



# Committee Daily Bulletin

18<sup>th</sup> Congress  
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## COMMITTEE MEETINGS ON HOUSE MEASURES

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Justice	HBs 1380, 1588, 1800, 1806, 1807, 2026, 2092, 3128, 3256, 3261 & 4743	Rep. Castro (F.), Minority Leader Abante, Reps. Pacquiao (R.), Barbers, Deputy Speaker Abu, Rep. Leachon, Deputy Speaker Hernandez, Reps. Gatchalian and Yap (E.)	Imposing the death penalty on certain heinous crimes, repealing for the purpose RA 9346 or the law prohibiting the imposition of death penalty in the Philippines, and further amending Act 3815, as amended, otherwise known as the Revised Penal Code, RA 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, RA 7080 or the law defining and penalizing the crime of plunder, RA 8177 or the law designating death by lethal injection, and other special penal laws	<p>The Committee, chaired by Rep. Vicente "Ching" Veloso III (3<sup>rd</sup> District, Leyte), will deliberate further on the 11 measures in its next meeting.</p> <p>Rep. Veloso gave a brief overview of the death penalty measures according to purpose, coverage, manner of commission of the crime, and mode of execution of the death sentence.</p> <p>Muntinlupa City Rep. Rozzano Rufino Biazon requested the Committee to defer action on his bill, HB 741, and to exclude it from the agenda and from the possible consolidation of measures with similar subject matter.</p> <p>Rep. Biazon said that while he maintains his position that capital punishment is commensurate to high-level drug traffickers, the discussion on the revival of the death penalty at this time of COVID-19 crisis is inopportune and an unnecessary distraction to the efforts to consolidate people's action against the pandemic. The public expects Congress to give preference to measures that will directly address the present health crisis, Rep. Biazon stated. He suggested that the government should first improve the evidence-gathering capability of its law enforcement agencies as a prerequisite to the reimposition of the death penalty.</p> <p>Rep. Robert Ace Barbers (2<sup>nd</sup> District, Surigao del Norte), author of HB 2026, and Rep. Niña Taduran (Party-List, ACT-CIS), co-author of HB 4743, believe that death penalty can deter the commission of heinous crimes.</p> <p>Rep. Barbers denounced studies which tend to diminish the effectiveness of the death penalty as a deterrent to the commission of crimes. He also dismissed the view that death penalty will only be imposed on the poor, who cannot afford to secure the services of a competent lawyer, as being seriously flawed. Imperfect as it is, he said the country's judicial system has enough safeguards that protect the rights of the accused to an impartial trial.</p> <p>Likewise, Rep. Taduran said that in recent times, criminal offenders have become more brazen in committing crimes against the most vulnerable in society, knowing fully well that the highest punishment that can be imposed against them if convicted is life imprisonment.</p> <p>Rep. Wes Gatchalian (1<sup>st</sup> District, Valenzuela City), author of HB 3261, said that his bill seeks to</p>

<p>Continuation... Justice</p>				<p>impose death penalty on those convicted for dangerous drug crimes and increase the penalties and fines for illegal drug related acts. He said that under HB 3261, the quantity of dangerous drug found in a person to be charged for illegal possession is increased in order to address the issue on planting of evidence on innocent persons.</p> <p>Minority Leader Bienvenido Abante Jr. (6<sup>th</sup> District, Manila), author of HB 1588, maintained that the reimposition of death penalty is in defense of human rights, honor and dignity, the preservation of peace and order in society, and respect for law and authority. He explained that illegal peddling and use of prohibited drugs inflict harm on people. Hence, it is the right of the State to rectify a heinous wrong committed to an innocent victim or against the government and society.</p> <p>Senior Vice Chair Rep. Rufus Rodriguez (2<sup>nd</sup> District, Cagayan de Oro City), Rep. Jose Christopher Belmonte (6<sup>th</sup> District, Quezon City), and Rep. France Castro (Party-List, ACT-TEACHERS) oppose the proposed law. They argued that the Philippines has to comply with the International Covenant on Civil and Political Rights (ICCPR) and its Second Optional Protocol being a signatory to these documents. (The ICCPR and its Second Optional Protocol urge each state party to take all necessary measures to abolish the death penalty within its jurisdiction.)</p> <p>Rep. Rodriguez enumerated several repercussions that the Philippines may face in case the death penalty is restored. These include the effects on trade agreements, serious breach of international commitments, and the possibility of the Philippines being regarded as a "rogue state" by the international community.</p> <p>Commission on Human Rights (CHR) Commissioner Karen Gomez-Dumpit asserted that there is no compelling reason to warrant the reinstatement of death penalty. She added that drug related offenses are not included in the most serious of crimes in international law.</p> <p>Gomez-Dumpit claimed that the ICCPR and its protocol effectively barred the reimposition of death penalty in the country. She explained that under Sec. 2, Article II of the Constitution, it is a state policy to adopt generally accepted principles of international laws as part of the Philippine law. Hence, the country is obliged to comply with international laws and treaties. She added that reviving the death penalty will work against the ability of the government, through the Department of Foreign Affairs, to negotiate with other countries where there are Filipinos sentenced to death.</p> <p>However, Rep. Veloso said that the adoption of generally accepted principles of international law pertains to those treaties or agreements to which the Philippines is not a signatory, but has attained widespread acceptance.</p>
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Continuation... Justice				<p>Department of Justice (DOJ) Assistant Secretary Nicholas Felix Ty stated that the DOJ sees no legal or constitutional impediment to the reimposition of death penalty. He opined that it is within the power of Congress to pass a law on the matter.</p> <p>However, Ty expressed reservation on the mode of execution of the death sentence as prescribed in some of the bills. He said execution by hanging, firing squad, and other similar means are cruel and degrading. Moreover, public viewing of the execution, especially to minors, as allowed in one of the bills, is unacceptable.</p> <p>Public Attorney's Office (PAO) Chief Persida Rueda-Acosta gave her support to the restoration of the death penalty when the crime committed is "extra heinous" and the evidence is strong.</p> <p>Nevertheless, Rueda-Acosta said that the PAO would strive to make sure that indigent litigants, who are their main clients, would be properly represented in court. She added that if ever one of their clients will be convicted of a crime punishable by death but new evidence would later crop up that would save one from death row, she will personally ask the President to stay the execution to possibly overturn the sentence.</p> <p>Expressing opposition to the proposed law were representatives from the Integrated Bar of the Philippines, National Union of People's Lawyers, National Council of Churches in the Philippines, Free Legal Assistance Group, and KARAPATAN. They instead called on the government to strengthen the justice system in the country to ensure that only the guilty is penalized accordingly. They stressed that no amount of penalty, not even by death, can deter criminals.</p>
<b>Labor and Employment</b>	HB 7028	Rep. Quimbo	Instituting a national unemployment insurance program for the Philippines and appropriating funds therefor	<p>The Committee, chaired by Rep. Enrico Pineda (Party-List, 1-PACMAN), agreed to refer HB 7028 to the Subcommittee on Employment which is currently deliberating on a similar measure, HB 5701. The Subcommittee was tasked to review the bills and come up with a substitute bill.</p> <p>Rep. Stella Luz Quimbo (2<sup>nd</sup> District, Marikina City), author of HB 7028, explained that in the face of the COVID-19 pandemic, there is an utmost need to institute a national unemployment insurance program to provide assistance to displaced workers. The proposed insurance program will ensure that sufficient resources are available for job search or alternative means of livelihood that the affected workers can avail themselves of.</p> <p>Committee Vice Chair Rep. Raymond Democrito Mendoza (Party-List, TUCP) manifested his support for the bill but said that this could be an additional burden to workers especially those who are minimum wage earners.</p> <p>Under the bill, the contribution schedule shall be determined by the Program Manager based on</p>

Continuation... Labor and Employment				<p>applicable actuarial studies and guidelines. The national government, employers, and employees shall equally share the compulsory premium contributions. For the first year of program implementation, the rate of monthly contribution of employees with salary of up to P125,000 shall be 1/12 of 4.5% of the basic pay, while the monthly contribution of employees with salary greater than P125,000 is P465.</p> <p>Rep. Ferdinand Gaité (Party-List, BAYAN MUNA) opined that instead of creating the Philippine Job Insurance Corporation to manage and administer the insurance program, as proposed in the bill, provisional authority can be granted to the Social Security System and the Government Service Insurance System to undertake this function.</p> <p>Rep. Quimbo explained that having a separate entity that will administer the program will allow for an efficient management of the funds for both the public and private sector employees.</p> <p>The National Economic and Development Authority and the Insurance Commission expressed support for the bill and suggested the inclusion of workers in the informal sector and those whose wages had been suspended due to the pandemic.</p>
	HBs 7038 & 7162	Reps. Tambunting and Olivarez	Providing protection to individuals engaged in the food and grocery delivery services	<p>The Committee agreed to refer HBs 7038 and 7162 back to the Committee on Rules for a change of referral.</p> <p>Committee Vice Chair Rep. Mark Go (Baguio City) said that the Committee on Trade and Industry just recently approved HB 6122 which aims to provide protection for those engaged in internet transactions, including consumers, online merchants, and food delivery riders.</p> <p>Rep. Joy Myra Tambunting (2<sup>nd</sup> District, Parañaque City), author of HB 7038, agreed with this decision. She mentioned that food and grocery delivery riders must be protected from unreasonable cancellation of confirmed orders especially during the pandemic when there is a growing preference for online transactions.</p>
<b>Public Accounts</b>	HR 238	Minority Leader Abante	Investigation into allegations of fraudulent medical claims, mismanagement and negligence, and graft and corruption against Philippine Health Insurance Corporation (PhilHealth) for purposes of instituting real reforms, review of PhilHealth policies, and assessment of its effectiveness in the implementation of RA 11223 or the Universal Health Care Law	<p>The Committee, chaired by Rep. Michael Defensor (Party-List, ANAKALUSUGAN), will deliberate further on the issues raised relative to HRs 238 and 1069 in its next meeting.</p> <p>Rep. Defensor said that this hearing is the Committee's response to the call of President Rodrigo Duterte to conduct an investigation of the allegations of fraud and corruption in PhilHealth.</p>
	HR 1069	Rep. Defensor (M.)	Investigation into the alleged corruption in PhilHealth	<p>Rep. Defensor, who is also the author of HR 1069, questioned PhilHealth's adoption of a case rate payment system which to him is the root of corruption in the state-run health insurance corporation.</p> <p>Under the case rate payment system, PhilHealth will reimburse a fixed rate for a specific</p>

<p>Continuation... Public Accounts</p>				<p>illness/case, which will cover the fees of health care professionals and the use of hospital facilities. Rep. Defensor believes that this payment scheme led to overpayments to hospitals as there are instances that the fixed amount for a particular case is not fully utilized by the patient. He stressed that PhilHealth should only pay for the actual expenses incurred.</p> <p>Rep. Defensor stated that from 2013 to 2018, a total of P153.7 billion was lost due to overpayment (P102.5 billion) and fraud (P51.2 billion). During the same period, PhilHealth paid a total of P512.6 billion in claims using the case rate payment system.</p> <p>Minority Leader Bienvenido Abante Jr. (6<sup>th</sup> District, Manila), author of HR 238, asked PhilHealth to shed light on the issues raised in his resolution including the alleged “modus operandi” of WellMed Dialysis and Laboratory Center Corporation which filed fictitious/fraudulent medical claims with PhilHealth, and the PhilHealth’s mismanagement and neglect, among others. The Minority Leader said that he does not want PhilHealth to be dissolved. However, if it still fails to address the fraudulent claims, corruption, and mafia in the agency, he is inclined to support PhilHealth’s dissolution and suggested that the existing officers should resign.</p> <p>PhilHealth President Ricardo Morales explained that while there may be overpayments in some illnesses/cases, these are being offset by other cases wherein the expenses incurred exceed the fixed rate. He, however, admitted that PhilHealth also has its shares of shortcomings which the agency is trying to address through the use of information and communications technology (ICT).</p> <p>Rep. Defensor was quick to respond that it is the patient who shoulders the cost in situations where the actual hospital expenses exceed the fixed rate.</p> <p>Likewise, Rep. Jesus Crispin Remulla (7<sup>th</sup> District, Cavite) and Rep. Bernadette Herrera-Dy (Party-List, Bagong Henerasyon) asked if PhilHealth has a mechanism that collects the overpayments from hospitals.</p> <p>Morales said that if the fixed rate is not fully consumed, the balance remains with the hospitals as an efficiency incentive for properly managing the illness with less expense.</p> <p>Rep. Stella Luz Quimbo (2<sup>nd</sup> District, Marikina City) averred that the problem in PhilHealth lies not in the case rate payment system itself but in its failure to properly compute the appropriate rate for each illness/case. She suggested that only the top 32 illnesses/cases in the country should have a fixed rate while the rest should follow the fee-for-service payment system where the actual expenses incurred shall be paid. Rep. Quimbo also stressed that it is pointless to use the case rate payment system for COVID-19 cases</p>
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Continuation... Public Accounts				<p>because the management of the disease is still uncertain as it is still evolving.</p> <p>Rep. Quimbo also questioned the recent pronouncement of PhilHealth that its actuarial life would last only until 2021 because of the considerable medical claims arising from the pandemic. She said that this is unlikely to happen considering that in 2019 the actuarial life of PhilHealth is 10 years. She went on to say that the P45 billion estimated amount of expenses of PhilHealth for COVID-19 cases is inflated. This kind of overestimation may very well lead to fraud, Rep. Quimbo asserted.</p> <p>Replying to the query of Rep. Lawrence "Law" Fortun (1<sup>st</sup> District, Agusan del Norte), Morales said that fraudulent claims include the "upcasing" of diseases wherein the doctors and patients collude in declaring a diagnosis that has a higher fixed rate even if it is not the actual diagnosis.</p> <p>Rep. Fortun also brought up the complaints of 300 private hospitals whose claims are not being paid by PhilHealth, and which are already in the brink of closure. Morales responded that PhilHealth is conducting an account reconciliation to facilitate the payment to private hospitals.</p> <p>The Committee directed Morales and PhilHealth officials down to the regional vice presidents to submit a copy of their Statements of Assets, Liabilities, and Net Worth (SALNs).</p>
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TECHNICAL WORKING GROUP MEETINGS ON HOUSE MEASURES				
COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/ DISCUSSION
	NO.	PRINCIPAL AUTHOR		
<b>Government Reorganization jt. w/ Aquaculture and Fisheries Resources (Technical Working Group)</b>	HBs 7, 122, 1542, 2827, 3010, 3240, 3471, 4350, 4480, 6185, 6226 & 6433	Speaker Cayetano, Reps. Arroyo (J.M.), Garbin, Rodriguez, Tupas, Salimbangon, Villaraza-Suarez, Deputy Speakers Santos-Recto and Romero, Reps. Salo, Cabatbat, and Bañas-Nogales	Creating the Department of Fisheries and Aquatic Resources, providing for its powers and functions, appropriating funds therefor	<p>The technical working group (TWG), co-chaired by Rep. Ron Salo (Party-List, KABAYAN) for the Committee on Government Reorganization, and Batanes Rep Ciriaco Gato Jr. for the Committee on Aquaculture and Fisheries Resources, will deliberate further on the bills in its next meeting.</p> <p>The TWG agreed to come up with a substitute bill to the 12 bills.</p> <p>Department of Agriculture (DA) Undersecretary Cheryl Marie Natividad-Caballero expressed her objection to the proposed law saying it is not feasible to create a new department during this time of pandemic when the government's efforts and resources are focused on responding to the challenges posed by COVID-19. She added that the proposed law runs contrary to the directive of President Rodrigo Duterte for a leaner but more effective government.</p> <p>Natividad-Caballero explained that the DA is actively pursuing agricultural reforms intended to benefit both farmers and fishermen. For the</p>

<p>Continuation... Government Reorganization jt. w/ Aquaculture and Fisheries Resources (Technical Working Group)</p>				<p>fisheries sector, the DA, through the Bureau of Fisheries and Aquatic Resources (BFAR), is working to fully and effectively implement programs on the conservation and protection of fisheries and aquatic resources.</p> <p>BFAR Director Eduardo Gongona echoed the DA's position, adding that in this critical and very challenging time, addressing the pandemic is of paramount concern.</p> <p>Department of Environment and Natural Resources Assistant Secretary Ricardo Calderon expressed support for the creation of a department solely focused on the management and development of the fisheries sector.</p> <p>The stakeholders were asked to submit their written position papers for consideration by the TWG in the drafting of the substitute bill.</p>
<p><b>People's Participation (Technical Working Group)</b></p>	<p>HB 6297</p>	<p>Rep. Zarate</p>	<p>Strengthening the right of the people to free expression, to peaceably assemble, and to petition the government for redress of grievances, repealing for the purpose Batas Pambansa Blg. 880 or the Public Assembly Act of 1985</p>	<p>The technical working group (TWG), chaired by San Jose del Monte City Rep. Florida "Rida" Robes, will deliberate further on HB 6297 in its next meeting.</p> <p>In today's meeting, the TWG noted the comments and recommendations of the resource persons from the Philippine National Police (PNP), League of Provinces of the Philippines (LPP), League of Cities of the Philippines (LCP), Bagong Alyansang Makabayan, PUBLICUS Asia, Inc., and the Karapatan Alliance Philippines (Karapatan).</p> <p>Among the recommendations given by the resource persons during the TWG meeting were the following:</p> <ul style="list-style-type: none"> <li>• The Public Assembly Act of 1985 should just be amended instead of totally repealing it;</li> <li>• If notice from organizers will be the only requirement prior to holding a rally or protest, as proposed in the bill, instead of the current requirement of seeking permit from the Mayor, the lack of notice from rally and protest organizers should be enough grounds for the local government to disperse the rally or protest;</li> <li>• Minors should be prohibited from participating in rallies, protests, and other related activities; and</li> <li>• A more moderate penalty should be imposed and equal rights should be accorded to counter protesters.</li> </ul> <p>Ifugao Rep. Solomon Chungalao emphasized that rally and protest organizers should be criminally and civilly liable for any untoward incidents that may occur during the rallies. He said that these groups should take full responsibility for damages to properties to prevent irresponsible and violent behaviors such as those observed in the United States.</p>

Continuation... People's Participation (Technical Working Group)				The resource persons were requested to submit their respective position papers on the bill for the TWG's consideration in drafting the substitute bill.
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DISCUSSION WITH AGENCIES/ENTITIES		
COMMITTEE	SUBJECT MATTER	DISCUSSIONS
Metro Manila Development	<p>Update on the situation of public utility vehicles (PUVs) in Metro Manila, taking into account the response of the Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID) dated 24 July 2020 to the request of the Committee dated 09 July 2020, seeking considerable increases in the volume of PUVs allowed to operate in Metro Manila corresponding to public demand and corollary thereto, the opening of more routes for traditional public utility jeepneys (PUJs)</p> <p>Update on the dedicated median lane project in EDSA, taking into account the recent spate of accidents thereto</p>	<p>The Committee, chaired by Rep. Manuel Luis Lopez (1<sup>st</sup> District, Manila), listened to the report of concerned government agencies on the request to increase the volume of PUVs allowed to operate in Metro Manila and on the actions taken concerning safety issues related to the dedicated median lane project on EDSA.</p> <p>At the outset, Rep. Lopez informed the body that former House Member and now Cabinet Secretary Karlo Alexei Nograles has already endorsed to the IATF the Committee's request to immediately increase all modes of public transportation to at least 30%, and at least 10% every week thereafter.</p> <p>Transportation Secretary Arthur Tugade explained that during this time of the pandemic, increasing or setting limits to the number and capacity of public transport is not within the Department of Transportation's (DOTr) control but of the IATF. However, he said that the DOTr continues to conduct dialogues with the stakeholders and consult with the House of Representatives and other government agencies in coming up with policies that would effectively address the concerns of the people.</p> <p>Land Transportation Franchising and Regulatory Board (LTFRB) Chair Martin Delgra III said that several routes have already reopened when Metro Manila was downgraded to general community quarantine (GCQ). However, due to the recent declaration of a modified enhanced community quarantine (MECQ), the opening of new routes will be withheld until the MECQ is lifted.</p> <p>Minority Leader Bienvenido Abante Jr. (6<sup>th</sup> District, Manila) reiterated his position that a long-term solution should be developed to address the transportation problem in Metro Manila. He added that the plight of the PUV and PUJ drivers who lost their jobs during the pandemic should also be given utmost attention by the government.</p> <p>Rep. Edgar Erice (2<sup>nd</sup> District, Caloocan City) emphasized that once Metro Manila reverts back to GCQ, the transportation agencies should ensure that sufficient modes of transportation will be available for the riding public. He said that the previous experience should not be repeated where numerous commuters struggled to get a ride and walked long distances to get to their workplaces and back to their homes.</p> <p>On the dedicated median lane project on EDSA where concrete barriers were placed to segregate the innermost lanes for buses, Rep. Erice said that a more thorough study needs to be done to ensure its safety. He also advised the DOTr to concentrate on developing long-term solutions to address the traffic problem along EDSA.</p> <p>Rep. Precious Hipolito Castelo (2<sup>nd</sup> District, Quezon City) said shuttle services should be provided to ferry medical frontliners</p>

<p>Continuation... Metro Manila Development</p>		<p>and workers from companies providing essential goods and services during the MECQ.</p> <p>Secretary Tugade replied that the DOTr has been providing free shuttle services for the frontliners. He also apprised the body that PUVs that will be hired as company shuttle services will no longer have to secure special permits from the LTFRB. With regard to the concrete barriers on EDSA, he said that the designated lane for buses is just an interim measure and that a long-term plan and solution to traffic has been developed by the DOTr.</p> <p>Metropolitan Manila Development Authority (MMDA) General Manager Jose Arturo Garcia Jr. said that the MMDA is also deploying service vehicles to ferry stranded individuals. With regard to the dedicated bus lane on EDSA, he explained that this project actually shortened the travel time of buses which is also important during the pandemic as it reduces the time passengers have to stay in the bus, thus reducing the risk of exposure to the virus. He added that the reported accidents are caused mostly by reckless driving due to intoxication or texting.</p> <p>Replying to the query of Navotas City Rep. John Reynald Tiangco on the fuel subsidy for PUV drivers, DOTr Assistant Secretary Mark Steven Pastor said that the DOTr is coordinating with the Department of Budget and Management (DBM), Department of Finance (DOF), and the National Economic and Development Authority (NEDA) for the funding of the 30% fuel subsidy. He explained that the fuel subsidy will cover buses, minibuses, jeepneys, and UV express that were adversely affected by the COVID-19 pandemic and the reduced seating capacity policy that was implemented. For taxis and transport network vehicle services (TNVS), Pastor said that loan assistance will be extended to them by the DOTr.</p> <p>Meanwhile, Rep. Jesus "Bong" Suntay (4<sup>th</sup> District, Quezon City) recommended that if motorcycle taxis will be allowed to operate in the future, the guidelines on this should include proper sanitation and disinfection of helmets to prevent the transmission of COVID-19 or any other disease.</p> <p>Several Members asserted that the DOTr, LTFRB, and MMDA should come up with a long-term plan or roadmap that will genuinely and effectively address the traffic problem in Metro Manila and ensure the safe and efficient operations of public transportation amidst the pandemic.</p>
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