



# Congressional Record

PLENARY PROCEEDINGS OF THE 17<sup>th</sup> CONGRESS, FIRST REGULAR SESSION

## House of Representatives

Vol. 3

Wednesday, February 1, 2017

No. 65

### CALL TO ORDER

*At 4:00 p.m., Deputy Speaker Romero "Miro" S. Quimbo called the session to order.*

THE DEPUTY SPEAKER (Rep. Quimbo). The session is now called to order.

### NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Quimbo). Everybody is requested to rise for the singing of the Philippine National Anthem.

*Everybody rose to sing the Philippine National Anthem.*

### PRAYER

THE DEPUTY SPEAKER (Rep. Quimbo). Please remain standing for a minute of silent prayer.

*Everybody remained standing for the silent prayer.*

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we defer the calling of the roll.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mr. Speaker, I move that we likewise defer the approval of the Journal.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mr. Speaker, I move that we proceed to the Reference of Business.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please read the Reference of Business.

### REFERENCE OF BUSINESS

*The Secretary General read the following House Bills and Resolutions on First Reading, Message from the Senate, and Committee Reports, and the Deputy Speaker made the corresponding references:*

### BILLS ON FIRST READING

House Bill No. 4826, entitled:

“AN ACT PROHIBITING DRAG RACING IN PUBLIC ROADS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES”

By Representative Castelo

TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 4827, entitled:

“AN ACT REGULATING THE OPERATION OF DRONES OR REMOTELY-PILOTED AIRCRAFT SYSTEMS (RPAS) AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES”

By Representative Castelo

TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 4828, entitled:

“AN ACT TO PROVIDE A SEPARATE BUDGET-SUBSIDY TO THE LOCALIZED COMMUNITY MORTGAGE PROGRAM (LCMP), TO EMPOWER LOCAL GOVERNMENT HOUSING PROGRAMS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda

TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

House Bill No. 4829, entitled:

“AN ACT RATIONALIZING THE COMMUNITY MORTGAGE PROGRAM (CMP) TO CREATE AN APPROPRIATE GUARANTY SCHEME, IMPROVE THE EXTENT OF ITS AFFORDABILITY, PROVIDING FUNDS THEREOF, INCREASING ITS PENALTIES AND SANCTIONS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

CONTINUING APPROPRIATIONS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

House Bill No. 4830, entitled:

“AN ACT TO PROVIDE THE PHILIPPINE SPORTS COMMISSION (PSC) ADDITIONAL ORGANIZATIONAL AND OPERATIONAL FUNDING, TO SUSTAIN THE DEVELOPMENT OF SPORTS IN THE COUNTRY, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

House Bill No. 4834, entitled:

“AN ACT TO PROVIDE ADDITIONAL CAPITALIZATION TO THE NATIONAL HOME MORTGAGE FINANCE CORPORATION (NHMFC), TO RATIONALIZE ITS FUNCTIONS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

House Bill No. 4831, entitled:

“AN ACT AMENDING SECTION 11 OF R.A. 6971 OTHERWISE KNOWN AS THE ‘PRODUCTIVITY INCENTIVES ACT OF 1990’, INCREASING ITS PENALTIES AND SANCTIONS, RATIONALIZING ITS COVERAGE AND BENEFITS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 4835, entitled:

“AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10361, OTHERWISE KNOWN AS THE ‘DOMESTIC WORKERS ACT’ OR ‘BATAS KASAMBAHAY’, AND FOR OTHER PURPOSES”

By Representative Lanete  
TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 4836, entitled:

“AN ACT ESTABLISHING A DISTRICT BRANCH OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE CITY OF TANAUAN IN THE 3<sup>RD</sup> DISTRICT OF BATANGAS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Collantes  
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 4832, entitled:

“AN ACT TO RATIONALIZE THE COMPENSATION AND POSITION CLASSIFICATION OF ALL MILITARY AND POLICE PERSONNEL, TO PROVIDE PAYMENT FOR THEIR SUBSTANTIVE DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE PROPER QUALIFICATION REQUIREMENTS, AND FOR OTHER PURPOSES”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 4837, entitled:

“AN ACT STRENGTHENING THE JAIL AND CORRECTIONAL SYSTEM BY CREATING THE JAIL AND CORRECTIONAL AUTHORITY AS THE PRINCIPAL GOVERNMENT ENTITY FOR JAIL AND CORRECTIONAL MANAGEMENT, INTEGRATING THEREWITH THE BUREAU OF CORRECTIONS, BUREAU OF JAIL MANAGEMENT AND PENOLOGY, ALL PROVINCIAL, SUB-PROVINCIAL, DISTRICT, CITY AND MUNICIPAL JAILS, DEFINING ITS STRUCTURE, POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR”

By Representatives Batocabe, Garbin and Co  
TO THE COMMITTEE ON GOVERNMENT REORGANIZATION AND THE COMMITTEE ON JUSTICE

House Bill No. 4833, entitled:

“AN ACT CONVERTING THE RIZAL MEMORIAL COLISEUM TO A TRAINING CENTER FOR THE PHILIPPINE SPORTS COMMISSION (PSC) ATHLETES, PROVIDING REHABILITATION FUNDS, ASSURING

House Bill No. 4838, entitled:

“AN ACT EXPANDING THE FUNCTIONS OF THE NEGOSYO CENTERS AND REQUIRING THE LOCAL GOVERNMENT UNITS TO LINK UP WITH THE DEPARTMENT OF TRADE AND INDUSTRY FOR THE PHILIPPINE BUSINESS REGISTRY DATABANK, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10644, OTHERWISE KNOWN AS THE ‘GO NEGOSYO ACT’ IN ORDER TO PROMOTE THE EASE OF DOING BUSINESS, AND FOR OTHER PURPOSES”

By Representatives Unabia, Limkaichong, Abellanos, Acosta, Gonzales (A.P.), Panotes, Marquez, Belaro and Herrera-Dy  
TO THE COMMITTEE ON TRADE AND INDUSTRY

House Bill No. 4839, entitled:

“AN ACT AMENDING SECTIONS 141, 142 AND 143 OF THE NATIONAL INTERNAL REVENUE CODE (NIRC) OF 1997 INCREASING AND RESTRUCTURING THE EXCISE TAX RATES ON ALCOHOL”

By Representative Garin (S.)  
TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 4840, entitled:

“AN ACT ESTABLISHING AN INTEGRATED SCHOOL IN LICOP, CITY OF MATI, PROVINCE OF DAVAO ORIENTAL TO BE KNOWN AS LICOP INTEGRATED SCHOOL AND APPROPRIATING FUNDS THEREFOR”

By Representative Almario  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4841, entitled:

“AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF CALAUAG, PROVINCE OF QUEZON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS ‘THE JUDICIARY REORGANIZATION ACT OF 1980’, AS AMENDED, AND APPROPRIATING FUNDS THEREFOR”

By Representative Tan (A.)  
TO THE COMMITTEE ON JUSTICE

House Bill No. 4842, entitled:

“AN ACT ESTABLISHING JOB PLACEMENT OFFICES IN PUBLIC HIGH SCHOOLS TO PROVIDE CAREER SERVICES TO THE YOUTH”

By Representative Alejano  
TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 4843, entitled:

“AN ACT STRENGTHENING THE GAMES AND AMUSEMENTS BOARD AND FOR OTHER PURPOSES”

By Representatives Batocabe and Castelo  
TO THE COMMITTEE ON GAMES AND AMUSEMENTS

House Bill No. 4844, entitled:

“AN ACT INCLUDING THE CEBU CITY MOUNTAIN EXTENSION CAMPUS AS A SATELLITE CAMPUS OF CEBU TECHNOLOGICAL UNIVERSITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9744, OTHERWISE KNOWN AS ‘AN ACT CONVERTING THE CEBU STATE COLLEGE OF SCIENCE AND TECHNOLOGY SYSTEM IN THE CITY OF CEBU AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF CEBU INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU TECHNOLOGICAL UNIVERSITY (CTU) AND APPROPRIATING FUNDS THEREFOR’”

By Representative Abellanos  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4845, entitled:

“AN ACT DECLARING FEBRUARY 14 OF EVERY YEAR AS THE NATIONAL FAMILY DAY”

By Representative Abellanos  
TO THE COMMITTEE ON POPULATION AND FAMILY RELATIONS

House Bill No. 4846, entitled:

“AN ACT DECLARING THE MALUBAL FALLS IN THE MUNICIPALITY OF ROSELLER T. LIM, PROVINCE OF ZAMBOANGA SIBUGAY AS AN ECOTOURISM SITE AND APPROPRIATING FUNDS THEREFOR”

By Representative Hofer  
TO THE COMMITTEE ON TOURISM

House Bill No. 4847, entitled:

“AN ACT CONVERTING THE CANACAN - SININAN - BANKER - TAMPILISAN

- DIAMPAK - SHIOLAN PROVINCIAL ROAD, SITUATED IN THE MUNICIPALITY OF KABASALAN, PROVINCE OF ZAMBOANGA SIBUGAY INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR”

By Representative Hofer  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 4849, entitled:

“AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO OMNINET PHILIPPINES, INC. UNDER REPUBLIC ACT NO. 7298 ENTITLED ‘AN ACT GRANTING TO OMNINET PHILIPPINES, INC. A FRANCHISE TO ESTABLISH, INSTALL, MAINTAIN, LEASE AND OPERATE WIRE AND/OR WIRELESS TELECOMMUNICATION SYSTEMS, LINES, CIRCUITS AND STATIONS WITHIN AND WITHOUT THE PHILIPPINES AND FOR OTHER PURPOSES’ ”

By Representative Belmonte (R.)  
TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

House Bill No. 4864, entitled:

“AN ACT INCREASING THE PENALTIES FOR OTHER ILLEGAL GAMBLING ACTIVITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9287, ENTITLED ‘AN ACT INCREASING THE PENALTIES FOR ILLEGAL NUMBERS GAMES, AMENDING CERTAIN PROVISIONS OF PRESIDENTIAL DECREE NO. 1602, AND FOR OTHER PURPOSES’ ”

By Representative Gatchalian  
TO THE COMMITTEE ON GAMES AND AMUSEMENTS

House Bill No. 4865, entitled:

“AN ACT STRENGTHENING AND ENSURING THE EMPLOYMENT OF PERSONS WITH DISABILITY (PWD), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE ‘MAGNA CARTA FOR PERSONS WITH DISABILITY’ ”

By Representative Laogan  
TO THE COMMITTEE ON SOCIAL SERVICES

House Bill No. 4866, entitled:

“AN ACT AMENDING SECTION 10 (b) OF REPUBLIC ACT NO. 10160, OTHERWISE

KNOWN AS THE CHARTER OF THE CITY OF BACOR, CAVITE AND FOR OTHER PURPOSES”

By Representative Revilla  
TO THE COMMITTEE ON LOCAL GOVERNMENT

RESOLUTIONS

House Resolution No. 716, entitled:

“A RESOLUTION CONGRATULATING CHEF MARGARITA FORES FOR HAVING BEEN NAMED ASIA’S BEST FEMALE CHEF 2016 BY ASIA’S 50 BEST RESTAURANTS”

By Representative Castelo  
TO THE COMMITTEE ON RULES

House Resolution No. 717, entitled:

“A RESOLUTION CONGRATULATING CHEF MYKE TATUNG SARTHOU FOR WINNING THE NATIONAL AWARD IN THE 2017 GOURMAND WORLD COOKBOOK AWARDS”

By Representative Castelo  
TO THE COMMITTEE ON RULES

House Resolution No. 718, entitled:

“A RESOLUTION CONVEYING THE SINCEREST CONDOLENCES AND DEEPEST SYMPATHY OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF FORMER MANILA MAYOR, FORMER MANILA CONGRESSMAN, AND FORMER CHAIRMAN OF THE PHILIPPINE SPORTS COMMISSION, GEMILIANO ‘MEL’ C. LOPEZ, JR.”

By Representatives Romero and Pineda  
TO THE COMMITTEE ON RULES

House Resolution No. 719, entitled:

“RESOLUTION TO URGE THE PHILHEALTH TO INCLUDE PSORIASIS IN THE LIST OF DISEASES AND AILMENTS COVERED BY ITS HEALTHCARE PROGRAM, WITH THE END IN VIEW OF MAKING PSORIASIS TREATMENT AVAILABLE ESPECIALLY TO THE MARGINALIZED AND LESSENING CASES OF PSORIASIS IN THE PHILIPPINES”

By Representative Lanete  
TO THE COMMITTEE ON HEALTH

House Resolution No. 720, entitled:

“A RESOLUTION URGING THE HOUSE COMMITTEE ON PUBLIC ORDER AND SAFETY OR ANY APPROPRIATE

HOUSE COMMITTEE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE RECENT INCIDENT OF ABDUCTION AND MURDER OF A SOUTH KOREAN BUSINESSMAN ALLEGEDLY INVOLVING MEMBERS OF THE PHILIPPINE NATIONAL POLICE (PNP), IN ORDER TO IDENTIFY THE PERPETRATORS BEHIND THE INCIDENT AND THEIR POSSIBLE VIOLATIONS AS WELL AS TO PROVIDE REMEDIAL MEASURES TO PREVENT THE SAME FROM OCCURRING IN THE FUTURE”

By Representative Alejano  
TO THE COMMITTEE ON RULES

House Resolution No. 721, entitled:

“A RESOLUTION DIRECTING THE APPROPRIATE HOUSE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STRATEGY OF THE NATIONAL GOVERNMENT IN PREPARING THE WHOLE CITIZENRY TO RESPOND TO NATIONAL EMERGENCIES”

By Representative Alejano  
TO THE COMMITTEE ON RULES

House Resolution No. 722, entitled:

“RESOLUTION TO CONDUCT AN INQUIRY ON THE STATE OF THE PHILIPPINE IT/COMPUTER SCIENCE EDUCATION AND ITS IMPACTS ON THE PHILIPPINE SOFTWARE INDUSTRY AND, THUS, URGE THE COMMITTEES ON INFORMATION AND COMMUNICATIONS TECHNOLOGY, AND HIGHER AND TECHNICAL EDUCATION, TO FORMULATE MEASURES TO IMPROVE THE QUALITY OF IT AND COMPUTER SCIENCE GRADUATES”

By Representative Salceda  
TO THE COMMITTEE ON RULES

House Resolution No. 723, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON TRANSPORTATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE EXCESSIVE AIRFARES BEING COLLECTED BY PHILIPPINE AIRLINES AND CEBU PACIFIC AIR FOR THEIR MANILA-TACLOBAN/TACLOBAN-MANILA ROUTES DURING PEAK SEASON”

By Representatives Veloso and Noel  
TO THE COMMITTEE ON RULES

House Resolution No. 724, entitled:

“A RESOLUTION CALLING FOR THE INVESTIGATION IN AID OF LEGISLATION

BY THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY ON THE COA’S IDENTIFYING THE LACK OF ADEQUATE GUIDELINES IN GOVERNMENT AGENCIES’ COORDINATION, MONITORING AND UPDATING OF THE COUNTRY’S DISASTER RISK ASSESSMENT SYSTEMS”

By Representative Castelo  
TO THE COMMITTEE ON RULES

House Resolution No. 725, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON AGRICULTURE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE IMPACT OF LIFTING THE QUANTITATIVE RESTRICTION ON RICE WITH THE END IN VIEW OF ENSURING THE WELFARE OF RICE FARMERS AND THEIR ECONOMIC COMPETITIVENESS, FOOD SECURITY AND AGRICULTURAL DEVELOPMENT”

By Representative Chavez  
TO THE COMMITTEE ON RULES

House Resolution No. 726, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON HUMAN RIGHTS AND AGRARIAN REFORM TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON THE JANUARY 20, 2017 EXTRA JUDICIAL-KILLING OF ALEXANDER ‘KA SANDER’ CEBALLOS, REGIONAL LEADER OF NATIONAL FEDERATION OF SUGAR WORKERS (NFSW) IN MURCIA, NEGROS OCCIDENTAL”

By Representatives Casilao, Zarate, De Jesus, Tinio, Brosas, Castro (F.L.) and Elago  
TO THE COMMITTEE ON RULES

House Resolution No. 727, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON HUMAN RIGHTS, NATURAL RESOURCES AND INDIGENOUS CULTURAL COMMUNITIES AND INDIGENOUS PEOPLES TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON THE JANUARY 20, 2017 EXTRA-JUDICIAL KILLING OF VERONICO ‘NICO’ DELAMENTE, A LUMAD-MAMANWA LEADER AND ENVIRONMENTAL DEFENDER, OPPOSING THE LARGE-SCALE MINING CLAVER MINERAL DEVELOPMENT CORPORATION (CMDC) IN CLAVER, SURIGAO DEL NORTE”

By Representatives Casilao, Zarate, De Jesus, Tinio, Brosas, Castro (F.L.) and Elago  
TO THE COMMITTEE ON RULES

House Resolution No. 728, entitled:

“A RESOLUTION URGING THE COMMITTEE ON TRANSPORTATION TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE REPORTED ‘PHASE-OUT DEAL’ BETWEEN THE DEPARTMENT OF TRANSPORTATION, THE LAND TRANSPORTATION OFFICE AND THE STRADCOM CORPORATION, LEADING TO SETTLEMENT OF AN ALLEGED GOVERNMENT DEBT WORTH AROUND P8 BILLION PESOS”

By Representative Evardone  
TO THE COMMITTEE ON RULES

ADDITIONAL COAUTHORS

Rep. Napoleon S. Dy for House Bills No. 4570, 4571, and 4742;

Rep. Edgar Mary S. Sarmiento for House Bills No. 1615, 2862, 2863, 2864, 2953, 3852, 3943, 4088, 4090, and 4337;

Rep. Micaela S. Violago for House Bills No. 2863, 2864, 3056, and 4107;

Rep. Manuel Jose “Mannix” M. Dalipe for House Bills No. 349 and 4089;

Rep. Sol Aragonés for House Bills No. 2863, 2864, 3852, and 3853;

Rep. Mario Vittorio “Marvey” A. Mariño for House Bills No. 1615, 2862, 2863, 2864, 3852, 3853, 4087, 4088, 4089, and 4090;

Reps. Len B. Alonte-Naguiat, Lorna P. Bautista-Bandigan, Wilter “Sharky” Wee Palma II, Abraham “Bambol” N. Tolentino, Mercedes “Didi” C. Cagas, Frederick W. Siao, and Eleanor C. Bulut-Begtang for House Bill No. 4742;

Reps. Emmanuel F. Madrona, Aniceto “John” D. Bertiz III, Mohamad Khalid Q. Dimaporo, and Manuel Monsour T. Del Rosario III for House Bills No. 1615, 2862, 2863, 2864, 3852, 3853, 3943, 4087, 4088, 4089, 4090, 4107, and 4337;

Rep. Jocelyn Sy Limkaichong for House Bills No. 2862 and 3943;

Rep. Francisco Jose F. Matugas II for House Bills No. 1615, 2862, 2863, 2864, 3852, 3853, 3943, 4087, 4088, 4089, 4090, 4107, and 4337;

Reps. Ma. Lourdes R. Aggabao, Robert Ace S. Barbers, John Marvin “Yul Servo” C. Nieto, Teodoro “Ted” G. Montoro, and Roger G. Mercado for House Bill No. 4107;

Rep. Tom S. Villarín for House Bills No. 1615, 2862, 2863, 2864, 3852, 3853, 4087, 4088, 4089, and 4090;

Rep. Manuel T. Sagarbarria for House Bills No. 2862, 2864, 4087, 4088, and 4090;

Rep. Michael John R. Duavit for House Bills No. 2862, 2863, and 4337;

Reps. Gil “Kabarangay” P. Acosta and Greg G. Gasataya for House Bills No. 1615, 2862, 2863, 2864, 3852, 3853, 3943, 4087, 4088, 4089, 4090, and 4337;

Rep. Jose T. Panganiban Jr., CPA, LLB. for House Bill No. 438;

Rep. Anthony M. Bravo, Ph.D. for House Bills No. 192, 193, 194, 516, 1301, 1302, 1554, 1555, 1615, 1563, 1853, 1859, 2141, 2330, 2862, 2863, 3350, 3353, 3518, 3519, 3520, 3521, 3556, 3557, 3606, 3607, 3608, 3632, 3635, 3852, 4088, 4089, 4090, and 4689;

Rep. Raul V. Del Mar for House Resolution No. 653;

Reps. Joel Mayo Z. Almario, Divina Grace C. Yu, Alex “AA” L. Advincola, Rogelio J. Espina, M.D., Ana Cristina Siquian Go, Yedda Marie K. Romualdez, Ma. Lourdes R. Aggabao, Arthur R. Defensor Jr., Vincent “Bingbong” P. Crisologo, and Maria Valentina G. Plaza for House Bill No. 4174;

Rep. Jose Antonio “Kuya Jonathan” R. Sy-Alvarado for House Bills No. 3011, 3178, and 4105;

Rep. Wilter “Sharky” Wee Palma II for House Bill No. 3426;

Rep. Nancy A. Catamco for House Bills No. 4689 and 4800;

Rep. Leopoldo N. Bataoil for House Bills No. 4570 and 4571;

Rep. Ariel “Ka Ayik” B. Casilao for House Resolutions No. 479 and 629;

Rep. Henry C. Ong for House Bill No. 558;

Rep. Antonio L. Tinio for House Bill No. 4800;

Rep. Eric D. Singson for House Bill No. 4571;

Rep. Benhur B. Lopez Jr. for House Bills No. 2286, 4174, and 4689;

Reps. Imelda R. Marcos, Bernadette “BH” Herrera-Dy, Suharto T. Mangudadatu, Mercedes “Didi” C. Cagas, Raul A. Daza, Ana Cristina Siquian Go, Frederick W. Siao, Cecilia Leonila V. Chavez, Arcadio H. Gorriceta, Marlyn L. Primicias-Agabas, Dale “Along” R. Malapitan, Richard C. Eusebio, and Allen Jesse C. Mangaoang for House Bill No. 4689;

Rep. Eleanor C. Bulut-Begtang for House Bills No. 2635 and 4689;

Reps. Xavier Jesus D. Romualdo and Gwendolyn F. Garcia for House Bill No. 1029;

Rep. Mariano Michael M. Velarde Jr. for House Bill No. 2900;

Rep. Victoria Isabel G. Noel for House Bills No. 502 and 503;

Rep. Napoleon S. Dy for House Bill No. 2635;

Reps. Juliet Marie D. Ferrer and Leo Rafael M. Cueva for House Bill No. 4815;

Rep. Joaquin M. Chipeco Jr. for House Bills No. 104 and 1999;

Rep. Teddy Brawner Baguilat Jr. for House Bills No. 381, 4174, 4570, 4571, 4689, and 4742, and House Resolution No. 198;

Rep. Gus S. Tambunting for House Bill No. 1601;  
 Rep. Carlos Isagani T. Zarate for House Bill No. 1046;  
 Rep. Joseph Sto. Niño B. Bernos for House Bill No. 381;  
 Rep. Rodante D. Marcoleta for House Bills No. 4767, 4814, and 4815;  
 Rep. Jose Christopher Y. Belmonte for House Bill No. 555; and  
 Rep. Ramon "Red" H. Durano VI for House Bill No. 4532.

#### MESSAGE FROM THE SENATE

Message dated January 30, 2017, informing the House of Representatives that the Senate on even date passed Senate Bill No. 1239, entitled:

"AN ACT GRANTING THE CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP) AND THE DIRECTOR AND THE DEPUTY DIRECTOR OF THE CRIMINAL INVESTIGATION AND DETECTION GROUP (CIDG) THE AUTHORITY TO ADMINISTER OATH AND TO ISSUE *SUBPOENA* AND *SUBPOENA DUCES TECUM*, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975, AS AMENDED, OTHERWISE KNOWN AS THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG) ACT OF 1990"

in which it requests the concurrence of the House of Representatives.

TO THE COMMITTEE ON RULES

#### COMMITTEE REPORTS

Report by the Committee on Public Works and Highways (Committee Report No. 73), re H.B. No. 4895, entitled:

"AN ACT TRANSFERRING THE LOCATION OF THE SORSOGON SECOND DISTRICT ENGINEERING OFFICE FROM BULAN, SORSOGON TO GUBAT, SORSOGON AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9689, OTHERWISE KNOWN AS AN ACT ESTABLISHING THE SORSOGON SECOND DISTRICT ENGINEERING OFFICE IN THE PROVINCE OF SORSOGON AND APPROPRIATING FUNDS THEREFOR"

recommending its approval in substitution of House Bill No. 2438

Sponsors: Representatives Lobregat and Ramos  
 TO THE COMMITTEE ON RULES

Report by the Committee on Public Works and Highways and the Committee on Appropriations (Committee Report No. 74), re H.B. No. 4896, entitled:

"AN ACT CREATING A NEW DISTRICT ENGINEERING OFFICE IN THE THIRD LEGISLATIVE DISTRICT OF THE PROVINCE OF ZAMBOANGA DEL NORTE, AND APPROPRIATING FUNDS THEREFOR"

recommending its approval in substitution of House Bill No. 2052

Sponsors: Representatives Lobregat and Amatong  
 TO THE COMMITTEE ON RULES

Report by the Committee on Ways and Means (Committee Report No. 75), re H.B. No. 4903, entitled:

"AN ACT SIMPLIFYING THE DONOR'S TAX RATE AMENDING FOR THE PURPOSE SECTION 99 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED"

recommending its approval in substitution of House Bills Numbered 511 and 1026

Sponsors: Representatives Cua, Manalo and Barbers

TO THE COMMITTEE ON RULES

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

#### CONSIDERATION OF H.B. NO. 1166 ON SECOND READING

#### PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 1166, contained in Committee Report No. 54, as reported out by the Committee on People's Participation.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.\*

The Secretary General is directed to read only the title of the measure.

*With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.*

THE SECRETARY GENERAL. House Bill No. 1166, entitled: AN ACT INSTITUTIONALIZING INDUSTRY CLUSTER-BASED PROGRAMS AND PROJECTS THROUGH INTER-LOCAL COOPERATION AND PEOPLE'S PARTICIPATION.

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, Your Honor, to sponsor House Bill No. 1166, we have here present the honorable Gentleman from the Party-List AGRI, our colleague, the Hon. Orestes T. Salon, and likewise, there is an omnibus motion for his recognition and to include the Explanatory Note of House Bill No. 1166 as its sponsorship speech.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the omnibus motion is approved.

The Honorable Salon is recognized.

REP. BONDOC. Mr. Speaker, Your Honor, there being none of our colleagues who wishes to interpellate the honorable Sponsor, I move that we close the period of sponsorship and debate on House Bill No. 1166.

I so move, Mr. Speaker, Your Honor.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, Your Honor, I move that we open the period of amendments. However, there being no Committee or individual amendments, I move that we close the period of amendments on House Bill No. 1166.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, I move for the approval on Second Reading of House Bill No. 1166.

I so move, Mr. Speaker.

#### VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Quimbo). There is a motion for the approval of House Bill No. 1166 on Second Reading.

As many as are in favor, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Quimbo). As many as are against, please say *no*. (*Silence*)

#### APPROVAL OF H.B. NO. 1166 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Quimbo). The *ayes* have it; the motion is approved.

House Bill No. 1166 is approved on Second Reading.

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, we wish to congratulate the Honorable Salon.

At this juncture, we move for the recognition of the Gentleman from the Party-List KABAYAN, the Hon. H. Harry L. Roque Jr., who wishes to rise on a matter of personal and collective privilege.

I so move, Mr. Speaker, Your Honor.

THE DEPUTY SPEAKER (Rep. Quimbo). The Hon. Harry Roque, 10 years my senior at the UP College of Law, is recognized to deliver his question of privilege. You are recognized, Congressman Roque.

#### QUESTION OF PRIVILEGE OF REP. ROQUE (H.)

REP. ROQUE (H.). Thank you, Mr. Speaker. Thank you, Mr. Dep. Majority Leader.

Mr. Speaker, I rise today on a matter of personal and collective privilege to discuss a historic decision of our Supreme Court which, for the first time, granted a writ of *amparo* to the kins and survivors, all victims of Tokhang policemen, ironically not far from this august Hall of Congress.

It was on August 21, 2016, Mr. Speaker, when five young people, all very good friends, all working as garbage collectors, congregated in a residence in Payatas, awaiting their shift to work as garbage collectors. On that fateful day, seven policemen in civilian clothes descended upon their humble abode, entered the premises of that home without a search warrant, accused the young people gathered in that home of being drug dealers, resulting in the death of four of these young people. Typical of a Tokhang operation, the police claimed that they were personal witnesses to the commission of a crime and that because the four individuals were guilty of "nanlaban," they justified the killing of these four young people. But there was a fifth survivor in this group, Efren Morillo, who managed to escape and lived to tell his tale. His tale was simple. They were just awaiting six o'clock in the evening when they would start working their shift as garbage collectors in the Payatas dumpsite. They were engaged in animated discussion, some of them were, in fact, sleeping as it was one o'clock in the afternoon, but



generally they were just hanging out as young people would do preparatory to work. There was no warning whatsoever. There was not even a knock from the police to enter their humble abode. They were simply surprised that before they knew it, the police were already inside their premises.

Yes, their domicile were shanties. Yes, their domiciles are far from habitable. But under the Constitution, Mr. Speaker, we do not distinguish between a grand mansion of the elite and a humble abode of the urban poor. Whatever and however that abode is built, it is one's personal castle.

What is, of course, unusual in this case is that unlike the other 7,000 cases of extralegal killings all acknowledged by the PNP resulting from the war against drugs, one witness, as I said, lived to tell his tale and confirmed that the killings were wholly unjustified, that not only were they simply hanging out and that there was not an instance when any of the four deceased challenged the authority of the gun-wielding policemen. But how could they, Mr. Speaker? They were outnumbered, none of them were armed. In fact, there is no allegation that any of the five of these young people were armed. It was simply a blanket claim of the policemen that the five young people were "nanlaban."

What is worse, Mr. Speaker, is that in this incident, the police committed not only an act of whitewash, but they completely altered the facts. They even perjured themselves in order that their fellow policemen who were close to them could exercise jurisdiction, allegedly conduct investigation and conclude that the four decedents were guilty of "nanlaban."

Fortunately, Mr. Speaker, the five young people are no longer without a remedy. The writ of *amparo* is fairly new. It was promulgated during the tenure of Chief Justice Puno who utilized the rule-making power of the Supreme Court in order to protect and promote human rights. If you would recall, during the tenure of the good Chief Justice, it was also the year when the UN special rapporteur on extralegal killings, Philip Alston, conducted an investigation in our country and concluded that, indeed, extralegal killings were happening in this country. Of course, the numbers did not tally. The police at that point said that there were only about 400 victims, but civil society claimed that it was as high as 12,000. But the Special Rapporteur concluded that the numbers do not matter. What matters is that the right to life is in fact being violated. What does it mean when the Special Rapporteur concluded that the right to life is being violated? Well, under human rights standards, victims must be accorded an adequate domestic remedy which means an honest-to-goodness investigation on who are behind the killings and the fact that the State must discharge its obligation to punish those who are guilty of these killings. There is also an obligation

under international law for the State itself and not just the offenders to pay compensation.

Now, under the writ of *amparo*, not only may the court issue a temporary and permanent protection order in favor of individuals whose right to life, liberty and security may be violated. More importantly, it commands the respondents to make a return to the writ. What is important is that, under the rules, number one, we do away with presumption of good faith. Yes, there is presumption of regularity of discharge of official functions. But under the writ of *amparo*, it is expressly provided that no public officer can invoke this presumption of regularity. The petition for the issuance of the writ of *amparo*, which was issued by the court, named PNP General Bato as the respondent. Does this mean that the petitioners in this special petition for the writ of *amparo* are alleging that it was General Bato himself who was responsible for violating the right to life and security of the petitioners? Well, the answer to that, Mr. Speaker, is "No."

Being named as a respondent in a writ of *amparo* does not necessarily mean that the respondent is being accused of violating the right to life, liberty or security. It could be, but it is not limited to, naming the respondent as a probable perpetrator of the violation to right to life, liberty and security.

More important are the obligations imposed on the named respondent, and what are these obligations? Number one, the respondent must make a return to the court detailing the steps or actions taken by them to determine the fate or whereabouts of the aggrieved party, and the person or persons responsible for the threat, act or omission; number two, he is required to present all relevant information in the possession of the respondent pertaining to the threat, act or omission against the aggrieved party; number three, if the respondent is a public official or employee, the return shall further state the actions that have been or will be taken for the following purposes: to verify identity of the aggrieved party, to recover and preserve evidence related to the death or disappearance of the person, and to identify witnesses and obtain statements from them concerning the death or disappearance; number four, to determine the cause, manner, location and time of death or disappearance; number five, to identify and apprehend the person or persons involved in the death; and, number six, to bring the suspected offenders before a competent court. In other words, the writ of *amparo*, in addition to providing protection to those whose life, liberty or security may be threatened, compels the respondent to take positive steps to investigate and punish the perpetrators thereof.

What many of us in this august Chamber of Congress do not know is that, in fact, the writ of *amparo* was produced in Room 103, Mitra Hall, of this very Congress. Why did we file the writ of *amparo*? We

filed the writ of *amparo* immediately after the President himself declared that he will not tolerate scalawags in the Philippine National Police. We filed the writ of *amparo* immediately after General Bato himself, in reaction to the killing of the South Korean in the very premises of Camp Crame, promised that he will rid the Philippine National Police of misfits and scalawags. We filed therefore, Mr. Speaker, the writ of *amparo* to assist both the President and the PNP to rid the ranks of the PNP of misfits and scalawags.

Mr. Speaker, in all honesty, had the President and the head of the PNP themselves not committed to cleanse the ranks of the PNP, we would not have filed this petition. Why? Because, it is important that we do not give our clients the false impression that there is hope, when there is none. But precisely because of that statement of the President that he will not tolerate policemen committing crimes themselves, we thought it was only proper to avail of the remedy of *amparo*, convinced that the President and the Chief of the PNP will discharge their State obligations to investigate, perpetrate and punish particularly the State agents, specifically the policemen, when they commit the act of murder.

It is our hope therefore that with the issuance of the writ, people will now have an institutional and effective remedy against further abuses that may be committed in the name of the ongoing war against drugs. For the record, Mr. Speaker, we fully support this war against drugs. We believe we have got significant gains in this war against drugs. I was told that the price of shabu today has reached tremendous—has become so high that it has become virtually unaffordable even to the middle class. This can only mean that the war against drugs has resulted in a severe cut in the supply of shabu and is, therefore, an indication that we are winning the war.

Unfortunately, there are those who take advantage of the ongoing war against drugs for their personal gains and a number of these Tokhang policemen are behind nefarious acts. It is our hope that with this petition for *amparo* already issued by the Court that the Judiciary will now act as an equal partner, not only in the war against drugs, but also in discharging our State obligation to protect and promote the right to life. How? Precisely because the writ of *amparo* not only provides protection, but because it compels public officials to discharge, precisely, their obligations under Human Rights Law when the right to life is violated.

Mr. Speaker, it is truly a source of pride that we have taken part in this historic decision of the Philippine Supreme Court.

We were also the first to file for the issuance of the writ of *amparo* in favor of a journalist. Unfortunately, in that case, despite the issuance of the writ of *amparo*, the Court of Appeals did not issue a writ of protective

order and that journalist has since been killed. But given the language of the protection order issued by the Supreme Court in this case, which is unprecedented, it in fact orders the named respondents from the Philippine National Police not to approach the person of the petitioners in this case within a certain distance. This, to my mind, is the first time that the Court issued what American courts have been relying upon as an injunction from approaching a person.

More importantly, Mr. Speaker, what is important in this recent issuance of the Court is that, it compels the Philippine National Police to provide the protection needed by the petitioners in this case.

I conclude, Mr. Speaker, by saying that, indeed, the Chief Justice who drafted the writ of *amparo* has not failed in his goal to utilize the rule-making powers of the Court as a human right instrument. Those who have valid fear for their lives, security and liberty can now rely on a Judiciary that is no longer hesitant to issue a writ of *amparo* even if it means a risk, not just to the victims, but to the very Court that issued the writ of *amparo*.

It is my wish that with this issuance, more of our citizens will avail of this remedy, especially with the assurance given by the President himself and the Chief of the PNP that they are very serious in ridding our police force of misfits and scalawags.

I end by not only thanking the Supreme Court for their latest issuance, but I thank also the former Chief Justice responsible for the issuance of this writ of *amparo* and *habeas data* for his foresight that court, writs and processes can be utilized to protect and promote the right to life.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. DEFENSOR. May we know what is the pleasure of the Honorable Atienza, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). What is the pleasure of the Sr. Dep. Minority Leader?

REP. ATIENZA. Mr. Speaker, the Gentleman from KABAYAN Party-List has touched on a very sensitive issue lingering in our minds. So, with his kind acceptance, I would like to clarify some of the things he had brought out in his privilege speech.

REP. ROQUE (H.). Certainly, Mr. Speaker, I would welcome the interpellation from my Sr. Dep. Minority Leader.

THE DEPUTY SPEAKER (Rep. Quimbo). Go ahead. You are recognized, Congressman Atienza.

REP. ATIENZA. Thank you, Mr. Speaker. Congressman Roque, congratulations, first, for what you have accomplished.

REP. ROQUE (H.). Thank you, Sir.

REP. ATIENZA. What you have accomplished answers the many questions people are asking. Ito bang mga ginagawa ng ating kapulisan ay ayon sa batas o ito ay paglabag sa karapatang-pantao? I also have been asking that question here on the floor of Congress and outside, believing that our police at the moment is in the process engaged in extrajudicial killings. What you have done today is a significant step in accepting the fact that, indeed, the Philippine National Police is engaged in summary killings. The writ of *amparo*, as you explained, is something that protects the right of every citizen when it comes to the threats to his life, especially. Iyong ginawa po ninyo ay kahanga-hanga at kailangang banggitin natin nang paulit-ulit na ito ay simula na ng pagtanggap ng katotohanan na ang ating kapulisan ay hindi natin maaasahang magtanggol sa karapatan sa buhay ng bawat Pilipino. Sang-ayon po ba kayo roon?

REP. ROQUE (H.). Well, Mr. Speaker, certainly. The fact that the Supreme Court issued a writ of *amparo* is an acknowledgment that there is a threat to life, liberty and security of the petitioners, in this case, and that the threat is emanating from some members of the Philippine National Police.

In reply, therefore, to the query of the Gentleman from BUHAY Party-List, yes, I am in agreement, particularly, in this instance where the petitioners were able to prove using substantial evidence that State agents are probably responsible for an instance of extralegal killing and that they are probably responsible for the continuing threat on the life of petitioner Efen Morillo.

In other words, Mr. Speaker, while we are not saying that the entire PNP is composed of individuals who do not protect and promote the right to life, certainly, the Court has declared in this petition that members of the PNP impleaded in the petition are probably guilty of violating the right to life, liberty and security of the petitioners.

REP. ATIENZA. Mr. Speaker, we recognize the commitment of the Gentleman from KABAYAN Party-List on really restoring the respect to life of each citizen. So far, thousands of lives have already been snuffed out. Innocent lives could have been victimized by the abuses of our members of the police. Wala pong kalaban-laban ang mga taong ito. Meanwhile, lahat tayo ay biktima ng kahindik-hindik at karumal-dumal na gawain.

Our children and our grandchildren witness these on television every night where Filipino citizens are

killed mercilessly—binabalot ang ulo ng masking tape, pinuputulan ng leeg, sinasaksak nang ilang ulit, at so far, lahat po sila ay binansagang “Lumalaban sa may kapangyarihan.”

Kaya itong kasong nai-file ng ating kasama, kaibigan at kauri sa ating pagtatanggol sa karapatan ng bawat Pilipino, ay napakahalaga sa ating landas na tinatahak ngayon.

We are now in the process of engaging a measure that could even arm a corrupt institution, more reasons to commit abuses on our people. I am talking about the pending discussion on the death penalty. If it is a fact that the President, no less, has said, “The core of corruption in the country is in the Philippine National Police ranks,” siya po ang nagsabi noon, “I would estimate,” he said, “that 40 percent of our policemen are now corrupt.” Isipin po natin, Mr. Speaker, if we eventually pass the death penalty bill, and the enforcers will be the policemen who are now, Congressman Roque is pointing out, violating already the rights of our people, more than 4,000 are summarily killed and 2,000 are victims of supposed operation, e ano po ang mangyayari sa ating bansa? Saan tayo pupunta?

I hope the Gentleman will continue his crusade as we have committed to do the same. As we would like to enlighten all our Members, our problem now is one of enforcement or the corrupt enforcement of our laws and not the penalty that we are introducing in this Chamber.

Do you agree with my observation that the problem is one of a corrupt enforcement department and that is the Philippine National Police which you have made to answer in your writ of *amparo* issued by the Supreme Court?

REP. ROQUE (H.). Mr. Speaker, I wholeheartedly agree with the Gentleman from BUHAY Party-List and I think the President himself agrees that the problem in the PNP is corruption. I have heard it from him with my own two ears. He said the problem with the police is corruption and he further commented that the problem is complicated by corruption in the ranks of the prosecution as well as in the Judiciary.

Noong pagkakataon po na nakausap ko si Presidente, ang sabi niya, kasama diyan iyong mga Justices ng Supreme Court. Kaya nga po nakakatakot, na habang lantaran ang problema sa korupsiyon sa lahat po ng haligi ng tinatawag nating criminal justice system—kapulisan, prosekusyon, hukuman, kulungan at lipunan—ay pinag-uusapan po natin ngayon o pag-uusapan natin ang pagbalik ng parusang kamatayan kasi kung mayroon pong korupsiyon doon sa mga haligi na magdedesiyon kung ang isang tao ay mamamatay o mabubuhay, e sigurado po diyan, napakalakas po ng pagkakataon na itong korupsiyon na ito ay magkakaroon ng impluwensiya sa isang desisyon na magpapataw ng isang parusang kamatayan na wala na pong bawian.

REP. ATIENZA. Mr. Speaker, katulad po noong nangyari doon sa negosyanteng Koreano, ang puno't dulo noon ay korupsiyon.

Ang talagang dahilan ng kanilang ginawa doon sa taong iyon ay pera—salapi sapagka't humingi sila ng pera doon sa maybahay noong negosyante. Pero dito natin makikitang hindi natapos sa pagbibigay ng pera sapagka't binigyan sila ng P5 milyon subalit pinaslang pa rin iyong tao. Para po gawin iyan ng sino man ay makikita na nating malalang-malala ang problema natin sa kapulisan.

We thank the President in his candid acceptance of the fact that the Philippine National Police now is dominated by corruption. Iyong kanyang pagbabago ng kanyang posisyon from total all-out support—"Right or wrong, I will support you," sabi niya. "Patayin ninyo and I will defend you." Doon, talaga nalungkot ang buong bansa, nalungkot tayo sapagkat alam nating hindi magbubunga ng tama iyon.

Ngayong nalaman na niya na inaabuso na iyong kanyang direksiyon at direktiba, maganda iyong narinig natin. Alam ninyo, tuwing magsasalita si Pangulong Duterte, nakikinig ako e dahil baka kung ano na ang kanyang idedeklara e—marinig naman natin nang tama at narinig ko po lahat iyong sinabi niya noong kalagitnaan ng gabi noong Linggo na galit na galit sya at ka-meeting niya ang mga militar at mga pulis na sinasabi niya, nanggagaling sa kanyang puso na hindi na puwedeng magpatuloy ito. So what you have done is an accentuation of the fact that he has already stated that this cannot continue and I am happy that the Supreme Court has now acted on your petition with dispatch.

It only means that we still have hope in the Judiciary, that the writ of *amparo* can be applied for by any citizen as long as you get a lawyer, somebody like Congressman Harry Roque, who is willing to risk everything to save a citizen's life.

Hindi po ba tama itong narinig natin kay Pangulo, na panahon na upang pag-aralan nating baguhin ang sistema ng ating kapulisan? The Philippine National Police is under the old set-up of martial rule, which was adopted by President Cory Aquino, and then by President Ramos, President Estrada, and President Arroyo, and even enhanced by President Aquino, once again, and now in the hands of President Duterte. It is not working according to the good intentions of having one police organization that is national in scope and civilian in character. Iyon po ang nakatala sa ating Saligang Batas, subalit hindi po ganoon ang nangyayari. Dahil po centralized ang kapangyarihan at walang pananagutan ang kapulisan ay inaabuso na ito, inabuso noong simula, inabuso noong nakaraan, at inaabuso hanggang sa kasalukuyan.

I am very happy, Mr. Speaker, that President Duterte has stated it very clearly. We have to change the system that we are now using in our enforcement department. Do you believe in restoring the old system, where

accountability reigns, and accountability and power rest in the hands of the citizenry, dahil noong araw, ang pulis, technically, is under the power of each and every citizen of the Philippines?

Do you agree that that is the right direction, so that we can all be united in supporting it? I personally believe that is one effective means of reforming the Philippine National Police.

Ibalik natin iyong local character ng pulis at bumuo tayo ng national police with the nature of the Philippine Constabulary. He said it, and I was clapping in my room when I was listening to him because he was saying the correct things. And I was hoping and praying that it would come to him, and I am sure, he was guided by the Holy Spirit to have announced that.

Do you agree that that would be a good step forward so that we can address the problem of summary killings and abuses committed by our policemen?

REP. ROQUE (H.). Well, Mr. Speaker, sang-ayon po ako sa mga salita ng ating kasama galing sa BUHAY Party-List. Gaya po ng aking sinabi kanina, matagal na po itong writ of *amparo*, siguro po aabot na ng mahigit na 10 taon na naririyang itong remedyo ng writ of *amparo*. Napakadami na rin pong mga naging biktima ng Tokhang sa ating bayan, mga 7,000. Pero noong mga panahon po na napapatay ang napakadaming tao, hindi po namin inisip na gamitin itong writ of *amparo* dahil ang pagkakaintindi po namin noon mula sa salita ng Presidente ay nasa likod siya ng mga pulis, maging tama o mali man ang gawin ng pulis.

Kaya po hindi na kami nag-file ng writ of *amparo* noong mga panahong iyon dahil sigurado kami na kapag ikaw ay nag-file ng writ of *amparo*, gagamitin ng Presidente ang lahat ng kanyang kapangyarihan, and the President remains to be the most powerful in all branches of government, para po iligtas ang kanyang mga pulis, tama man o mali ang kanilang ginawa.

Pero alam ninyo, Mr. Speaker, ang malungkot ay kinailangan pang mamatay ang isang dayuhan sa loob ng Camp Crame para mabago ang ihip ng hangin. Kinailangan pa na ang isang Koreano ang mamatay bago po magising ang ating liderato, at para bagang nabalewala iyong 7,000 Pilipinong namatay. Pero dahil dito sa kaisa-isahang dayuhan na namatay sa loob ng Camp Crame ay nagkaroon ng bagong deklarasyon ang ating Presidente. Sumosobra na ang ating mga kapulisan. Hindi na puwedeng depensahan sila sa kahit anong gawin nila dahil naiintindihan naman ng ating Presidente na bilang isang abogado at bilang isang dating piskal, hindi gawain ng pulis ang gumawa ng krimen. Ang gawain nila dapat ay ang magpatupad ng batas.

Kaya nga, Mr. Speaker, matapos na magkaroon ng ganyang deklarasyon, in fact, the day after he made this declaration, isinampa na po namin ang writ of *amparo*

dahil naniniwala po kami na dahil sa ganitong bagong deklarasyon, importante na ang lahat po sa hanay ng kapulisan ay sumunod sa deklarasyon ng Presidente at panagutin ang mga salarin sa loob mismo ng PNP.

Ito po ang nagbigay ng kumpiyansa sa amin upang hindi po mabalewala itong petisyon na ito dahil kung hindi po nagkaroon ng bagong deklarasyon, kahit anong isampa mo diyan sa ating hukuman ay puwede pong balewalain ng ating Ehekutibo. Nangyari na po iyan. Noong mga paghahanap po kay Jonas Burgos, sila po ay naghanap din at nagsampa rin ng writ of *amparo*. Nagkaroon ng order ang hukuman na kinailangang ilabas iyong report ng batas militar na magpapatunay sa mga pangyayari doon sa pagkawala ni Jonas Burgos. Ano po ang ginawa ng militar? Binalewala lang nila ang order ng hukuman. Kaya nga po sabi namin, bagama't matagal na iyong writ of *amparo*, kung wala pong suporta galing sa Presidente, mababalewala lang po ang iyong pagod sa pagfa-file ng petisyon na ito at papaasahin mo lang ang iyong mga kliyente na may remedyo, gayong ang katotohanan ay wala.

Kaya nga po, gaya ng ating kasama sa BUHAY Party-List, kami po ay nagpapasalamat sa deklarasyon ni Presidente Duterte. At dahil kami naman po ay marunong magpasalamat, ang paghain po ng petisyon na ito ay ang aming pamamaraan upang suportahan ang kanyang bagong deklarasyon na pairalin ang batas at parusahan ang mga nagkakasala sa hanay po ng ating mga kapulisan.

REP. ATIENZA. Samakatuwid, Mr. Speaker, nakakakita ang kagalang-galang na Congressman Roque ng pag-asa. Nakakakita ang marami sa atin ng liwanag upang patuloy na mapanatiling isang malaya at demokratiko ang ating lipunan. Ito ay palatandaan na dapat ituloy natin ang ating pinagtutulung-tulungan at maisaayos natin ang ating sistema, pati na ang ating mga batas na ang ating sugpuin ay iyong masama at huwag nating turuan pa iyong masama nang pag-iisip ng ilan. Huwag nating bigyan ng kapangyarihan ang kapulisan na hindi karapat-dapat humawak ng kapangyarihang kikitil sa buhay ng sinumang Pilipino. Hindi po ba magandang senyales iyan at magandang pag-asa para sa ating lahat?

REP. ROQUE (H.). Mr. Speaker, sang-ayon po ako na talagang nagkaroon tayo ng bagong pag-asa dito sa bagong deklarasyon ng ating Presidente Duterte. At naniniwala po ako na iyong mga pangyayari kahapon lamang kung saan sinuspinde ang Tokhang, at sa kauna-unahang pagkakataon sa napakatagal na panahon, wala pong kahit isa na na-report na napatay ay simula na po ng pagbabago dito sa ating bayan. Although, Mr. Speaker, I note that a day after Tokhang was suspended, there was yet another victim. But nonetheless, iyong isang araw pong iyon na walang naging biktima,

noong araw na sinuspinde ang Tokhang ay patunay po na ang mga pulis ngayon ay natatakot na sa wakas. Ang problema po talaga ay dahil nawala na ang takot sa puso ng mga salarin na kapulisan, lalo po silang tumapang. Pero ngayon pong nagpakita na ng gilas ang ating Presidente na hindi na po puwede ang dating gawain, mukhang bumalik na po ang takot, kaya po may pag-asa na ngayon ang marami po sa ating mga mamamayan at sila ay mabubuhay at hindi mapapatay dahil dito sa Tokhang.

REP. ATIENZA. Tama po iyong sinabi ng ating kaibigang Congressman Roque. Hindi pa malinaw sa hanay ng kapulisan ang tunay na damdamin ng ating Pangulo sapagkat mayroon pa ring naganap na extrajudicial killing kahapon. So, therefore, iyong kanilang paggalang sa damdamin ng ating Pangulo ay hindi pa bumababa sa lahat ng hanay.

Marahil ay mayroon pa rin silang pinaplano ngayong gabi. Kaya kailangan po nating tulungan ngayon ang ating Pangulo sa kanyang tamang hangarin. While the President is doing the right things, it behooves all of us to be supportive of it.

Kung minsan, naiisip ko, Mr. Speaker, kagalang-galang na kaibigang Congressman Roque, kung hindi naging Pangulo si Pangulong Duterte, at kung ang nanalo sa palagay ninyo ay iyong mga sinuportahan ninyo at sinuportahan ko at hindi si Pangulong Duterte ang nanalo, saan kaya hahantong itong ating bansa sa laki ng problema natin? Hindi lamang sa problema ng droga, problema ng kapulisan, problema ng prosecution department, problema ng Judiciary, problema ng Bilibid na iniimbistigahan natin—na sa loob ng Bilibid, kapagka ikaw ay may pera, aba, espesyal ang kuwarto mo roon, mayroon kang hotel suite, may jacuzzi ka, mayroon kang gabi-gabing bisitang magagandang babae kung gustuhin mo. Ganoon po ang buhay doon. Bakit? Dahil sa korupsiyon. So, therefore, if President Duterte did not come along, all of these things probably would not have been brought to our attention. And I thank God.

Earlier, I was questioning, bakit dumating itong taong ito sa buhay ng Pilipino, na wala akong naririnig kung hindi patayan dito, patayan doon, patayin ninyo, tapusin ninyo? E ang sabi ko, ano bang klaseng Presidente ito? Pero ngayon, kung itutuwid niya ang kanyang ibinibigay na direksiyon sa mga may hawak ng kapangyarihan ay magtatagumpay tayo, sapagkat ang reporma sa kapulisan ang simula ng pag-asenso ng buhay ng sinumang bansa. Lahat ng bansang umasenso sa Europa, sa Amerika, sa Asya, sa Singapore, at sa Hong Kong—lahat iyan ay mga umunlad noong ang kanilang kapulisan ay nareporma, noong nilinis ang kanilang hanay ng kapulisan at nag-umpisa ang pag-unlad ng kanilang ekonomiya.

No country has ever progressed with a corrupt police department or a corrupt police system. We

would have been burdened by this problem if President Duterte did not come along. Now, I thank God, alam ko na mahal ng Panginoon ang bansang Pilipinas, na mayroon tayong Pangulo ngayong handang lumaban sa mga problemang hinaharap ninya. And no less than the all-out support of Congress, you and I and all of us should support him. But I appeal to our Members, dear colleagues, honorable Congressman Roque, as I appeal to you, and the rest of our Members, huwag nating bigyan ng mas malaking sandata pa ang pulis na ngayon ay binabansagang pinakakorap sa ating sistema. Let us not give them the ability to threaten our people with the death penalty. If this is approved by this Body, it will only be a weapon for all of these policemen who are already committing abuses even without it. Bigyan pa natin ng halaga, bigyan pa natin ng kapangyarihan, bigyan pa natin ng malaking kapangyarihan ang mga pulis na hindi pa nababago ngayon. Kaawa-awa naman ang ating mga mamamayan na mawawalan ng anumang karapatan pagdating ng kanilang pagkakataong pulis ang kanilang makakabangga.

So, we have to unite, our respected colleagues. We want to hear your voice more often. We want to see your actions clearly delivered because I know that you are a defender of life, and respecting life, and we urge all our Members to also do the same. If this Congress will not pass the death penalty, we will come down in our history as possibly the best Congress the Philippines ever had; but if we pass it under these conditions, mga minamahal kong mga kapwa Kinatawan ng ating mga distrito at ng ating mga partido, kapagka isinampa natin itong death penalty under this cloud, dark cloud of a culture of death, we will not witness any changes or improvement in the quality of our lives, especially those whom we are representing in this Chamber. So this is the golden opportunity, Congressman Roque, as we congratulate you, and we commend you even. Not every lawyer, not every Congressman will do what you have done to protect the innocent life of one citizen, and you are willing to take risks in doing that. And for that, I commend you, I even congratulate you publicly. And I will declare to the whole world that as long as we have Congressmen like you, we will succeed as a democracy in giving our people the God-intended benefits of our very wealthy, rich, and natural environment. Ang kailangan lamang natin ay tamang pamumuno, tamang pagmamaneho at ang ating bansa ay uunlad. Binigyan tayo nang mayamang lupain, mayamang gubat, mayamang katubigan, ngunit ang pang-aabuso ay nasa kamay ng mga namumuno at ng mga may kapangyarihan.

If we can reform the police in the country, we will not witness the Laguna de Bay cluttered with illegal fish pens. We would not see abusive mining being done all over the country. We will not witness and suffer from the abuses on our forestry, sapagkat iyang lahat ng iyan

ay yaman ng ating bansa na dapat nagbibigay ng biyaya para sa lahat.

So, again, Mr. Speaker, honorable Congressman of KABAYAN Party-List, I will forever consider you as a very qualified, very adequately armed, and effective Representative of the KABAYAN Party-List and, definitely, deserving of our peoples' trust.

Maraming salamat sa iyong paninindigan.

REP. ROQUE (H.). I thank the kind words of the Gentleman, the distinguished Gentleman from BUHAY Party-List, Mr. Speaker, and I join his observation that, indeed, albeit only a handful of us today supported the President when he was campaigning for the post. The reality is, history has proven that he is best, he is destined to be the best choice for the post of Presidency.

You see, Mr. Speaker, the problem of extralegal killing is not a product of the Duterte administration. We have had extralegal killings since the past three administrations. The problem of corruption is also not the making of the Duterte administration. We have had to deal with this perennial problem of corruption. Likewise, the drug problem is certainly not one that started only in the administration of President Duterte, but what makes the real difference is the political will. The same kind of political will that the UN Special Rapporteur for extralegal killings said should be exercised in investigating and punishing the perpetrators of extralegal killings in our country.

As I have said earlier, we are winning the war against drugs. The unprecedented price of illegal drugs in the market place is proof that we have dealt with a deadly blow the supply of prohibited drugs in our country. This is the result of political will. That is why, it is my hope that with this kind of political will, we can finally rid the ranks of the PNP of scalawags. It is my hope that with this kind of political will, we can finally bring an end to this problem of corruption. My hope, in fact, is that the President will utilize this kind of political will in overhauling all the pillars of the criminal justice system.

Mr. Speaker, I acknowledge that I already sound like a broken record, but our problem is that criminality, be it in the form of extralegal killings, drugs or corruption, persists because the legal system does not punish the perpetrators of these crimes. That is why, as we prepare to discuss the restoration of the death penalty, I hope that our colleagues will consider that, perhaps, the best deterrent to crimes is apprehension as well as the implementation of the law and not the restoration of the death penalty.

Why do I say this? Statistics will bear me. Killings will continue in our society because we only have one percent conviction rate, according to the Parreño report. Drug cases, we have heard in our hearings on the Committee on Dangerous Drugs that the best statistics

available for conviction rates for drug cases is 11 percent and that is already the conviction rate of the National Bureau of Investigation. Corruption, we have an average of 10 percent conviction in the Sandiganbayan. Only 1 out of 10 accused in the Sandiganbayan will be found guilty. All the rest will go scot-free. Crimes, whether be they extralegal killings, corruption or drug trading, they continue to persist because we are not able to apprehend the criminals and punish them for their acts. Should we not focus on improving our capability to enforce the law, rather than contemplate on the restoration of the death penalty?

The kind of politics that will be exercised by the President today is proof that we can reduce these crimes if we use political will to rebuild damaged institutions. That is why, it is my hope and wish that this Chamber will assist the President in this regard rather than reimpose a penalty that has not been proven to deter the commission of crimes.

Statistics will bear me out, Mr. Speaker, that what deters crime is the implementation of the law and not the kind of penalty that is imposed.

REP. ATIENZA. Mr. Speaker, I was about to end my interpellation but the Gentleman, again, inspired me to ask even more questions considering that he touched on the dangers of passing the death penalty while we are all in this troubled times. Ang problema, enforcement; ang problema, prosecution; ang problema, Judiciary; ang problema, penitentiary. Bakit natin bibigyan pa ng mas malaking problema ang bansa?

Mr. Speaker, it has been proven, time and again, that violence will only beget more violence. Violence has never given peace to any society. Considering the kind of criminal justice system we have, gaya ng binanggit ni Congressman Roque, ang mapaparusahan lamang dito at mapapatawan ng kamatayan ay ang mga walang maibigay sa corruption network ng mga may kapangyarihan.

Alam ba ninyo that in the past years when the death penalty was in effect, the rate of conviction or affirmation or confirmation by the Supreme Court of the death penalty verdicts in the lower courts was very dismal? Talaga po namang hindi maganda ang mukha ng ating Judiciary when it comes to meting out the death penalty. Among 800 or 900 cases reviewed by the Supreme Court, 555 were lightened or modified by the Supreme Court. Hindi pinayagang patayin ang mga akusado na papatayin na lamang kung sinuportahan ng Korte Suprema.

Again, 67 of those cases were dismissed. Isipin ninyo, papatayin na ang tao, mabuti na lang at mayroon pong paraan na pagpanhik ng kaso sa Korte Suprema, nadi-dismiss ang kaso. There were 67 cases dismissed and 26 cases were even acquitted. Hindi lamang na-dismiss, wala silang sala from the very beginning.

Biruin ninyo iyan, 7 out of every 10—during those troubled times when the death penalty was in effect, fellow Filipinos would have been killed in the chamber, in the electric chair, whatever means that was in effect on that particular period; 7 out of 10 were erroneous judgment from the lower courts. Iyan ang mangyayari sa atin kapag hindi natin tinumbok ang problema. Ang problema, repormahin natin ang criminal justice system, hindi ang parusa. Ang paparusahan lamang natin dito ay iyong walang kalaban-labang Pilipino na magpanhik ng kaso sa Korte Suprema.

So, we appeal to all of you. Open up your hearts, open up your minds. Listen to your conscience. We must not give the death penalty the support that some people are asking for. This Representation is committed to defend life and to reject the notion that the death penalty is a solution. It is a scourge that we will all suffer from, in due time, if we allow the passage of this law.

Again, uulitin ko, Congressman Roque, congratulations for your steadfastness and your defense of life, and respect for every life that passes through this earth and our country. Iyan po ay isang kahanga-hangang trait ng isang Kinatawan ng sinumang distrito o ng sinumang partido, and I will always respect the words coming out of your mouth, considering that you are a man of wisdom.

Thank you, Mr. Speaker. Thank you, Dep. Majority Leader, for allowing us to elucidate to our fellow Members of this very important issue.

Salamat po.

REP. ERICE. Mr. Speaker.

REP. ROQUE (H.). Thank you.

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. ERICE. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker, may we know what is the pleasure of the Gentleman from Caloocan City.

REP. ERICE. Mr. Speaker, we are debating on a very important issue and I do not think that we have a quorum. May we ask for a roll call, Mr. Speaker.

REP. DEFENSOR. Yes, Mr. Speaker, we are about to call the roll.

But before that, Mr. Speaker, I move that we refer the matter raised by the Honorable Roque and the interpellation thereof to the Committee on Rules.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

## ROLL CALL

REP. DEFENSOR. Mr. Speaker, I move that we call the roll.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please call the roll.

*The Secretary General called the roll, and the result is as follows, per Journal No. 65, dated February 1, 2017:*

## PRESENT

Abaya	Canama	Fortun	Panganiban
Abayon	Cari	Fortuno	Panotes
Abu	Casilao	Fuentebella	Papandayan
Abueg	Castelo	Garcia (J.E.)	Pimentel
Acharon	Castro (F.L.)	Garcia-Albano	Primicias-Agabas
Acop	Castro (F.H.)	Garin (R.)	Quimbo
Acosta-Alba	Cayetano	Garin (S.)	Radaza
Advincula	Celeste	Gasataya	Ramos
Aggabao	Cerifica	Geron	Relampagos
Albano	Cerilles	Go (M.)	Roa-Puno
Alvarez (F.)	Chavez	Gomez	Rocamora
Alvarez (P.)	Chipeco	Gonzaga	Rodriguez (I.)
Amante	Cojuangco	Gonzales (A.D.)	Romualdez
Angara-Castillo	Collantes	Gonzalez	Romualdo
Antonio	Cortes	Gullas	Roque (H.)
Aragones	Cosalan	Hernandez	Salo
Arcillas	Crisologo	Herrera-Dy	Salon
Atienza	Cuaresma	Hofer	Sandoval
Bagatsing	Cueva	Jalosjos	Santos-Recto
Baguilat	Dalipe	Javier	Sarmiento (C.)
Barzaga	Daza	Kho	Sarmiento (E.M.)
Bataoil	De Venecia	Khonghun	Savellano
Batocabe	De Vera	Lacson	Siao
Bautista-Bandigan	Defensor	Lagman	Singson
Belaro	Del Mar	Lanete	Suarez
Belmonte (F.)	Deloso-Montalla	Lazatin	Sy-Alvarado
Belmonte (J.C.)	Durano	Lee	Tambunting
Belmonte (R.)	Dy	Lobregat	Tan (M.)
Bertiz	Erice	Lopez (B.)	Tejada
Biazon	Eriguel	Lopez (C.)	Teves
Billones	Ermita-Buhain	Lopez (M.L.)	Tiangco
Bondoc	Escudero	Macapagal-Arroyo	Tugna
Bordado	Espina	Malapitan	Ty
Bravo (A.)	Estrella	Manalo	Umali
Bravo (M.V.)	Eusebio	Mangaoang	Unabia
Brosas	Evardone	Mangudadatu (Z.)	Ungab
Bulut-Begtang	Fariñas	Marcoleta	Unico
Calderon	Ferrer (J.)	Marcos	Uy (J.)
Calixto-Rubiano	Ferrer (L.)	Mariño	Uy (R.)
Caminero	Ferriol-Pascual	Martinez	Vargas
Campos	Flores	Mellana	Vargas-Alfonso
		Mirasol	Velarde
		Montoro	Velasco
		Noel	Velasco-Catera
		Nogralas (J.J.)	Veloso
		Nogralas (K.A.)	Villanueva
		Nolasco	Villaraza-Suarez
		Nuñez-Malanyaon	Villarica
		Oaminal	Villarin
		Olivarez	Violago
		Ong (E.)	Yap (A.)
		Ong (H.)	Yap (M.)
		Ortega (P.)	Yu
		Paduano	Zarate
		Palma	Zubiri
		Pancho	



THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 193 Members responded to the call.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). With 193 Members responding to the call, the Chair declares the presence of a quorum.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). Yes, Cong. Lito Atienza is recognized.

REP. ATIENZA. Yes, just to keep our Secretariat accurate in their count, hindi po 193 ang mayroon tayo ngayon, 173. We still have a quorum. You can declare a quorum. I am not questioning your declaration, but the Secretariat, once more, overstepped by adding 20 when there is none. We have 173, that is according to my accurate counters in the gallery. I cannot be wrong because it is really my mission to make sure that we have enough, we have a quorum, but the count of the Secretariat is definitely erroneous.

THE DEPUTY SPEAKER (Rep. Quimbo). The manifestation is noted. The Majority Leader is recognized.

REP. FARIÑAS. I just want to make an explanation.

The teller of the Gentleman, his count cannot be accurate because under our rules, para po malaman noong tigabilang diyan sa galeriya, doon po sa aming rules, iyong mga nasa committee, nasa Committee on Ways and Means po, mayroon pong mga 20 tao na nasa Committee on Ways and Means ngayon that have been authorized by the committee, the Majority Leader, to continue their hearings dahil pinag-uusapan po iyong tax reform programs. So, 193, tama po, may 20 tao na nasa Committee on Ways and Means.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). Duly noted.

REP. ATIENZA. Just to respond to that.

We accept the fact—rules are rules. Those who are attending committee meetings are excused, yes. But it is not correct what we heard yesterday that those in the premises whether sleeping, eating, having coffee, can be considered present. Iyon po ay mali. Ang sinasabi po natin, tiyakin lamang natin, kapag sinabi nating iyan

ang bilang, dapat ready ang Secretariat to also state for the record na itong mga Congressmen na ito ay nasa committee meeting. I will accept that. But not the theory that if you are in the premises, nakikipagtsismisan ka roon sa driveway, or nandoon ka sa labas, ay considered present. Hindi po puwede iyon. Hindi po ba?

THE DEPUTY SPEAKER (Rep. Quimbo). The manifestation is noted. The Chair stands by its ruling and affirms the presence of a quorum.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we take up bills on Second Reading.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

#### CONSIDERATION OF H.B. NO. 4727 ON SECOND READING

#### PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we consider House Bill No. 4727, contained in Committee Report No. 47, as reported out by the Committee on Justice.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.\*

The Secretary General is directed to read only the title of the measure.

*With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.*

THE SECRETARY GENERAL. House Bill No. 4727, entitled: AN ACT IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED “AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES”, AND AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE “REVISED PENAL CODE”, AND OTHER SPECIAL PENAL LAWS.

\* See MEASURES CONSIDERED (printed separately)

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. UMALI. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker, first, to sponsor the Bill, ...

REP. UMALI. Yes.

REP. DEFENSOR. ... Mr. Speaker, I move that we recognize the distinguished Chairman of the Committee on Justice, the Hon. Reynaldo V. Umali.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). The honorable Sponsor is recognized to deliver his sponsorship speech. You are recognized.

REP. UMALI. Thank you, Mr. Speaker, Your Honors.

I would just like to seek authority from the Speaker and of the House to recognize, to make the initial sponsorship speech, to render the initial sponsorship speech, the Hon. Deputy Speaker Fredenil "Fred" H. Castro.

THE DEPUTY SPEAKER (Rep. Quimbo). With the consent of the Chairman of the sponsoring Committee, the honorable Deputy Speaker Fred Castro is recognized.

REP. CASTRO (F.L.). Thank you to the Chairman of the House Committee on Justice. Thank you, Mr. Speaker. May I proceed, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). Please.

SPONSORSHIP SPEECH OF REP. CASTRO (F.L.)

REP. CASTRO (F.L.). Ipinagpipitagang Ispiker ng Kapulungan ng mga Kinatawan ng Republika ng Pilipinas, mga ipinagpipitagang Kasapi ng Kapulungan ng mga Kinatawan ng Republika ng Pilipinas, mga panauhin at mga mamamayang Pilipino, personal na naririto o sa pamamagitan ng media, o ng mga maliliit na kasangkapang pangtelekomunikasyon ay mistulang mga saksi sa mga naganap na deliberasyon sa pagtalakay sa bulwagang ito ng isang panukalang

batas na ang kahalagahan sa buhay ng kasalukuyan at mga susunod na henerasyon ng mga Pilipino ay hindi maaaring balewalain o ipagkibit-balikat lamang. Isang maganda, matiwasay, trangkilo at mapagmahal na hapon po sa inyong lahat.

Ang panukalang batas na aking tinutukoy, kung maisasabatas, ay magiging isang tanglaw na ilaw, o patnubay sa pang-araw-araw na pamumuhay at relasyon ng bawat Pilipino sa isa't isa o sa mga dayuhan man na maninirahan o bibisita sa bansang Pilipinas.

Ito ay parang isang aninong nakabuntot o kaya naman ay isang moral na compass na nakatatak sa isipan na magpapaalala sa bawat nilalang sa bansang Pilipinas na huwag magkanulo o magtaksil sa bayan. Huwag gawin ang pandarambong sa karagatan na may kalakip na panghuhuli ng sasakyang pandagat sa pamamagitan ng pagsalakay o pagpapatok dito. Iwan ang mga biktima na walang paraan upang sila ay makaligtas sa dagat o kaya naman, ang naganap na krimen ay may halong pagpatay o pagpaslang, pananakit o panggagahasa.

Bilang isang pinuno ng serbisyo publiko na pinagkakatiwalaan sa pagpapatupad ng batas, huwag mong iwasan ang pag-aresto o kaya naman ay usigin ang nagkamali o nagkasala ng isang krimen na ang kaparusahan ay habambuhay na pagkabilanggo o kaya ay parusang kamatayan sa kadahilanan ng alok, regalo, handog o kaya naman ay humingi o magdikta na mabigyan ng regalo o handog.

Huwag mong patayin ang iyong ama. Huwag mong patayin ang iyong anak. Huwag mong patayin ang miyembro ng iyong pamilya, lehitimo o ilehitimo. Huwag kang pumatay. Huwag kang pumatay ng sanggol lalung-lalo na kung ito ay kulang sa tatlong araw.

Huwag kang manggahasa. Huwag kang mangidnap, mandukot o kaya naman ay magdetene nang iligal. Huwag kang mangulimat o manloob. Iwasan ang pandarambong. Huwag kang magnakaw ng sasakyan at haluan ito ng pagpatay o panggagahasa. Huwag kang manunog o kaya naman ay magsagawa ng isang krimen na nasasakop o tinaguriang kakila-kilabot, kasuklam-suklam o karumal-dumal, kapareho ng mga krimen na resulta o ginagamit na pamamaraan sa pagsagawa ng mga krimen na may kaugnayan sa ipinagbabawal na droga.

Bago ko po ipagpatuloy ang aking pananalumpati bilang isa sa may-akda ng panukalang batas na ating tinatalakay ngayon sa bulwagang ito ng tahanan ng mga mamamayang Pilipino, ibig ko pong ipaabot sa kaalaman ng lahat na bago ko tinanggap ang hamon o panawagan na tugunan ang ungol ng panahon, mamamayan, kaganapan at pangangailangan na isulong ang nasabing panukalang batas, isang paulit-ulit at taimtim na pagsusuri at paghalukay ng aking budhi ang aking isinagawa. Kasama dito ang walang patid na pagsusuri ng kasalukuyang sitwasyon ng ating

lipunan at walang kurap-mata na pagtunghay sa anyo at pamamaraan ng mga krimen na nagaganap at ating nasasaksihan sa pang-araw-araw na pamumuhay upang marating ang isang tamang sagot sa katanungan na kung dapat at kinakailangang ibalik ang kaparusahang kamatayan laban sa mga salot na kriminal na sangkot, may kinalaman o kaya ay may kaugnayan sa kakila-kilabot, kasuklam-suklam o karumal-dumal na mga krimen na dati nang pinaparusahan ng panghabambuhay na pagkakulong o kamatayan sa ilalim ng Batas ng Republika Bilang 7659 na pinamagatang, "An Act to Impose Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Laws, as Amended, Other Special Penal Laws, and for Other Purposes."

Sadyang mabigat, nakakapigil-hininga at nakapaninindig ng balahibo ang sumuri ng budhi lalung-lalo na kung ang nakataya ay buhay ng kapwa, sapagkat katulad ng mga Kinatawan ng Kapulungang ito, ako ay naniniwala na ang buhay ng tao ay dapat iniyayaman, pinapahalagahan, pinakakaingatan at minamahal, sapagkat ito ay banal sa batas ng tao at banal sa batas ng ating Maykapal.

Sa pamamagitan ng isang malalim na katotohanan at mapagsuring pananaliksik ng budhi, pag-aaral, pakikiramdam at pagmamasid sa tunay na buhay ng mga kaganapan sa ating kasalukuyang lipunan, napag-alaman kong agaran na madaling lansagin sa pamamagitan ng tama, makatotohanan at balidong katuwiran ang anumang pagsalungat, paniniwala o paninindigan laban sa iminumungkahi na ibalik ang kaparusahang kamatayan.

Sa akin pong hangarin na mahimok ang lahat o ang karamihan ng aking mga kasamahan na ayunan at suportahan ang panukalang batas na ibalik ang kaparusahang kamatayan, kahit na ang aking pagtanggap sa hamon ng panahon at pangangailangan ng mamamayan at bayan na ibalik ang kaparusahang kamatayan ay maaaring ikapoot o ikamuhi ng mga tumututol o tumutuligsa sa panukalang ito, hindi ko po panghihimasukan ang batas ng pananampalataya sa ating mahal na Maykapal o batas ng simbahan.

Sa kabilang dako, inaanyayahan ko ang aking mga ipinagpipitang mga kasamahan sa Mababang Kapulungan na ibaling ang kanilang pansin o pagtuon sa ating Saligang Batas, at mga naging pasya ng ating Kataas-taasang Hukuman sa pagpataw ng kaparusahang kamatayan. Dito ay matutuklasan po natin na alinsunod sa nilalaman ng ating Saligang Batas, wala ni katiting na duda o pag-aalinlangan na ang kaparusahang kamatayan ay maaaring ipataw sa mga sangkot, may kinalaman o may kaugnayan sa mga kakila-kilabot, kasuklam-suklam at karumal-dumal na krimen sa pamamagitan ng isang batas na pinag-aralan, sinuri, inaprubahan at pinagtibay ng Kongreso at Pangulo ng Republika ng Pilipinas.

Ayon sa unang talata ng Artikulo III, Seksyon 19 ng ating 1987 Saligang Batas, walang kasinglinaw na ipinahayag ang sumusunod:

(1) Hindi dapat ipataw ang malabis na multa, ni ilapat ang malupit, imbi o di-makataong parusa, o ang parusang kamatayan, matangi kung magtadhana ang Kongreso ng parusang kamatayan sa mga kadahilanang bunsod ng mga buktot na krimen.

Ang nasabing kapangyarihan na itinadhana o iginagawad ng ating Saligang Batas sa Kongreso ng Republika ng Pilipinas ay siyang naging batayan upang ang parusang kamatayan ay maipataw sa mga kriminal na sangkot, may kinalaman, at may kaugnayan sa mga buktot na krimen nang isabatas ang Batas Bilang 7659 noong Disyembre 1993, at ipinatupad sa pamamagitan ng lethal injection alinsunod sa Batas Bilang 8177. Subalit noong Hunyo 24, 2006, ang kaparusahang kamatayan ay ipinagbawal sa ilalim ng Batas Bilang 9346 .

Sa kasalukuyan, ang panukalang batas na saklaw ng House Bill No. 4727 ay nagmumungkahi na ibalik ang parusang kamatayan laban sa mga buktot na krimen. Ang pagbabalik ng kaparusahang kamatayan ay hindi kalaban ng bayan o taumbayan. Sa kabilang dako, ito ay kalaban ng mga salarin na walang takot, awa o budhi, na isaganap ang karumal-dumal, kasuklam-suklam, at kakila-kilabot na mga krimen laban sa bayan at mamamayan.

Ang panukalang batas na ibalik ang kaparusahang kamatayan ay laban sa mga krimen na matindi, nakakamuhi o kaya naman ay nakakapoot. Ang panukalang batas, kung maisasabatas, ay isang kalasag ng mamamayan at estado laban sa krimen ng mga kriminal upang maidepensa o maipagtanggol ang mamamayan sa mga karumal-dumal, kakila-kilabot, at kasuklam-suklam na krimen. Ang panukalang batas ay hindi kalaban ng buhay. Ang panukalang batas ay tagapagtanggol ng buhay, buhay man ng inosente o salarin. Ang panukalang batas sa maikling pulong ay isang sandatang bulos na maaaring itarak sa pinakapuso ng mga buktot na krimen at kriminal upang maipagtanggol ang pamahalaan, estado at taumbayan laban sa krimen, laban sa pambansang seguridad, krimen laban sa tao, krimen laban sa personal na kalayaan at seguridad, krimen laban sa ari-arian, krimen na may kinalaman sa opium at iba pang ipinagbabawal na gamot, krimen na may kinalaman sa pandarambong, krimen na may kinalaman sa pagnanakaw ng sasakyang na may kalakip na panggagahasa o pagpatay, at krimen na may kinalaman sa pagtanim ng ebidensiya ng mga tiwaling opisyal o alagad ng batas na pinagkakatiwalaan sa pagpapatupad ng batas laban sa mga inosente at walang kinalaman o kaugnayan o pagkasangkot sa ilang uri ng krimen na may kaugnayan sa ipinagbabawal na gamot.

Sa pagkakataong ito, ibaling po natin ang ating paningin sa mga nangyayari at nasasaksihan sa pang-araw-araw na pamumuhay. Walang duda, atin pong madidiskubre at mapagwawari-wari na ang mga krimen na nangyayari sa ating lipunan ay hindi dapat ipagwalang-bahala o kaya naman ay ipagkibit-balikat lamang sa mga panahong ito. Ang mga krimen na napapaloob sa panukalang batas na dapat hatulan ng parusang kamatayan ay hindi na katulad sa mga naunang katulad o kasing-uri na krimen na ang kaparusahan ay kamatayan. Ang mga krimen na tinaguriang buktot sapagkat ang mga ito ay kakila-kilabot, kasuklam-suklam at karumal-dumal, na isinakatuparan sa ating kapanahunan ay naging mas malupit, mas nakagigimbal, mas kahindik-hindik, at mas nakakasuka sa anyo, kalupitan, resulta, at pamamaraan. Ang mga krimeng ito ay mistulang gawa ng isang nagpapasasa, mabangis at walang awa na halimaw, na walang pagsasaalang-alang sa pangkaraniwang sukatan ng moralidad, panuntunan, at kaangkupan ng isang sibilisadong lipunan.

Nang tanggapin ko ang hamon ng mamamayan at bayan na isulong ang panukalang batas na ating tinatalakay, hindi ko po binalak na hamakin o kaya naman ay maliitin ang lakas, kakayahan, talino, at kagitingan ng mga tumututol na maisabatas ang panukalang batas na maibalik ang kaparusahang kamatayan.

Sa kabilang dako, kinikilala at iginagalang ko ang kanilang matatag at walang puknat na pagpapahayag ng kanilang pagtutol. Anuman ang dahilan ng kanilang pagtutol, personal man o paninindigan ng kalipunan, o kaya naman ay sa kadahilanan na hindi nila maarok ang kasalukuyang pangangailangan ng bayan o ang kanilang damdamin ay mistulang manhid sa katotohanan at panawagan ng panahon at mamamayan, anuman ang basehan ng kanilang pagsalungat, patuloy kong igagalang at dadakilain ang kanilang prinsipyo at paninindigan. Subalit, kung wala ang kaparusahang kamatayan, ano ang angkop, tumpak, nababagay at nararapat na kaparusahan sa krimen katulad ng mga sumusunod:

1. Sa isang ama na pumatay sa kaniyang anak sa pamamagitan ng pagpasabog ng kaniyang ulo, dahil lamang sa mapagmahal na pagpuna ng biktimang anak, kapareho ng pagpatay ni Amadillo Custodio na taga-Lipa City sa kaniyang anak na si Dennis Custodio noong Mayo 26, 2016, sa kadahilangang pinuna lamang ng anak ang kaniyang paglalasing;

2. Sa isang may-asawang babae, kasabwat ang kaniyang kalaguyo, na nagplano at isinakatuparan ang pagpatay sa kaniyang asawa, na ayon sa pagsisiyasat ay nagbayad ang magkalaguyo sa isang pulis upang isagawa ang pagpatay noong madaling araw ng Hunyo 12, 2014 sa Quezon City habang ito ay nakasakay sa isang tow truck, sa pamamagitan ng dalawang salarin na nakasakay sa isang motorsiklo, kapareho ng nangyaring pagpatay sa ating hinahangaan na si Enzo Pastor, isang mangangarera ng sasakyan na nagbigay karangalan sa

bansang Pilipinas at mga mamamayang Pilipino;

3. Sa mga masasamang-loob na nangidnap at pumatay ng mga dayuhan, katulad sa ginawa ng grupong Abu Sayyaf na pamimirata at pagharang sa yate ng mag-asawang Aleman na sina Jurgen Kantner at Sabine Merz, at walang awa na pinatay ang huli at pagtangay kay Jurgen Kantner habang ang yate nila ay nasa kalagitnaan ng karagatan ng Sabah, Malaysia noong Nobyembre 5, 2016;

4. Sa mga piratang umatake ng mga sasakyang pangisda, katulad sa nangyari noong Enero 2017 nang harangin ang isang sasakyang ginagamit sa pangingsda malapit sa isla ng Siromon at Zamboanga, at walang awa at kalaban-labang pinatay ang walong mangingisdang lulan nito;

5. Sa isang salarin na humalay sa isang batang babae sa harap ng kaniyang ina na nakaratay at paralisado sanhi sa atake ng alta presyon, katulad na lamang sa panggagahasa na isinagawa ni Estefanio Marlon sa isang tatlong-taong gulang na batang babae sa harap ng kanyang ina at kinakasama na si Lima Malayaat sa bayan ng Camarines Sur, na naging sanhi ng pagkamatay ng biktima dahil sa pinsalang tinamo nito;

6. Sa isang lalaking humalay at sumaksak sa kaniyang biktima, katulad ng ginawa ni Jerry Macaraeg na humalay at dalawang beses na sinaksak ang isang 11-taong gulang na batang babae sa Mangaldan, Pangasinan;

7. Sa isang magnanakaw, serial rapist, at mamamatay tao na nambiktima ng mga kababaihan, kapareho ng kaso ng nang-agaw ng taxi, pupulot ng pasahero na mga babae na kadalasan ay mga nagtatrabaho sa call center, at pagkatapos pagnakawan ay manggagahasa, katulad ni Nitro Izon ng San Miguel, Bulacan na bumiktima ng limang babaeng pasahero at ginahasa ang isa sa magkakaibang panahon sa Makati at Manila—siya rin ang itinuturong pumatay kay Teng Santaromana Gamboa, maliban sa mga nauna niyang tatlong kaso ng pamamatay, at tatlong kaso ng panggagahasa;

8. Sa isang lalaking humalay at brutal na pinatay ang kaniyang biktima, katulad sa kaso ng isang umano'y durugistang suspek na si Alvin Delos Angeles, na suspek sa panghahalay at pagpatay sa isang estudyante ng Tourism na si Mitzi Joy Balunsay nito lamang Enero 2017, kung saan, matapos halayin ng suspek ang kaniyang biktima ay pinaghihiwa nito ang katawan, inilagay sa kahon, at inabandona sa bayan ng Tanza, Cavite;

9. Sa tulong-tulong at papalit-palit na panggagahasa noong 2014 sa Paco, Manila ng isang pitong-taong bata na si Myla Rosales ng tatlong suspek na sila Norman De Leon, Joshua De Leon, at Romulo Marquez bago nila ito saksakin hanggang sa mamatay;

10. Sa magkalaguyong nanggagahasa at pumapatay pagkatapos pahirapan ang mga biktimang kabataang babae na habang kinukunan nila ang mga ito ng video upang ipagbili sa mga pedopilya sa buong mundo, katulad ng kaso ni Peter Scully na tubong Melbourne, Australia,

na nahuli noong Pebrero 20, 2015 sa Malaybalay City at ng kanyang kalaguyo na si Liezyl Castaña Margallo na nahuli nitong Enero 2017 sa isla ng Malapascua, Cebu, at ayon sa pagsisiyasat ng ating kapulisan sa mga video na nasamsam bilang ebidensiya, ang isa sa mga biktima ng magkalaguyo ay isang bata na ibinitin nang patiwarik habang ginagahasa at pinahirapan, habang may isa rin silang biktimang 18 buwan pa lamang na paulit-ulit nilang sininturon, pinatakan ng tulo ng kandila ang kanyang pribadong ari, at iba pang mga biktima na ginahasa, pinahirapan at pinaghukay ng sarili nilang mga libingan sa harap ng kamera;

11. Sa mga alagad ng batas na nakuhaan ng video ng CCTV na nagtanim ng ebidensiya sa pamamagitan ng paglalagay ng mga ipinagbabawal na droga sa loob ng mga mesa ng mga empleyado ng isang opisina na ni-raid noong Oktubre 2016;

12. Sa isang suspek na gumahasa ng limang taong gulang na batang babae at pinatay sa pamamagitan ng paulit-ulit na paghataw, katulad ng kaso ni Jojo Lovino ng Daraga, Albay;

13. Sa mga suspek ng isang madugong masaker na kumitil ng buhay ng humigit kumulang 58 katao, kabilang na ang 34 na mamamahayag na nangyari sa Maguindanao noong Nobyembre 2009 nang harangin ng mga higit kumulang 100 na armadong katao ang convoy ng dating Buluan Vice Mayor Toto Mangudadatu na ngayon ay gobernador ng Maguindanao para pigilan na magpatala ng kanyang sertipiko ng kandidatura;

14. Sa pumatay sa isang babae at isilid ito sa drum, sinimento at inihulog sa ilog ng Navotas, kagaya na lamang sa nangyari kay Ruby Rose Jimenez noong taong 2007;

15. Sa suspek na pumugot sa ulo ng isang babae at itinapon ito sa Kalayaan Avenue sa Makati noong Enero 2017;

16. Sa mga walang awang pumatay sa isang van driver na si Joel Lulu na bugbog-sarado at nakatali, na ang bangkay ay natagpuan sa bayan ng Manaoag, Pangasinan;

17. Sa mga apat na suspek na pumatay sa isang seaman na si Arnest John Agbayani—nang ito ay mawala, tinangay ang kakabiling Subaru Forester at ayon sa pagsisiyasat ay pinaslang ng mga suspek na sina Christopher Kyle Ernie, Ariston Jimena, Paulo Hernandez at Raquino Ornat Jr. sa Tagaytay City;

18. Sa pumatay kay Teresa Teaño na binaril nang lumabas sa kanyang Hyundai Accent ng suspek na si Rolando Talban na isang miyembro ng Dominguez carnap group, at di pa nasiyahan, bilang paniguro na ang biktima ay patay na, binaril muli ito sa leeg;

19. Sa mga suspek na nagbebenta ng mga ipinagbabawal na gamot katulad ng ecstasy na ang buhay at pag-iisip ng gumagamit ay maaaring sirain, at may street value na P3 milyon, katulad lamang sa

kaso ni DJ Karen Bordador at kanyang kasintahan na si Emilio Lim na nahuli sa isang buy-bust operation sa Pasig City noong Agosto 12, 2016;

20. Sa tatlong banyaga na sina Pau Homanevan, Chan Kawai at Russian Kirdyushkin Yury na nagpuslit ng cocaine na nagkakahalaga ng P130 milyon, na maaaring sumira ng isip, kinabukasan at buhay ng daang libong Pilipino;

21. Sa mga suspek na gumagawa ng ipinagbabawal na gamot kapareho ng mga suspek na mga mamamayang Tsino na sina Luey Wang, Philip Chang, Wang Shi Xu, Alvin Wang at isang babaeng nagpakilala sa pangalang Susan na nahulihan ng P2 milyong halaga ng shabu at P4 milyong halaga ng mga kasangkapan at kagamitan sa paggawa ng shabu na maaaring sirain ang buhay, isipan at kinabukasan ng milyong Pilipino;

22. Sa mga nagtanim ng marijuana katulad na lamang ng nadiskubrenang tatlong taniman ng marijuana na may halagang P11 milyon sa Ilocos Sur at Benguet noong taong 2012, o di kaya naman iyong nadiskubrenang taniman ng marijuana na may nasasakupang 11 hektarya ang laki sa Mt. Chumanchill, Tinglayan, Kalinga, na nagkakahalaga ng halos P2.2 bilyon na maaaring sirain ang buhay, isipan at kinabukasan ng milyong Pilipino;

23. Sa mga suspek na pumatay sa isang 18 taong gulang na estudyante ng Arkitektura na si Nick Russel Oniot na pagkatapos agawan ng bag ay pinagsasaksak ng mga suspek na sina Reynold Clave at Marvin Bernardo ng 18 beses noong Oktubre 14, 2016 sa Taguig City, o sa isang kaparehong pangyayari sa Baguio kung saan pinagsasaksak naman ng di kilalang suspek ang isang estudyante nang 40 beses hanggang ito ay mamatay;

24. Sa isang itinapon ng kanyang ina, isang bata na ang edad ay tatlong araw pa lamang, sa isang sapa sa Barangay Opao, Mandaue City noong taong 2015;

25. Sa mga mahuhuling suspek na pumatay, naglibing at nagtago ng mga bangkay ng pinaslang sa dingding na kongkreto ng abandonadong bahay na malapit sa Islamic Center ng Quiapo, na nadiskubre noong Enero 2017;

26. Sa mga tiwaling alagad ng batas na nagtanim ng mga ipinagbabawal na gamot katulad sa nangyari sa Australyanong si Damian Berg na umano ay nagbebenta ng ecstasy sa kapwa nito dayuhan na si Jeremy Eaton ng Canada noong Hunyo 20, 2016 sa Makati City, subalit napawalang-sala dahil napatunayan na siya ay tinamnan lamang ng ebidensiya base sa CCTV—ang nangyari kay Damian Berg ay maaari ring mangyari sa mga inosenteng nilalang na maaaring mahatulan ng habambuhay na pagkabilanggo o kamatayan, o kahit ano mang kaparusahan sa kasalananang hindi nila alam at walang kaugnayan; at

27. Sa buktot at karumal-dumal na gawain ng mga alagad ng batas na pagkatapos abusuhin at gamitin bilang pamamaraan ang kampanya ng pamahalaan laban sa ipinagbabawal na gamot upang kikilan o kaya ay kotongan

ng pera, dukutin, o idetene sa opisina ng ahensiya ng kinikilalang tagapagtanggol ng mamamayan o kahit sino man sa ating bansa, patayin at ang kanyang abo ay ipinaanod sa tubig ng palikuran upang hindi madiskubre ang krimen, kapareho ng biktimgang Koreanong namumuhunan na si Jee Ick-joo, na ang pangarap ay tumanda, magretiro sa Pilipinas dahil ang bansang ito ay napamahal na sa kanya, upang siya ay makatulong sa mga mahihirap na kabataan, na nangyari sa lungsod ng Angeles hanggang sa Kampo Crame sa Quezon City?

Kung wala ang kaparusahang kamatayan, pababayaan na lang ba natin na ilagay ng mga biktima o ng kanilang mga kamag-anak, o kaya sa kamay ng mga bihilantes ang paghusga o ang pagpapasya ng pamamaraan upang singilin ang mga salarin sa kanilang krimen upang makamit ang tamang katarungan?

Kung wala ang kaparusahang kamatayan, hahayaan ba natin na pagpiyestahan ng mga salot na kriminal ang ating bayan at magpasasa sa paglabag ng ating batas at kaayusan na walang pakundangan at kinakatakutang bugbugin at bulabugin ang kapayapaan at tahimik at matiwasay na pamumuhay ng taumbayan?

Kung wala ang kaparusahang kamatayan at ang mga kaparusahang ipinapataw sa mga krimen ay hindi angkop at tugma, sa bigat ng kanilang pagkakasala, papaano natin maipaliliwanag sa taumbayan o sa mga biktima na ang ating estado o ang ating pamahalaan ay walang kakayahan na parusahan nang tama, dapat, at nararapat ang mga buktot na krimen na nangyayari sa ating lipunan upang maipadala ang tama at angkop na katarungan.

Sa pagkakataong ito, maliwanag sa aking alaala, ang aking naging gabay sa pagsuri ng aking budhi ang isang matibay na paninindigan ni San Agustin na mababasa sa aklat ng *Lungsod ng Diyos*, Aklat 1, pahina 21, na walang katiting na pagdududa na nagsabi ng mga sumusunod:

May mga katiwalasan o pagbukod na ginamit ang Banal na Kapangyarihan sa Kanyang batas, na ang tao ay hindi maaaring patayin. Ang katiwalasan o pagbukod na ito ay dalawang uri, na ang pinatotohanan ng batas na pangkalahatan, o kaya naman ay sa pamamagitan ng espesyal na pagtalaga sa isang nilalang. At sa parte ng huli, kung sinuman ang pinagkatiwalaan ng kapangyarihan, at kung sinuman ang pinagbilinan ng espadang gagamitin, ay walang pananagutan sa kamatayan na kanyang ibibigay. At gayunpaman, ang mga nakikipagdigmaan bilang pagsunod sa banal na kautusan o ayon sa kanyang batas ay kumakatawan sa kanilang pagkatao ang katarungang pampubliko o kaya ang katarungan ng pamahalaan, at sa ganitong kakayahan na isinagawa ang kamatayan ng buktot o tampalasang nilalang; at ang taong ito, sa anumang pamamaraan ay hindi lumabag sa kautusan, ‘Huwag kang pumatay.’”

Naalala ko rin ang dagdag na ipinahayag ni Santo Agustin:

Ang parusang kamatayan ay nagtatanggal sa mga nakararanas ng patuloy na pagkakasala, kung ang buhay nila ay magpapatuloy.

Sa pagkakataong ito, ibaling natin ang ating pagdinig sa walang takot na pahayag ng isang pinakikinggan at iginagalang na dalubhasa sa batas, teolohiya at pilosopiya na si Santo Tomas ng Aquinas, na nagpahayag ng sumusunod:

Kaya’t kung ang isang tao ay magiging mapanganib at nakahahawa sa komunidad, sa kadahilanan ng ilang mga kasalanan, kapuri-puri at kalamangan na siya ay mamatay upang pangalagaan ang kapakanan ng lahat.

At bilang dagdag, sinabi niya na:

Maipahihintulot ang patayin ang isang kriminal kung ito ay kinakailangan para sa kapakanan ng buong komunidad. Gayunpaman, ang karapatang ito ay kabilang lamang para sa isang pinagkatiwalaan sa pag-aalaga ng buong komunidad—katulad ng isang doktor na maaaring putulin ang isang nakahahawang paa, dahil siya ay pinagkatiwalaan sa pag-aalaga ng kalusugan ng buong katawan.

Sa kabilang banda, walang takot na ipinahayag ni San Pablo ang mga sumusunod:

Kung ako nga’y isang makasalanan, at nakagawa ng anumang bagay na karapat-dapat na ako ay mamatay, hindi ko hinahanap ang makatakas sa kamatayan.

Ang nasambit na pahayag ay nasundan ng kaparehong pahayag ng isang alagad ng simbahan na si Papa Pius XIII na nagsasabing:

Sa kaso ng parusang kamatayan, ang Estado ay hindi nagtatapon ng karapatan ng indibidwal na mabuhay. Sa halip, ang pampublikong kapangyarihan na limitado sa pagtanggap ng buhay ng nagkasala upang pagbayaran ang kanyang kasalanan, pagkatapos na sa pamamagitan ng krimen, ay pinagkaitan niya ang kanyang sarili ng karapatang mabuhay.

At bilang panghuling punto, naalala ko rin ang pahayag na mababasa sa Katekismo ng Konseho ng Trent na binuo sa ilalim ng pangangasiwa ni San Carlos Borromeo kung saan nasasaad:

Malayo sa pagiging kasalanan na di pagsunod sa kautusang “Huwag kang pumatay,” kung ang dahilan sa pagpatay ay ang pagsunod dito. Ang layunin ng batas ay ipagtanggol o pangalagaan at mapaunlad ang buhay ng tao.

Ang kadahilanan o hangad na ito ay nakakamit kung ang lehitimong kapangyarihan ng Estado ay ipinatutupad sa pamamagitan ng pagkitil ng buhay ng may kasalanan na kumitil ng mga inosenteng buhay.

Ipinagpipitagan kong Ispiker, mga Kinatawan ng Mababang Kapulungan ng Kongreso ng Republika ng Pilipinas, sa aking mga ipinagpipitagang kasamahan at kasapi ng Mababang Kapulungan ng Kongreso ng Pilipinas, sa mga saksi sa araw na ito sa pambungad na pagtalakay ng panukalang batas, sa inyo pong lahat ay ipinaabot ko ang aking paggalang at pasasalamat sapagkat sa inyong presensiya ngayong araw ay magkakaroon kayo ng pagkakataon na ipagmuni-muni sa inyong budhi kung ano ang pangangailangan ng ating bayan at mapakinggan ang ungol ng taumbayan at ng katarungan.

Maraming salamat po sa inyong lahat.

REP. ATIENZA. Mr. Speaker. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

REP. DEFENSOR. May we know, Mr. Speaker, what is the pleasure...

THE DEPUTY SPEAKER (Rep. Quimbo). What is the pleasure of the honorable Congressman Lito Atienza please?

REP. ATIENZA. Hindi dahil sa nais namin kayong gambalain, subalit wala na po tayong quorum. We move for the adjournment of the session.

REP. DEFENSOR. Mr. Speaker, with the indulgence of the Gentleman, the point is well-taken. May we first greet our guests here in the gallery, Mr. Chairman.

May we greet the guests of..

THE DEPUTY SPEAKER (Rep. Quimbo). May we ask for a formal withdrawal in the meantime of the...

REP. ATIENZA. We give way to the Gentleman, the Dep. Majority Leader, on his task.

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized. Thank you.

REP. DEFENSOR. We have the guests of the honorable Deputy Speaker, Hon. Romero “Miro” S. Quimbo. They are from the Arellano University. We have Jam Carlo Agudo, Ronaldo Vega, Aldous Nero Cantiga, Hariet Bernardo, Ivane Natalie Tolentino, Kevinty Siores and Maria Katelynne Del Rosario.

THE DEPUTY SPEAKER (Rep. Quimbo). Are they still present? Welcome to the House of Representatives. *(Applause)*

Yes, Dep. Majority Leader. Is there any more...

REP. DEFENSOR. We have more guests, Mr. Speaker. We have the guests of Hon. Edcel C. Lagman. They are from organizations against the death penalty. There are 43 of them, Mr. Speaker. We have In Defense of Human Rights and Dignity Movement, ...

THE DEPUTY SPEAKER (Rep. Quimbo). Please read them slowly, Dep. Majority Leader.

REP. DEFENSOR. ... Association of Major Religious Superiors in the Philippines, Task Force Detainees of the Philippines, Balay Youth and Adult Partners–Bagong Silang, Church Labor Conference or CLC–Kayumanggi, Freedom from Debt Coalition, Kanlungan, Medical Action Group, Human Rights Online Philippines, Children’s Legal Rights and Development Center, KNK Children Without Borders, Amnesty International Pilipinas, AKBAYAN, Sentro ng Nagkakaisang Manggagawa, Philippine Alliance of Human Rights Advocates, Ex-Political Detainees Initiatives, Partido Manggagawa, Asian Federation Against Involuntary Disappearances, Partido Lakas ng Masa, Balay Rehabilitation Center Inc., Focus on the Global South, Families of Victims of Involuntary Disappearance, Sanggunian ng mga Mag-aaral ng mga Paaralang Loyola ng Ateneo de Manila, Guidon, Baliklaya, Ateneo Christian Life Community, Block Marcos, Kilusan, LUPA, Piglas Kababaihan, Kaisa Ka, Kilusang Mangingisda, United Domestic Workers in the Philippines, Katarungan, Bukluran ng Manggagawang Pilipino, Peace Women Partners Philippines, Freedom from Debt Coalition-Women, Siervas de San Jose, Canossa Health and Social Center, PhilRights, Coalition Against Trafficking in Women–Asia Pacific or CATW-AP, and the World March of Women.

THE DEPUTY SPEAKER (Rep. Quimbo). May we ask the guests to stand up so that their presence can also be acknowledged. *(Applause)*

Welcome to the House of Representatives. Maraming salamat po.

The Dep. Majority Leader is recognized.

SUSPENSION OF CONSIDERATION  
OF H.B. NO. 4727

REP. DEFENSOR. Mr. Speaker, I move that we suspend the consideration of House Bill No. 4727.

I so move.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

## APPROVAL OF THE JOURNAL

REP. DEFENSOR. Mr. Speaker, I move that we approve Journal No. 64 of yesterday's session, January 31, 2017.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

## SUSPENSION OF SESSION

REP. DEFENSOR. I move for the suspension of the session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Quimbo). The session is suspended.

*It was 6:31 p.m.*

## RESUMPTION OF SESSION

*At 6:32 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Quimbo). The session is resumed.

The Dep. Majority Leader is recognized.

## SUSPENSION OF SESSION

REP. DEFENSOR. Mr. Speaker, I move for another suspension of the session.

THE DEPUTY SPEAKER (Rep. Quimbo). The session is suspended.

*It was 6:32 p.m.*

## RESUMPTION OF SESSION

*At 6:36 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Quimbo). The session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we proceed to the Additional Reference of Business.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please read the Additional Reference of Business.

## ADDITIONAL REFERENCE OF BUSINESS

*The Secretary General read the following House Bill on First Reading, and the Deputy Speaker made the corresponding references:*

## BILL ON FIRST READING

House Bill No. 4944, entitled:

“AN ACT PROVIDING FOR FREE QUALITY HIGHER EDUCATION AND CREATING THE FREE QUALITY HIGHER EDUCATION VOUCHER SYSTEM, AND APPROPRIATING FUNDS THEREFOR”

By Representatives Nograles (K.) and Nograles (J.)  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

THE DEPUTY SPEAKER (Rep. Quimbo). The Dep. Majority Leader is recognized.

## ADJOURNMENT OF SESSION

REP. DEFENSOR. Mr. Speaker, I move that we adjourn the session until next Monday, February 6, 2017, at four o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Quimbo). Is there any objection? (*Silence*) The Chair hears none; the session is adjourned until Monday, February 6, 2017, at 4:00 p.m. Happy weekend, everyone.

*It was 6:37 p.m.*