

11 November 2016

**REP. SOL ARAGONES**

*Chairperson*

**Committee on Population and Family Relations**

RVM Building, House of Representatives

Quezon City

Dear **Representative Aragones**:

The Department of Social Welfare and Development supports House Bill Nos. 12, 107, 171, 317, 368, 523, 696, 1687, 1711, and 2001, but only insofar as they avow to cut red tape and promote efficiency in government transactions in line with the Department's thrust towards social welfare and protection. That being said, the Department would like to register its following reservations and/or recommendations on the proposed measure:

1. Consolidate the bills into one.
2. Confine the proposed measure's purpose to cutting red tape and promoting efficiency in government transactions while disavowing its "crime deterrent" functions by "granting law enforcement agencies access to the National ID database and aid in the identification of suspects in criminal and civil cases" (as found in HB No. 171) and its use as an anti-terrorism measure (as found in HB No. 1687).
3. Address potential "riders" such as Sec. 14 and 15 of HB No. 2167.
4. Study fully the implication granting authority to the Philippine Statistics Authority (PSA) to create and maintain a Filipino Citizen Registry that will "contain the registered records and information of persons issued with the Filipino ID card" (as found in Sec. 11 of HB No. 12) or similar provisions granting the said authority *vis-a-vis* the people's right to privacy which includes the right "to be left alone" and the right to non-disclosure of private information.
5. Configure the measure in such a way that it will not result in the stripping away of rights from people who fail to secure the ID or the granting of additional rights to people who do. To cite, while the bills are consistent in providing that "failure of any person to present a Filipino ID card when transacting business with the government or with private entities requiring its use and presentation shall not be a ground to deny or limit the grant of basic government and private service as long as such transaction is qualified under existing laws" (as found in Sec. 13 of HB No. 12), they also provide that "The Filipino ID card **shall** be presented and honored in transactions requiring the identity, status, birth and all other personal

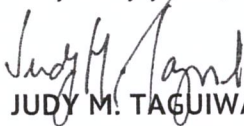
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circumstances...” (as found in Sec. 8 of HB No. 12). The use of the modal “shall” connotes that the presentation of the ID is mandatory and, as such, conflicts with provisions stating that failure to present it shall not be a ground to deny or limit the grant of service.

6. Study fully whether the proposed measure imposes a restriction or additional burden on the people’s exercise of their liberty of abode as provided in Sec. 6, Art. III of the Constitution. This is seen in consistent provisions in the draft measures stating that any person who intends to effect changes in his ID including change in residence shall have the duty to inform the LCRO, embassy, or consular office of such change.
7. Study fully the option of making the ID system voluntary while retaining the spirit of the measures by institutionalizing such ID as the only proof of identification that will be required by government agencies should it be presented.
8. Study fully whether the proposed measure unduly intrudes into the affairs of private enterprises in mandating that procuring private services are also subject to the proposed rules on the national ID.
9. Strengthen provisions intended to protect the people’s right to privacy and enhance implementation of Republic Act No. 10173 or the Data Privacy Act of 2012. The need for this is highlighted anew by the recent security breach in the COMELEC database which resulted in the leaking of millions of registered voters’ personal data.
10. Address registration concerns including additional assistance for indigenous peoples and informal sectors who do not possess proofs of identity (i.e. birth certificates) and have no permanent addresses.

Thank you.

Very truly yours,



**JUDY M. TAGUIWALO**

Secretary