

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 1488

Submitted by the Committee on Basic Education and Culture on 12 OCT 2011.

RE : HOUSE BILL NO. 5068

Recommending its approval with amendments.

SPONSORS : Representatives Escudero and Vergara

Mr. Speaker:

The Committee on Basic Education and Culture, to which was referred House Bill No. 5068, introduced by Rep. Bernardo M. Vergara, entitled:

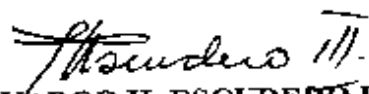
**"AN ACT
DECLARING SEPTEMBER 3 OF EVERY YEAR AS SPECIAL
COMMEMORATIVE DAY TO BE CALLED THE NATIONAL VICTORY AND
LIBERATION DAY OF THE PHILIPPINES"**

has considered the same and recommends its approval with the following amendments:

1. On Section 1, line 4, after the word "of", delete the phrase "Lt. Gen. Tomoyuki Yamashita, the "Tiger of Malaya", the";
2. On the same Section, line 5, before the word "all", delete the phrase "Supreme Commander of";
3. On the same Section, line 5, after the word "forces", delete the word "of" and in lieu thereof, insert the word "IN";
4. On Section 2, line 8, after the word "effect", delete the phrase "upon approval" and in lieu thereof, insert the phrase "FIFTEEN DAYS AFTER ITS PUBLICATION IN THE OFFICIAL GAZETTE"

and with Reps. Vergara, Escudero, Olivarez, Biazon, Almario, Tinio and Agyao as authors thereof.

Respectfully submitted,


SALVADOR H. ESCUDERO III
Chairperson
Committee on Basic Education & Culture

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 5063

Introduced by
HON. BERNARDO M. VERGARA

EXPLANATORY NOTE

This bill was originally filed by then Rep. Mauricio G. Domogan and Rep. Solomon R. Chungalao during the 13th Congress as House Bills Nos. 5157 and 5213, respectively. The two bills were then consolidated and substituted as House Bill No. 5816 per Committee report No. 1951 on 27 Sept. 2006. This Representation is now re-filing the bill with the hope that it will see the light of day and be enacted into a law in this 15th Congress, considering its historical impact.

In essence, this bill seeks to officially declare September 3 henceforth as a special commemorative holiday to be called the NATIONAL VICTORY AND LIBERATION DAY in the Philippines.

It is often said that, in many cases, Filipinos celebrate their defeat – fall of Bataan, fall of Manila, death of Rizal, to cite a few – and not their “Victory Days”. September 3 is a victory day and much more, a liberation day.

It is noteworthy to recall that during the previous day, September 2 of 1945, the brilliant “Tiger of Malaya” and Supreme Commander of all Japanese forces in the Philippines – Lt. Gen. Tomoyuki Yamashita – after being hemmed in for months in his formidable defensive enclave in Ifugao by USAPHIL, NL forces, finally gave himself up at Kangan, Ifugao whence he was whisked to Baguio City to sign the documents of formal surrender on September 3, thus ending World War II in the Philippines.

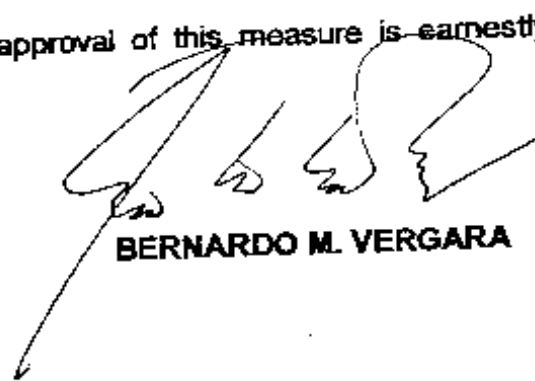
The memory of this date, on one hand, ended the darkest interlude in the history of the Philippines (1941-1945), a period when Filipinos were plunged into the lowest depths of deprivation and sufferings characterized by innumerable brutal and merciless atrocities committed especially against helpless civilians. It ended the painful suppression of all democratic

institutions and processes under the heel of a foreign totalitarian and militaristic oppressor.

On the other hand, this same date ushered a new era of hope, unity and an intense feeling of patriotism. It symbolized the unleashing of the dove of peace that would bring about the realization of democratic principles of human rights, of self-respect among free nations of the world, and socio-economic and political freedom – an aspiration nurtured for the past 350 years of foreign colonial dominion.

The freedoms, the privileges, the fruits of democracy we now enjoy should not make us blind to the fact that these were products of blood and tears which finally ended on that glorious day of September 3, 1945. The desire to remember such a date should not come to naught.

Considering all the foregoing, approval of this measure is earnestly sought.



BERNARDO M. VERGARA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5068

Introduced by
HON. BERNARDO M. VERGARA

**AN ACT DECLARING SEPTEMBER 3 OF EVERY YEAR AS SPECIAL
COMMEMORATIVE DAY TO BE CALLED THE NATIONAL VICTORY AND
LIBERATION DAY OF THE PHILIPPINES**

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

1 SECTION 1. September 3 of every year is hereby declared as the
2 NATIONAL VICTORY AND LIBERATION DAY OF THE PHILIPPINES and a
3 special non-working holiday to commemorate Filipino victory with the
4 surrender of [Lt. Gen. Tomoyuki Yamashita, the "Tiger of Malaya", the]
5 [Supreme Commander of] all Japanese forces of the Philippines at Baguio City
6 on September 3, 1945, thus ending World War II in the Philippines.

7 SECTION 2. This Act shall take effect upon approval.
8

9 Approved,

FACT SHEET

House Bill No. 5068
(As Approved by the Committee)

NATIONAL VICTORY AND LIBERATION DAY

Introduced by: REP. VERGARA

Committee Referral: COMMITTEE ON BASIC EDUCATION & CULTURE (Primary)
Committee Chairperson: REP. SALVADOR H. ESCUDERO III

OBJECTIVE:

- To commemorate the official end of World War II in the Philippines

KEY PROVISION:

- Declares September 3 of every year as a special non-working holiday in the Philippines to be named as National Victory and Liberation Day

RELATED LAW:

- 1987 Philippine Constitution

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
Fifteenth Congress
2nd Regular Session

MINUTES OF THE 17TH REGULAR MEETING OF THE COMMITTEE ON BASIC EDUCATION AND CULTURE HELD ON 26 SEPTEMBER 2011, 1:00 P.M., AT CONFERENCE ROOM NOS. 3 & 4, RAMON V. MITRA JR. BLDG., HOUSE OF REPRESENTATIVES, QUEZON CITY

I. CALL TO ORDER

Representative Salvador H. Escudero III, Chair, Committee on Basic Education and Culture, called the 17th committee meeting to order at 9:36 a.m. On motion of Rep. Almario, duly seconded, the Chair dispensed with the roll call.

II. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

On motion of Rep. Almario, duly seconded, the Chair declared as approved the minutes of meeting held on 16 August 2011, as presented.

III. DELIBERATION ON HOUSE BILL NO. 5068

The Chair presented for committee deliberation House Bill No. 5068, introduced by Rep. Bernardo M. Vergara, titled: *"AN ACT DECLARING SEPTEMBER 3 OF EVERY YEAR AS SPECIAL COMMEMORATIVE DAY TO BE CALLED THE NATIONAL VICTORY AND LIBERATION DAY OF THE PHILIPPINES"*. He subsequently recognized the bill's principal author to sponsor the bill.

Sponsorship Speech of the Author

Rep. Vergara, principal author of HB 5068, stated the following:

- House Bill 5068 is a refiled bill having been first filed during the 13th Congress through House Bill Nos. 5157 and 5213 and authored by former Reps. Domogan and Chungalao, respectively.
- The essence of the bill is to officially declare September 3 of every year as a commemorative holiday to be called the National Victory and Liberation Day in the Philippines.
- On September 2, 1945, Lt. Gen. Tomoyuki Yamashita, a brilliant "Tiger of Malaya" and Supreme Commander of all Japanese forces in the Philippines, after being entrapped in his formidable defensive enclave in Ifugao by the USAPHIL, NL forces, finally gave himself up at Kangan, Ifugao and was whisked to Baguio City to sign the documents of formal surrender on September 3, 1945, thus ending World War II in the Philippines.
- The memory of this date ended the darkest interlude in the history of the Philippines (1941-1945) and ended as well the painful suppression of all democratic institutions and processes under the heel of a foreign totalitarian and militaristic oppressor.
- The freedom, privileges and the fruits of democracy we now enjoy should not make us blind to the fact that these were products of blood and tears which finally ended on that glorious day of September 3, 1945.
- The author earnestly sought the immediate approval of House Bill 5068.

Issues/Arguments/Positions Presented

- The Chair asked the author that assuming that this bill will be approved into law, how do we explain the fact that it took us so many decades to recognize this date. He further said that perhaps the reason behind this proposal lies on the fact that if we commemorate death and other sorrowful events in our history, we should also commemorate victorious events in our history to inspire our people.

- ♦ Rep. Vergara pointed out that if we look at our history books, events like the fall of Bataan, the fall of Manila, the fall of Corregidor, among others, were commemorated but the commemoration of this event of national victory and liberation day has been overlooked.
- ♦ The Committee Secretary, upon direction by the Chair, cited some pertinent portion of the position paper submitted by the National Historical Commission of the Philippines (NHCP), to wit: *"The NHCP finds it appropriate to remember September 3 in this manner for on that day in 1945, at 1210 hours, in a ceremony held at the U.S. High Commissioner's Residence at Camp John Hay, Baguio, Mountain Province, General Tomoyuki Yamasaki and Vice Admiral Denhici Okochi, the highest army and navy officers of Japan in the Philippines, respectively, signed the Instrument of Surrender. Major Gen. Edmond H. Leavey, the American officer in charge, announced his acceptance of the surrender, signed each copy, and pronounced the ceremony concluded. This ceremony ended the war in the Philippines. While we commemorate the Bataan Death March as "Araw ng Kagitingan," it is equally important that we celebrate and honor the end of World War II in the Philippines, which marked the end of the unspeakable suffering of our people."*
- ♦ Rep. Tinio suggested reformulating Section 1 of the bill without mentioning the name of Lt. Gen. Tomoyuki Yamashita as the law can stand without having to mention it, thus amending it as follows: *"xxx commemorate Filipino victory with the surrender of all Japanese forces of the Philippines at Baguio City on September 3 xxx"*.
- ♦ Rep. Biazon supported the proposal of Rep. Tinio stating that the name of Lt. Gen. Yamashita should not be mentioned in the law since we might be perpetuating the name of Tomoyuki Yamashita, thus we should rather forget him. He proposed rather the term *"a defeat of Japanese forces in the Philippines"* may suffice.
- ♦ Rep. Vergara agreed with the proposed amendment of Reps. Tinio and Biazon.
- ♦ Upon the request of Rep. Almario, the Committee Secretary read the amended version of Section I, to wit: *"Section 1. September 3 of every year is hereby declared as the NATIONAL VICTORY AND LIBERATION DAY OF THE PHILIPPINES and a special non-working holiday to commemorate Filipino victory with the surrender of all Japanese forces of the Philippines at Baguio City on September 3, 1945, thus ending World War II in the Philippines."*
- ♦ On motion of Rep. Almario, duly seconded, the Chair approved House Bill 5068, as amended.
- ♦ On motion of Rep. Olivarez, duly seconded, the Chair declared the following Members as co-authors of the bill: Reps. Escudero, Olivarez, Biazon, Almario, Tinio and Agyao.

III. DELIBERATION ON HOUSE BILL NOS. 4097 & 3409

The Chair presented for committee deliberation the following bills:

- 1) House Bill No. 4097, introduced by Rep. Antonio L. Tinio, titled: *"AN ACT DECLARING OCTOBER 5 OF EVERY YEAR AS 'NATIONAL TEACHERS' DAY'"*
- 2) House Bill No. 3409, introduced by Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr. titled: *"AN ACT DECLARING OCTOBER 5 OF EVERY YEAR AS THE NATIONAL TEACHERS' DAY IN THE PHILIPPINES"*

Sponsorship Speech of the Author

Rep. Tinio, principal author of HB 4097, stated the following:

- ♦ The United Nations Educational, Scientific and Cultural Organization (UNESCO) was the first to recognize the World Teachers' Day through the signing on October 5, 1966 of the Joint UNESCO-International Labor Organization "Recommendation concerning the Status of Teachers," a landmark document that sought to establish international standards to promote and protect the teaching profession.

- ♦ The "Recommendation" served as the basis for the enactment of R.A. 4670, or the Magna Carta for Public School Teachers in 1966.
- ♦ It was only in 1994 when the World Teachers' Day was first commemorated and celebrated. A few years ago, the DepEd started commemorating World Teachers' Day through various activities. Today, more than 100 countries celebrate World Teachers' Day.
- ♦ Various Schools Divisions celebrated Teachers' Day on different dates, i.e. the City of Manila celebrates Teachers' Day on December 10, Bacolod celebrates it on the first Saturday of December.
- ♦ The purpose of the bill is to synchronize our National Teachers' Day celebration with World Teachers' Day and to make sure that the country celebrates as one in recognizing the valuable contribution of teachers to our society.
- ♦ The author finally sought the Committee's immediate approval of HB 4097.

Issues/Arguments/Positions Presented

- ♦ Rep. Almario expressed her support of the bill although she just wanted to make sure that a similar bill should also be filed in the Senate for immediate passage of the measure.
- ♦ Rep. Biazon cited Section 3, paragraphs (a) and (d) of House Bill 3409 and expressed his concern on whether or not we are also going to mobilize the private sector in this endeavor.
- ♦ The Chair responded to Rep. Biazon's comment by proposing that we should rather consolidate the two bills and adopt the version of House Bill 4097.
- ♦ On motion, duly seconded, the Chair approved House Bill 4097, in consolidation with House Bill 3409.

III. DELIBERATION ON LOCAL SCHOOL BILLS

The Chair presented for committee deliberation the following local school bills:

A. On the Establishment of National High Schools/Elementary School

- 1) HB 1368, titled, *Lacupayan National High School*, by Rep. Cerilles
- 2) HB 1592, titled, *Tuyom National High School*, by Rep. Gullas
- 3) HB 3138, titled, *Apolonio Samson National High School*, by Rep. Castelo
- 4) HB 3179, titled, *Candungao National High School*, by Rep. Aumentado
- 5) HB 3392, titled, *Central National High School*, by Rep. Mercado
- 6) HB 3574, titled, *Filinvest Alabang Elementary School*, by Rep. Biazon
- 7) HB 4764, titled, *Sta. Cruz National High School*, by Rep. Bravo
- 8) HB 4986, titled, *Manaybanay National High School*, by Rep. Apostol

B. On the Conversion/Separation of National High Schools

- 1) HB 2370, titled, *Mayag National High School*, by Rep. Romarate
- 2) HB 2467, titled, *Cateel National Agricultural High School-Annex*, by Rep. Dayanghirang
- 3) HB 2492, titled, *San Jose National High School*, by Rep. A. Alvarez
- 4) HB2639, titled, *Luis Hervias National High School for Tech/Voc Education, Information & Communication Technology*, by Rep. A. Golez
- 5) HB 3483, titled, *Aringay National High School*, by Rep. Sacdalan
- 6) HB 3491, titled, *Bado National High School*, by Rep. Agyao
- 7) HB 3566, titled, *Pala-o National High School*, by Rep. V. Belmonte
- 8) HB 3615, titled, *Mauague National Tech. Voc. & Skills Training High School*, by Rep. Lazatin
- 9) HB 4376, titled, *Talocloc General Comprehensive National High School*, by Rep. Agyao
- 10) HB 4709, titled, *Don Galo National High School*, by Rep. Olivarez
- 11) HB 4995, titled, *Molugan National High School*, by Rep. Emano
- 12) HB 5019, titled, *Pag-Oring Nuevo National High School*, by Rep. D. Arroyo

Action Taken by the Committee

On omnibus motion of Rep. Agyao, duly seconded, there being no objection, the Committee approved the above-listed eight (8) local school bills on the establishment of national high schools/elementary school and twelve (12) local school bills on the conversion and/or separation of national high schools, subject to style and amendments and subject also to the submission by the respective authors of the required documents to support the legislation of the aforesaid bills.

V. ADJOURNMENT

On motion, duly seconded, the Chair adjourned the meeting at 2:36 p.m.

I hereby certify to the correctness of the foregoing minutes.



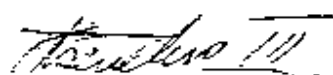
NEMESIS O. MALATAMBAN III
Supervising Legislative Staff Officer II

Noted by:



MA. JOSEFINA R. RICAFORT
Committee Secretary

Approved by:



SALVADOR H. ESCUDERO III
Committee Chairperson