

[VOL. III, August 25, 1986]

R.C.C. NO. 65

Monday, August 25, 1986

OPENING OF SESSION

At 9:59 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.

THE PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Jose N. Nollado.

Everybody remained standing for the Prayer.

PRAYER

MR. NOLLEDO: Ama naming makapangyarihan, sa panahong ito ng hidwaan at di pagkakaunawaan ng mga inatasang bumalangkas ng Batas ng mga batas, ibaling po Ninyo ngayon din ang Inyong paningin sa aming lahat, saan man naroroon ang mga iba sa amin. Inyo pong pukawin ang aming mga isipan; Inyo pong ipatong at ipadama ang Inyong kamay sa puso ng bawat isa sa amin at Inyo pong ibulong sa amin na ang pagkakaisa ay kailangan sa kabila ng mga masalimuot na mga pangyayari at sa kabila ng mga paniniwalang di magkatugma.

Ang bawat isa sa amin, Ama, ay may sariling paninindigan na handang ipaglaban nang mapayapa. Kung sakaling kami'y makalimot sa aming mga sarili at maghari ang apoy ng pagkapoot at paghihiganti, Ama, gawin po Ninyo ang nararapat na sa wakas ay manatili ang tunay na pagmamahal at matapat na pagbibigayan.

Itulot po Ninyong ang aming mga suliranin ay malutas sa pamamagitan ng paghanap ng mga binagong alituntunin na tutugon sa adhikain hangga't maaari ng lahat sa amin. At kung ito'y hindi mangyari, sana, Ama ay maging mahinahon ang bawat isa sa amin sa pagtanggap ng mga pangyayaring hindi maiiwasan sapagkat panahon lamang ang makapagsasabi kung ang ginawa ng bawat isa sa amin ay tumpak o tunay na makabayan.

Hinihingi po namin ang mga ito sa ngalan ni Hesus. Siya nawa.

ROLL CALL

THE PRESIDENT: The Secretary-General will call the roll.

THE SECRETARY-GENERAL, *reading*:

Abubakar

Present

Natividad

Absent

Alonto	Present	Nieva	Present
Aquino	Present	Nolledo	Present
Azcuna	Present [*]	Ople	Present [*]
Bacani	Present	Padilla	Present
Bengzon	Present	Quesada	Absent
Bennagen	Absent	Rama	Present
Bernas	Present	Regalado	Present
Rosario Braid	Present	Reyes de los	Present [*]
Brocka	Absent	Rigos	Present
Calderon	Present	Rodrigo	Present
Castro de	Present	Romulo	Present
Colayco	Present	Rosales	Absent
Concepcion	Present	Sarmiento	Present
Davide	Present	Suarez	Absent
Foz	Present	Sumulong	Present
Garcia	Present [*]	Tadeo	Absent
Gascon	Present [*]	Tan	Present
Guingona	Present	Tingson	Present
Jamir	Present	Treñas	Absent
Laurel	Present [*]	Uka	Present
Lerum	Present [*]	Villacorta	Absent
Maambong	Present [*]	Villegas	Present
Monsod	Present		

The President is present.

The roll call shows 31 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: Madam President, I move that we dispense with the reading of the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I move that we approve the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we proceed to the Reference of Business.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary-General will read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Communication from Mr. Marlowe O. Camello of 2323 West Beverly Blvd., Suite 204A, Los Angeles, California, U.S.A., proposing an Article in the new Constitution that barangay governments be transformed into Citizens' Investigative Bodies.

(Communication No. 626 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Mr. Arturo N. Abeando, Sr. of Pioneer Insurance and Surety Corporation, seeking inclusion in the Constitution of a provision obliging the State to protect the life of the unborn from the moment of conception.

(Communication No. 627 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Letter from Mr. Gene C. Sibayan of 48443 Spokane Place, Fremont, California, 94539, U.S.A., urging the retention of the United States Military Bases in the Philippines beyond 1991.

(Communication No. 628 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: Madam President, I rise on a question of collective privilege.

THE PRESIDENT: We will have any privilege speech later in the day. We will proceed first with the Unfinished Business and this is the ruling of the Chair.

Is there any Unfinished Business, Mr. Floor Leader?

CONSIDERATION OF PROPOSED RESOLUTION NO. 496 (Article on National Economy and Patrimony) *Continuation*

PERIOD OF AMENDMENTS

MR. RAMA: Madam President, the Unfinished Business is the period of amendments on the Article on National Economy and Patrimony.

THE PRESIDENT: Is the Committee on the National Economy and Patrimony ready to proceed with the continuation of the period of amendments? May we know from Commissioner Villegas.

MR. VILLEGAS: We are ready, Madam President.

THE PRESIDENT: May I request the members of the committee to please occupy the front table.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

MR. RAMA: I ask that Commissioner de Castro be recognized as the first registered speaker.

THE PRESIDENT: Commissioner de Castro is recognized.

MR. DE CASTRO: Thank you, Madam President.

I have a proposal here for an additional section on the Article on the National Economy and Patrimony, and with the following proponents: Commissioners Azcuna, Concepcion, Rigos, Jamir, Tan, Treñas, Tingson, Foz, Maambong and de los Reyes, Jr. The proposed new section reads: "THE STATE SHALL PROMOTE THE PREFERENTIAL USE OF FILIPINO LABOR AND LOCALLY PRODUCED GOODS AND MATERIALS." This was formulated by this member of the committee in my attempt to enshrine in our Constitution the Filipino-first policy. May I explain for a while what is the Filipino-first policy, Madam President.

THE PRESIDENT: Please proceed.

MR. DE CASTRO: This proposal seeks to enshrine in our Constitution the Filipino-first policy enunciated in the following existing laws: Commonwealth Act No. 138, dated November 7, 1936, giving native products and domestic entities preference in the purchase of articles for the government; Republic Act No. 912, dated June 20, 1953, requiring the use under certain conditions of Philippine-made materials or products in the government projects or public works construction, whether done directly by the government or accorded new contracts; and Republic Act No. 5183, dated September 8, 1967, regulating the award of contracts for the supply to or procurement by in a government-owned or controlled corporation, company, agency or municipal corporation of materials, equipment, goods and commodities to contractor or bidder who are citizens of the Philippines or to a corporation or association, 60 percent of which is owned by Filipino citizens.

These laws shall give impetus to the production and use of Philippine products, especially in the manufacture of fertilizers, feeds for animals and poultry, meat, garments, et cetera. These will also lower the costs of importation and eventually increase the viability of our local industries with Filipino labor.

May I know the reaction of the committee.

THE PRESIDENT: What does the committee say?

MR. VILLEGAS: Commissioner Monsod will reply, Madam President.

MR. MONSOD: Madam President, the committee agrees with the sentiment behind the proposal. However, may we suggest the following: "THE STATE SHALL PROMOTE THE PREFERENTIAL USE OF FILIPINO LABOR, MATERIALS AND PRODUCTS." We do not have to say "LOCALLY PRODUCED GOODS." Secondly, we would like to add the phrase "WITH MEASURES THAT HELP MAKE THEM COMPETITIVE IN THE MARKET." May we explain, Madam President.

I think the philosophy of Section 1 is for Filipino products and materials to be competitive. Sometimes, however, our industries are not competitive, not because of their own fault but because of other considerations. So, when we say "MEASURES THAT HELP MAKE THEM COMPETITIVE," we mean measures whereby we help Filipino entrepreneurs design their products, both in substance and appearance, so that they become more competitive. An example is the Design Center of the Philippines. Second, there is a Product Standards Agency in the Ministry of Trade and Industry which tests Filipino products and most of the time the results show that they are at least of the same quality or even better. This should be publicized so that Filipinos will know that Filipino products are just as good, if not better, than imported ones and remove the notion that only imported products are better.

Third, there is the question of research. There should be more money put in research. Korea spends 2 percent of its gross national product in technological research and product research to help its industries. We are not doing that. The budget for our National Science and Technology Authority is very small and that must be increased. It will help make Filipino products and materials more competitive by helping the industries with applied research. Fourth, trade fairs, for example, trade caravans or product caravans all over the country, can educate our public on how good Filipino products are. We can advertise their appearance, their packaging, their contents, their quality; and thereby inform our people that our products can stand comparison with all the products of the world. And by means of trade fairs abroad, we can also publicize our products and help our enterprises be more competitive in the market. Lastly, all the efforts of the government towards trade negotiations and bilateral agreements should be to try to lift protectionism in other countries so that our products will have a fair go at markets abroad.

Madam President, this is what we mean by helping our Filipino products and materials to be more competitive rather than shutting off the market. This is what we mean by helping the Filipino producers rather than protecting the market. So with the permission of Commissioner de Castro, if we can rewrite the section this way: "THE STATE SHALL PROMOTE THE PREFERENTIAL USE OF FILIPINO LABOR, MATERIALS AND PRODUCTS WITH MEASURES THAT HELP MAKE THEM COMPETITIVE IN THE MARKET," we will accept the amendments.

MR. DE CASTRO: Madam President, I admire the sympathy of Commissioner Monsod to this proposal and I am agreeable to the examination of the quality of goods that our local manufacturers will make. But I would request that we do not eliminate the words "LOCALLY PRODUCED GOODS" because these may imply importation of goods, when actually I am referring to those goods which we produce here. For example, the ingredients for the manufacture of fertilizers are available here. Tons and tons of fishmeal are imported by us for the manufacture of feeds for animals and poultry. Another import is coconut meal, which is an important ingredient in the making of feeds for animals and poultry. Despite the fact that we have enough production of corn, we still insist on importing cornmeal. Worst of all, we import copra meal which we are actually exporting.