

22 November 2017

**Senator PANFILO M. LACSON**  
Chairperson  
Sub-Committee on National Identification System Act  
Senate of the Philippines  
Pasay City

Dear Senator Lacson:

The Department of Social Welfare and Development supports Senate Bill Nos. 15, 41, 69, 95, 917, 1500, 1510 and 1577, but only insofar as they avow to cut red tape and promote government 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 the following reservations and/or recommendations on the proposed measure:

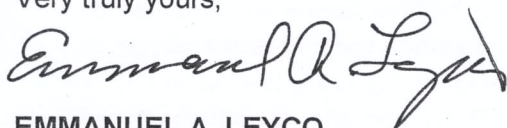
1. Consolidate the bills into one.
2. Confine the proposed measures' purpose to cutting red tape and promoting efficiency in government transactions while disavowing its "crime deterrent" functions by "granting law enforcement agencies access to the National ID database and aid in the identification of suspects in criminal and civil cases and its use as an anti-terrorism measure (as found in SBNs 15, 69, 95, 917 and 1577).
3. Address potential "riders" such as Sections 14 and 15 of SBNs 69 and 917.
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 Section 11 of SBN 15, 95 and 1577 and Section 12 of SBNs 69, 917 and 1500) 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 Section 13 of SBNs 15, 95 and 1577; Section 15 of SBN 1500 and Section 16 of SBNs 69 and SBNs 917), they also provide that "The "Filipino ID card **shall** be presented and honored in transactions requiring the identity, status, birth and all

other personal circumstances . . ." (as found in Section 8 of SBN 95 and 1577; Section 9 of SBNs 15 and 1500; Section 10 of SBNs 69 and 917). The use of the modal "shall" connotes that the presentation of the ID is mandatory and, as such, conflicts with the 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 Section 6, Article 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 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,



**EMMANUEL A. LEYCO**  
Officer in Charge