objection as clarified? [Silence] There being none, the amendment is approved.

Senator Guingona. SEC. 37. INCORPORATION INTO TRAINING. - UPON REPORTING TO THEIR ASSIGNED TRAINING CENTERS, THE SELECTED REGISTRANTS SHALL BE PHYSICALLY EXAMINED AND IF FOUND FIT FOR THE SERVICE SHALL BE INDUCTED INTO SERVICE. WHERE A CHANGE OF TRAINING CENTER IS NECESSARY TO PROVIDE THE REQUISITE TRAINING, THE COMMANDER OFFICER OF THE TRAINING CENTER SHALL BE AUTHORIZED TO ISSUE THE NECESSARY ORDERS COVERING HIS TRANSPORTATION AND PROVIDE THE FUNDS FOR THE PURPOSE: PROVIDED, THAT NO REGISTRANTS SHALL BE TRANSFERRED TO A TRAINING CENTER OUTSIDE HIS PROVINCE OR DESIGNATED TRAINING CENTER EXCEPT IN THE CASE OF PHILIPPINE NAVY AND PHILIPPINE AIR FORCE REGISTRANTS IF THERE ARE NO AIR OR NAVAL TRAINING CENTERS THEREAT.

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

Senator Guingona. Mr. President, instead of "COMMANDER OFFICER" it should read "COMMANDING OFFICER".

The President Pro Tempore. As corrected.

Senator Guingona. Yes, as corrected.

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

Senator Guingona. SEC. 38. *RESERVE OFFICERS TRAINING CORPS.* - MILITARY TRAINING FOR STUDENTS ENROLLED IN COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS OF LEARNING IS MANDATORY PURSUANT TO THE PROVISIONS OF THE NATIONAL DEFENSE ACT AND THE 1987 CONSTITUTION.

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

Senator Guingona. SEC. 39. *ESTABLISHMENT OF ROTC UNITS IN SCHOOLS.* - AT SUCH COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS OF LEARNING THAT REQUEST FOR THE CONDUCT OF MILITARY TRAINING IN THEIR INSTITUTIONS, THERE SHALL BE ESTABLISHED AND MAINTAINED RESERVE OFFICERS TRAINING CORPS UNITS AS THE SECRETARY OF NATIONAL DEFENSE MAY APPROVE, WHICH SHALL CONDUCT MILITARY TRAINING FOR THE STUDENTS OF SUCH INSTITUTIONS FOR THE PURPOSE OF PRODUCING ENLISTED AND OFFICER RESERVISTS. THE PROGRAM OF INSTRUCTION SHALL BE PRESCRIBED BY THE SECRETARY OF NATIONAL DEFENSE AND MAY INCLUDE INSTRUCTION TO PREPARE FEMALE STUDENTS FOR MILITARY SERVICE: *PROVIDED*, THAT SUCH COURSE OF INSTRUCTION SHALL NOT EXCEED TWO ACADEMIC YEARS IN THE CASE OF ENLISTED RESERVISTS, AND FOUR ACADEMIC YEARS IN THE CASE OF OFFICER RESERVISTS WHICH SHALL INCLUDE AS NECESSARY SUMMER OR PROBATIONARY TRAINING OF NOT MORE THAN SIXTY CONSECUTIVE DAYS. THE FIRST TWO YEARS OF ROTC TRAINING, WHICH IS MANDATORY, IS REFERRED TO AS BASIC ROTC WHILE THE SECOND TWO YEARS AFTER SAID BASIC ROTC, WHICH IS VOLUNTARY, IS REFERRED TO AS THE ADVANCE ROTC. THE ALLOCATION OF ROTC UNITS TO THE VARIOUS MAJOR SERVICES OF THE AFP

SHALL CONFORM TO THE PROJECTED MANPOWER NEEDS OF THEIR RESPECTIVE RESERVE COMPONENTS.

The President Pro Tempore. Is there any objection? Any question to Section 39 as read? [Silence] There being none, the amendment is approved.

Senator Guingona. Section 40.

SECTION 40. *ACCEPTANCE FOR ADVANCE ROTC.* - STUDENTS WHO VOLUNTEER FOR ADVANCE ROTC SHALL BE SCREENED BY AN ROTC ACCEPTANCE BOARD WHICH IS HEREBY CREATED FOR THE PURPOSE, COMPOSED OF THE COMMANDANT OF THE ROTC UNIT, A REPRESENTATIVE OF THE SCHOOL NOMINATED BY THE SCHOOL AUTHORITIES AND A MILITARY PHYSICIAN. THE STUDENT VOLUNTEER SHALL BE PHYSICALLY EXAMINED FOR FITNESS FOR TRAINING AND SHALL FURTHER BE MADE TO EXECUTE IN WRITING A STATEMENT THAT HE VOLUNTEERED FOR TRAINING ON HIS OWN VOLITION. WHERE THE STUDENT IS BELOW EIGHTEEN YEARS OF AGE, HE SHALL BE REQUIRED TO OBTAIN HIS PARENT'S OR GUARDIAN'S CONSENT. IN THE CASE OF STUDENTS VOLUNTEERING FOR RESERVE OFFICER TRAINING, THEY SHALL BE FURTHER SUBJECT TO COMPETITIVE EXAMINATION IN ORDER TO SELECT THE BEST MATERIAL. THE STUDENTS UNDERGOING ROTC WILL BE REFERRED TO AS ROTC CADETS.

The President Pro Tempore. Is there any question, objection to Section 4 as read? [Silence] There being none, the amendment is approved.

Senator Guingona. SEC. 41. *ORGANIZATION AND STAFFING OF ROTC UNITS.* - THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE THE ORGANIZATION AND STAFFING OF ROTC UNITS. RESERVE OFFICERS IN ACTIVE SERVICE AS WELL AS QUALIFIED ENLISTED AND OFFICER RESERVISTS ON INACTIVE STATUS SHALL BE GIVEN PRIORITY TO HANDLE TRAINING INSTRUCTION AND TO ASSIST IN ADMINISTRATION AND SHALL BE ENTITLED TO RECEIVE HONORARIA AND OTHER ALLOWANCES AS THE SECRETARY OF NATIONAL DEFENSE SHALL PRESCRIBE.

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

Senator Guingona. SEC. 42. *FUND FOR MAINTENANCE AND OPERATION OF SCHOOL ROTC UNITS.* - THE FUNDS

FOR THE ESTABLISHMENT AND MAINTENANCE AND OPERATION OF ROTC UNITS SHALL BE PROVIDED FOR IN THE REGULAR ANNUAL APPROPRIATIONS OF THE ARMED FORCES OF THE PHILIPPINES. SUCH APPROPRIATIONS SHALL PROVIDE FOR THE FULL FUNDING SUPPORT FOR THE ADVANCE ROTC ONLY. THE SCHOOL OF THE STUDENT MAY NOT BE REQUIRED TO SPEND ANY AMOUNT FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF ROTC TRAINING: *PROVIDED*, THAT THE SCHOOL REQUESTING FOR THE ESTABLISHMENT SHALL PROVIDE THE TRAINING GROUND AND OFFICE FACILITIES FREE OF CHARGE. THE ADVANCE ROTC CADET SHALL EACH BE PROVIDED FREE TWO SUITS OF FATIGUE UNIFORM WITH HEADGEAR, BELT AND ONE PAIR OF COMBAT BOOTS FOR THE DURATION OF THE TRAINING. HOWEVER, THOSE TAKING THE BASIC ROTC ARE REQUIRED TO PAY A REASONABLE ROTC FEE, THE AMOUNT TO BE DETERMINED BY THE SECRETARY OF NATIONAL DEFENSE IN COORDINATION WITH THE SCHOOL OFFICIALS CONCERNED.

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

Senator Guingona. SEC. 43. *SCHOLARSHIP INCENTIVE FOR ADVANCE ROTC TRAINING*. - STUDENTS UNDERGOING ADVANCE ROTC WHO BELONG TO THE UPPER FIVE PERCENT OF THEIR ACADEMIC CLASS SHALL BE PROVIDED A TUITION SUBSIDY OF FIFTY PERCENT OF THEIR ANNUAL TUITION FOR THE PERIOD OF THEIR ADVANCE ROTC. THE FUNDS FOR THIS PURPOSE SHALL BE CARRIED IN THE ANNUAL APPROPRIATIONS OF THE AFP. THE CHIEF OF STAFF, AFP SHALL PROMULGATE THE GUIDELINES FOR THE IMPLEMENTATION OF THIS PROVISION.

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

Senator Guingona. Mr. President, on Article VIII.

"ARTICLE VIII. INCORPORATION INTO THE RESERVE FORCE"

"SEC. 44. *ELECTED OFFICIALS AND PRESIDENTIAL APPOINTEES*." - ELECTED OFFICIALS AND PRESIDENTIAL APPOINTEES MAY BE COMMISSIONED IN THE RESERVE FORCE SUBJECT TO THE EXISTING AFP RULES AND REGULATIONS."

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

Senator Guingona. SEC. 45. *AWARD OF RANKS AND ASSIGNMENTS TO RESERVE UNITS OF GRADUATES OF ROTC*. - GRADUATES OF BASIC ROTC SHALL BE GIVEN A RESERVE ENLISTED RANK AND SERIAL NUMBER AND ASSIGNED TO RESERVE UNITS AND MOBILIZATION CENTERS IN THEIR PROVINCES. THE RANKS TO BE AWARDED SHALL BE FROM PRIVATE TO SERGEANT OR ITS EQUIVALENT: *PROVIDED*, THAT THE QUOTA FOR NON-COMMISSION OFFICERS SHALL NOT EXCEED FIVE PERCENT OF THE AUTHORIZED STRENGTH OF THE UNIT TO WHICH THE RESERVISTS SHALL BE ASSIGNED AFTER GRADUATION AND: *PROVIDED, FURTHER*, THAT THOSE TO BE AWARDED RANK ABOVE PRIVATE SHALL BE CHOSEN BASED ON MERIT. THOSE WHO CONTINUE TO THE ADVANCE ROTC COURSE SHALL CONTINUE TO CARRY THEIR ENLISTED RANK UNTIL THEIR SUCCESSFUL COMPLETION OF ADVANCE ROTC.

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

Senator Guingona. Mr. President, SEC. 46. *DISPOSITION OF GRADUATES OF ADVANCE ROTC*. - THOSE WHO SUCCESSFULLY COMPLETED ADVANCE ROTC COURSE SHALL BE RECOMMENDED FOR COMMISSION IN THE RESERVE AS SECOND LIEUTENANTS AND ASSIGNED TO THE RESERVE UNITS AND MOBILIZATION CENTERS IN THEIR PROVINCES. THOSE WITH MANIFEST POTENTIAL MAY BE COMMISSIONED IN THE REGULAR FORCE AS SECOND LIEUTENANT SUBJECT TO THE CRITERIA FOR REGULAR OFFICERS OF THIS RANK FOR THAT PARTICULAR SERVICE. THOSE WHO FAIL TO COMPLETE THE COURSE SHALL BE CONFERRED THE ENLISTED RANK OF SERGEANT OR ITS EQUIVALENT AND SIMILARLY ASSIGNED TO RESERVE UNITS AND MOBILIZATION CENTERS. PROBATIONARY TRAINING AS A REQUISITE BEFORE COMMISSIONSHIP SHALL BE DETERMINED BY THE AFP RESERVE COMMAND ON TECHNICAL SKILLS, EXPERIENCES OR QUALIFICATIONS OF THE APPLICANTS.

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

Senator Guingona. SECTION 47. *NOTIFICATION OF RESERVE ASSIGNMENT*. - THE RESERVIST SHALL BE NOTIFIED IN WRITING OF HIS ASSIGNMENT TO A RESERVE UNIT AND A MOBILIZATION CENTER. HE SHALL BE MADE TO ACKNOWLEDGE RECEIPT IN WRITING OF SUCH NOTIFICATION.

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

Senator Guingona. SECTION 48. *RESERVISTS REGISTRY.*
- THE ARMED FORCES OF THE PHILIPPINES RESERVE COMMAND SHALL PROVIDE ALL CITY/MUNICIPAL TREASURERS OF CHARTERED CITIES AND MUNICIPALITIES OF THE LIST OF THOSE WHO HAVE SUCCESSFULLY COMPLETED MILITARY TRAINING, INDICATING THEREIN AMONG OTHERS THEIR RANK, SERIAL NUMBER, RESERVE UNIT ASSIGNMENT AND MOBILIZATION CENTER. IT SHALL BE THE DUTY OF THE LOCAL CIVIL REGISTRAR TO MAINTAIN AND UPDATE THE RESERVISTS REGISTRY UNDER THE SUPERVISION AND CONTROL OF THE AFP RESERVE COMMAND.

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

Senator Guingona. Mr. President, on the same page, that is page 5 of the original Senate Bill No. 88 line 27 renumber "Article III" to "Article IX". And, in line 28 after the word "training" insert the words "OF RESERVE FORCE".

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

Senator Guingona. On the same page, line 29, renumber "SECTION 5" to "SECTION 49".

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

Senator Guingona. In line 11, page 6 of the original Senate Bill No. 88, delete the phrase starting with the word "the" up to the word "command".

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

Senator Guingona. Delete also the period (.) in line 12.

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

Senator Guingona. On page 7, delete the whole paragraph starting with the word "to" in line 8 up to the word "act".

The President Pro Tempore. Up to line 18. Is there any objection? [Silence] There being none, the amendment is approved.

Senator Guingona. On the same page renumber "SECTION 6" to "SECTION 50", Mr. President.

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

Senator Guingona. On page 9, line 25 delete the words "Citizen Military Training (CMT)" and in lieu thereof insert the phrase "RESERVED OFFICERS TRAINING CORPS".

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

Senator Guingona. On page 10, before line 1 insert the following Sections to read as follows:

SECTION 52. CLASSIFICATION AND MAINTENANCE OF READINESS OF RESERVED UNITS. - UNITS WHICH ARE COMPOSED OF RESERVISTS OF THE READY RESERVISTS SHALL BE CLASSIFIED AS TO DEGREE OF READINESS TO RESPOND TO THE CALL FOR SERVICE AS FOLLOWS:

1. **READY RESERVE I.** - UNITS CLASSIFIED AS READY RESERVE I SHALL BE MAINTAINED IN A HIGH DEGREE OF READINESS AS TO BE READY FOR OPERATIONAL EMPLOYMENT IN NOT MORE THAN SEVEN DAYS AFTER ACTIVATION. THE INDIVIDUAL AND CREW SERVED WEAPONS AND INDIVIDUAL CLOTHING SHALL BE READY FOR DISTRIBUTION UPON THEIR ACTIVATION. THE WHEREABOUTS OF THEIR RESERVISTS SHALL BE CONSTANTLY ASCERTAINED. AS NECESSARY, THESE UNITS WILL CARRY AN EXCESS OF TWENTY PERCENT OF THEIR AUTHORIZED PERSONNEL STRENGTH TO COMPENSATE FOR THOSE WHO MAY FAIL TO REPORT OR BE LATE IN REPORTING FOR DUTY.

The President Pro Tempore. Let us first consider that. Ready Reserve No. 1. Is there any objection? [Silence] There being none, the amendment is approved.

Senator Guingona. ...READY RESERVE II. UNITS CLASSIFIED AS READY RESERVE II SHALL BE MAINTAINED IN A DEGREE OF READINESS AS TO BE READY FOR OPERATIONAL EMPLOYMENT IN NOT MORE THAN FIFTEEN DAYS.

THE CHIEF OF STAFF, AFP SHALL SELECT AND RECOMMEND TO THE SECRETARY OF NATIONAL DEFENSE THE RESERVE UNITS UNDER READY RESERVE

I AND READY RESERVE II: *PROVIDED*, THAT IN AREAS THREATENED BY INSURGENCY, THERE SHALL BE AT LEAST ONE UNIT OF INFANTRY BATTALION STRENGTH UNDER READINESS STATUS OF READY RESERVE I.

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

Senator Guingona. SEC. 53. *MOBILIZATION STOCK.* - THE MINIMUM ESSENTIAL INDIVIDUAL AND ORGANIZATION EQUIPMENT AND SUPPLIES SHALL BE PROCURED, STORED AND MAINTAINED FOR SELECTED READY RESERVE UNITS TO ENHANCE RAPID TRANSITION TO READINESS REQUIRED FOR EMPLOYMENT IN THE SHORTEST POSSIBLE TIME.

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

Senator Guingona. On the same page 10 of the original Senate Bill, line 1, renumber "Article IV" to ARTICLE X.

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

Senator Guingona. On the same page, line 3, renumber "Sec. 8" to SEC. 54.

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

Senator Guingona. And on the same page, line 21, renumber "Sec. 9" to SEC. 55.

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

Senator Guingona. On page 11, line 25, renumber "Article V" to ARTICLE XI and in line 26, renumber "Sec. 10" to SEC. 56.

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

Senator Guingona. On Page 12, between lines 14 and 15, insert a new paragraph to read as follows:

WHEN FULL MOBILIZATION IS ORDERED, ALL UNITS OF THE READY AND STANDBY RESERVES WILL BE ACTIVATED, THE RESERVISTS CONSTITUTING THEM ARE CALLED TO ACTIVE DUTY, AND THE UNITS

ACTIVATED ARE PLACED ON OPERATIONAL READINESS. ALL OTHER RESERVISTS NOT ASSIGNED TO ANY UNIT OR THOSE ASSIGNED TO RESERVE POOLS SHALL BE ORGANIZED INTO REPLACEMENT UNITS.

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

Senator Guingona. On the same page, after line 31, insert a new paragraph to read as follows:

WHEN PARTIAL MOBILIZATION IS ORDERED, ONLY THE UNITS OF THE READY RESERVE AS ARE NECESSARY TO MEET THE THREAT WILL BE ACTIVATED, THE RESERVISTS ASSIGNED TO THESE UNITS CALLED TO ACTIVE DUTY AND THE ACTIVATED UNITS PLACED ON OPERATIONAL READINESS. THE PRESIDENT WILL SPECIFY THE UNITS TO BE ACTIVATED.

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

Senator Guingona. On page 13, line 9, delete the word "political" and in lieu thereof, insert the words NATIONAL OR PARTIAL.

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

Senator Guingona. On the same page, between lines 12 and 13, insert the following sections to read as follows:

SEC. 57. *MOBILIZATION CENTERS.* - THERE SHALL BE ESTABLISHED IN EACH PROVINCE AS MANY MOBILIZATION CENTERS AS NEEDED CORRESPONDING TO THE NUMBER AND DISTRIBUTION OF RESERVISTS IN THE PROVINCE TO WHICH RESERVISTS WILL REPORT WHEN MOBILIZATION IS ORDERED. THE CITIZEN MILITARY TRAINING CENTERS IN THE PROVINCES ESTABLISHED UNDER THIS ACT MAY ALSO BE USED AS MOBILIZATION CENTERS. THE SECRETARY OF NATIONAL DEFENSE, UPON RECOMMENDATION OF THE CHIEF OF STAFF, AFP AND IN CONSULTATION WITH THE LOCAL EXECUTIVES, SHALL PRESCRIBE THE LOCATION OF THE MOBILIZATION CENTERS. THE LOCATION OF THESE CENTERS SHALL BE GIVEN THE WIDEST PUBLIC INFORMATION BY THE LOCAL EXECUTIVES.

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

Senator Guingona. SEC. 58. *DEMOBILIZATION*. - WHEN THE THREAT OR EMERGENCY FOR WHICH MOBILIZATION HAS BEEN ORDERED HAS PASSED, THE PRESIDENT WILL ORDER THE DEMOBILIZATION OF THE RESERVE UNITS ACTIVATED AND THE RESERVISTS OF SUCH DEACTIVATED UNITS SHALL BE REVERTED INTO INACTIVE STATUS.

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

Senator Guingona. SEC. 59. *AUXILIARY SERVICE*. - FOR THE PURPOSE OF ASSISTING IN RESCUE AND RELIEF OPERATIONS DURING DISASTERS AND CALAMITIES, HEALTH WELFARE ACTIVITIES AND PARTICIPATING IN LOCAL SOCIOECONOMIC DEVELOPMENT PROJECTS, THE PRESIDENT MAY CALL UPON THE RESERVISTS IN THE AFFECTED OR CONCERNED LOCALITIES TO VOLUNTEER THEIR SERVICES.

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

Senator Guingona. SEC. 60. *WOMEN RESERVISTS*. - WOMEN SHALL NOT BE DEPRIVED OF THEIR RIGHT AND PRIVILEGE TO SERVE WITH THE AFP. *HOWEVER*, THEY SHALL BE ACCORDED SPECIAL PRIVILEGES/ PROHIBITIONS RELATIVE TO THEIR PHYSICAL/ MEDICAL PECULIARITIES AND SHALL BE EXEMPTED FROM COMBAT DUTIES OR FIELD SERVICE INVOLVING HARD PHYSICAL EXERTIONS. THEY SHALL BE PROVIDED SEPARATE BILLETING FROM THE MEN AND SUCH OTHER AMENITIES AS ARE PECULIARLY NECESSARY.

The President Pro Tempore. Is there any objection?

Senator Saguisag. Mr. President.

The President Pro Tempore. Senator Saguisag is recognized.

Senator Saguisag. Mr. President, I believe, we should recast this provision.

To begin with, I assumed all along that we were talking of men, and this suddenly comes up. Should we be using terms such as "MEDICAL PECULIARITIES" of women or "PECULIARLY NECESSARY" or "SERVICE INVOLVING HARD PHYSICAL EXERTIONS"? In the first place, I do not see how these fall into place. In the definitions, in the beginning, we say "male...", et

cetera. Is this really a duty or a right or a privilege? There are a lot of questions about this Section. I do not know how to begin to try to improve it since the concept and phraseology may need a further examination. I mean, I do not believe we should say, "Long live the peculiarity"; maybe, "Long live the difference."

Senator Guingona. We are open to any suggestions as far as the language is concerned.

Senator Saguisag. Mr. President, I would like to have some time to do so.

The President Pro Tempore. Shall we then defer consideration of this particular Committee amendment and move on to the next amendment?

Senator Guingona. Yes, Mr. President.

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

Senator Guingona. On the same page, line 13, renumber "Article VI" to ARTICLE XII and in line 14, renumber "Sec. 11" to SEC. 61.

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

Senator Guingona. On the same page, between lines 28 and 29, insert a new paragraph to read as follows:

THE PRESIDENT SHALL UTILIZE A PORTION OF THE MILITARY ASSISTANCE FUND AVAILABLE FROM ANY SOURCE TO AUGMENT THE APPROPRIATION FOR THE RESERVE FORCE.

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

Senator Guingona. On the same page, line 29, renumber "Article VII" to ARTICLE XIII and in line 30, renumber "Sec. 12" to SEC. 62.

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

Senator Guingona. On page 14, line 7, renumber "Sec. 13" to SEC. 63, and in line 24, renumber "Article VIII" to ARTICLE XIV.

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

Senator Guingona. On the same page, delete "Sections 14 and 15" starting in line 25 up to line 11 of the next page.

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

Senator Guingona. On page 15, line 12, renumber "Sec. 16" to SEC. 64.

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

Senator Guingona. On page 16, before line 1, insert a new section to read as follows:

SEC. 65. *RETENTION OF ROTC UNITS IN COLLEGES AND UNIVERSITIES.* - ROTC UNITS IN COLLEGES AND UNIVERSITIES SHALL CONTINUE WITH ROTC TRAINING IN ACCORDANCE WITH THIS ACT.

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

Senator Guingona. On the same page, line 1, renumber "Sec. 17" to SEC. 66 and delete the provision of the same and in lieu thereof, insert the following:

THE PROVISIONS OF EO NO. 264, EO NO. 292, CA NO. 1 AND OTHER LAWS, DECREES AND ISSUANCES INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE HEREBY REPEALED.

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

Senator Guingona. On the same page, between lines 5 and 6, insert a new section to read as follows:

SEC. 67. *SEPARABILITY CLAUSE.* - IF FOR ANY CAUSE, ANY PART OF THIS ACT IS HEREBY DECLARED UNCONSTITUTIONAL, THE REST OF THE PROVISIONS SHALL REMAIN IN FORCE AND EFFECT.

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

Senator Guingona. On the same page, renumber "Sec. 18" to SEC. 68 and delete the whole provision of the same and in lieu thereof, insert the following:

THIS ACT SHALL TAKE EFFECT 15 DAYS AFTER ITS PUBLICATION IN THE OFFICIAL GAZETTE OR IN A NATIONAL NEWSPAPER OF GENERAL CIRCULATION.

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

Senator Guingona. Finally, amend the title of the bill to read as follows:

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF CITIZENS SOLDIERS OR RESERVISTS OF THE ARMED FORCES OF THE PHILIPPINES, AND FOR OTHER PURPOSES.

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

Senator Guingona. Mr. President, with the reservations of the portions already alluded to by Senator Saguisag and the expenses for the maintenance of the activation board which we will furnish him and put into the *Record*, the period of Committee amendments is terminated.

And I would like to manifest that Senator Pimentel is a co-author of this measure.

The President Pro Tempore. So noted.

Senator Herrera. Mr. President.

The President Pro Tempore. Senator Herrera is recognized.

Senator Herrera. I would just like to inquire whether there is a provision in the bill which would protect the employment of those who will be called for active duty because that is very important. I do not notice any provision here that will protect their employment.

Senator Guingona. Yes, there are provisions not only expressed, but also giving preference to unemployed and unmarried persons. In our estimates, they will be the first to be affected and not the employed and already working.

Senator Herrera. It might be possible that at the time when the classification is made, he is still employed but at the same time he is activated, he is already employed. Therefore, his employment will be prejudiced. So, I think, there should be clear provisions that will afford protection to his employment, that once he will go back to private life, he can go back to his employment.

Senator Guingona. I will refer the distinguished Senator to Section 33 — Security in Government or Private Employment While on Military Training. In the instance cited, he may ask for deferment.

Senator Herrera. But if the distinguished Sponsor will recall — I think it was the other day that I raised this issue — that under Section 33 which the Sponsor mentioned, the deferment may be only for three years.

Senator Guingona. Yes. Assuming he is 18, after three years, he will be 21, and if he is still employed....

Senator Herrera. He can ask for deferment.

Senator Guingona. Yes.

Senator Herrera. I would like to make it very clear that there should be a protection for those who will be called to active duty because of certain emergency.

The President Pro Tempore. At any rate, this is in the nature of possibly an individual amendment.

Senator Herrera. Yes, I will do that, Mr. President.

The President Pro Tempore. With the motion of the Sponsor in his capacity also as Majority Floor Leader, we are terminating the period of Committee amendments, without prejudice to certain Sections alluded to by the Senator from Pasig.

Senator Guingona. Yes, Mr. President.

The President Pro Tempore. Then, the Chair would expect, of course, the Senator from Pasig to submit his amendments to the Committee amendments at the proper time.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

Senator Guingona. Yes, Mr. President.

I; therefore, move that we suspend consideration of this measure.

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

Shall we have a little break?

Senator Guingona. Yes, Mr. President. I just would like to ask the Bills and Index Division to come up with clean copies of the amendments already acted upon.

SUSPENSION OF THE SESSION

The President Pro Tempore. The Bills and Index Division is so instructed.

The session is suspended, if there is no objection. [There was none.]

It was 4:55 p.m.

RESUMPTION OF THE SESSION

At 5:00 p.m., the session was resumed with the Senate President Jovito R. Salonga presiding.

The President. The session is resumed.

SPECIAL ORDERS

Senator Guingona. Mr. President, I move that Public Services Committee Report No. 1024 on House Bill No. 26977, extending the term of the franchise of Francisco Cervantes Incorporated, be transferred to the Calendar for Special Orders.

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

BILL ON SECOND READING Senate Bill No. 1500 — Crime of Coup D'Etat (Continuation)

Senator Guingona. Mr. President, I move that we consider Committee Report No. 1046 on Senate Bill No. 1500.

We are in the period of interpellations, I ask that we recognize Senator Lina.

The President. Senator Lina and Senator Alvarez are recognized.

Senator Alvarez. With the permission of the Chair, if the Gentleman will allow me, I would like to raise a few inquiries, Mr. President.

Senator Lina. Willingly, Mr. President.

Senator Alvarez. May I ask to be enlightened on some points relative to Section 2, lines 6 and 7, of the bill, defining the crime of coup d'etat as a sudden surprise attack directed at the very center of power. Here a surprise attack is a sudden attack. Would it be possible to delete one or the other?

Senator Lina. During the period of amendments, Mr. President, this Sponsor is willing to accept an amendment to that effect.

Senator Alvarez. Thank you, Mr. President. Furthermore, the surprise attack is supposed to be directed at the very center of

RECORD OF THE SENATE

MONDAY, JUNE 4, 1990

OPENING OF THE SESSION

At 2:20 p.m., the Honorable Sotero H. Laurel, President Pro Tempore, called the session to order.

The President Pro Tempore. The session of the Senate is called to order.

The Philippine National Anthem and *Lingapin Mo ang Aming Bayan* will be rendered by the Baptist Hour Choir after which, our Senate President, Honorable Jovito R. Salonga will lead us in the opening prayer.

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

PRAYER

Senator Salonga. Let us bow our heads in prayer.

God Almighty, Lord of all history:

Now that our session is about to end, we pray for genuine national renewal.

In many places, there seems to be a sense of drift, of growing despair, of disappearing hope.

Forbid it, Lord, that we should lose our faith in Your power to change the course of this nation, our structures and our institutions, and above all, ourselves.

Ironically, all of us want change except in ourselves. Forgive us, Lord, for our sinful pride and presumption.

Help us to understand that faith without work is dead and that work without faith can never endure.

Amen.

ROLL CALL

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

The Secretary.

Senator Heherson T. Alvarez	Present
Senator Edgardo J. Angara	Present*

*Arrived after the roll call

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	**
Senator Aquilino Q. Pimentel, Jr.	Present
Senator Santanina T. Rasul	***
Senator Alberto G. Romulo	Present
Senator Rene A. V. Saguisag	Present
Senator Leticia Ramos Shahani	Present
Senator Mamintal Abdul J. Tamano	***
Senator Wigberto E. Tañada	Present
Senator Victor S. Ziga	Present*
The President	Present

The President Pro Tempore. With 16 Senators present, there is a quorum.

THE JOURNAL

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

The President Pro Tempore. 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.

May 23, 1990

Mr. President:

I have been directed to inform the Senate that the House of Representatives on May 23, 1990 passed House Bill No. 3487, entitled

**On official mission

***On official mission but arrived after the roll call

The Presiding Officer [Senator Tañada]. Resumption of consideration of Senate Bill No. 1500 is now in order.

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

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

Senator Lina. Mr. President, we are still in the period of interpellations. That is the parliamentary situation.

The Presiding Officer [Senator Tañada]. Are there any further interpellations? [Silence]

Senator Guingona. If there are no further interpellations, Mr. President, I move that we close the period of interpellations.

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

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1500

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

The Presiding Officer [Senator Tañada]. 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, I move that we resume consideration of Senate Bill No. 88 as reported out under Committee Report No. 548.

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

Senator Guingona. We are still in the period of individual amendments, Mr. President. I ask that this Representation be recognized.

The Presiding Officer [Senator Tañada]. The Majority Floor Leader is recognized.

Senator Guingona. Mr. President, I ask that clean copies of the measure containing all the Committee amendments be distributed.

The Presiding Officer [Senator Tañada]. So, the working copy that we will be using will be as of May 30, 1990.

COMMITTEE AMENDMENTS

Senator Guingona. Yes, Mr. President. May I, at this stage, make some corrections? On page 3, line 22, may I just ask for the correction of the spelling of "UNITINTERRUPTED" to UNINTERRUPTED.

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

Senator Guingona. On page 9, line 1, insert the word "OF" between "DURATION" and "TIME". In other words, it will read: AFFILIATED UNITS FOR THE DURATION OF TIME.

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

Senator Guingona. On page 12, line 12, insert the words "OR POLICE" between "MILITARY" and "SERVICE". So, it will read: ALL OTHER MILITARY OR POLICE SERVICE ACADEMIES.

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

Senator Guingona. On page 13, line 6, insert the phrase "OR HIS DULY AUTHORIZED REPRESENTATIVE" between "Defense" and "shall". So, it will read: SECRETARY OF NATIONAL DEFENSE OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL BE FINAL.

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

Senator Guingona. We are now ready for individual amendments, Mr. President.

The Presiding Officer [Senator Tañada]. Are there any individual amendments?

Senator Maceda. Mr. President.

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

MACEDA AMENDMENTS

Senator Maceda. It is an omnibus amendment, Mr. President, on two Sections.

The Presiding Officer [Senator Tañada]. Yes.

Senator Maceda. Can we change the "EIGHTEEN (18) and thirty-five (35)" to "EIGHTEEN (18) and TWENTY-FIVE (25)" and adjust accordingly?

Senator Guingona. Yes, Mr. President.

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

Senator Maceda. In the place of "annual registrations" — this is also an omnibus amendment — can we make that "BIENNIAL"? There is really no necessity for "annual registrations" once the list has been established, because it is so expensive to have this activity every year.

Senator Guingona. Yes, Mr. President.

SUSPENSION OF THE SESSION

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

Are there any other individual amendments? [Silence]

Let us suspend the session for a while, if there is no objection. [There was none.]

It was 4:17 p.m.

RESUMPTION OF THE SESSION

At 4:30 p.m., the session was resumed with Senator Ernesto M. Maceda as the Presiding Officer.

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

Senator Tañada. Mr. President.

TAÑADA AMENDMENT

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

Senator Tañada. Mr. President, my proposed amendment is on page 2. So, if there are no amendments on page 1, I will...

The Presiding Officer [Senator Maceda]. The Gentleman may proceed. We will not strictly adhere to the paging yet at this point in time.

Senator Tañada. Thank you, Mr. President.

I propose to delete the words "to assist government forces in the maintenance of local security law and order,"... Mr. President, appearing on page 2, lines 12-13.

Senator Guingona. It is accepted, Mr. President.

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

Senator Herrera. Mr. President.

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

HERRERA AMENDMENT

Senator Herrera. This is under Section 27. "DEFERMENT FROM TRAINING". I would like to propose an amendment as an additional paragraph as number "(7)".

"CONTRACT WORKERS DURING THE TIME OF THEIR WORKING CONTRACT."

The Presiding Officer [Senator Maceda]. What does the Sponsor say?

Senator Guingona. So that if the contract is for three years then the deferment is for three years?

Senator Herrera. And, if the contract is for four years then the deferment is for four years.

Senator Guingona. Yes, it is accepted, Mr. President.

The Presiding Officer [Senator Maceda]. The Chair would like to clarify if the "contract workers" refer to both domestic, foreign, and overseas contract workers.

Senator Herrera. It refers to "contract workers" in general. Because the difficulty here, Mr. President, is that a particular worker might be hired for a specific contract, let us say, for a specific period. And, if we will require him to undergo training, he will lose his employment at least for that particular period.

Senator Guingona. And the contract here refers to the time, Mr. President.

Senator Herrera. Yes, it refers to the time.

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

Are there any other individual amendments?

Senator Saguisag. Mr. President.

The Presiding Officer [Senator Maceda]. The Gentleman from Pasig, Mauban, Pangasinan, and elsewhere is recognized.

Senator Saguisag. Thank you. Kung wala pong anterior amendments, page 29.

The Presiding Officer [Senator Maceda]. Page 20.

SAGUISAG AMENDMENT

Senator Saguisag. On page 29, lines 15 to 22, ito pong "WOMEN RESERVISTS". Ang nakalagay po rito, "(CONSIDERATION DEFERRED)". Subject to style, which I would like to propose, will be a recasting of the contents of Section 60, after the title "WOMEN RESERVISTS". So, subject to style, ito po ang nais kong imungkahi: QUALIFIED WOMEN SHALL HAVE THE RIGHT AND DUTY TO SERVE IN THE AFP. THE RELEVANT STANDARD AND COMMISSIONING OF WOMEN SHALL BE THE SAME AS THOSE REQUIRED FOR MEN, EXCEPT FOR THOSE MINIMUM ESSENTIAL ADJUSTMENTS IN SUCH STANDARDS REQUIRED BECAUSE OF PHYSIOLOGICAL DIFFERENCES BETWEEN MEN AND WOMEN. Subject to style.

Senator Guingona. Accepted, Mr. President.

Senator Saguisag. Thank you, Mr. President.

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

Senator Rasul. Mr. President.

The Presiding Officer [Senator Maceda]. The Senator from Sulu and Tawi-Tawi is recognized.

RASUL AMENDMENT

Senator Rasul. Mr. President, can we go back to page 4, line 17?

The Presiding Officer [Senator Maceda]. Page 4, line 17.

Senator Rasul. I propose to delete the word "procured" and after "under" add the following phrase: THE AFFILIATED RESERVE CATEGORY AND GRADUATES OF THE NATIONAL DEFENSE COLLEGE OF THE PHILIPPINES, so that that Section will now read as follows: "Commissioned and non-commissioned officers and enlisted personnel under THE AFFILIATED RESERVE CATEGORY AND GRADUATES OF THE NATIONAL DEFENSE COLLEGE OF THE PHILIPPINES".

The Presiding Officer [Senator Maceda]. And "under Project 36-70;"?

Senator Rasul. Delete "Project 36-70;", Mr. President.

The Presiding Officer [Senator Maceda]. But are not there people under Project 36-70 who are not graduates of the National Defense College of the Philippines, like some doctors that I know?

Senator Guingona. Yes, there are, Mr. President.

Senator Rasul. Anyway, Mr. President, this is the proposal.

The Presiding Officer [Senator Maceda]. All right. So, we will just add the proposal under "THE AFFILIATED RESERVE CATEGORY AND GRADUATES OF THE NDCP AND OF PROJECT 36-70".

Senator Rasul. "Project 36-70" should already be deleted.

Senator Guingona. I understand that "Project 36-70" and "Affiliated Reserves" are the same.

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

Shall we ask for a new copy of the bill before we finalize it?

Senator Guingona. Yes, Mr. President.

The Presiding Officer [Senator Maceda]. All right. The Majority Floor Leader is recognized.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 88

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

RECORD OF THE SENATE

THURSDAY, JUNE 7, 1990

OPENING OF THE SESSION

At 2:28 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado.

Pangungunahan tayo sa panalangin ni Senador Wigberto E. Tañada.

Everybody remained standing for the opening prayer.

PRAYER

Senator Tañada.

Mahal na Panginoon:

Sa pagtatapos ngayong araw ng Ikatlong Regular na Sesyon ng Kongreso,

Tulungan Mo pong maipagpatuloy namin ang pagiging konsensiya ng bayan, bilang boses ng nakararaming mahihirap at bilang tagapagtanggol ng pambansang interes.

Dahilan sa marami pong totoo ang aming mga suliraning pambansa, gabayan po Ninyo kami upang ang mga kalutasan ay manggaling sa maraming Pilipinong nagtutulungan.

Ang aming mga adhikain sa pambansang kaligtasan, samahan po Ninyo ng matatag naming kalooban, ang aming mga simulain sa pambansang kapakanan ay kasihan po Ninyo ng makataong katwiran.

Ang aming pagtitiwala sa katarungan, Inyo pong pagtibayin sa kapayapaan.

Sa ganito, Panginoon, aming demokrasya'y tatanghaling pagkakaisa ng gobyerno't taumbayan,

Siya nawa.

ROLL CALL

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

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	**
Senator Aquilino Q. Pimentel, Jr.	Present
Senator Santanina T. Rasul	**
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. Labing-anim na Senador ang dumalo sa ating pagpupulong; mayroon tayong korum.

THE JOURNAL

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

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

The Secretary will please read the Order of Business.

REFERENCE OF BUSINESS

BILLS ON FIRST READING

The Secretary. Senate Bill No. 1564, entitled

AN ACT CREATING A BOARD OF DIVESTMENTS,
AND FOR OTHER PURPOSES.

Introduced by Senator Saguisag.

The President. Referred to the Committees on Civil Service and Government Reorganization; and Finance.

The Secretary. Senate Bill No. 1565, entitled

AN ACT TO PROVIDE ASSISTANCE TO WOMEN
ENGAGING IN SMALL BUSINESS ENTER-
PRISES, AND FOR OTHER PURPOSES.

*Arrived after the roll call

**On official mission

SUSPENSION OF THE SESSION

Senator Alvarez. May I ask for a few-minute suspension, Mr. President.

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

It was 9:22 p.m.

RESUMPTION OF THE SESSION

At 9:23 p.m., the session was resumed.

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

Senator Alvarez. Mr. President, may I now make the final Committee amendment.

On page 2, line 4, Section 2, change the period to comma (,) after the word "tourism" and add the following phrase: "AND THE PROVINCIAL GOVERNMENT OF RIZAL".

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

Are there individual amendments?

Senator Guingona. If there are no individual amendments, Mr. President, I move that the period of amendments be closed.

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

APPROVAL OF HOUSE BILL NO. 15277
ON SECOND READING, AS AMENDED

Senator Guingona. Mr. President, I move that we vote on House Bill No. 15277, as amended, on Second Reading.

The Presiding Officer [Senator Tañada]. We shall now vote on the bill, as amended, on Second Reading. As many as are in favor of the bill, as amended, will please say *Aye*. *[Several Senators: Aye]* As many as are against, will please say *Nay*. *[Silence]* House Bill No. 15277 is approved, as amended, on Second Reading.

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

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

I ask that this Representation be recognized only for two or three amendments.

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

Senator Guingona. Mr. President, on page 12, line 28, subparagraph 7, change the word "LAST" to "LIFE" and add the word "EXISTING" before "WORKING CONTRACT" in line 29.

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

Senator Guingona. On page 10, line 1, Section 21, "ACCEPTANCE OF REGISTRANTS VOLUNTEERING MILITARY TRAINING."

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

Senator Guingona. On page 13, line 7, Section 29, "STATE EXPENSES OF THE ACCEPTANCE BOARD."

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

Senator Guingona. In line 17, page 29, Section 60, add a letter "S" to the word "STANDARD". Instead of "STANDARD", it should be "STANDARDS", and also the words "FOR ADMISSION, TRAINING" before the word "AND".

In line 19, interchange the words "required standards" to "STANDARDS REQUIRED" so that the whole provision would read:

"SECTION 60. WOMEN RESERVISTS. - QUALIFIED WOMEN SHALL HAVE THE RIGHT AND DUTY TO SERVE THE AFP. THE RELEVANT STANDARDS FOR ADMISSION, TRAINING AND COMMISSIONS OF WOMEN SHALL BE THE SAME AS THOSE REQUIRED FOR MEN, EXCEPT FOR THOSE MINIMUM ESSENTIAL ADJUSTMENTS IN SUCH STANDARDS REQUIRED BECAUSE OF PSYCHOLOGICAL DIFFERENCES BETWEEN MEN AND WOMEN."

Senator Maceda. Mr. President.

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

Senator Maceda. Mr. President, I do not know if this was the same in the PMA bill which was just approved but, on second thought, I was wondering whether it is absolutely necessary to put the word "MINIMUM".

Senator Guingona. That is the proposal of Senator Saguisag, Mr. President.

MACEDA AMENDMENT

Senator Maceda. I move to delete the word "MINIMUM", Mr. President. It sounds a little patronizing.

Senator Guingona. Accepted, Mr. Chairman.

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

Senator Saguisag. Mr. President.

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

SAGUISAG AMENDMENT

Senator Saguisag. Mr. President, on another point, the word "PSYCHOLOGICAL". It should be "PHYSIOLOGICAL".

Senator Guingona. Yes. I am sorry, I read it wrong, Mr. President. It should be "PHYSIOLOGICAL", instead of "PSYCHOLOGICAL".

The Presiding Officer [Senator Tañada]. Where is that? In what line is that?

Senator Guingona. In the last line of the amendment, Mr. President, page 29, line 15, Section 60.

Senator Saguisag. May we have it read again, Mr. President?

Senator Guingona. "QUALIFIED WOMEN SHALL HAVE THE RIGHT AND DUTY TO SERVE THE AFP. THE RELEVANT STANDARDS FOR ADMISSION, TRAINING AND COMMISSION OF WOMEN SHALL BE THE SAME AS THOSE REQUIRED FOR MEN, EXCEPT FOR THOSE ESSENTIAL ADJUSTMENTS IN SUCH STANDARDS REQUIRED BECAUSE OF PHYSIOLOGICAL DIFFERENCES BETWEEN MEN AND WOMEN."

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

Senator Maceda. Mr. President.

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

Senator Maceda. Mr. President, along the same line, as in the earlier trend, it seems to me there might be some questions whether we need to insert the qualification "qualified" right in the beginning. We do not say in the other paragraphs, "Qualified men..." The qualification of men is subject to stated qualifications, exemptions, and deferments. In the case of women, why do we immediately say "Qualified women ..."?

Senator Saguisag. Mr. President.

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

Senator Saguisag. I suppose it can be justified by the fact that the martial discipline is really associated historically with men. I suppose, my intent is really to indicate a bias for, maybe, a 9 to 10 ratio or such. But, again, if there is a strong feeling that it should be deleted, I do not believe that anything of substance is really given up.

Senator Maceda. I just wanted a uniform treatment, because that seems to be the real intent. I am sure the Senator from Pangasinan is already listening. If in the basic provision, the Gentleman started with "qualified men shall be called to reserved duty," then when we talk of women we will also say, "qualified women," but if there is no "qualified men" phrase, then, I think, there should also be no "qualified women" to start with.

Senator Saguisag. Were we to have it withdrawn, no problem.

Senator Shahani. Mr. President.

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

Senator Shahani. I agree with Senator Maceda, Mr. President. Women are not really the weaker sex. They are really the stronger sex. They outlive the men, and that has to be a major consideration.

Senator Maceda. In short therefore, Mr. President, we move to delete the word "qualified".

The Presiding Officer [Senator Tañada]. What does the Sponsor say?

Senator Guingona. To the champion of the equality of sexes, I yield, Mr. President.

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

APPROVAL OF SENATE BILL NO. 88
ON SECOND READING

Senator Guingona. Mr. President, I move that we vote on Senate Bill No. 88 on Second Reading.

Senator Saguisag. Mr. President.

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

Senator Saguisag. I do not really object, but since this is a long measure just handed to us, it will be without prejudice to its being reopened in July. May kahabaan po, and this is the first time we are seeing this in its present form.

The Presiding Officer [Senator Tañada]. With that observation, is there any objection to the approval of this bill? [Silence] There being none, we now vote on the bill on Second Reading.

As many as are in favor of the bill, will please say Aye. [Several Senators: Aye] As many as are against, will please say Nay. [Silence] Senate Bill No. 88 is approved on Second Reading.

SUSPENSION OF THE SESSION

Senator Guingona. Mr. President, I move for a brief suspension of the session.

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

It was 9:31 p.m.

RESUMPTION OF THE SESSION

At 9:32 p.m., the session was resumed.

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

BILL ON SECOND READING
Senate Bill No. 1294 — Public Service Announcements
(Continuation)

Senator Guingona. Mr. President, I move that we resume consideration on Senate Bill No. 1294. We are still in the period of interpellations. I ask that we recognize Senator Ziga.

Senator Saguisag. Mr. President.

The Presiding Officer [Senator Tañada]. Before we recognize Senator Ziga, Senator Saguisag has the Floor.

Senator Saguisag. Because I just leafed very quickly through my copy of Senate Bill No. 88, I saw on page 10, Section 21, there is something here which says: "Consideration deferred." So, if we are going to print this, it will just be a waste of money. Something has not really been acted on yet. I do not know whether I might want to move for a reconsideration so we will not have to print this only to have this decided later on. Otherwise, this will be printed, even including that... This is the copy I have.

SUSPENSION OF THE SESSION

May we have a short recess, Mr. President.

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

It was 9:34 p.m.

RESUMPTION OF THE SESSION

At 9:36 p.m., the session was resumed.

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

Senator Guingona. Mr. President, I reiterate my request to recognize Senator Ziga to sponsor the measure.

The Presiding Officer [Senator Tañada]. So, has Senator Saguisag withdrawn his manifestation?

Senator Guingona. Yes, Mr. President.

Senator Saguisag. I am withdrawing, Mr. President.

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

Senator Ziga. Thank you, Mr. President. We have finished the sponsorship of this Senate bill.

Senator Maceda. Mr. President.

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

Senator Maceda. Mr. President, if the Sponsor does not mind, may I direct my questions to Senator Aquino, Chairman of

RECORD OF THE SENATE

THURSDAY, JULY 26, 1990

OPENING OF THE SESSION

At 4:17 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado. Pangungunahan tayo sa panalangin ni Senador Butz Aquino sa pamamagitan ni Senador Guingona.

Everybody remained standing for the opening prayer.

PRAYER

Senator Guingona.

Lord, in this period of national calamity and crisis, give us the wisdom to learn, practice, and internalize the cooperative spirit.

Renew in us the cooperative virtues of mutual trust, self-reliance, and solidarity.

Show us the way to join hands, link arms, and pull our resources together in order to rebuild our devastated land.

And give us the strength to rise from the rubble of our shattered hopes to a new foundation of unity, peace, prosperity and authentic nationhood.

Amen.

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

ROLL CALL

The Secretary.

Senator Heherson T. Alvarez Present
Senator Edgardo J. Angara Present*
Senator Agapito A. Aquino Present*

*Arrived after the roll call

**On official mission

Senator Juan Ponce Enrile Present*
Senator Joseph Ejercito Estrada Absent
Senator Neptali A. Gonzales Present
Senator Teofisto T. Guingona, Jr. Present
Senator Ernesto F. Herrera Present
Senator Sotero H. Laurel **
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. Labimpitong Senador ang dumalo sa ating pagpupulong. Mayroon tayong korum.

THE JOURNAL

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

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

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

REFERENCE OF BUSINESS

BILL ON FIRST READING

The Secretary. Senate Bill No. 1589, entitled

AN ACT DECLARING THE EDSA-ORTIGAS AVENUE JUNCTION IN PASIG, METRO MANILA AS A NATIONAL SHRINE, MONUMENT AND/OR LANDMARK, AMENDING FOR THE PURPOSE SECTION 2 OF PRESIDENTIAL DECREE NO. 260.

Introduced by Senator Maceda.

YES - 19

Senator Alvarez	Senator Paterno
Senator Enrile	Senator Pimentel
Senator Gonzales	Senator Rasul
Senator Guingona	Senator Romulo
Senator Herrera	Senator Saguisag
Senator Lina	Senator Salonga
Senator Maceda	Senator Shahani
Senator Mercado	Senator Tamano
Senator Osmeña	Senator Tañada
Senator Ziga	

NO - 0

ABSTENTION - 0

RESULT OF VOTING

The President. With 19 affirmative votes, no negative vote, and no abstention, House Bill No. 15277 is approved on Third Reading.

BILL ON THIRD READING Senate Bill No. 88 - Citizens' Soldier

Senator Guingona. Mr. President, I move that we vote on Third Reading on Senate Bill No. 88. Copies of the bill were distributed to all Members of the Senate on July 23, 1990.

The President. Voting on Third Reading on Senate Bill No. 88 is now in order. The Secretary will please read the title of the bill only, if there is no objection. *[There was none.]*

The Secretary. Senate Bill No. 88, entitled

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF CITIZENS SOLDIERS OR RESERVISTS OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES.

The President. The Senate will now proceed to vote

*With explanation of vote

on the bill. The Secretary will please call the roll.

The Secretary called the roll and the result of the voting is as follows:

YES - 19

Senator Alvarez	Senator Paterno
Senator Enrile	Senator Pimentel
Senator Gonzales	Senator Rasul
Senator Guingona	Senator Romulo
Senator Herrera	Senator Saguisag
Senator Lina	Senator Salonga
Senator Maceda	Senator Shahani
Senator Mercado*	Senator Tamano
Senator Osmeña	Senator Tañada
Senator Ziga	

NO - 0

ABSTENTION - 0

RESULT OF VOTING

The President. With 19 affirmative votes, no negative vote, and no abstention, Senate Bill No. 88 is approved on Third Reading.

EXPLANATION OF VOTE OF SENATOR MERCADO

Senator Mercado. Mr. President, I am voting in the affirmative. I would like to submit later my explanation of vote.

The following is the written explanation of vote of Senator Mercado.

The consolidated bill incorporates the desirable provisions of several other bills, including one duly approved by the House. As one of the co-authors of the Senate-approved version, I fully subscribe to the merits of this bill which formally sets up the Citizen Armed Force, alternatively known as the Reserve Force.

As finally approved, the bill sets out in detail the mission of the Reserve Force, in accordance with constitutional provisions, its organization, classification and development of the required manpower. It also provides

for the necessary training so that members of the Reserve Force are, from time to time, fully aware of their duties and responsibilities in case of national emergency which would necessitate mobilization.

Because I sincerely believe that it is the duty of every citizen of this Republic to come to the defense of the country in times of emergency, I vote affirmatively for the passage of this bill.

BILL ON SECOND READING
Senate Bill No. 155 - Local Government Code
(Continuation)

Senator Guingona. Mr. President, I move that we consider Committee Report No. 719 on Senate Bill No. 155. We are in the period of Committee amendments. I ask that we recognize Senator Pimentel.

The President. Senator Pimentel is recognized.

Senator Pimentel. Mr. President, may I suggest that we go page by page so that we can move along on Book I. There seems to be no amendment on page 1, Mr. President. Can we proceed to page 2?

The President. Are there no proposed amendments on page 1, Book I? All right.

Senator Pimentel. Can we move on to page 2, Mr. President?

The President. On page 2, are there any proposed amendments? [Silence] Apparently none.

Page 3? Apparently none. Page 4? Page 5?

Senator Pimentel. Pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and up to line 16 of page 16 have been deleted, Mr. President. So, we are now on page 16, Chapter II, starting from line 17 of page 16.

The President. All right. Are there any proposed amendments for page 16?

Senator Maceda. Mr. President.

The President. Senator Maceda is recognized.

Senator Maceda. Mr. President, may I just ask the Author if Section 6, as I read it, authorizes provinces, cities, and municipalities... The deletions here are not clear to me, that is why I was trying to figure out what is the intendment; before it used to be only Congress that would create. Are we now delegating to the provinces, cities, and municipalities authority to create or to change boundaries?

Senator Pimentel. No, Mr. President. For purposes of the creation of a province, city or municipality, an autonomous region or a metropolitan political subdivision, the action must be taken by Congress. In the case of the creation of a barangay, for example, or changes in its boundaries, this can be done either by the *sangguniang panlalawigan* or the *sangguniang panlungsod*, meaning, the province or the city. The municipality is not authorized to create a barangay or alter its boundaries.

Senator Maceda. I see. These standards are to be used by whom?

Senator Pimentel. Also by Congress as well as by the *sangguniang panlalawigan*, *sangguniang panlungsod* in the matter of the creation of barangays.

Senator Maceda. So, again, pardon me for being repetitious. Section 6 and Section 7 only contemplates the creation of barangays?

Senator Pimentel. Mr. President, the first part of Section 6, from line 22 to 27, particularly line 27, refers to the creation of the bigger political subdivisions up to the municipality level which can be done by Act of Congress.

The second part of Section 6 refers to the power of the *sangguniang panlalawigan* or *sangguniang panlungsod* to create a barangay.

Senator Maceda. Exactly, Mr. President. So, even without the first part, this is already an existing...

Senator Pimentel. Yes, correct.

Senator Maceda. ...power of Congress.

RECORD OF THE SENATE

TUESDAY, MARCH 19, 1991

OPENING OF THE SESSION

At 3:23 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado.

Pangungunahan tayo sa panalangin ni Senador Rene Saguisag.

Everybody remained standing for the opening prayer.

PRAYER

Senator Saguisag.

Oh Lord,

We are told that whatever things one asks when he prays, if he believes that he receives them, he will have them. More than ever, we do believe.

Some say money - and funding and its source are staple here - is the root of all evil; Shaw says it is the lack of it; Saint Paul says it is the love of it. Whatever, Lent reminds us that in the end dust we all are, to dust we shall return, and we can't take it with us.

May we be able to say, at the end of our journey, on how we would like to be judged and remembered, the way a simple soul with child-like faith, put it, "I would like for them to say, he took a few cups of love, he took one tablespoon of patience, one teaspoon of generosity, one pint of kindness. He took one quart of laughter, one piece of concern, and then he mixed willingness with happiness. He added lots of faith, and he stirred it up well. Then he spread it over a span of a lifetime and he served a portion of it to each and every person he met."

Amen.

ROLL CALL

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

* Arrived after the roll call

** On official mission

The Secretary.

Senator Heherson T. Alvarez	Present
Senator Edgardo J. Angara	**
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 dalawang Senador ang dumalo sa ating pagpupulong, mayroon tayong korum.

THE JOURNAL

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

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

The Secretary will read the Order of Business.

REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Secretary.

March 01, 1991

Mr. President:

I have been directed to inform the Senate that the

Board on Child Abuse and Exploitation to advise the Department of Social Welfare and Development in the implementation of this Act. The members of the National Advisory Board are:

1. A representative of the Secretary of the Department of Justice;
2. President of the Council of Welfare Agencies of the Philippines;
3. President of the Child Welfare League of the Philippines;
4. A representative of the Secretary of the Department of Social Welfare and Development; and
5. Two (2) representatives of the private sector to represent parents and citizens concerned about child abuse and exploitation appointed by the Secretary of the Department of Social Welfare and Development. The representative of the private sector shall serve for two (2) years.

The Advisory Board shall annually elect a Chairman from among their members and shall be entitled to such per diem and allowances as the Secretary of Social Welfare and Development may determine. The Board shall meet twice a month or as often as the Secretary may direct.

The Secretary of Social Welfare and Development shall designate the Council for the Welfare of Children as Secretariat to assist in the implementation of this Act and the operations of the Board.

SEC. 14. Rules and Regulations. - The Secretariat shall promulgate rules and regulations to implement this Act, with the advice and recommendations of the National Advisory Board.

SEC. 15. Appropriations. - In order to implement this Act, there is hereby authorized to be appropriated the amount of One hundred thousand pesos (P100,000.00) for the initial year of operations. Thereafter, such amounts as may be required to implement this Act and for the operations of the Board are hereby authorized to be included in the general appropriations of the Department of Social Welfare and Development.

SEC. 16. Separability Clause. - If any provision of this Act is held invalid, other provisions not affected thereby shall continue in full force and effect.

SEC. 17. Repealing Clause. - Any law, decree or rule inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 18. Effectivity Clause. - This Act shall take effect immediately after its complete publication in the *Official Gazette*.

Senator Guingona. I ask that we recognize Senator Rasul to sponsor the measure. Senator Rasul is just across, Mr. President. The page has already called her.

SUSPENSION OF THE SESSION

The President. Let us suspend the session for a few minutes, if there is no objection. [*There was none.*]

It was 6:21 p.m.

RESUMPTION OF THE SESSION

At 6:25 p.m., the session was resumed with Senator Maceda presiding.

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

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO.88/HOUSE BILL NO. 12261 Citizen Armed Force of the Armed Forces

Senator Guingona. Mr. President, while waiting for Senator Rasul, I move that we consider Conference Committee Report on the disagreeing provisions of House Bill No. 12261 and Senate Bill No. 88.

Mr. President, there were two main disagreeing provisions which have been compromised and agreed upon:

First is the creation of a separate Command. The compromise, is that the House agreed to the Senate version, provided that the Chief of Staff shall create an AFP Reserve Command within one year from the date of the

effectivity of this Act.

The second major compromise, stemmed from the disagreement between both versions on the issuing authority. Under the Senate version, mobilization of the Reserve Force may be effected only through the joint acts of Congress and the President. The authority to issue mobilization under the House Bill was left unspecified.

Therefore, there was a compromise to accept the Senate proposal to provide for the authority for mobilization through the joint acts of Congress and the President in the case of full and partial mobilization. In the case of selective mobilization, it is only through the President.

**APPROVAL OF THE CONFERENCE COMMITTEE
REPORT ON SENATE BILL NO. 88/
HOUSE BILL NO. 12261**

In view thereof, Mr. President, I move that we approve this Conference Committee Report.

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

The following is the full text of the Conference Committee Report:

CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of House Bill No. 12251, entitled

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF THE CITIZEN ARMED FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES,

and Senate Bill No. 88, entitled

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF CITIZENS SOLDIERS OR RESERVISTS OF THE ARMED FORCES OF

THE PHILIPPINES AND FOR OTHER PURPOSES,

having met and fully discussed the subject matter in the conference, has come to an agreement, and the conferees hereby recommend that House Bill No. 12251 and Senate Bill No. 88 be consolidated and approved in accordance with the attached copy.

Approved,

**CONFEREES ON THE PART
OF THE SENATE**

(SGD) TEOFISTO T. GUINGONA, JR

(SGD) ERNESTO M. NACEDA

(SGD) AQUILINO Q. PIMENTEL, JR

(SGD) MAMINTAL A.J. TAMANO

(SGD) JUAN PONCE ENRILE

**CONFEREES ON THE PART OF THE
HOUSE OF REPRESENTATIVES**

(SGD) JOSE V. YAP

(SGD) RENATO M. UNICO

(SGD) CARLOS M. PADILLA

(SGD) VICENTE C. RIVERA, JR.

(SGD) EMIGDIO L. LINGAD

(SGD) ROQUE R. ABLAN, JR.

House Bill No. 12251
Senate Bill No. 88

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF THE CITIZEN ARMED FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES,

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I. TITLE

SECTION 1. Title. - This Act shall be known as the "Citizen Armed Forces of the Philippines Reservists Act."

ARTICLE II. DECLARATION OF POLICIES

SEC. 2. *The Regular Force.* - It is the policy of the State to maintain a standing or regular military force in time of peace consonant with its adequate and actual needs on the security of the State but which can be rapidly expanded by the well-disciplined Citizen Armed Force in the event of war, invasion, or rebellion.

SEC. 3. *The Security and Socioeconomic Development of the State.* - The Citizen Armed Force shall be provided the maximum opportunity to participate in safeguarding the security of the State and in assisting in socioeconomic development.

SEC. 4. *The call to Personal Military and Civil Service.* - The Citizen Armed Force shall be so organized, trained, developed and maintained as to ensure their readiness to immediately respond to the call for service.

SEC. 5. *The Public Awareness.* - The State shall promote and develop public support to and awareness of the important role of the Citizen Armed Force as a protector of the people and the State.

SEC. 6. *The Manpower of the Citizen Armed Force.* - The manpower objective for the Citizen Armed Force shall conform to projected and actual need. It is not envisioned by the State to have a nation under arms, unless extremely necessary.

ARTICLE III. MISSION AND ORGANIZATION OF THE CITIZEN ARMED FORCE

SEC. 7. *Mission.* - The mission of the Citizen Armed Force, alternately referred to as the Reserve Force, is to provide the base for the expansion of the Armed Forces of the Philippines in the event of war, invasion, or rebellion; assist in relief and rescue operations during disasters or calamities; assist in socioeconomic development; and assist in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.

SEC. 8. *Organization.* - The Reserve Force shall be organized into five components, namely:

- (1) Army Reserve Component
- (2) Air Force Reserve Component
- (3) Navy Reserve Component
- (4) AFP-Wide Technical Reserve Component
- (5) Affiliated Reserves

SEC. 9. *Organization of Reserve Components.* - The organization of each component of the Reserve Force and the manpower objective of each component shall be as prescribed by the Secretary of National Defense and approved by the President of the Philippines. The organization, structure, manning, and equipment of reserve units shall conform to the organization of the regular force. Reserve units of a battalion type or equivalent shall be organized on a provincial basis, and reserve units of a brigade and division type or equivalent on a regional basis. The organizational structure and manning of the Affiliated Reserve units will be prescribed by the Secretary of National Defense and will as much as possible conform to their existing civilian organization.

SEC. 10. *Affiliated Reserves.* - As the President shall approve upon the recommendation of the Secretary of National Defense, certain private and government entities, corporations, establishments and organizations at the national, provincial and municipal levels which provide essential public services such as water, light, transportation, and communication which are necessary to support the prosecution of national defense plans or to meet an emergency shall be organized as Affiliated Units of the Reserve Force. These Affiliated Units shall be constituted by the appropriate orders to be issued by the Secretary of National Defense, given unit designations and assigned to the appropriate reserve components of the Armed Forces of the Philippines (AFP). The roster of the officials and employees of these affiliated units shall be included in the orders constituting the units. These units shall be so utilized in times of war or emergency to ensure the continuous and uninterrupted provision of the essential services they are rendering.

ARTICLE IV. DEFINITION OF CITIZEN SOLDIERS

SEC. 11. *Citizen Soldiers.* - The citizen soldiers,

alternately referred to as reservists, who compose the Reserve Force are those reservists of the Armed Forces of the Philippines who are incorporated into the Reserve Force, as follows:

(1) Graduates of the Reserve Officers Training Corps (ROTC) basic and advance courses and who were issued orders as enlisted reservists or reserve officers of the AFP;

2. Graduates of the authorized basic military training instructions who, as a result thereof, were issued orders as enlisted reservists or reserve officers;

3. Ex-servicemen and retired officers of the AFP and other armed forces that have diplomatic relation with the Philippines who were honorably discharged or retired from the service and who are Filipino citizens upon their application;

4. Recognized World War II guerrillas who were honorably discharged from the service;

5. Commissioned and non-commissioned officers under the Affiliated Reserves category and graduates of the National Defense College of the Philippines.

6. Commissioned, non-commissioned officers and privates under the existing laws including those procured under project 36-70 and included in the present AFP roster before the enactment of this Act and those to be commissioned or enlisted after the enactment of this Act.

ARTICLE V. CATEGORIZATION AND CLASSIFICATION OF CITIZEN SOLDIERS

SEC. 12. *Categorization of Citizen Soldiers.*- There shall be three categories of citizen soldiers or AFP reservists: The First Category Reserve, the Second Category Reserve and the Third Category Reserve based on age.

1. First Category Reserve.- The First Category Reserve shall be composed of able-bodied reservists whose ages are between eighteen years and thirty-five (35) years inclusive.

2. Second Category Reserve. - The Second Category Reserve shall be composed of able bodied

reservists whose ages are between thirty-six years and fifty-one years inclusive.

3. Third Category Reserve. - The Third Category Reserve shall be composed of able-bodied reservists who are above fifty-one years of age.

SEC. 13. *Classification of Reserve Force Units.*- Based on the categorization provided in Section 12 above, the Reserve Force Units shall further be classified into the Ready Reserve, the Standby Reserve and the Retired Reserve, based on their operational readiness for immediate deployment/utilization.

1. Ready Reserve. - The Ready Reserve shall be composed of citizen soldiers belonging mostly to the First Category Reserve and others as provided in this Act, who shall be organized, trained and maintained as mobilizable Ready Reserve subject to call at any time to augment the regular armed force of the AFP not only in times of war or national emergency but also to meet local emergencies arising from calamities, disasters and threats to peace, order, security and stability in any locality including the need to provide assistance in relief and rescue work and other civil assistance activities.

Any reservist or citizen soldier belonging to the Second Category Reserve and/or the Third Category Reserve, particularly the commissioned and non-commissioned officers, who will volunteer to serve with the Ready Reserve shall be allowed, if qualified and fit for duty, to join and actively participate as part of the Ready Reserve and shall serve with an appropriate Ready Reserve Unit.

Furthermore, members of the AFP Affiliated Reserve Units of the various government and private utilities and services considered essential for preservation of the economic stability of the country or particular locality, such as power and electricity, water supply, transportations and communications, among others, regardless of their categorization shall be classified as Ready Reserve.

All citizen soldiers belonging to the First Category Reserve, except those exempted under this Act, shall be required to serve with Ready Reserve Units and will have assignments and promotions in accordance with existing policies of the AFP until transferred to Standby Reserve by virtue of their age.

The following citizen soldiers may be exempted from rendering service with said Reserve Units:

(a) Active members of the Armed Forces of the Philippines and the Philippine National Police;

(b) Those who are residing abroad but only during the duration of their absence from the Philippines;

(c) Those who are physically and mentally unfit to serve their tour of duty;

(d) Those who have been convicted of a crime involving moral turpitude;

(e) Those who maybe exempted from duty for valid reasons which may be authorized on a case-to-case basis by appropriate and competent authority. For this purpose, the AFP shall issue such appropriate guidelines, rules and regulations as may be necessary.

2. Standby Reserve. - The Standby Reserve shall be composed of citizen soldiers belonging mostly to the Second Category Reserve and the Third Category Reserve, except as provided in this Act. Members of the Standby Reserve shall be organized and assigned to specified reserve units and shall be maintained through annual assembly tests to update their records and their present addresses, among others. The Standby Reserve may be mobilized or ordered to active duty only in times of national emergency or war. Ranks of members of the Standby Reserve may be upgraded if they voluntarily participate in training or serve with the Ready Reserve Units in their areas or if their Standby Reserve Units undergo retraining. They will, however, be encouraged to upgrade their military knowledge and skills by taking up non-resident or resident courses which shall be set up for the purpose.

3. Retired Reserve. - The Retired Reserve shall be composed of citizen soldiers who have qualified for retirement through length of service, old age or disability. For this purpose, sixty-five years will be considered as the retirement age. However, if qualified and fit for duty, a member of the Retired Reserve may be ordered to active duty in times of local or national emergencies if he volunteers for active duty and when the Secretary of National Defense determines that there are not enough qualified citizen soldiers with his special skills and

qualifications in the Ready Reserve or the Standby Reserve in his particular area of residence.

ARTICLE VI. MANPOWER DEVELOPMENT

SEC. 14. *Compulsory Military Registration and Training.* - All male citizens between the ages of eighteen (18) and twenty-five (25) years, who are not reservists shall be required to register for military instruction. Registration shall take place in suitable registration places to be prescribed by the city, or municipal government between the dates of April first and seventh commencing one (1) year after the effectivity of this Act. Biennial registrations shall be held during the same period in succeeding years.

SEC. 15. *Exemption from Compulsory Military Training.* - The following are exempted from military training:

- (1) Members of the clergy of any religious order or sect except if they volunteer;
- (2) Those in the active service of the Armed Forces of the Philippines and police members of the Philippine National Police;
- (3) Superintendent and uniformed members of the National Penitentiary, corrective institutions, and insane asylums;
- (4) Licensed air and maritime pilots, navigators and merchant marine officers.

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.

SEC. 17. *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 or 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;

- (4) Those convicted by final judgment for criminal offenses involving moral turpitude.
5. Students of colleges, universities and similar institutions who are undergoing ROTC training during the pendency of their training recognized by the military authorities as among those undergoing training to qualify as reservists;
- (6) 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.

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.

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
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

SEC. 20. Quota for Compulsory Training. - The Secretary of National Defense shall furnish each provincial governor and city mayor with the 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.

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 at their own will.

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.

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.

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.

SEC. 25. Composition of the Acceptance Board. - The Board shall be composed as follows:

(1) IN CHARTERED CITIES

Local Civil Registrar	Chairman
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City Health Officer Member
 Chief of Police Member
 One Civic Leader (to be
 chosen by local civic
 organizations) Member

(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

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

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 all other military or police 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.

SEC. 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 the 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 or his duly authorized representative shall be final.

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.

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.

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.

SEC. 32. *Security of Tenure in Government or Private Employment while on Military Training.* - An employee in the Government including one in 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 be considered as having forfeited 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.

SEC. 33. *Draftee Training and Service.* - As may be ordered by the President, male citizens between the ages of 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 eighteen 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 to include the extension of such 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.

SEC. 34. *Retention for Maximum Hospitalization.* - A reservist/draftee who is injured or contracts 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/draftee 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.

ARTICLE VII. CITIZEN MILITARY TRAINING

SEC. 35. *Basic Citizen Military Training.* - Registrants finally selected for military training pursuant to Section 30 shall undergo a basic military training for a period of not more than six months. The Secretary of National Defense shall prescribe the course of instruction.

The course of instruction shall include, among others, subjects on moral virtues, patriotism, discipline, support for and adherence to the Constitution, and respect for the rights of civilians.

SEC. 36. *Citizen Military Training Centers.* - There shall be established in every province at least

one training center for the conduct of citizen military and reservist training with a minimum training capacity for one infantry rifle company at a time. These training centers shall form part of the reserve component organization of the major services and shall be referred to as Citizen Military Training Center.

SEC. 37. *Incorporation Into Training.* - Upon reporting to their assigned training centers, the selected registrants shall be physically examined and if found fit for the service shall be inducted into service. Where a change of training center is necessary to provide the requisite training, the commanding officer of the training center shall be authorized to issue the necessary orders covering his transportation and provide the funds for the purpose: Provided, That no registrants shall be transferred to a training center outside his province or designated training center except in the case of Philippine Navy and Philippine Air Force registrants if there are no air or naval training centers thereat.

SEC. 38. *Reserve Officers Training Corps.* - Military training for students enrolled in colleges, universities and similar institutions of learning is mandatory pursuant to the provisions of the National Defense Act and the 1987 Constitution.

SEC. 39. *Establishment of ROTC Units in Schools.* - At such colleges, universities and similar institutions of learning that request for the conduct of military training in their institutions, there shall be established and maintained Reserve Officers Training Corps units as the Secretary of National Defense may approve, which shall conduct military training for the students of such institutions for the purpose of producing enlisted and officer reservists. The program of instruction shall be prescribed by the Secretary of National Defense and may include instruction to prepare female students for military service; Provided, That such course of instruction shall not exceed two academic years in the case of enlisted reservists, and four academic years in the case of officer reservists which shall include as necessary summer or probationary training of not more than sixty consecutive days. The first two years of ROTC training, which is mandatory, is referred to as the basic ROTC while the second two years after said basic ROTC, which is voluntary, is referred to as the advance ROTC. The allocation of ROTC units to the various major services of the AFP shall

conform to the projected manpower needs of their respective reserve components.

SEC. 40. *Acceptance for Advance ROTC.* - Students who volunteer for advance ROTC shall be screened by an ROTC Acceptance Board which is hereby created for the purpose, composed of the commandant of the ROTC unit, a representative of the school nominated by the school authorities, and a military physician. The student volunteer shall be physically examined for fitness for training and shall further be made to execute in writing a statement that he volunteered for training on his own volition. Where the student is below eighteen years of age, he shall be required to obtain his parent's or guardian's consent. In the case of students volunteering for reserve officer training, they shall be further subject to competitive examination in order to select the best material. The students undergoing advance ROTC will be referred to as advance ROTC cadets.

SEC. 41. *Organization and Staffing of ROTC Units.* - The Secretary of National Defense shall prescribe the organization and staffing of ROTC units. Reserve officers in active service as well as qualified enlisted and officer reservists on inactive status shall be given priority to handle training instruction and to assist in administration and shall be entitled to receive honoraria and other allowances as the Secretary of National Defense shall prescribe.

SEC. 42. *Fund for Maintenance and Operation of School ROTC Units.* - The funds for the establishment, maintenance and operation of ROTC units shall be provided for in the regular annual appropriations of the Armed Forces of the Philippines. Such appropriations shall provide for the full funding support for the advance ROTC only. The school of the student may not be required to spend any amount for the establishment, operation and maintenance of ROTC training: Provided, That the school requesting for the establishment shall provide the training ground and office facilities free of charge. The advance ROTC cadet shall each be provided free two suits of fatigue uniform with headgear, belt and one pair of combat boots for the duration of training. However, those taking the basic ROTC are required to pay a reasonable ROTC fee, the amount to be determined by the Secretary of National Defense in coordination with the school officials concerned.

SEC. 43. *Scholarship Incentive for Advance ROTC Training.* - Students undergoing Advance ROTC who belong to the upper five percent of their academic class shall be provided a tuition subsidy of fifty percent of their annual tuition for the period of their Advance ROTC. The funds for this purpose shall be carried in the annual appropriations of the AFP. The Chief of Staff, AFP shall promulgate the guidelines for the implementation of this provision.

ARTICLE VIII. INCORPORATION INTO THE RESERVE FORCE

SEC. 44. *Elected Officials and Presidential Appointees.* - Elected officials and presidential appointees may be commissioned in the reserve force subject to the existing AFP rules and regulations.

SEC. 45. *Award of Ranks and Assignments to Reserve Units of Graduates of ROTC.* - Graduates of basic ROTC shall be given a reserve enlisted rank and serial number and assigned to units and mobilization centers in their provinces. The ranks to be awarded shall be from private to sergeant or its equivalent. Provided, That the quota for non-commission officers shall not exceed five percent of the authorized strength of the unit to which the reservists shall be assigned after graduation and: Provided, further, That those to be awarded rank above private shall be chosen based on merit. Those who continue to the advance ROTC course shall continue to carry their enlisted rank until their successful completion of advance ROTC.

SEC. 46. *Disposition of Graduates of Advance ROTC.* - Those who successfully completed advance ROTC course shall be recommended for commission in the reserve as Second Lieutenants and assigned to the reserve units and mobilization centers in their provinces. Those with manifest potential may be commissioned in the regular force as second lieutenant subject to the criteria for regular officers of this rank for that particular service. Those who fail to complete the course shall be conferred the enlisted rank of sergeant or its equivalent and similarly assigned to reserve units and mobilization centers. Probationary training as a requisite before commissionship shall be determined by the major service concerned based on technical skills, experiences or qualifications of the applicants.

SEC. 47. *Notification of Reserve Assignment.* -

The Reservist shall be notified in writing of his assignment to a reserve unit and a mobilization center. He shall be made to acknowledge receipt in writing of such notification.

SEC. 48. *Reservists Registry.* - The Armed Forces of the Philippines Reserve Command shall provide all city/municipal treasurers of chartered cities and municipalities of the list of those who have successfully completed military training, indicating therein among others their rank, serial number, reserve unit assignment and mobilization center. It shall be the duty of the local civil registrar to maintain and update the reservists registry.

ARTICLE IX. MAINTENANCE, TRAINING AND ADMINISTRATION OF THE RESERVE FORCE

SEC. 49. *Accounting of Reservists* - All reservists, particularly those belonging to the Ready and Standby Reserves, shall be accounted for, their records and status updated and present whereabouts ascertained in order to ensure their readiness for call to duty. As far as practicable, the services of the national and local reservists and veterans organizations will be tapped to assist in the accounting of reservists.

Sec. 50. *Organization for Maintenance and Administration for the Reserve Force.* - The major services shall be responsible for the administration, training, equipage and maintenance of their respective reserve components subject to the regulations to be prescribed by the Secretary of National Defense. In General Headquarters, AFP and each Major Service Headquarters, there shall be a staff division of the level of the principal coordinating staff which shall be dedicated to planning and policy formulation for the administration, development, organization, training, equipage, maintenance and utilization of their respective Reserve Force component. The Chief of Staff, AFP, shall create an AFP Reserve Command within one (1) year from the effectivity of this Act. In the case of Major services, there shall further be a separate unit dedicated to the implementation of such plans and policies. In staffing the command structure of these units, preference shall be given to qualified reserve officers in active service and integrees.

Sec. 51. *Training of Individual Reservists and Reserve Units* - Maximum opportunity shall be

afforded the reservists to update their skills through compulsory or voluntary training. Such training shall have for its principal purpose the enhancement of the readiness of the individual reservists and reserve units to respond to the call for service. To this end, there shall be two types of training:

(1) Compulsory training of not less than thirty days but not more than sixty days for reserve units and/or individual reservists in a given year preferably to First Category Reservists;

(2) Voluntary training subject to the capability of the AFP to provide the training, individual reservists, commissioned and non-commissioned officers will be encouraged to undergo training on a voluntary basis to upgrade their proficiency with priority to the officers and key non-commissioned officers of the Standby Reserve Units. The Secretary of National Defense shall prescribe the course of instruction for the aforementioned training. The services of qualified individual enlisted and officer reservists shall be utilized to the maximum in the conduct of ROTC and reservists training.

Sec. 52. Reserve Officers Non-Resident Instruction. - Each major service shall conduct on a continuing basis non-resident instruction for the purpose of maintaining and updating the proficiency of their reservist officers, particularly key officers of Ready Reserve Units. Such instruction shall prepare these reserve officers to assume duties up to brigade command and staff or equivalent. The reserve officers undertaking such course shall be given priority for call to annual duty training or service with their units or with other AFP units. Successful completion of the non-resident course will be equivalent to having undertaken one annual active duty training tour.

Sec. 53. Active Duty Tour for Training of Reserve Officers. - In order to improve their professional competence and leadership qualities, reserve officers in the inactive status shall be called to active duty for a period not exceeding two years without extension; Provided, That the quota for such active duty tour shall as far as practicable be proportionately distributed to the provinces and cities based on their reserve officer population and size of the reserve units, with priority to units of Ready Reserve I and: Provided, finally, That the reserve officers called to active duty shall as far as

practicable serve in the province of their reserve unit assignment. A reserve officer who has served his tour shall not be called again to active duty until after five years, except in case of mobilization.

Sec. 54. Classification and Maintenance of Readiness of Reserve Units. - Units which are composed of the Ready Reserve shall be classified as to degree of readiness to respond to the call for service, as follows:

(1) Ready Reserve I. Units classified as Ready Reserve I shall be maintained in a high degree of readiness as to be ready for operational employment in not more than seven days after activation. The individual and crew served weapons and individual clothing and equipment shall be ready for distribution upon their activation. The whereabouts of their reservists shall be constantly ascertained. As necessary, these units will carry an excess of twenty percent of their authorized personnel strength to compensate for those who may fail to report or be late in reporting for duty.

(2) Ready Reserve II. Units classified as Ready Reserve-II shall be maintained in a degree of readiness as to be ready for operational employment in not more than fifteen days.

The Chief of Staff, AFP shall select and recommend to the Secretary of National Defense the reserve units under Ready Reserve I and Ready Reserve II: Provided, That in the areas threatened by insurgency, there shall be at least one unit of infantry battalion strength under readiness status of Ready Reserve I.

SEC. 55. Mobilization Stock. - The minimum essential individual and organization equipment and supplies shall be procured, stored and maintained for selected Ready Reserve Units to enhance rapid transition to readiness required for employment in the shortest possible time.

Sec. 56. Training as Requisite for Promotion. - Successful completion of training pursuant to Sections 51 and 52 herein shall be a requisite for promotion in rank in the inactive status.

Sec. 57. Classification of Reserve Officers in Inactive Status. - There shall be only one classification of reserve officers in the inactive status,

regardless of their source or nature of commission. Likewise, there shall be only one seniority and lineal list for all reservist officers in the inactive status regardless of their source of commission, subject to the rules and regulations to be prescribed by the Secretary of National Defense.

Sec. 58. *Status of Reservists on Training.* Reservists on compulsory training shall be subject to military law. They shall not receive pay, but shall be entitled to allowances and burial benefits as provided by law. Reservists on voluntary training are also subject to military law but not entitled to allowances.

ARTICLE X. UTILIZATION OF THE RESERVE FORCE

Sec. 59. *The utilization of the Reserve Force in time of emergency to meet threats to national security shall be through mobilization.* (1) Full mobilization. Full mobilization shall be through the joint act of Congress and the President. When full mobilization is ordered, all units of the Ready and Standby Reserves will be activated, the reservists constituting them are called to active duty, and the units activated are placed on operational readiness. All other reservists not assigned to any unit or those assigned to reserve pools shall be organized into replacement units. (2) Partial Mobilization. Partial mobilization shall be through the joint act of Congress and the President. When partial mobilization is ordered, only the units of the Ready Reserve as are necessary to meet the threat will be activated, the reservists assigned to these units called to active duty and the activated units placed on operational readiness. The President will specify the units to be activated. (3) Selective Mobilization. Selective mobilization shall be by authority of the President. Selective mobilization may be ordered to meet a local threat or emergency situation. When so ordered, only selected units of the Ready Reserve of the localities involved are activated and the reservists assigned to them are called to active duty; or active auxiliary units are organized and volunteer reservists are called to active auxiliary service for the purpose, under such rules and regulations that the Secretary of National Defense may prescribe.

Sec. 60. *Status of Reservists under Mobilization.* - An enlisted or officer reservist when called to active duty by virtue of mobilization shall receive all the pay and allowances, medical care, hospitalization

and other privileges and benefits prescribed by law or regulations for officers and enlisted personnel of the regular force.

Sec. 61. *Mobilization centers.* - There shall be established in each province as many mobilization centers as needed corresponding to the number and distribution of reservists in the province to which reservists will report when mobilization is ordered. The Citizen Military Training Centers in the provinces established under this Act may also be used as mobilization centers. The Secretary of National Defense, upon recommendation of the Chief of Staff, AFP and in consultation with the local executives, shall prescribe the location of the mobilization centers. The location of these centers shall be given the widest public information by the local executives.

Sec. 62. *Demobilization.* - When the threat or emergency for which mobilization has been ordered has passed, the President will order the demobilization of the reserve of the reserve units activated and the reservists of such deactivated units shall be reverted into inactive status.

Sec. 63. *Auxiliary Service.* - For the purpose of helping maintain local peace and order, meeting local insurgent threat, assisting in rescue and relief operations during disasters and calamities, health welfare activities and participating in local socioeconomic development projects, the President may call upon the reservists in the affected or concerned localities to volunteer their services. Such voluntary services shall be referred to as auxiliary service and shall be of two types:

(1) Civil Auxiliary Service. Civil auxiliary service covers services rendered in helping maintain law and order, assisting in rescue and relief operations, participating in socioeconomic development projects, delivery of health services and any other nonmilitary activity. Female reservists shall be given greater participation in this regard. Reservists serving under this category shall not be armed. Those who have licensed firearms may be granted permit to carry firearms only when they are actually performing duties in maintaining peace and order, provided adequate control measures are instituted by the proper authorities concerning the carrying and use of the firearms. In no case will the reservists be vested with police powers.

(2) **Military Auxiliary Service.** Military auxiliary service covers services rendered in meeting local insurgent threat. Reservists serving under this category will be organized into Ready Reserve Units. They must be issued and allowed to carry firearms: Provided, That these reservists will be utilized only for the defense of their respective localities and will not be employed outside their localities. Elected/appointed local government officials are expected to perform their duties and responsibilities in their respective Peace and Order Council levels or similar organizations efficiently and effectively to enhance a total integrated system approach against threats to national security.

The Secretary of National Defense shall prescribe the rules and regulations to implement this section in coordination with the Secretary of Interior and Local Government.

Sec. 64. Status of Reservists on Auxiliary Service. - A reservist performing auxiliary service shall not receive pay but shall be entitled to receive allowances and burial benefits as provided by law. With his consent, a reservist on auxiliary service, whether civil or military, may continue to render such service without receiving the allowances due him. A reservist serving military auxiliary service is subject to military law, whereas, a reservist serving civil auxiliary is not.

Sec. 65. Women Reservists. - Women shall have the right and duty to serve in the AFP. The relevant standards for admission, training and commissioning of women shall be the same as those required for men, except for those essential adjustments in such standards required because of physiological differences between men and women.

ARTICLE XI. FUNDING

Sec. 66. Funding. - All funds previously appropriated for the administration, development and training of the reserve component of the AFP and which will subsequently and thereafter be appropriated for the purpose shall be used exclusively for the purpose of implementing the provisions of this Act.

To sustain the efficient and effective administration, organization, training, maintenance and utilization of ready reserve units and keep them

appropriately and adequately equipped and in a state of readiness, as well as provide for the adequate training of citizen soldiers or reservists, adequate funds for this purpose, as may be requested or recommended by the AFP Reserve Command or the AFT, shall be appropriated and made available on a continuing basis.

The President shall utilize a portion of the Military Assistance Fund available from any source to augment the appropriation for the reserve force.

ARTICLE XII. TRANSITORY PROVISIONS

Sec. 67. Retention of ROTC Units in Colleges and Universities. - ROTC units in colleges and universities shall continue with ROTC training in accordance with this Act.

ARTICLE XIII. PENALTIES

Sec. 68. - Failure of reservists to respond to call for compulsory training or service shall be punishable in accordance with the Articles of War and those convicted by a court martial shall be liable for imprisonment of not less than two months to not more than twelve months. Citizens who fail to register for compulsory military training or who after having selected to undergo such training and have been notified thereof fail to report for training shall, upon conviction by the civil court, be punishable and liable for imprisonment of not less than one month to not more than one month to not more than three months.

Sec. 69. Failure to Provide Updated List of Registrants. - Failure of registrars and canvassers to provide an updated listing of registrants under their responsibility shall, upon conviction by the civil court, be punishable and liable for imprisonment of not less than one month to not more than three months under Sections 16 and 19 of this Act.

ARTICLE XIV. RESCISSION AND EFFECTIVITY

Sec. 70. Repealing Clause. - All laws, decrees, executive orders, rules and regulations which are inconsistent or in conflict with any provision of this Act are hereby repealed or amended.

Sec. 71. Effectivity. - This Act shall take effect upon its approval.