



# Congressional Record

PLENARY PROCEEDINGS OF THE 17<sup>th</sup> CONGRESS, SECOND REGULAR SESSION  
*House of Representatives*

Vol. 3

Wednesday, December 13, 2017

No. 48

## CALL TO ORDER

*At 4:00 p.m., Deputy Speaker Raneo "Ranie" E. Abu called the session to order.*

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

## NATIONAL ANTHEM

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

*Everybody remained standing for the silent prayer.*

THE DEPUTY SPEAKER (Rep. Abu). May I request my colleagues, as this is our last day of session, I think we should have a very good prayer, so may I request our Representative from the Second District of Zamboanga Sibugay for another prayer, Rep. Ann K. Hofer.

*Everybody remained standing for the Invocation.*

## INVOCATION

REP. HOFER. Let us put ourselves in the presence of the Lord.

Be with us, Lord Jesus, at our last plenary session for the year. Be with us and infuse us with Your divine qualities: with Your wisdom, as we discuss matters of governance that will affect millions of our

countrymen; with Your kindness, as we give each other the chance to speak one's mind even if we hold a different view; with Your honesty, as we present accurate information.

Be with us, Jesus, as we ponder the words of Benjamin Franklin, "How many observe Christ's birthday but how few observe His precepts."

We will be observing Your birthday, Lord, very soon, and as we do so, grant that we may also observe Your precepts, Your law, foremost of all, which is love thy neighbor.

Grant, Lord, that we may carry out Your law through sincere visible deeds and not just lip service. Let the welfare of other people be our overriding goal in our congressional work and in our personal life. Thus, be with us, Lord, the way the first Christmas was, where an infant without a home brought peace to homes everywhere. More than ever, we need that peace, Lord. More than ever, we need You to show us that Christmas is about love and serving others, and in serving others, we, Your servants here on earth, may aspire to glorify and join You in heaven where You will be with us, Lord, forever and ever. Amen.

THE DEPUTY SPEAKER (Rep. Abu). Iyon pong una nating panalangin ay para po panalangin natin kay Speaker at kay Majority na maging masaya at maganda ang ating pasko.

The Majority Leader is recognized.

## ROLL CALL

REP. DEFENSOR. Mr. Speaker, good afternoon, I move that we call the roll of Members.

THE DEPUTY SPEAKER (Rep. Abu). 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. 48, dated December 13, 2017:*

PRESENT		Gonzales (A.P.)	Pichay
Abaya	Cayetano	Gonzalez	Pimentel
Abayon	Cerafica	Gullas	Pineda
Abellanosa	Cerilles	Hernandez	Plaza
Abu	Chavez	Herrera-Dy	Primicias-Agabas
Abueg	Chipeco	Hofer	Radaza
Acharon	Co	Jalosjos	Ramirez-Sato
Advincula	Cojuangco	Khonghun	Ramos
Aggabao	Collantes	Labadlabad	Relampagos
Albano	Cortes	Lacson	Revilla
Alejano	Cortuna	Lagman	Roa-Puno
Almario	Crisologo	Lanete	Robes
Almonte	Cuaresma	Laogan	Rodriguez (I.)
Alvarez (F.)	Cueva	Lazatin	Rodriguez (M.)
Alvarez (M.)	Dalipe	Leachon	Roman
Alvarez (P.)	Datol	Lee	Romero
Amante	Daza	Limkaichong	Romualdo
Amatong	De Jesus	Lobregat	Roque (R.)
Angara-Castillo	De Venecia	Lopez (B.)	Sacdalan
Antonino	De Vera	Lopez (M.L.)	Sagarbarria
Aquino-Magsaysay	Defensor	Loyola	Salceda
Aragones	Del Mar	Maceda	Salimbangon
Arbison	Deloso-Montalla	Madrona	Salo
Arcillas	Dimaporo (A.)	Malapitan	Salon
Arenas	Dimaporo (M.K.)	Manalo	Sambar
Atienza	Durano	Mangaoang	Sandoval
Aumentado	Dy	Mangudadatu (Z.)	Santos-Recto
Bag-ao	Elago	Marcoleta	Sarmiento (E.M.)
Banal	Erieguel	Mariño	Savellano
Bataoil	Ermita-Buhain	Marquez	Siao
Bautista-Bandigan	Escudero	Martinez	Singson
Belaro	Espina	Matugas	Suansing (E.)
Belmonte (J.C.)	Espino	Mellana	Suansing (H.)
Benitez	Estrella	Mending	Sy-Alvarado
Bernos	Evardone	Mercado	Tambunting
Bertiz	Fariñas	Mirasol	Tan (A.)
Biazon	Ferrer (J.)	Montoro	Tan (M.)
Billones	Ferrer (L.)	Nava	Tan (S.)
Biron	Ferriol-Pascual	Nieto	Tejada
Bolilia	Flores	Noel	Teves
Bondoc	Fortun	Nograles (J.J.)	Ting
Bordado	Fortuno	Nograles (K.A.)	Tinio
Bravo (A.)	Garbin	Nolasco	Tolentino
Bravo (M.V.)	Garcia (G.)	Nuñez-Malanyaon	Treñas
Brosas	Garcia (J.E.)	Oaminal	Tugna
Calderon	Garcia-Albano	Ocampo	Ty
Calixto-Rubiano	Garin (R.)	Olivarez	Unabia
Caminero	Garin (S.)	Ortega (P.)	Ungab
Campos	Gasataya	Pacquiau	Unico
Canama	Gatchalian	Paduano	Uy (R.)
Casilao	Geron	Palma	Uybarreta
Castelo	Go (A.C.)	Pancho	Vargas
Castro (F.L.)	Go (M.)	Panganiban	Vargas-Alfonso
Castro (F.H.)	Gomez	Panotes	Velarde
Catamco	Gonzaga	Papandayan	Veloso
			Vergara

Villafuerte	Yap (A.)
Villanueva	Yap (M.)
Villaraza-Suarez	Yap (V.)
Villarica	Yu
Villarin	Zamora (R.)
Violago	Zubiri

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 232 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Abu). With 232 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

#### APPROVAL OF THE JOURNAL

REP. DEFENSOR. Mr. Speaker, I move that we approve Journal No. 47, dated December 12, 2017.

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

Journal No. 47, dated December 12, 2017, is hereby approved.

The Majority Leader is recognized.

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

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

The Secretary General is hereby directed to read the Reference of Business.

#### REFERENCE OF BUSINESS

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

#### BILLS ON FIRST READING

House Bill No. 6776, entitled:

“AN ACT CREATING THE LAND TRANSPORTATION AUTHORITY REPEALING FOR THE PURPOSE EXECUTIVE ORDER NO. 202 AND EXECUTIVE ORDER NO. 226, WHICH CREATED THE LAND TRANSPORTATION AND REGULATORY BOARD AND LAND TRANSPORTATION OFFICE RESPECTIVELY”

By Representatives Alvarez (P.), Sarmiento (C.), Bondoc, Fernando, Enverga, Unico, Castelo, Calixto-Rubiano and Vargas  
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 6777, entitled:

“AN ACT DECLARING MARCH 22 OF EVERY YEAR AS AGUINALDO DAY THROUGHOUT THE COUNTRY AND A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF CAVITE”

By Representatives Abaya, Revilla, Advincula, Barzaga, Loyola, Ferrer L. and Tolentino

TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 6778, entitled:

“AN ACT ESTABLISHING A TRAINING CENTER IN MAASIN CITY, SOUTHERN LEYTE UNDER THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA)”

By Representative Mercado

TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

#### RESOLUTIONS

House Resolution No. 1525, entitled:

“RESOLUTION URGING THE OMBUDSMAN TO EXPEDITE RESOLUTION ON THE CRIMINAL CASES INVOLVING THE ALLEGED MISUSE OF GOVERNMENT FUNDS BY MAYOR RODERICK ALCALA AND OTHER LOCAL GOVERNMENT OFFICIALS OF LUCENA CITY”

By Representative Suarez

TO THE COMMITTEE ON JUSTICE

House Resolution No. 1546, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MASS EVACUATION OF FARMER-RESIDENTS IN THE PROVINCE OF BATANGAS, BROUGHT ABOUT BY MILITARIZATION AND AERIAL BOMBINGS OF RURAL COMMUNITIES IN BATANGAS CITY AND LOBO TOWN AROUND MT. BANOI BY THE ARMED FORCES OF THE PHILIPPINES AND PHILIPPINE NATIONAL POLICE”

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

House Resolution No. 1547, entitled:

**“RESOLUTION DIRECTING THE COMMITTEES ON HUMAN RIGHTS, AGRARIAN REFORM AND NATURAL RESOURCES, TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON HUMAN RIGHTS ABUSES AND ILLEGAL ARREST OF FARMERS AND FISHERFOLK OPPOSING DISPLACEMENT BY ASTURIAS INDUSTRIES IN CALATAGAN, BATANGAS”**

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

House Resolution No. 1548, entitled:

**“RESOLUTION DIRECTING THE COMMITTEES ON AGRICULTURE AND FOOD, AND POVERTY ALLEVIATION, TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON THE APPARENT GOVERNMENT NEGLECT OF ABACA FARMERS OF NORTHERN SAMAR, AFFECTED BY THE ABACA BUNCHY TOP VIRUS EPIDEMIC, AND PERSISTENT EXPLOITATIVE AND UNFAIR TRADE PRACTICES”**

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

House Resolution No. 1549, entitled:

**“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE SPATE OF HUMAN RIGHTS ABUSES AGAINST FARMERS AND OTHER SECTORS IN NORTHERN SAMAR PERPETUATED BY THE ELEMENTS OF ARMED FORCES OF THE PHILIPPINES (AFP) IMPLEMENTING THE COUNTER-INSURGENCY PROGRAM OPLAN KAPAYAPAAN”**

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

House Resolution No. 1550, entitled:

**“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DECEMBER 3, 2017 - MASSACRE OF EIGHT (8) T’BOLI AND DULANGAN MANOBO FARMERS AND WOUNDING OF TWO (2) BY THE ELEMENTS OF THE 27<sup>TH</sup> AND 33<sup>RD</sup> INFANTRY BATTALION OF THE PHILIPPINE ARMY, AND PHILIPPINE**

**MARINES IN LAKE SEBU, SOUTH COTABATO”**

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

#### COMMUNICATION

Letters dated 28 November 2017 of Matthew M. David, Deputy Director, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas (BSP), furnishing the House of Representatives with duly certified and authenticated BSP issuances, to wit:

1. Circular No. 983 dated 23 November 2017;
2. Circular No. 983 (corrected copy) dated 23 November 2017; and
3. Circular Letter No. CL-2017-069 dated 17 November 2017.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

#### COMMITTEE REPORTS

Report by the Committee on Revision of Laws (Committee Report No. 544), re H.B. No. 6820, entitled: “AN ACT DECLARING JULY 23 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF BATANGAS, PROVINCE OF BATANGAS, IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY, TO BE KNOWN AS ‘BATANGAS CITY FOUNDATION DAY’”

recommending its approval in substitution of House Bill No. 6124

Sponsors: Representatives Primicias-Agabas and Mariño

TO THE COMMITTEE ON RULES

Report by the Committee on People’s Participation (Committee Report No. 545), re H.B. No. 6834, entitled:

“AN ACT STRENGTHENING THE RIGHT OF THE PEOPLE TO FREE EXPRESSION, TO PEACEABLY ASSEMBLE AND TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES, REPEALING FOR THE PURPOSE BATAS PAMBANSA BLG. 880 OR THE ‘PUBLIC ASSEMBLY ACT OF 1985’”

recommending its approval in substitution of House Bills Numbered 3023 and 3789

Sponsors: Representatives Plaza, Zarate, Mending, Bravo (M.V.) and Robes  
TO THE COMMITTEE ON RULES

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

REP. DEFENSOR. Mr. Speaker, I move that we consider the Business for the Day.

Again, Mr. Speaker, I move that we take up the Business for the Day.

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

The Majority Leader is recognized.

#### CONSIDERATION OF H. CT. RES. NO. 9

REP. DEFENSOR. Mr. Speaker, I move that we consider House Concurrent Resolution No. 9, as contained in Committee Report No. 110, and for this purpose, please direct our Secretary General to read the title of this measure.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none ...

REP. TINIO. Mr. Speaker. Mr. Speaker, objection, objection.

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

REP. TINIO. Mr. Speaker, I do not see House Concurrent Resolution No. 9 in the Order of Business or in the Unfinished Business.

THE DEPUTY SPEAKER (Rep. Abu). The Majority Leader, please respond.

REP. TINIO. Unless I am mistaken.

REP. DEFENSOR. It is on page three of Business for the Day. It is the first item on page three, Mr. Speaker. And in any event, this has been calendared by the Committee on Rules so that we can discuss it on the floor.

REP. TINIO. Mr. Speaker, in accordance with our Rules, then, we must be provided with copies of House Concurrent Resolution No. 9. Otherwise, before any discussion can take place, the text of the concurrent resolution must be read into the record.

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

REP. DEFENSOR. Mr. Speaker, because it is already in the Business for the Day, as a matter of course, copies of this Resolution have been distributed to the Members of the House.

THE DEPUTY SPEAKER (Rep. Abu). I think the inquiry of Representative Tinio has been properly answered and responded to by the Majority Leader. Let us now proceed.

May I direct the Secretary General to read House Concurrent Resolution No. 9 under Committee Report No. 110 for consideration on Second Reading.\*

THE SECRETARY GENERAL. House Concurrent Resolution No. 9, entitled: CONCURRENT RESOLUTION TO CONSTITUTE THE CONGRESS OF THE PHILIPPINES AS A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF PROPOSING AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION.

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

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

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

The Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, to sponsor the measure, we have the distinguished Chairman of the Committee on Constitutional Amendments. I move that we recognize the Hon. Roger G. Mercado.

THE DEPUTY SPEAKER (Rep. Abu). Rep. Roger Mercado, the distinguished Chairman of the Constitutional Amendments Committee, is recognized to sponsor the measure.

The Majority Leader is recognized.

#### SUSPENSION OF SESSION

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

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

*It was 4:16 p.m.*

\* See MEASURES CONSIDERED (printed separately)

## RESUMPTION OF SESSION

*At 4:21 p.m., the session was resumed.*

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

The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION  
OF H. CT. RES. NO. 9

REP. BONDODC. Mr. Speaker, I move that we suspend the consideration of House Concurrent Resolution No. 9.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; the motion to suspend the consideration of House Concurrent Resolution No. 9 is approved.

The Majority Leader is recognized.

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

THE DEPUTY SPEAKER (Rep. Abu). 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 Concurrent Resolution on First Reading, and the Deputy Speaker made the corresponding reference:*

## RESOLUTION

House Concurrent Resolution No. 13, entitled:

CONCURRENT RESOLUTION REFLECTING THE CORRECT AMOUNT IN THE SPECIAL PROVISIONS UNDER THE OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS AND LOCAL GOVERNMENT SUPPORT FUND IN THE BICAMERAL CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6215, OTHERWISE KNOWN AS THE “2018 GENERAL APPROPRIATIONS BILL”, AS APPROVED BY THE BICAMERAL CONFERENCE COMMITTEE AND RATIFIED BY BOTH HOUSES OF CONGRESS

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

## CONSIDERATION H. CT. RES. NO. 13

REP. BONDODC. Mr. Speaker, I move that we consider House Concurrent Resolution No. 13.

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

THE DEPUTY SPEAKER (Rep. Abu). 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 Concurrent Resolution No. 13, entitled: CONCURRENT RESOLUTION REFLECTING THE CORRECT AMOUNT IN THE SPECIAL PROVISIONS UNDER THE OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS AND LOCAL GOVERNMENT SUPPORT FUND IN THE BICAMERAL CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6215, OTHERWISE KNOWN AS THE “2018 GENERAL APPROPRIATIONS BILL”, AS APPROVED BY THE BICAMERAL CONFERENCE COMMITTEE AND RATIFIED BY BOTH HOUSES OF CONGRESS.

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

REP. BONDODC. Mr. Speaker, I move for the adoption of House Concurrent Resolution No. 13.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection?

REP. TINIO. Objection, Mr. Speaker.

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

REP. BONDODC. Mr. Speaker, since there is an objection, I move that we divide the House.

REP. TINIO. Mr. Speaker.

REP. BONDODC. As many as are in favor of this Resolution, ...

REP. TINIO. Mr. Speaker.

REP. BONDOD. ...please say *aye*.  
As many as are against, please say *nay*.

REP. TINIO. Mr. Speaker, may I be allowed to explain my objection.

THE DEPUTY SPEAKER (Rep. Abu). You have five minutes.

REP. TINIO. Thank you, Mr. Speaker. Mr. Speaker, ngayon po, nasasakihan natin ang pagratsada sa panukala na baguhin ang Konstitusyon sa pamamagitan ng pag-convert ng Kongreso, dalawang panig.

THE DEPUTY SPEAKER (Rep. Abu). To the distinguished Gentleman, Representative Tinio, may I know the subject matter that you are discussing now?

REP. TINIO. I apologize, Mr. Speaker. I withdraw my objection.

#### ADOPTION OF H. CT. RES. NO. 13

THE DEPUTY SPEAKER (Rep. Abu). There being no objection to the motion made by the Majority Floor Leader, let us move to voting.

Is there any objection (*Silence*) The Chair hears none; the motion is approved.

House Concurrent Resolution No. 13 is adopted.

REP. BONDOD. Thank you, Mr. Speaker, and we thank the Honorable Tinio for his indulgence in correcting a typographical error on the budget of the OPAPP. With that, Mr. Speaker, once again, could we move to have House Concurrent Resolution No. 13 immediately transmitted to the Senate by the Secretariat.

I so move, Mr. Speaker.

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

The Secretary General is hereby directed to transmit immediately House Concurrent Resolution No. 13 to the proper agency.

#### CONSIDERATION OF H. CT. RES. NO. 9 *Continuation*

#### PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOD. With that, Mr. Speaker, I move, again, that we consider House Concurrent Resolution No. 9, as contained in Committee Report No. 110, and

for that purpose, direct the Secretary General to read the title only of the Concurrent Resolution.

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

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

THE SECRETARY GENERAL. House Concurrent Resolution No. 9, entitled: CONCURRENT RESOLUTION TO CONSTITUTE THE CONGRESS OF THE PHILIPPINES AS A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF PROPOSING AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION.

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

REP. BONDOD. Mr. Speaker, our parliamentary status is that we previously opened the period of sponsorship and debate and, once again, I move that we recognize the Hon. Roger "Oging" G. Mercado for his sponsorship of the Concurrent Resolution. I so move, Mr. Speaker.

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

Rep. Roger G. Mercado, Chairperson of the Constitutional Amendments Committee, is recognized to sponsor House Concurrent Resolution No. 9.

#### SPONSORSHIP SPEECH OF REP. MERCADO

REP. MERCADO. Mr. Speaker, my esteemed colleagues, bearers of the voice of the people, ladies and gentlemen, good afternoon.

Before us is CONCURRENT RESOLUTION NO. 9 TO CONSTITUTE THE CONGRESS OF THE PHILIPPINES AS A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF PROPOSING AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION. Allow me to read the Concurrent Resolution for everybody's benefit:

WHEREAS, the Constitution is the fundamental and paramount law which provides the framework of governance, as well as the instrument of the people to secure their rights and promote the common welfare;

WHEREAS, recent events show that it is imperative that reforms be introduced in the present Constitution for it to be responsive to the exigencies of the times, including the need

to provide a long-term solution to the decades-old conflict in Mindanao and to spur economic regional development in the countryside, and provide impetus to much needed socio-economic and political reforms;

WHEREAS, the clamor and sentiment from a broad cross-section of society seeking a review of certain provisions in the 29-year-old Philippine Constitution, to make it more attuned and responsive to the demands of present conditions and economic realities have not only been sustained but affirmed with the overwhelming victory of President Rodrigo Roa Duterte, who stood on a platform for a shift from a unitary to a federal form of government, among others;

WHEREAS, the Members of Congress represent the diverse sectors of society and when they convene as a constituent assembly, shall have the capacity to introduce sound and timely amendments to the Constitution;

WHEREAS, a constituent assembly is the preferred mode of introducing amendments to the Constitution since it is deemed the most expeditious, open and least costly among the options contemplated;

x x x

This is the essence of House Concurrent Resolution No. 9. The Constitution, under Article XVII, Section 1, has given Congress the exclusive mandate to decide on what mode to adopt in proposing amendments to the Constitution. Your Committee on Constitutional Amendments has fulfilled its task. We have now the honor to report our recommendations to this august Chamber: on February 15, 2017, Committee Report No. 110, recommending the adoption of House Concurrent Resolution No. 9 which calls for the convening of Congress into a Constituent Assembly for the purpose of amending or revising the 1987 Constitution.

House Concurrent Resolution No. 9 substituted 28 measures providing for the different modes and specific amendments to the Constitution. It was principally authored by the Speaker, our Majority Leader and had 52 coauthors at the time of its filing. The Committee has also successfully conducted nine public consultations in the House of Representatives and four nationwide public consultations in Dagupan City, Davao City, Bacolod City and Tacloban City. These public consultations were attended by multisectoral representatives coming from both non-government and government organizations, including pertinent government agencies and the representatives of local government units. We also invited constitutional experts, economists, legal luminaries, the business sector and the academe. In all of these consultations, the Committee

made sure that the basic sectors, particularly the marginalized ones, were always invited. Through these public consultations, the citizens were able to share their opinions and sentiments. The true primary issue on constitutional reforms were highlighted, whether or not it is necessary to amend or revise the Constitution. In all of these scheduled consultations, majority of the attendees were of the opinion that there is really a need to study, amend or revise the 1987 Constitution. Among the prominent proposal submitted were amendments of the socio-economic provisions, and total revision of the Constitution in order to implement a structural change from a unitary into a federal form of government.

What are the specific proposals? Aside from the discussions in the open forum, all participants were provided with survey questionnaires to give them the opportunity to participate by sharing their views through their answers. The summary resulted in respondents who are in favor of amending or revising the Constitution. Respondents deemed that the adoption of a federal form of government is most suitable and respondents were inclined to adopt a bicameral legislature with senators elected by region. In all venues of the consultations, majority of those who participated in the discussion and open forum believe that there is a necessity to amend the Constitution. The necessity is perceived to make the Constitution more adaptable and responsive to the current needs of the society.

In the business sector, most business groups, particularly the Local Chamber of Commerce, are of the view that amending certain economic provisions of the Constitution such as liberalizing foreign equity on businesses can spur economic growth which, in the process, would also provide employment for our people. This is also the sentiment of the economic experts who attended the economic hearings. Taking into consideration the President's priority agenda for constitutional reform, particularly the shift from a unitary to a federal form of government, many share his view that federalism will address the problem of inequality and the distribution of wealth and resources among the regions in the country.

Mr. Speaker, my colleagues, this begs the question of why we need to amend or revise our Constitution. My professor, the illustrious Justice Isagani Cruz, one of the premier constitutionalists in this country, said that

The Constitution, like any living law, must move with the moving society it is supposed to govern. The Constitution must be able to adjust to change, conforming itself to the needs of a society that must be dynamic if it is to progress and endure.

Mr. Speaker, the 1987 Constitution has been existing for 30 years already. This is one of the longest

reigning Constitutions in the world that has lasted for three decades without any single amendment. This fact alone will suffice to justify the need to review our current Constitution pursuant to the basic principle that the Constitution must be responsive to the dynamics of the changing times.

As the experts would always tell us, no Constitution is cast in stone. Over the years, there had been various attempts to amend the Constitution, but it did not succeed for the simple reason that those attempts were perceived by many as an effort towards extending the term of the sitting President and other elected officials of the government. This is despite the genuine issues and their strong arguments in favor of the proposal. In other words, it simply lacked substantial support from the people. Why should the shift be done now? Time is of the essence.

President Duterte, who is the principal proponent and campaigner of federalism, still enjoys overwhelming support of the people. This fact is validated by the surveys which confirmed the commendable net satisfaction trust ratings that he obtained. When the President was voted upon by an overwhelming mandate, many believed that those votes were also reflective of the desire of the Filipino people to effect change in the structure of the government because it was among the top agenda in the President's campaign platform. Thus, when could be a better timing if not now when the trust rating of the President is sky-high? If we will not do it now, there would be no other better opportunity in the future.

As stated in House Concurrent Resolution No. 9, the Members of Congress represent diverse sectors of society and when they convene as a Constituent Assembly, they have the capacity to introduce sound and timely amendments to the Constitution because they know the needs of their constituency. We are the voice of the people. The authors believed that it is the most practical, less expensive, and the fastest mode of amending or revising the Constitution, given the contingency of the times that the current administration has to manage in order to finish the work. According to them, what the Assembly may be able to accomplish in just a few months, will take a year or more for the Constitutional Convention to do it. The Constituent Assembly will be less costly because the Members of Congress who will constitute the Assembly will be using the same facilities and will be utilizing the same staff that they already have. The Constituent Assembly is cost-efficient because its operational expenses can be absorbed by the budget allocations which are regularly provided by both Houses of Congress.

On the other hand, holding a Constitutional Convention would require an appropriation of approximately P11 billion. The cost of a Constitutional Convention, if synchronized with the barangay and SK elections, is already P8.1 billion. That is according to

the COMELEC's computation this year. Added to that is the operational expenses such as salaries or per diems of the delegates and their staff, rental costs of their offices and plenary hall and supplies expenses of the secretariat and others, which would amount to P2 or P3 billion.

#### What will be amended?

It is proposed that it is the many outdated provisions of the Constitution: the structure of government, the certain restrictive economic provisions.

For almost its entire history, the Philippines has been governed under a unitary presidential system, which is highly centralized. Under such structural setup, the local government units especially those that are situated in far regions suffered much from residual attention, if not neglect from the national government. That is why all throughout the history of our country, since we have had our first Constitution, the clamor for attention coming from the concerned local government units has become a routinary cycle regardless of who is sitting as the President and regardless of what party represents the administration. Thus, this brings merit to the supposition that the problem lies more in the structure rather than in the persona.

Under the current Constitution, the same concerns remain among the current recurring problems which the LGUs are experiencing. This is despite the advent of the Local Government Code which was enacted purposely to address the common concerns of the local government units. For instance, with limited powers and authority to sustain self-reliance, which includes funding and resources, many local government units cannot provide the public services that the people need. Major corporations, including banks, pay their taxes in Metro Manila. The exploration and development of natural resources are actually determined by the national government. Whether we like it or not, these things spur the habit of local dependence on the national government. Our more than 100 years' experience with the unitary system has clearly shown the ineffectiveness and instability that is inherent in our present form of government. Despite being in place for over a century, the unitary system has been largely ineffective in addressing our persistent problems of poverty and governance. There is, therefore, no logic in the claim that our problem could be structural, meaning, in all this time, the current structure or form of government is not really responsive to the needs and aspirations of our people. This state of affairs has led to the uneven distribution of wealth in our country, the stifling of local initiatives on the part of local government, and the continued underdevelopment in the countryside.

Federalism is viewed to be the best solution to address the challenges posed by geography, socio-cultural diversity and inequality. It will empower regional governments. It will create solutions to their own regional problems. They can focus on economic

development, using their own core of competencies. They can retain more of their income and spend them on programs that they see fit without waiting for the approval of the national government. The devolution of powers under the local government unit has been a step in the right direction, but it has not been enough to fully empower local governments to develop their own communities. These structural problems have been responsible in part for the underdevelopment of many provinces across the country. This federal aspect of devolution of powers alone will bring great significance as far as the entangling of so much concentrated power in the central government is concerned. Each state knows better the needs of their people than any national agencies do. Hence, if they are given the power to plan and decide for themselves, it would generate a mindset of good governance under the concept of self-determination. Even without starting the talk about a particular model, the general concept of federalism itself, which is the decentralization of powers, wealth and resources, already speaks of the best arguments to sustain a debate.

There are fears that federalism will only enhance the ethnic cleavage, regionalism and secessionist sentiments. That is not correct. Mr. Speaker, my dear colleagues, let us be mindful of this—history is replete with factual bases that secession and disintegration, more often than not, happen in a unitary and centralized countries and rarely under federations. Furthermore, it is the existence of symmetry and integration of different cultures that promote secessionism which features are contrary to the essence of federalism. Although the sponsoring Committee has laid down the premises on why there is a need to revisit the 1987 Constitution, the 52 authors and coauthors of House Concurrent Resolution No. 9 are just a fraction of the rest of the 294 illustrious minds of this Chamber, and the more brilliant minds of our colleagues in the Senate. Let the debate begin, Mr. Speaker, for such is our constitutional mandate and duty as Representatives of the people.

Mr. Speaker, my esteemed colleagues, it is only when we convene as a constituent body and have a transparent public debate on these proposals—the pros and cons, the merits and demerits of these proposals—before we freeze out. As our good Speaker stated, and I quote, “Our mission in the Seventeenth Congress is clear: to enact laws that will deliver to our nation and our people a future better than yesterday and brighter than today.” Real change, according to him, tinuod nga kausaban. We owe people relevant laws and a responsive Constitution for them to live better lives, and provide equal opportunities in the countryside and the enjoyment of our country’s wealth and resources by all.

Let us not be afraid of change. Who knows if this is the time that we have to reckon with history and claim what is ours for the longest time? Who knows,

in the advent of the new President who will lead us to this path, if this might be the beginning of our bright destiny. What I know is that Filipinos are among the most resilient creatures in this universe. We can always adapt to and survive changes. Most important of all, we are not afraid of change. Time and again, let us stand united, let us head to the new challenge, the challenge of change, the change for a better Philippines. For us, the prayer goes—“Grant us the courage to change the things that we can and the wisdom to know the difference.”

Mabuhay tayong lahat. Thank you very much, Mr. Speaker.

**THE DEPUTY SPEAKER (Rep. Abu).** The Majority Leader is recognized.

**REP. DEFENSOR.** Mr. Speaker, the first to interpellate is the distinguished Gentleman from ACT TEACHERS. I move that we recognize the Hon. Antonio L. Tinio.

**THE DEPUTY SPEAKER (Rep. Abu).** The Hon. Antonio Tinio from ACT TEACHERS is recognized.

**REP. MERCADO.** Mr. Speaker, before the Honorable Tinio is recognized, may I request that the other two Sponsors be allowed to speak and deliver their sponsorship speeches and after that, we will welcome the interpellation.

**THE DEPUTY SPEAKER (Rep. Abu).** The Majority Leader is recognized.

**REP. DEFENSOR.** With that, Mr. Speaker, I move for the reconsideration of my motion recognizing the Hon. Antonio Tinio for the interpellation.

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

The Majority Leader is recognized.

**REP. DEFENSOR.** Mr. Speaker, I move that we recognize the second Sponsor of this measure who is Deputy Speaker Gwendolyn F. Garcia. I move that the Lady be recognized, Mr. Speaker.

**THE DEPUTY SPEAKER (Rep. Abu).** Deputy Speaker Gwen Garcia is recognized to deliver her sponsorship speech for House Concurrent Resolution No. 9.

#### SPONSORSHIP SPEECH OF REP. GARCIA (G.)

**REP. GARCIA (G.).** Mr. Speaker, my distinguished colleagues, ladies and gentlemen, good afternoon.

Thirty years after the adoption of the present Constitution, there is little debate on whether there is a need to amend it. Across the political spectrum and without regard to political color or persuasion, people agree, whether strongly or grudgingly, that the Constitution or some part thereof has outlived its purpose, usefulness or relevance, or that the realities of our times have not been anticipated in its framing. Some would advance sweeping changes to the Constitution, to the structure of government for instance or its form, while others would propose piecemeal changes to outmoded provisions, political and economic. The minority that disagrees does so either out of fear of the political interests that might taint the amendment process, or out of some loyal adherence to the spirit that brought about the 1987 Constitution; but no one argues that this Constitution is perfect, or that there is no need to update it to make it relevant to realities it did not anticipate and could not have foreseen 30 years ago. The proposals are varied but we all quite agree that there is a need to amend the Constitution and that we have felt this need for the better part of the 30 years that it has been in effect. The question is, how? On this, there are as many schools of thought as there are modes of amendment under our Constitution.

This Representation, in fact, filed a bill proposing a constitutional convention, believing then that this was the ideal mode of amending the Constitution, but after considering the various proposals pending before the Committee on Constitutional Amendments, which has conducted nine public consultations at the House of Representatives and four nationwide public consultations in various cities in Luzon, Visayas and Mindanao, this Representation has since reconsidered, which is why it is my honor to stand here and sponsor House Concurrent Resolution No. 9, as contained in Committee Report No. 110, proposing that the House of Representatives and the Senate convene as a Constituent Assembly to consider amendments to the Constitution.

There is a reason the Constituent Assembly is the primary mode of amending the Constitution under Section 1 of Article XVII. It is, by far and by any measure, the most economical, the most straightforward and the most efficient. Congress acting as a Constituent Assembly would save the Filipino taxpayers billions in the cost of holding elections for delegates to a Constitutional Convention and in personnel and operational expenses to sustain such a Constitutional Convention. Congress, without having to hold separate elections or incur additional expenses for personnel and operations, could propose amendments to the Constitution should we adopt this Committee Report and Concurrent Resolution. Congress acting as a Constituent Assembly is, by

nature, limited in time and scope. On the other hand, a Constitutional Convention, once created, becomes an independent body whose powers, even if we provided otherwise, become plenary, not limited either in time or in the scope of the amendments it could propose. Once convened, a Constitutional Convention would be a roving commission as it were, one that could take up anything and everything under the sun and could go on and on forever.

The Constituent Assembly as a mode of amending the Constitution is also the most efficient for it would do away with the need for electing delegates to the constitutional convention, their organization and the provision of their personnel and facilities, their adoption of rules to govern their proceedings. Congress is in a unique position of already having the structure, a framework and a set of rules in place by which proposals to amend the Constitution are debated and resolved. An ideal position, in fact, for like delegates to the Constitutional Convention, we have been elected by the people to represent them in this republican form of government. In electing us, the people knew that under Section 1, Article XVII, we could, like delegates to a Constitutional Convention, under proper circumstances and given the required vote, propose amendments to the Constitution. In the larger sense, in fact, our convening as a Constituent Assembly would be more democratic and republican than the birth of the present Constitution which was written by Commissioners who were merely appointed and not elected. Finally, convening as a Constituent Assembly to propose amendments to the Constitution would have stronger safeguards to ensure that only the amendments most beneficial to the people are proposed. A valid proposal under a Constituent Assembly would require a three-fourths vote of all the Members, while in a Constitutional Convention, the vote of a simple majority would presumably hold. In any event, whether under a Constituent Assembly or a Constitutional Convention, no amendment would take effect unless ratified by the people in a plebiscite called for the purpose.

House Concurrent Resolution No. 9, under Committee Report No. 110, therefore, contains all the advantages and more safeguards than the constitutional convention which I had initially proposed. I am therefore proud to sponsor this measure and urge my colleagues to support and vote for its passage.

Thank you, Mr. Speaker.

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

REP. DEFENSOR. Mr. Speaker, I move that we recognize the third sponsor of the measure, the Hon. Vicente "Ching" S.E. Veloso, the Gentleman from the Third District of Leyte.

THE DEPUTY SPEAKER (Rep. Abu). The Gentleman from the Third District of Leyte, Hon. Vicente Veloso, is recognized to cosponsor House Concurrent Resolution No. 9.

#### SPONSORSHIP SPEECH OF REP. VELOSO

REP. VELOSO. Thank you, Mr. Speaker. As our Chairman was delivering his sponsorship speech, I had a flashback to that day when the then-proposed 1987 Constitution was being debated in UP-Tacloban. I was with the side of then Minister Juan Ponce Enrile, along with Francisco “Kit” Tatad, Rene L. Cayetano, and all other bigwigs, Mr. Speaker. I was arguing against the ratification of the 1987 Constitution because it had a lot of infirmities.

Let me cite, for example, Mr. Speaker, on agrarian reform. As we all know now, the government embarked on an agrarian reform that took private lands from the private landowners, arguing that that is so provided in Section 4, Article XIII of the Constitution. I wanted it, in the proposed Section 6 of Article XIII, to be spelled out in black and white, that if the government will embark on a land reform program, it should first distribute all government lands before it would touch private lands. Now, it is history. If you are in the province and you would like to come up with an industrial estate, you can hardly find such land because almost all of the big private estates were confiscated by the government and distributed by a land reform. We have huge tracts of land, for example, in Leyte, that have remained untouched despite the provision in Section 6, Article XIII, that in this matter of land reform, the government should resettle farmers in government-owned lands.

Right to strike: When I was a student, we were taught by our professor in Ateneo, that the right to strike is an inherent right of labor. But what happened? We have, in Section 3, Article XIII of the Constitution, a provision that you can enjoy the right to strike only in accordance with law. That is why, contrary to what we were taught, the right to strike does not actually exist here in the Philippine setting. The least that could be said, even if you comply with the twin requirements of a valid strike in our existing labor laws, the moment the DOLE Secretary will take hold of the labor dispute, assume jurisdiction over that dispute, or throw it to the NLRC for compulsory arbitration, your right to strike is already enjoined.

We also have, in Article XIII, Section 11 of the Constitution, a provision which says “that paupers should be given free medical services.” This provision in Section 11, Article XIII of the Constitution is so nebulous, Mr. Speaker, that until now I have not found, I have not seen any legislation which could be considered as an implementing law of this Article XIII, Section 11 of the Constitution which, again, guarantees paupers free medical services.

Education. We have a provision in Article XIV Section 1, calling for quality education. We have a provision, Section 5 of Article XIV, which says that teachers, to encourage them to teach, should be given good salaries. Again, that provision on Section 5 is not quite clear.

There are a lot of provisions, Mr. Speaker, in the Constitution that would not merit its passage, the then proposed 1986 Constitution, but we are now 30 years away from that. I did not expect that at that time, and as I look at the problem now, I would be a party to the proposed revision of the Constitution via the so-called Constituent Assembly.

Why am I now asking for the adoption of Resolution No. 9? I am now 72 years old, Mr. Speaker, I still have to see a Senator coming from Region VIII. We had a lot of good legislators, Raul Daza is one of them but Raul Daza did not even have the chance to become a Senator of this Republic. Why, Mr. Speaker? Because Metro Manila has already almost 15 million registered voters and we in Region VIII, we only have about two million registered voters and so, what chance do we have of seeing a Senator coming from our region?

I believe, Mr. Speaker, that this inequity will be resolved by a federal form of government that is embodied in House Resolution No. 9 as contained in Committee Report No. 110. It is not a minor problem for us. In my district, Mr. Speaker, we do not even have a district hospital. Region VIII is the second poorest region in the Philippines, and the Third District of Leyte is the poorest district of Region VIII. We only have two clinics which the state calls “infirmarys.” As I was explaining before, if a child catches cold, iyong sipon niya ay magiging pneumonia and this pneumonia, ikamamatay na lang niya iyan dahil wala kaming ospital. We lack the basic services that are supposed to be guaranteed in this Constitution. If we will have a new Constitution, a revised Constitution, we Congressmen will have the opportunity to put in what we need.

Another problem, Mr. Speaker: Article VI of the Constitution, Section 29, paragraph 1 says “No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.” Section 25, paragraph 1 says that the Office of the President will submit a proposed budget, and that Congress can reduce but never increase the proposed budget. There is a provision in Section 44, that all bills on appropriations, particularly on local needs, appropriations, revenue, tariff shall originate from the House of Representatives. But for the many months that we have been around, that has never been put into practice.

Mr. Speaker, a colleague, Congressman Zarate said he will be interpellating us. I rather would wait for his questions before I give a lot reasons why I would like House Concurrent Resolution No. 9 to be adopted.

Thank you, Mr. Speaker.

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

REP. DEFENSOR. Mr. Speaker, the first to interpellate, Mr. Speaker, is the Gentleman from ACT TEACHERS. I move that we recognize the Hon. Antonio L. Tinio.

THE DEPUTY SPEAKER (Rep. Abu). The Hon. Antonio Tinio from ACT TEACHERS is recognized for his interpellation of the distinguished Sponsor.

REP. LAGMAN. Mr. Speaker.

REP. DEFENSOR. May we know, Mr. Speaker, the pleasure of the Honorable Lagman?

THE DEPUTY SPEAKER (Rep. Abu). What is the pleasure of the Gentleman from Albay, the Hon. Edcel C. Lagman?

REP. LAGMAN. It was my impression yesterday, an impression which is shared by many, that with respect to House Concurrent Resolution No. 9, this will only be limited to the delivery of sponsorship speeches and after that, subsequent consideration will have to be deferred to a subsequent date. Why are we now going into interpellation?

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

REP. DEFENSOR. Mr. Speaker, to my knowledge, there is no decision in the Committee on Rules to limit the consideration of House Concurrent Resolution No. 9 to just the sponsorship. In fact, that is not the sense of the Majority Leader and the Committee on Rules, and we have several Members who would want to take advantage of the time to interpellate the Sponsor for this measure, Mr. Speaker.

REP. LAGMAN. Mr. Speaker, I have talked with the Sr. Dep. Majority Leader. He went to see the Majority Leader precisely on this question. Can we wait for the result of that meeting between the Majority Leader and the Sr. Dep. Majority Leader?

REP. DEFENSOR. May we know when the Honorable Lagman conferred with our Sr. Dep. Majority Leader for this purpose, Mr. Speaker?

REP. LAGMAN. Several minutes ago, that is why he is not here. He went to the office of the Majority Leader.

## SUSPENSION OF SESSION

REP. DEFENSOR. With that, Mr. Speaker, I move for a few minutes suspension of the session so that we will know from the Sr. Dep. Majority Leader the direction of the Committee on Rules with respect to this House Concurrent Resolution No. 9.

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

*It was 5:12 p.m.*

## RESUMPTION OF SESSION

*At 5:16 p.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. DEFENSOR. With that, Mr. Speaker, I would like to reiterate my motion that we recognize the Gentleman from ACT TEACHERS, the Hon. Antonio Tinio, for his interpellation.

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

Congressman Tinio from ACT TEACHERS Party-List is recognized to interpellate the distinguished Sponsor.

REP. TINIO. Thank you, Mr. Speaker.

Mr. Speaker, bago po ako mag-interpellate, kung maaari po ay magtanong muna sa Speaker kung paano po ba ang prosesong sinusunod sa pag-aproba ng isang Concurrent Resolution of both Houses? Kasi po, according to our Rules, resolutions must follow the same procedure for approval as bills and so, to clarify po, if we are now on Second Reading, mayroon pa rin po bang Third Reading and nominal voting?

THE DEPUTY SPEAKER (Rep. Abu). G. Tinio, sa aking pagkakaalam ay pagkatapos ng Second Reading na ito at nagkaroon tayo ng malayang talakayan nito ay i-a-adopt na lang natin ang House Concurrent Resolution at wala na tayong Third Reading.

REP. TINIO. Wala na pong Third Reading. So, okay. Is that a ruling, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Abu). Tama po kayo, Kgg. Tinio.

REP. TINIO. Thank you po sa paglilinaw na

iyon. Okay. Ngayon po, sisimulan ko ang aking interpellation.

Una po, Mr. Speaker, hawak po natin ang Committee Report No. 110 at ito po ay ang Committee Report ng Committee on Constitutional Amendments on House Concurrent Resolution No. 9. Ito po ang gusto ko lang malinaw—kung ito ay substitute bill para sa iba’t ibang mga measures—Resolutions of Both Houses No. 1, 2, 3, House Joint Resolutions No. 1, 2, and so on and so forth. Hindi ko na po babasahin lahat. Para mapabilis po, ilang measures po ba ang sina-substitute ng substitute resolution na ito, Mr. Speaker?

REP. MERCADO. Thank you very much, Mr. Speaker. There are around more or less 50 resolutions filed.

REP. TINIO. Fifty, limampu. Tama po?

REP. MERCADO. Yes.

REP. TINIO. Okay. So, mula po sa 50 na mga panukala ...

REP. MERCADO. I would like to stand corrected, Mr. Speaker, there were only 28 issues.

REP. TINIO. Sorry. Okay. Thank you. So, mula po sa 28 bills and resolutions na na-file ng iba’t ibang Miyembro ay ito na po ang substitute measure. Nakita ko kasama po dito, halimbawa, ang Resolution of Both Houses No. 8. Ang Resolution of Both Houses No. 8, for example, ay hindi lang po nagpapanukala ng Constituent Assembly, kung hindi nagpapanukala na rin po ng revisions to the 1987 Constitution by adopting a federal form of government. In other words, ang ibang measures, hindi lang po nagpo-propose ng Constituent Assembly kung hindi mayroong concrete and specific amendments na inihapag din. Tama po ba?

REP. MERCADO. Yes, Mr. Speaker.

REP. TINIO. Pero sa substitute measure na ito, isinantabi na po ang lahat na iyon at ang natira na lamang ay ang panukala na buuin ang Kongreso bilang Constituent Assembly. Tama po ba?

REP. MERCADO. Tama po.

REP. TINIO. Sa madaling sabi, gusto ko lamang po na maging malinaw ito on the record. Hindi na po mangyayari na pagkatapos maaprubahan ito ay maisusulong pa bilang mga hiwalay na measure ang mga sinaklaw na resolutions.

REP. MERCADO. Hindi na po. Yes, tama po kayo,

Mr. Speaker. The procedure is that this will be the final output of the Committee in substitution of the other resolutions filed in the House.

REP. TINIO. Thank you, Mr. Speaker.

Gusto ko pong mailinaw iyon on the record kasi, sa totoo lang, may mga ibang panukala na nakahanay katulad ng sa Resolution of Both Houses, halimbawa, kaya nababahala tayo. Halimbawa, ang proposal na sa esensiya ay i-abolish o ipasara na ang kasalukuyang Kongreso, bibigyan ng retirement or separation package ang mga kasalukuyang Miyembro, at pansamantala ay bibigyan ng legislative powers ang Pangulo. Malinaw po sa sinabi ng ating Sponsor na ang mga ganoong panukala ay hindi na isasalang sa Kongresong ito.

REP. MERCADO. Yes, Mr. Speaker. This is purely a first step in the long journey towards revisiting our basic law of the land. This is purely a mode. Actually, there are three modes of amending or revising our Constitution, but our Committee has chosen the first mode that Congress, upon a vote of three-fourths of all its Members, may amend or revise the Constitution.

REP. TINIO. All right. Mr. Speaker, alam naman po natin kahit na sa Committee level, at alam din natin na hindi ito ang unang pagkakataon na i-propose na matransform ang Kongreso bilang Constituent Assembly kasi kahit sa mga nakaraang administrasyon, mula pa, halimbawa, noong panahon ni dating Pangulong Ramos noong 1990s hanggang sa panahon muli ni dating Pangulong Arroyo, na ipinanukala ang Cha-cha through a Constituent Assembly na kung tawagin ay Con-Ass.

Alam naman po natin na may malaking usaping ligal sa pagpapatupad nito. Sa constitutional provision na binanggit po iyong three-fourths vote of all Members, ang nagiging tanong na po diyan ay, sa isang Constituent Assembly, boboto ba ng hiwalay o magkasama ang Senado at ang Kongreso? So, the issue of voting jointly or voting separately, ano po ang tindig at paliwanag ng nagpapanukala sa usaping ito? Kasi po marami na rin ang nagpahayag, including mga kilalang Mambabatas, mga dating Mambabatas, experts in constitutional law, distinguished professors of law, former justices of the Supreme Court, na sabi nila, the moment maipasa man ang Concurrent Resolution na ito at mag-convene ang isang Constituent Assembly, dadalhin kaagad ito sa Korte Suprema. Ano po ang posisyon ng nagpapanukala sa usaping iyan?

REP. MERCADO. First, Mr. Speaker, it is the stand of the sponsoring Committee that we will first go for the mode of amending the Constitution. While it is true that there might be questions as to the manner of voting, whether it will be three-fourths of all the Members, voting jointly or separately, that will be tackled later

when we prepare our rules. That is in case, in the future, that we would have a Constituent Assembly.

Actually, there are so many interpretations, but I do not want to telegraph or anticipate or make any comment on this because, as far as we are concerned, we would like to start first with the mode of amending the Constitution.

REP. TINIO. Alright, Mr. Speaker, pero kinikilala po ng Sponsor na mayroong bukas na usapin, mayroong problema sa constitutional provision na ito dahil nga hindi inilinaw ng Constitution kung boboto ba ng sama-sama ang Senado at Kongreso o boboto ng hiwalay. Hindi po katulad noong probisyon sa martial law at sa extension nito na nakita lang natin kanina ipinatupad. Nagkaroon tayo ng Special Joint Session of Congress pero malinaw po kasi doon sa constitutional provision on martial law na kailangan ang Joint Session para ma-approve o ma-extend ang martial law. Congress must vote and the two Houses of Congress must vote jointly. Malinaw po iyon pero sa provision on constitutional amendments, wala pong sinabing ganoon.

REP. MERCADO. Mr. Speaker, allow me to explain some more. It is always the stand of the House to prefer, through a concurrent resolution, our mode of amending the Constitution to be concurred in by the Senate. That is why, perhaps, there might be an agreement or it might be placed in our Rules, when we convene a Constituent Assembly, we may or may not vote jointly. It depends upon the concurrence and the discussions later on with our counterparts in the Senate.

REP. TINIO. Thank you for that, Mr. Speaker. Mr. Speaker, tinanong ko lang iyon para mabuksan din at mailagay sa record na sa totoo lang, kahit man aprubahan ito ng House of Representatives at kung sakaling sumang-ayon ang Senado, ay agad-agad mayroon talagang constitutional obstacle sa anumang magiging kilos ng Constituent Assembly at ito nga iyong usapin sa pamamaraan ng pagboto. Gusto ko lang pong ilagay sa records na nandian ang usaping iyan na haharapin, kung matuloy man ang panukalang ito ng kagalang-galang na Sponsor pero hindi talaga ito ang pangunahing concern natin.

Ang pangunahing concern natin ay—unang tanong, bakit po ba tinutulak ng kagalang-galang na Sponsor ang panukalang ito? Ang sinasabi po sa House Concurrent Resolution No. 9, if I may quote: “Whereas, recent events show that it is imperative that reforms be introduced in the present Constitution for it to be responsive to the exigencies of the times xxx.” So, iyon po ang tanong ko. Imperative—totoo po ba na kailangang-kailangan at hinihingi ng kasalukuyang panahon na baguhin ang Konstitusyong ito?

REP. MERCADO. Yes.

REP. TINIO. Let me just continue. Binanggit pa po sa resolution, “including the need to provide a long-term solution to the decades-old conflict in Mindanao and to spur economic regional development in the countryside, and provide impetus to much needed socio-economic and political reforms;”

Mr. Speaker, binanggit dito ang Mindanao and the conflict in Mindanao. Nakita lang natin kanina sa Special Joint Session na lumapit ang Pangulo rito sa Kongreso at humingi ng isang taon na extension ng martial law sa ilalim ng kasalukuyang Konstitusyon, at ang sinabi niyang dahilan kung bakit kailangan niya ng isang taon ay isang taon lang daw ang kailangan niya para wakasan, para tapusin ang rebelyon, ang conflict sa Mindanao.

So, Mr. Speaker, kung paniniwalaan po natin ang nangyari kanina, hindi ba kabaligtaran ito ng sinasabi ngayon ng House Concurrent Resolution No. 9? Sinasabi na hindi po matutugunan ng kasalukuyang Constitution ang problema sa Mindanao pero kanina lang sa paghingi ng Presidente at pagbigay ng Kongresong ito—bagaman isa ako sa bumoto ng “no,” hindi ako sumasang-ayon—pero hindi po ba kung paniniwalaan natin ang nangyari kanina ay may sapat na mga probisyon ang Constitution para tugunan particularly ang conflict sa Mindanao. Otherwise, nagbabolahan lang pala tayo kanina, Mr. Speaker.

REP. MERCADO. Thank you, Mr. Speaker. Actually, there are so many problems that have to be given some solutions, if not a solution, by revisiting our Constitution. What the Gentleman has just said is that the martial law solution is only one of the solutions to our problems. It is a military solution, but problems are not only purely military.

The Representatives from Muslim Mindanao said that they want roads, they want schools, they need to improve their lives. These are things that we need to see if we can do something for them through the study and by revisiting our Constitution. In our case in Eastern Visayas, as mentioned by Congressman Veloso, nahihiapan po kami doon. Marami pa kaming mga kailangan. I have been a Congressman for almost three decades, but until now, wala pa po kaming airport. Our demand is, we can develop economically if we can develop our tourism industry, agriculture. How can we develop our tourism if there is no accessibility? When we come here, mahirap puntahan ang mga Secretaries. Kung wala tayong appointment sa kanila, pagdating natin sa opisina, wala sila doon. Tapos, magkano lang ang IRA ng aming LGU? It is P100 million for one year, ang aming economic percentage, to be used for building farm-to-market roads. Pagpunta namin dito, traffic. Maraming nagkakasakit, even Members of Congress

are experiencing hardships because of pollution. Hindi lamang military ang problema, marami pa po. We feel that after 30 years of this Constitution, it is valid to revisit and perhaps study it. All of us will be able or will have a chance to look at the specific provisions, the things that we have to do in order that we can at least contribute to the solutions to some problems in our different regions.

Marami pong problema sa amin. One of the poorest regions is Eastern Visayas. Wala kaming Senador. It is good that those regions which are represented by Senators are fully developed. Look at Iloilo, they have a Senator; Mindanao, they have a Senator. In other provinces that are not represented in the Senate, mahirap po kasi kailangan natin ang mga tao. We voice the sentiments of our people pero wala kaming magagawa kasi maski anong gawin namin, ito lang ang ibinibigay sa amin. We are begging, and we are actually, we are supposed to be Representatives of the people, they are only appointed by the people, but the reality remains that the Representatives who were elected by the people are the ones begging and asking for a little amount na madala natin sa ating distrito.

Ang discrepancy ng budget, I think 90 percent of the money in the Philippines are situated only in Manila, it is circulated in Metro Manila; and 10 percent only are circulating in the provinces. Talagang marami ang kailangan nating gawin and we need your assistance, we need your help. Later on, hopefully when we convene into an assembly, doon po ninyo makikita how we need your assistance and how we need to do something in these agencies, na marami ngayon na they are just wasting the money at hindi nila nilagay sa tamang dapat gawin because they do not listen to their Representatives. They are supposed to listen because we know what is on the ground pero sila, dito lang sa Manila but in the implementation of programs, sila ang nasusunod. Iyon po ang problema.

In Mindanao, we hope we can help solve problems by providing them with resources, providing them with responsibilities, limiting the responsibilities of the national government, and perhaps making them responsible in terms of peace and order. Binigyan na kayo ng suporta sa pulis, suporta sa mga equipment, kaya kapag mayroong mangyari na mga problema sa criminality diyan, kayo ang aming sisisihin. I think that it is fair if we will support them. Ang problema ngayon, until now, the national agencies are still controlling.

Even if we have the Local Government Code, sila pa rin ang nagsasabi kung anong gagawin. That is unfair to us because we know the problem on the ground. Hopefully, in whatever mode or whatever structure that we can, hopefully for us, we will really voice out na hindi dapat mangyari ito, na dapat mabigyan ng pansin ang boses ng mga Miyembro ng Kongreso dahil tayo ang nagdala ng mga problema, mga hinaing, at mga

requests ng ating mga kababayan. Iyon ang dapat nating iparamdam sa ating leaders dito sa ating Kongreso.

Salamat po.

REP. TINIO. Mr. Speaker, tama po lahat noong mga binanggit ng kagalang-galang na Sponsor, totoo iyan na talagang hindi pantay at tagibang ang paghahati ng economic wealth o ng kayamanan sa Pilipinas. Totoo na may mga lugar kung saan naka-concentrate ang economic activity, ang pera, pero may mga lugar na naghihirap. Binanggit po ninyo ang inyong rehiyon, Region VIII, at nabanggit po rin ninyo ang Mindanao. Ang tanong ko po, Mr. Speaker, ano naman ang kinalaman ng Constitution diyan?

Nabanggit kanina na ...

REP. MERCADO. Malaki po.

REP. TINIO. ... kailanman daw, wala pang naging Senador mula sa Region VIII. Sa kabilang banda, maraming mga Senador ang nanggaling sa Mindanao pero naghihirap pa rin ang maraming probinsiya ng Mindanao. Kabilang ang ilang mga probinsiya ng Mindanao sa pinakamahirap sa buong Pilipinas.

Nabanggit ninyo ang Region VIII, totoo, walang Senador na nanggaling sa Region VIII pero kung balikan lang natin iyong panahon ni Marcos, alam naman natin na ang First Lady, si Imelda Marcos, the better half, some say, of the conjugal dictatorship, ay nanggaling po sa rehiyon ninyo. Alam din naman natin, noong panahon ng diktadurya, mas makapangyarihan pa sa sinumang Senador—wala ngang Senador noon dahil na-abolish nga ang Senado noon—ang First Lady. Kung sa usapin na lang ng control ng national resources, sa pagtatakda ng kung anong mga proyekto ang matutupad, anong mga kalsada ang mapapagawa, diktadurya pa nga ito.

So, ang punto, Mr. Speaker, hindi po ito usapin, sa palagay ko, ng kawalan ng representasyon, ng kakulangan ng representasyon. Nakita nga natin, kahit absolute power, at kasama doon ang isang halal na taga-Region VIII, katulad na rin nang sinabi ninyo, ay naghihirap pa rin ang Region VIII. Bakit nangyari iyon? Dahil sa corruption and plunder. Whether federal or unitary, parliamentary, whatever ang forma ng gobyerno, kung ang mga nasa poder o ang may hawak ng pampilitikang kapangyarihan ay inuuna ang sariling interes, hindi ang interes ng iilan, at hindi ang interes ng nakararami, kung may pangungurakot, may plunder, ay hindi po malulutas ang problema ng malaganap na kahirapan at saka hindi pagkakapantay-pantay ng economic development.

So, Mr. Speaker, sa palagay ko, iyong Cha-cha, itong Charter change na itinutulak, hindi ito magic bullet katulad ng tila ipinangangako ng ating kagalang-galang na Sponsor, na kapag itinuloy natin ito ay uunlad ang

Pilipinas at mawawala ang kahirapan sa Pilipinas, Mr. Speaker. In fact, Mr. Speaker, nabanggit ninyo rin lang, sabi po kasi rito sa inyong second "Whereas," kaya po ito tinutulak, "to be responsive to the exigencies of the times, to spur economic regional development in the countryside, and provide impetus to much-needed socio-economic and political reforms."

Pag-usapan po natin iyong political reforms. Ano naman po ang kinalaman—economic reforms, sorry. Ano po ang kinalaman ng kasalukuyang Konstitusyon sa economic development? Ang Konstitusyon po ba ang nagsisibbing hadlang sa pag-unlad ng ekonomiya? Sa palagay po ninyo na kapag binago natin ang Konstitusyon, uunlad ang ating ekonomiya? Paano po nangyari iyon?

**REP. MERCADO.** Yes, Mr. Speaker, malaki po kasi the Constitution is the highest law of the land and all the laws emanate from the Constitution. Kailangan baguhin ito dahil luma na po, 30 years na po, at iyong nangyari 30 years ago at ngayon, marami na pong changes. Just imagine the population, the number of cars, the pollution, our resources—marami nang mga nangyayari ngayon na dapat bigyan ng pansiñ at dapat bigyan ng solusyon; otherwise, mas lalong mahihirapan po tayo.

**REP. TINIO.** Mr. Speaker, 30 years ...

**REP. DEFENSOR.** Mr. Speaker, before we proceed, may we recognize the Honorable Veloso to take the place of the Honorable Mercado in the sponsorship.

**THE DEPUTY SPEAKER (Rep. Abu).** Representative Veloso is recognized to take the sponsorship podium.

**REP. VELOSO.** Thank you, Mr. Speaker.

**REP. TINIO.** Yes, Mr. Speaker, nabanggit po noong naunang Sponsor na 30 taon na raw ang nakalilipas, marami na raw nagbago sa mundo at sa bansa, kaya hindi na raw naaangkop ang kasalukuyang Konstitusyon. Mr. Speaker, alam naman natin that the United States Constitution ay 250 or more years old and yet, we do not hear the, you know, the ruling class or the people of the United States and their Congress proposing wholesale revisions of their Constitution. So, madaling sabi, Mr. Speaker, hindi po—ang kinukwestyon po natin ay iyong pinapalabas, nais palabasin ng mga Sponsor na mayroon pong mahigpit na pangangailangan para baguhin ang Konstitusyon pero iyong paglipas po ng 30 taon ay hindi sapat na dahilan para baguhin ang Konstitusyon, Mr. Speaker. Sa katunayan, kung ikukumpara sa nabanggit nating Konstitusyon ng US, ay talagang batang-bata, bagong sibol lang po ang Konstitusyon ito, hindi po ba, Mr. Speaker?

**REP. VELOSO.** Mr. Speaker, first, iyong sinasabi niya na panahon ni Imelda Marcos, this happened before the 1987 Constitution. Now, Mrs. Marcos, as the First Lady then, did not really assure the Region VIII people of benefits from the national government, from the central government.

Now, dito sa Konstitusyon na sinasabi ninyo sa Amerika, if you will take note itong sinasabi niyang economy, this is in Article XII of our Constitution, masyado tayong protective sa yaman ng bayan to the point na masyadong magkaiba ang nangyayari sa States. Dito, ang pag-aari o ownership of lands, for example, is limited only to Filipinos. Doon sa United States, makikita mo, you can buy a piece of land kahit ikaw ay foreigner. In fact, that became the basis kung bakit ang Texas, it used to be a part of Mexico, ay naging part ngayon ng United States.

Uulin ko po, itong pinag-uusapan natin, wala pa tayong proposed Constitution ngayon, Mr. Speaker. The ideas of the Honorable Tinio will come into play kapag nag-convene na po tayo. Ano ang kailangan, ire-retain ba natin ang nandito sa Konstitusyon o babaguhin natin? That precisely will come into play kapag nag-convene na tayo, kapag pumasa na po itong House Concurrent Resolution No. 9.

**REP. TINIO.** Well, I understand the point being made by the Honorable Veloso, Mr. Speaker, na sa House Concurrent Resolution No. 9, wala pong mga kongkretoong proposal na nagpapatungkol sa specific provisions ng Constitution na dapat baguhin. Definitely, ang laman lang talaga nito ay mode. Kaya lang, Mr. Speaker, hindi tayo puwedeng magbulag-bulagan sa kasalukuyang konteksto ng inisyatibang ito. Ang isa na ngang malinaw na konteksto at ang pinakapatunay niyan, iyong mga hearings mismo ng Committee, nag-i-sponsor, partikular during the discussion on economic provisions, malinaw naman na ang itinutulak doon, katulad na rin ng nabanggit ni Kgg. Veloso, ay ang pagtanggal sa mga tinatawag na nationalist economic provisions ng Konstitusyon. Nabanggit niya kanina iyong pagbabawal sa kasalukuyang Konstitusyon na 100-percent foreign ownership ng lupa dito sa Pilipinas.

Sa madaling sabi, ang nasa likod po ng kasalukuyang inisyatiba na ito para baguhin ang Konstitusyon sa pamamagitan ng Constituent Assembly, ang isa diyan ay buksan ang ekonomiya kasama na iyong pagmamay-ari ng lupa, kasama na iyong pagmamay-ari sa mga estratehikong industriya at serbisyo katulad ng telecoms, na ibukas ang mga ito sa 100 porsiyento pagmamay-ari at pagtubo ng mga dayuhan, Mr. Speaker. Hindi po ba tama iyon, Mr. Speaker, G. Isponsor?

**REP. VELOSO.** Mr. Speaker, for all you know, we stand on the same platform, ako at saka si Congressman

Tinio, when it comes to public utilities. Ako, ayaw ko rin na ang public utilities natin ay sakupin ng mga dayuhan. Pagdating naman sa lupain, again, this is something that we really have to debate kasi hindi naman ako ang Kongreso at ang boto ko, ang boses ko, ay isa lang katulad ng boses at boto ni Honorable Tinio.

Gusto ko lang sana, kung mamarapatin, if the Honorable Tinio will allow me to also answer kanina iyong isang tanong niya.

REP. TINIO. Sige po.

REP. VELOSO. Ano ba ito? Pagkatapos nito, should this be voted upon jointly or separately ng dalawang Houses? That is already the end of it. Uulitin ko po, at this point, ang panukalang House Concurrent Resolution No. 9 is para mag-convene lang po tayo. Now, voting separately, voting jointly, sakop siya, ang Senado, sa Concurrent Resolution. Pagdating naman sa punto, halimbawa, natapos na natin iyong mga pinag-uusapan, anong laman ng revised Constitution, should we vote separately?

Academically, I can already defend a point on that kasi kung titingnan mo naman, of course, the Senators will not agree with me, just as some of the members of the Committee are voicing the position na dapat voting separately, pero ito, puro mga academic discussions pa lang ito at this point. Kung titingnan mo ang Section 1, ang sinasabi, sa Constituent Assembly, ang boboto doon sa revised Constitution ay three-fourths of all, at hindi sinasabing hahatiin—three-fourths ng Senado, three-fourths ng House of Representatives. Kapag sinabi nating apat, so three-fourths of all. It cannot also be said na hindi alam ng framers ng Constitution na ito, the 1987 Constitution, na hindi nila alam ang term or words na “voting separately” because if you will take a look at Article VII, pagdating ng vacancy sa Vice President, ang Presidente ang magno-nominate ng replacement from the Senate or from the House of Representatives at iyan ay pagbobotohan—voting separately, Senado at saka lower House.

So, with Article VI, sinasabi—the declaration that we are in a state of war, Congress will vote separately. Dalawa pong artikulo ito na ginamit ng framers ng Constitution ang terminong “voting separately.” Bakit hindi ginamit dito sa Article XVII in revising—why Constituent Assembly? Academically, kung nasa klase pa tayo, we are not supposed to inject words and ideas into the law. Ako, talagang sinabing ano, jointly ito. In the absence of the phrase “voting separately,” we have no choice but to apply what the law says, three-fourths of all, meaning all, jointly. Iyon po.

REP. TINIO. Well, Mr. Speaker, wala pong duda na isang batikang justice o dating justice ang ating kasama ngayon at talagang ...

REP. VELOSO. Hindi po, ...

REP. TINIO. ... kahanga-hanga po.

REP. VELOSO. ... hindi po ako batikan. My ideas are...

REP. TINIO. Yes.

REP. VELOSO. ... as good as the ideas of the Honorable Tinio.

REP. TINIO. Siya na rin po ang nagsabi, no matter how brilliant may be the opinions of everyone here, in the end, sa Supreme Court po ang bagsak niyan.

REP. VELOSO. Tama po iyon.

REP. TINIO. Opo. So, iyon po ang punto natin. Anyway, babalik ko lang po doon sa pinag-uusapan natin na kaya daw ito tinutulak para daw matugunan iyong kahirapan. Ang sinasabi po kanina, lalo na noong naunang Sponsor, kailangan po ng Cha-cha para daw po, through Constituent Assembly, matugunan na iyong kahirapan.

Nabanggit iyong Region VIII, iyong kahirapan sa Region VIII pero, Mr. Speaker, malinaw na ang nasa likod naman ng mga nagtutulak ay iyong agenda—iyong matagal na rin naman na agenda, at hindi na po bago ito dahil panahon pa ni Pangulong Ramos, tinulak lalo ni Pangulong Arroyo, tinulak pa rin sa ilalim ng Aquino administration, iyon na nga, iyong todo-todong liberalisasyon ng mga economic provisions—iyong 100-percent foreign ownership ng lupa, ng mga negosyo, including public utilities, at hindi na lang po ito panukala. Kamakailan lang ay nasaksihan natin ang Pangulo ng Pilipinas, mismo si Pangulong Duterte, siya mismo ang namamadrino pa sa China Telecoms. Sabi niya, “Papasok na ang third player” para daw bumilis ang Internet sa Pilipinas, hindi na lang daw Globe at Smart. Kinausap ko na ang China at sabi ng China, ipapasok nila ang China Telecom. Ngayon lang po natin nakita iyan na ang Pangulo ng Pilipinas mismo ang namamadrino sa isang state-owned corporation, sa telecoms giant ng Tsina. Sinabi nya rin iyong 100-percent foreign ownership ng lupa.

Mr. Speaker, karamihan ng mga magsasakang Pilipino, dahil sa kabiguan ng Comprehensive Agrarian Reform Program, hindi pa rin nagmamay-ari ng kanilang sariling lupa. Ngayon, ang sinasabi ng mga nagpapanukala rito, maaangat sa kahirapan ang mga Pilipino kapag hinayaan natin ang mga dayuhan na magmay-ari ng lupa. Paano naman po mangyayari iyon, Mr. Speaker? Kung papahintulutan po natin ang proposal na ito at magtuloy-tuloy ang ganyang economic agenda, makikinabang po sigurado iyong mga dayuhan.

Iyong China Telecom, definitely, makikinabang iyan. Iyong mga Chinese agricultural giants na interesado sa ating mga plantasyon ay, definitely, makikinabang diyan. Iyong mga gusto bumili ng libo-libong ektarya ng lupa para magtanim ng agricultural products para ipakain sa mga mamamayan nila sa Tsina, hindi sa mga Pilipino, definitely, makikinabang. Paano naman iyong makakaangat sa mga kababayan natin sa Region VIII? Hindi po; lalo silang maghihirap.

Iyan naman po ang sinasabi ng—kaya ako lang po, Mr. Speaker, kinukuwestyon po natin iyong paliwanag ng mga Sponsor na sa pamamagitan daw ng Charter change through Constituent Assembly. ay maaangat po sa kahirapan ang ating mga kababayan. Lalo pong sila malulugmok sa kahirapan batay sa agenda, sa economic agenda ng 100-percent liberalization, pagbubukas sa dayuhan na nasa likod ng panukalang ito, Mr. Speaker.

REP. VELOSO. Mr. Speaker, case in point kasi Region VIII ang pinag-uusapan, iyong mga magsasaka. Mayroon akong kakilala doon, land reform beneficiary siya ng one-hectare rice land. Dinaanan ng national road kaya tumaas ang value ng property. Gustong-gusto niyang ibenta ang lupang iyon sa isang Koreano. Bakit? Kasi sabi niya, sa isang ektarya na palayan, magkano lang ang kinikita niya. Recently, dinaanan kami ng grabeng sakit sa palay, stem borer, to the point na siya mismo, wala na siya halos naani. Ang punto niya is this: Ang value ng property niya ngayon—tapos na kasi ang 10 years, so puwede na niyang ibenta. Kung ibebenta niya ito, all of a sudden, kikita siya ng P5 million for that one-hectare property. Sabi niya, with P5 million, makakapagtapos siya ng mga anak niya, maaasikaso ang maraming financial problems niya. Kapag hindi niya ito binenta, he will have to satisfy himself with about 10 cavans kasi kalabaw pa rin ang ginagamit niya. Wala namang support ng gobyerno. Ten cavans for every four months or 20 cavans for one year—pagkain lang talaga but the problem of the magsasaka sa amin is not only limited to pagkain. Gusto niya, may ambisyon din siya na ang mga anak niya ay makatapos.

So, as to whether tama o mali iyan, again, it is not for me, and I would assume it is not for any singular Member of this House, to decide. Pag-uusapan natin lahat iyan. Pagbobotohan natin iyan. For all we know, mas maganda ang idea ni Honorable Tinio na we retain the provisions dito sa Article XII kaya lang may mali na dito sa Section 3, Article XII. Nai-classify ang lands of the public domain, timber, part agricultural, pagkatapos sinabi, after that, agricultural lands lang ang puwedeng ma-alienate ng gobyerno. Ang agricultural land, magiging commercial; agricultural, magiging industrial pero agricultural—parang hindi tugma. I mean, even on that alone, maraming kailangang gawin sa ating Konstitusyon.

REP. TINIO. Mr. Speaker, I think malinaw po iyong problema sa economic argument pero iwan na po muna natin. Basta, I think nailinaw ko na iyong punto na una, hindi natin puwedeng sabihin na ang usapin lang dito ay mode. Kailangang i-consider po natin iyong kasalukuyang konteksto, iyong mga iba't ibang interes na nagtutulak nito, at isang malinaw na interes nga ay iyong mga foreign chambers of commerce na napakadalas po na ini-imbitahan at pinagsasalita sa Committee on Constitutional Amendments. Napakalinaw po ng kanilang position na kailangan daw tanggalin na iyong mga nationalist economic provisions sa Constitution. So, malinaw po ang position ko dito, Mr. Speaker, na ang pagtanggal ng mga hadlang na ito ay hindi magdudulot ng pag-unlad sa buhay ng nakararaming Pilipino. Magdudulot ito ng higit na yaman at tubo para sa iilang dayuhan at sa iilang mga kasosyo nila na malalaking negosyanteng Pilipino. Iyon po ang tiyak.

Mapunta lang ako sa isa pang mahalagang usapin na hinaraap din ng ...

THE DEPUTY SPEAKER (Rep. Abu). Bigyan lang ninyo ng pansin na may 10 minuto na lamang ang natitira para sa inyong talakayan.

REP. TINIO. Opo. Yes, Mr. Speaker, I am fully aware of that.

Iyong usapin po ng mga base militar—again, nakaupo po ako sa ilang mga pagdinig ng subcommittee kaugnay sa Transitory Provisions, including iyong probisyon sa presensya ng foreign military troops, bases and facilities. Malinaw po ang naging consensus doon sa subcommittee level na kailangan na raw po tanggalin ang mga ito, iyong prohibition at iyong pangangailangan pa ng tratado para makatungtong sa territoryo ng Pilipinas at makapagbase ang mga dayuhang tropa. Hindi po ba ganoon ang naging takbo ng diskusyon sa subcommittee level, Mr. Speaker, G. Isponsor?

REP. VELOSO. Mr. Speaker, kumbaga sa husgado, ito ay ibibigay ko as Exhibit A, ang problema natin with China. Noong nandiyan pa iyong mga Amerikano sa Subic, China never attempted to get even a small islet from the Philippines. Noong pinalayas natin ang Amerika, hindi na sila puwede magtayo dito ng base, tingnan mo, naku, pati nga in-between Pag-asá at saka Pilipinas—Pag-asá is a part of the Philippines—in-between Pag-asá and Palawan, mayroong isang isla occupied by China. Power is might. Okay lang. May batas nga, nanalo nga tayo sa arbitration, but what the President said, paano natin itataboy ang dayuhang China?

Just the same, Mr. Speaker, itong mga pinag-uusapan natin ngayon are already supposed to be contents of a revised Constitution. Wala pa po tayo

doon. Ang nandito lang po is Concurrent Resolution No. 9, asking our colleagues to adopt this para ma-convene na, come January, ang Constituent Assembly. Kung mayroong magrereklamo, let them go to court, to the Supreme Court, but until and unless we are enjoined by the Supreme Court, tuloy sana ang ating trabaho.

REP. TINIO. Well, Mr. Speaker, again, malinaw po sa paliwanag ng Sponsor na sa kanyang palagay, ang constitutional change sa pamamagitan ng constitutional assembly, partikular sa pagbabawal ng foreign military troops, bases and facilities, unless mayroong tratado, ay itinuturing na isa na namang solusyon sa problema nang pang-aagaw ng Tsina sa territoryo ng Pilipinas. Nabanggit niya, dahil nawala ang mga Amerikano, ayan, saka daw inagaw ang territoryo ng Pilipinas. Maisisisi ba iyan, ganoon na lang ba, palaging nakaasa sa Amerika ang pagtanggol sa ating territoryo? Hindi po ba ang aktwal na reyalidad niyan ay nawala po ang ating territoryo dahil sa mga ginawa at hindi ginawa, mga pagkakamali ng mga administrasyong nasa kapangyarihan noong panahong iyon.

Halimbawa, isang example, if I am not mistaken, iyong Mischief Reef, one time, may panahon na nasa atin po iyon pero eventually, naagaw ng, if I am not mistaken, Vietnam. Bakit po? Dahil umatras iyong mga sundalong Pilipino na nagbabantay doon. Iniwan nila iyong isla, nag-Christmas party sila, in fact, sa malapit na isla. Pagbalik nila ng umaga, nakapuwesto na iyong mga sundalong Vietnamese doon. Kasalanan ba iyan ng mga Amerikano? Hindi ba kasalanan iyan ng sarili nating mga puwersa? Iyong nangyari po sa Bajo de Masinloc, sa Panatag Shoal, bakit ngayon kontrolado na ng Chinese Navy ang mga ito? Dahil po sa nakaraang administrasyon, pumayag po ang Aquino administration, in an agreement, according to news report, brokered by Senator Trillanes, na i-atas iyong mga Philippine Navy ships sa area. Supposedly, may kasunduan daw na sabay na aatas sa area pero ang nangyari ay umatras iyong mga Pilipino, iyong mga barkong Pilipino, pero iyong Chinese Navy ay hindi umatras. Ngayon, hindi na tayo makabalik. Again, another blunder. Kasalanan ba ito ng Konstitusyon o ng US? Hindi po. Kasalanan po ito ng mga nasa poder, ng nakaraang administrasyon in this case.

Iyong nabanggit ng Sponsor natin, mayroon na ngang naipanalo sa International Tribunal pero si Pangulong Duterte mismo ang nagsabi, "Isasantabi ko muna iyang desisyon na iyan. Hindi ko gagamitin. Hindi ko i-a-assert." Kaya nananatili at nagpapalapad na naman ng kontrol sa West Philippine Sea ang Tsina. So, Mr. Speaker, again, hindi po usapin ito ng pagbabago ng Konstitusyon. Usapin po ito ng mga conscious na desisyon ng mga naghahari at namumuno sa Pilipinas. Kasalanan nila. Kasalanan po—noong panahon ni Pangulong Ramos may pananagutan siya. Panahon ni

Pangulong Arroyo, may pananagutan siya. Panahon ni Aquino, may pananagutan siya. Si Pangulong Duterte, may pananagutan ngayon dahil nagbubukas siya sa Tsina, parang isinantabi muna iyong naipanalo nating ligal sa International Tribunal. So, hindi po ito usapin ng Konstitusyon.

Huling punto na lang po, Mr. Speaker...

REP. VELOSO. Bago po, ...

REP. TINIO. Yes.

REP. VELOSO. ... sasagutin ko lang po sana iyan. Two things, Mr. Speaker, hindi ko naman sinabi na mga Amerikano lang ang kailangang payagan na makapagtayo ng bases dito. Sinabi mismo ng Kgg. Tinio na si Presidente Duterte is already coming up with a lot of actions, a lot of policies at ang isa doon, he opened himself not only to western powers but kasama na po diyan ang Russia. In fact, nag-uusap sila with China. Babalikan ko lang po iyong punto na sinabi niya iyong sa Vietnam, naglaro lang, tapos all of a sudden, pagbalik ay wala na. Kahit sampung beses ko pang iwanan iyong lupain ko, if I have the force to drive away iyong mga intruders ay puwede ko silang itaboy, but the problem is, wala po tayong power, kulang tayo ng armas. Vietnam lang iyan ha, e China pa. Ang Vietnam mismo ay itinaboy ng China doon sa inaangkin nilang lupain.

Again, this is something that we should discuss pag nag-convene na po ang Constituent Assembly, and we cannot convene that kapag hindi natin ipinasa at i-adopt itong House Concurrent Resolution No. 9.

REP. TINIO. Mr. Speaker, dahil mauubos na po ang oras ko, I will conclude po. Gusto ko pa sanang talakayin iyon, again, as part of the context, iyong usapin naman ng bill of rights at saka human rights, at iyong malinaw po na sa ilalim ni Pangulong Duterte, malinaw ang kanyang atake sa bill of rights, presumption of innocence. Para sa kanya, basta drug addict ka ay puwede ka nang patayin—blatant disregard for due process coming from President himself. Iyong paglapastangan ni Pangulong Duterte sa human rights, hindi lang po doon sa iyong tulak na tanggalan ng budget at i-abolish ang Commission on Human Rights na nasa Constitution.

THE DEPUTY SPEAKER (Rep. Abu). Maraming salamat, Kgg. Tinio.

REP. TINIO. Hindi iyong araw-araw na pinapahayag niya.

THE DEPUTY SPEAKER (Rep. Abu). Maraming salamat.

REP. TINIO. Kaya po ang conclusion ko, G. Ispiker, ay hindi po maaaring pahintulutan ang anumang pagbabago ng Constitution sa ilalim ng administrasyong ito ni Pangulong Duterte dahil pinakita na ang mga intensyon na sikilin ang karapatan—ang mga demokratikong karapatan at human rights ng mamamayang Pilipino, lalo na ng maralita, at pinakita rin ang intensyon na paburan ang mga dayuhan at ilan sa mga patakarang pang-ekonomiya.

THE DEPUTY SPEAKER (Rep. Abu). Maraming salamat.

REP. TINIO. Kaya dapat tutulan natin ang anumang tangkang baguhin ang Konstitusyong ito.

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

REP. TY. Mr. Speaker, the next that will be interpellating is Rep. Jose “Lito” L. Atienza Jr. of the BUHAY Party-List.

THE DEPUTY SPEAKER (Rep. Abu). The Hon. Jose Atienza from BUHAY Party-List is recognized.

REP. ATIENZA. Thank you very much, Mr. Speaker. Salamat po, Mr. Majority Leader.

With the kind indulgence of the Gentleman on the floor now, we would like to request the original Sponsor, the Chairman who presented the Resolution tonight, to be the one to answer our questions.

THE DEPUTY SPEAKER (Rep. Abu). What is the pleasure of the Sponsor? Is the Chairperson of the Constitutional Amendments Committee ready to yield to some questions from the Honorable Atienza?

REP. MERCADO. I am humbled and honored to be especially requested by my ...

REP. ATIENZA. Kami po naman ay ..

REP. MERCADO ... esteemed colleague, my neighbor.

THE DEPUTY SPEAKER (Rep. Abu). Please proceed.

REP. ATIENZA. Kami po ay kumikilala sa kakayahang ating Chairman at sa kanyang paglalahad ng kanyang Resolution ngayong gabi ay nangangahulugan lang na mayroon siyang tunay na pananaw tungkol sa kabutihan ng ating bansa.

Whenever Congressman Mercado, the Chairman speaks, we have to listen because the man is full of wisdom, experience, knowledge, and statesmanship. In

fact, pagtayo ni Congressman Mercado, ang naaalala ko po ay iyong pangulo ng Korea, President Moon Jae-in. Hindi po sila dahil sila ay isang Pilipino at isang Koreano pero pareho po ang tayo nila, kaya napakagandang siya ang ating kausapin sapagkat siya ang naglahad nitong Resolusyon.

To start with, the distinguished Chairman mentioned five “Whereases” to justify the proposal to have a Constituent Assembly. Out of the five proposed “Whereases,” three, we agreed on; two, which we definitely disagree on, because to agree on number five would be to agree that a Constituent Assembly is better than a Constitutional Convention. The Gentleman mentioned and stressed that this, as contained by “Whereas” number five, where he emphasized that, according to their studies, a constituent assembly is the preferred mode of introducing amendments. Preferred by whom, may I ask the distinguished Gentleman?

REP. MERCADO. Thank you very much, Mr. Speaker, my esteemed colleague from BUHAY Party-List, my older brother, the Representative and former Mayor of the city of Manila.

“WHEREAS, a constituent assembly is the preferred mode of introducing amendments to the Constitution since it is deemed the most expeditious, open and least costly among the options contemplated”—this has been the product of a consensus vote in our Committee on Constitutional Amendments. There were three modes presented and when we came to votation, the majority of our Members preferred the mode of a Constituent Assembly, Mr. Speaker.

REP. ATIENZA. Is the Gentleman now stating for the record that the preference for the Constituent Assembly comes from the Members of the Committee on Constitutional Amendments?

*At this juncture, Deputy Speaker Abu relinquished the Chair to Rep. Arthur R. Defensor Jr.*

REP. MERCADO. Yes, Mr. Speaker, per our record on the approval of the Resolution, October 19, 2016, the voting statistics showed that of all the Members when there was a quorum, there were 32 Members who voted in the affirmative, seven in the negative, and three abstentions.

In our consultations also, Mr. Speaker, my dear colleague, there was also the necessity to amend the Constitution: Yes, 52; No, zero. On the mode of amendment, Constituent Assembly, 18; and then, for Con-Con, 13; People’s Initiative, one. There were other six deferred to Congress; one, Con-Con; one—out of the 62 individuals and organizations which attended the National Capital Region in-house consultations, 52 who responded unanimously believe that it is necessary to

amend the Constitution. The remaining 10 still have to consult their members and come up with their stand on the matter, Mr. Speaker.

REP. ATIENZA. For the record, the Chairman of the Committee on Constitutional Amendments has stressed the mode of changing the Constitution of the country which started from the decision of the members of this Committee. Am I right to assume that?

REP. MERCADO. Partly, because we also consulted individuals, organizations; and the other members of our society ...

REP. ATIENZA. Yes.

REP. MERCADO. ... were also represented like resource groups and organizations. From the business and finance, we have the Management Association of the Philippines, Foundation for Economic Freedom, BSP, BOI, DTI, PEZA; from the academe and research institutions, there were seven: UP Institute of Islamic Studies, UP Political Science, Stratbase, PIDS, Pulse Asia Research Incorporated, NEDA, Philippine Competition Commission; local government units; legal luminaries; Dr. Villacorta, Dr. Abueva, Atty. Lambino; PHILCONSA, PBA UP Institute of Government and Law Reform, UP Law Center, DOJ, CHR, DOF; basic sectors, 13 – CHED, DENR, DSWD, NGOs and POs, CODE-NGO, NAMFREL, PPCRV, IAG, CDPI, SINOPEC; and other government agencies, six: MinDA, DOE, DND, DOH, et cetera, Mr. Speaker.

REP. ATIENZA. To counter that, Mr. Speaker, I also have copies of direct questions to a number of people which are much more than the number of organizations that the Gentleman pointed out, and our people are overwhelmingly demanding that we hold a Constitutional Convention where they will participate directly and not through a Constituent Assembly where Congressmen like us and Senators will be the ones to frame the Constitution. So, if you ask the people, more than 60 percent of the people are in agreement that they would want a ConCon, and only about 28 percent prefer a Constituent Assembly. That counters the position of the Gentleman that the organizations called in by the Committee here in Congress during his Committee meetings voiced out their preference.

Add to that, let me also stress, in the beginning when we opened up the topic of constitutional change, there were about 28 House bills filed by us and out of the 28, 14 were for a Constitutional Convention and only 10 were for a Constituent Assembly. Even the Speaker himself proposed a Constitutional Convention, and the Majority Floor Leader together with him. We must not also forget that the Gentleman mentioned that

the President today enjoys a big following from the electorate when he got elected overwhelmingly. I agree and that is the reason we recognize him and respect him as the leader of the nation but in the campaign, I am one of those who clearly heard his promise. He repeatedly said in the different parts of the country that, "I will change the Constitution because it is no longer in accordance with the needs of our people. And I will not agree if it is not a Constitutional Convention." Ang pangarap po ng ating Pangulo ay Constitutional Convention, ang na-file ng ating Speaker ay Constitutional Convention, and 13 other Members of Congress filed ConCon Bills. Bakit po biglang nagbago? Bigla ngayon ay sinasabi ninyo na ang preference ng ating mga Miyembro ay Constituent Assembly. Ang sabi ninyo ay ang mga tao gusto ng Constituent Assembly. Hindi po iyon ang nilalaman ng serious study and survey that I have read which said that "Overwhelmingly, people are demanding that, if we are going to change the Constitution, if we are going to tinker with the provisions of the Constitution, it should be done through a Constitutional Convention."

*At this juncture, the Presiding Officer relinquished the Chair to Deputy Speaker Raneo "Ranie" E. Abu.*

So, iyong inyong premises in pursuing this Resolution, to our mind, is baseless, kulang po sa basehan. Ang palagi ninyong sinasabi, magastos. Alam ninyo, iyong gastos ay talaga po at maski na ano ang gawin ng gobyerno ay magastos. Hindi po ba magastos iyong P3.5 billion na ginastos natin sa bakuna na ngayon ay nagbibigay ng panganib sa mga bata? Hindi po ba magastos iyong P4.5 billion na ibinayad natin sa mga bagon ng tren na hindi po magagamit sapagkat hindi tugma sa riles? Kaya kung pag-uusapan po ang gastos ay napakarami po talaga ng gastos, ginagastos natin sa walang katuturan at magbibigay pa ng panganib sa kalusugan at buhay ng mga bata. Tapos, magtitipid po tayo sa pagbabago ng ating Saligang Batas. The costs should not be a major factor in drafting a new Constitution sapagkat ito na ang pinakadokumento, pinakalibro, pinaka-fundamental law of the land that will be followed eventually by generations, we hope. You promise economic changes and prosperity by changing the Constitution and yet, you are saving on costs because baka hindi natin makayanan ang gastos.

Para sa pananaw po ng mga katulad ko, dumaan po kami sa maraming-marami nang halalan sa bansa. Ako bata pa lang ay talagang kasali na po ako sa pulitika, nakakita na po ako ng mga panalo, talo, panalo, talo, mga Senador na nananalo, natatalo. I have seen the advantages of the 1935 Constitution, the 1973 Constitution, and even the 1987 Constitution. Now we are changing it, we say this is defective, we need to adjust, but believe me, it is not really just the Constitution that will give the Filipinos the kind of life

that we all deserve. Dahil ang Konstitusyon, nakita natin kaninang umaga, ay hindi po naman talaga binigyan ng ganoong klaseng pagpapahalaga. We extended martial law on the basis of a Constitution that you are misinterpreting. Wala po roon sa ating Konstitusyon iyong mga provision na isinaalang-alang ng Mayorya. I, for one, pointed out a very serious question on the constitutional limitations on the powers of the President to declare martial law. Was it respected? Was it honored? Was it even considered? I do not think so because overwhelmingly, the desire of the President and the request of the President was supported by the greater majority of our people here in Congress.

So, you can see that the Constitution is no guarantee for changes, major changes in our lives. Kapag sinabi po ninyong ito ang ating paraan para tayo ay umunlad sa ating ekonomiya, baka lahat po tayo ay sisihin ng taumbayan later on at sasabihing, “O, nasaan iyong ipinangako ninyo, hanggang ngayon mahirap pa rin kami?” Dahil talagang mas marami pang mga problema ang dapat mailabas, and that is the reason I am biased towards a Constitutional Convention, the very reason that you and the other Sponsors said that a ConCon will bring out many other subjects and issues. Hindi po ba iyan ang gusto natin, ang mailabas ng tao ang sama ng loob nila? Sa kampanya pa lamang, sabihin nila, “Hindi kami aangat hanggat ang mga naghahari rito ay itong mga oligarchs ng ating ekonomiya.”

Maganda pong mailabas lahat iyan at sa kampanya pa lang, lalabas po lahat iyan. Ihalal natin si Juan Dela Cruz sapagkat siya po ay bunot sa dibdib ng kahirapan, ang kalaban po niya ay kandidato ng mga banyaga. Lalabas po iyan. Pero kapag Constituent Assembly po ay wala pong isyung ganyan. Ang mangyayari talaga, uupo na naman ang 25 tao, sila-sila ang mag-uusap at sila rin ang kakausapin ng mga interesadong partido, at sila po ang bubuo na naman ng panukala. Kapag dumating sa atin dito, “yes” or “no” na naman tayo, “ayes” and “nays,” and I am sure the “nays” will be drowned out by the overwhelming voices of the “ayes.” So, you can see that a Constituent Assembly is not the ideal way to change the Constitution of the country. May kasabihan tayo, “Haste makes waste.” Sa Tagalog po, “ang lumalakad nang matulin, kung matinik ay malalim.”

Ito pong pagbabago ng Saligang Batas, hindi natin dapat madaliin ito. In fact, I do not know why now, the last day of session, December 13 of the year, before we take a long vacation, we come out with the sponsorship of this measure. Kaya po talagang I would like to immediately participate without touching on the provisions because you have no provisions yet, Mr. Speaker. We cannot talk about the mode of government, the political party issues, the economic issues, because there are no provisions yet presented to us. Ang pinaguusapan ngayon, hindi po ba mode of changing? Tama po ba iyong understanding ko?

REP. MERCADO. Tama po.

REP. ATIENZA. Sinasabi natin sa Senado, ang preference ninyo, dahil hindi po ako kasali ryan e, and preference ninyo ay Constituent Assembly. Iyon po ba ang purpose natin dito, para malaman ng Senado na ang Kongreso, ang kanilang kinakatatagan ay Constituent Assembly? Tama po ba iyong?

REP. MERCADO. Tama po.

REP. ATIENZA. Sa dami ng problema ng Korea, talagang hindi ko masisi si ...

REP. MERCADO. Mr. Speaker, may I be allowed to respond to my good colleague. I really admire, Mr. Speaker, the wisdom of my colleague, Congressman Atienza. I had the opportunity to see him in political affairs, and I can say that he is really a good leader. The people of Manila are fortunate to have him as a Mayor. Mr. Speaker, all of these are only steps, and we do not know yet whether we can reach our goal of convening our Congress into a Constituent Assembly because it will have to be concurred with by the Senate. Secondly, if I were to vote in the Committee, I would also vote for a Constitutional Convention. Thirdly, we are just basing our decision on the facts, and our Members voted for a Constituent Assembly. So, we are just carriers of the decision of our Committee and on the mention of Congressman Atienza that if we will have a Constituent Assembly, there is a possibility that we will just approve and approve in accordance with the wishes, perhaps, of our leaders and those who would like to influence us.

I believe this is now a challenge to us, Mr. Speaker, knowing the obstacles, the pressures and the demands of the different interests that will be affected by our Assembly, by our amendment. This is now the measure on all of us and we will be judged by history. The records will bear us out whether in that certain time of history when we were called upon to make a vote which will determine the future of our generation, that will be the time when all of us will be judged, our conscience and everything that we have aspired for, to become a good member of our society, to become a good leader. That will be, Mr. Speaker, the time when we will be facing our fate.

I hope our colleagues will think about that because what does it profit a man if he gains the whole world and loses everything that he worked for? Why we are here, we are in the twilight of our years to do something that would embarrass or make our family not proud of us is something that we should think about. I believe that this Congress, if given a chance to make a decision, will always decide what is best for our people and country.

I believe that this is the time when they will shed away their personal interest and have the courage to decide and the wisdom to choose what is best for our people.

Thank you, Mr. Speaker.

REP. ATIENZA. Mr. Speaker, as I said earlier, I am of the conviction that the Gentleman deserves everybody's admiration and respect. We just heard from him passages not only from the Bible, but passages on modern history and political cases.

Kailangan po talagang ito ay pag-usapan natin nang masusi sapagkat lahat tayo ay nakataya rito. Gaya po ng aking sinabi, nakita ko na po ang epekto ng iba't ibang Konstitusyon. I can say safely, Mr. Speaker, that the 1935 Constitution is the best so far that we have had—the best in protecting the genuine interest of our people, the best in the sense of trying every effort to provide an opportunity for the downtrodden in our society. The 1935 Constitution was a full-blown constitutional convention kaya iyong tunay na damdamin ng mga rebolusyonaryong Pilipino, iyong mga Pilipinong naghahangad ng tunay na pagbabago, ay naisalin sa ating Saligang Batas. After that, lingunin po natin. As we looked back—as you said, we will look back sometime in the future and we will probably be putting the responsibility on the shoulders of those who misled history and did not see the light of your wisdom.

The 1973 Constitution was a command Constitution. Iyon po ay binuo—under martial law na po tayo noon—inumpisahan wala pang martial law, tinapos ang martial law sa Malacañang, iyon po ay nabuo sa pamamagitan ng tinatawag naming “siopao plebiscite.” Tinanong ang mga natipong tao, “Kayo ba ay gutom na? Sino ang may gusto ng siopao? Mayroon kami ritong marami, taas ang kamay.” Lahat ng mga nagsitaas ng kamay, binigyan ng siopao, kinunan ng litrato, inaprubahan sa Bulacan iyong Konstitusyon ni Mr. Marcos. Kaya ang tawag namin po roon ay “Siopao Constitution” iyon, hao siao. Hindi po totoo ang pagkakaapruba noon. Sino ang bumuo noon? Malacañang Bright Boys, sila ang nagtapos ng 1973 Constitution kaya lahat iyong pinag-usapan sa Concon nabura nang lahat at naipakulong pa iyong mga kumokontra. Kaya nagsiboto ang lahat ng mga natitirang miyembro, inapbrubahan iyong Konstitusyon.

Ang 1987 Constitution, sino ang bumuo niyan? Isang tumpok ng mga piniling tao, hinirang ng mga piniling tao, hinirang ng Pangulo at tinawag na Constituent Assembly or constituent Constitutional Commission. Sila-sila lang ang nag-usap kaya naiwan po lahat doon ang probisyon defending the oligarchy of the country. Naiwan po lahat doon iyong monopolyo ng ating yaman ng kalikasan sa kamay ng mga mayayaman at magkakamal pa sila sa mga darating na panahon. Why? Because the Constitution was crafted by those chosen few appointed by no less than the President. I saw this with my own eyes.

Ngayon, nalulungkot ako sapagkat ito ang pagkakataon. Sinabi ninyo kailangan, I agree. Kailangan tayo ay magtulong-tulong sa pagbabago ng mga probisyon. Buksan natin ang ating pagkakataon sa lahat. Tama po iyon pero hindi po mangyayari iyan kapag ang ating paraan ay puwera na agad ang taong-bayan. We have to open up the process of freely electing the delegates in open convention so that the ordinary people from all walks of life may participate. To those who are saying, “Hindi mangyayari iyan sapagkat ang mananalo diyan, kami rin ang maglalagay, kami rin ang mamumuno, kami rin ang gagastos.” Iyan din po ang sinabi nila noong nakaraang mga ConCon.

Noong 1973 Constitution, naghala po kami noong 1970. Ang sabi nila, mananalo raw puro pulitiko, mga tao raw ng pulitiko. Hindi po nangyari iyon. Marami pong nanalo noong 1970 ConCon ay mga mahihirap, wala pong puhunan kundi ang kanilang pananaw bilang tunay na mga Pilipino. Sila ang humubog ng tunay na Saligang Batas na binago ng Malacañang bago ibinigay sa taong-bayan.

Ganoon po ang mangyayari kung tayo ay dadaan sa landas na itinuturo ninyo. Ang bubuo ng Saligang Batas ay tayo. I will agree with you that many of our people in Congress today are imbued with the patriotism that you and I are sharing, but when it comes to the genuine shaping up of the final version, dadaan po sa Malacañang iyan at hindi po ako naniniwalang iyong gusto ninyo, gusto ko at gusto ng karamihan ang mananaig. Ang mananaig po diyan ay iyon pa ring mga naghaharing uri sapagkat sila ang may access doon, hindi tayo. Kaya habang may panahon pa, ako ay nakikiusap sa lahat, bagamat kakaunti na tayo rito ngayon, nakikiusap ako na daanin na natin sa Concon sapagkat iyan ang gusto ng taong-bayan, iyan ang tamang paraan, iyan ang magbibigay ng tunay na pagbabago. Hindi po iyong Constituent Assembly na tayo-tayo ang gagawa at padadaanin natin sa kamay ng Malacañang. Mahihirapan po tayong makamit ang ating kagustuhan.

Again, let me congratulate the illustrious Chairman who has a very strong resemblance to President Moon Jae-in of South Korea. I know he has many problems but he took time to listen to us and to argue his points and I believe that he will keep an open heart, an open mind on these issues that we are discussing. Maraming-maraming salamat po. Binabati ko siya ng Maligayang Pasko at magtulungan tayong lahat para sa isang mas masaganang bagong taon para sa lahat.

Salamat po.

THE DEPUTY SPEAKER (Rep. Abu). Maligayang Pasko at Manigong Bagong Taon din ho.

REP. MERCADO. Thank you, Mr. Speaker.

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

REP. TY. Mr. Speaker, the next to interpellate is the Representative of BAYAN MUNA, Rep. Carlos Isagani "Kaloi" T. Zarate.

THE DEPUTY SPEAKER (Rep. Abu). Kinikilala natin ang Kinatawan ng BAYAN MUNA, Kagalang-galang Kaloi Zarate.

REP. ZARATE. Maraming salamat po, G. Ispiker.

REP. MERCADO. Mr. Speaker, before the Gentleman, the Honorable Zarate, will make his interpellation, I just would like to request that we limit our interpellation to the title of this Concurrent Resolution No. 9 which is simply a proposal to constitute the Congress of the Philippines as a Constituent Assembly. I would like to discuss with the good Gentleman the mode because the details, Mr. Speaker, will actually be discussed in the future if we will be convened into a Constituent Assembly.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). So, the pleasure of the Sponsor for the interpellator is to limit the questions on the Concurrent Resolution only with respect to constituting both Houses of Congress into a single assembly.

REP. ZARATE. G. Ispiker, maraming salamat po. Hindi ho maiwasan na kailangang magbanggit ng mga issues at mga topics na nakasaad naman dito sa House Concurrent Resolution No. 9. Halimbawa ho, dito sa mga "Whereas" clauses na ang daming mga nakabanggit dito, halimbawa, patungkol sa sinasabing "to provide long-term solution to the decades-old conflict" sa aming isla sa Mindanao, ang ibig sabihin nito, kailangan talakayin ito. Bakit nakapag-decide ang kagalang-galang na Komite na panahon na nga magkaroon—unang tanong diyan, sabi nila na panahon na para baguhin ang ating Saligang Batas. Iyan po ay ating tutunggaliin, at pangalawa, sinasabi nila na baguhin ang ating Saligang Batas sa pamamagitan ng Constituent Assembly. Iyon po, at rest assured, with due respect to the good Sponsor, ang atin po namang mga katanungan ay naaayon lamang sa kung ano ang kanilang isinulat dito sa House Concurrent Resolution No. 9, at ano na ang nabanggit ng kagalang-galang na Sponsor at ng ating mga kasamahan nitong nakalipas na dalawang oras, G. Ispiker.

So, bilang panimula po, ang akin sigurong unang katanungan sa ating kagalang-galang na Sponsor, at ito ay nabanggit na rin kanina pero aking gustong balikan, paano ninyo nga po nasabi na panahon na para baguhin

ang ating Saligang Batas, at sinasabi pa ninyo rito na ang panawagang ito na baguhin ang ating Saligang Batas ay suportado ng nakakarami? Sinabi ninyo rito na, in fact, this is affirmed by the overwhelming victory of the Pres. Rodrigo Roa Duterte who stood on a platform for a shift from a unitary to a federal form of government, among others. Parang sinasabi ninyo, dahil nanalo si Pangulong Duterte noong nakaraang eleksyon, ito ay affirmation na ng kagustuhan ng ating mamamayan na baguhin ang ating Saligang Batas.

Puwede po bang ipaliwanag ng ating kagalang-galang na Sponsor kung paanong naabot nila ang ganitong kongklusyon sa pamamagitan ng statement na ito.

REP. MERCADO. Thank you very much, Mr. Speaker. I am a living witness to the pronouncement of the President in Cebu even before the filing of certificate of candidacy. The mayor then went around the country, one of which was Cebu. We were there and he was really going around because according to him, we need a federal form of government because in Mindanao, we cannot solve the problem of our brother Muslims if we will continue this present structure where they are still assisted or controlled by the central government located in Manila.

There are tribes where even they, among themselves, could not agree. So, we need to give them a territory where they will be the ones to manage, and they will be the ones to determine the needs of their own territory peopled with their own brothers, blood brother Muslims, the Tausugs. That there should be a territory specifically for our brother Tausugs, the Maranaos because they cannot go together, that is the observation of the President and he is in a quandary as to how we can solve this. We have been under the unitary system but the same happened and no President has been able to solve this problem. So, he wants to make some changes in our structure where it will be federal. We can be one but we will have different geographical configurations. Like the Muslims, they can have their own territory and area where they can determine their future, they can determine their needs in order that they can live and enjoy better opportunities in life, will not anymore be dependent on the central government.

Even in peace and order, I believe, after I observed him, that he wants these regional governments to be strong, and when it comes to problems on criminality and peace and order, whatever happens there, Mr. Speaker, they will be the ones responsible, they will be called or their attention will be called on why there is so much problem in their area, and so on and so forth.

In the Visayas, we will be held responsible in our respective regions. In Palawan, for example, they will be the one to determine because they know the problems, only that they lack the financial support because most

of the wherewithal is in the central government whose officials are not even elected. They are the ones—the NEDA, the National Economic and Development Authority, look at their formula of development and the formula is, where there is return on investments. How can there be return on investments when we do not have the infrastructure to encourage our investors to come to our place? They do not want to invest. They only invest in areas where there are plenty of passengers, where there are already planes landing in the airport—return on investments. If we want our Constitution to be revisited, Mr. Speaker, we do not want that there will be so much changes. We just want to have a chance that we can read and study how these things can be averted. Their computation as regards land area and income and population, what are we compared to other areas where there are big populations, big land areas, and our area has a terrain that is not conducive to any development because its terrain is mountainous.

That is why, Mr. Speaker, my dear colleague, we would like to request your kind consideration and understanding that with this term, which is only three years and we are now in the second year, to give us a chance to just revisit the Constitution because I believe per our experience, we can do something. If we can change the DBP, Development Bank of the Philippines, they are supposed to invest in development but are they investing in development? They do not want to invest because they want to give their money to those who have the collateral, those who have the opportunity to pay. LandBank, are they using their money for our farmers? No, they are lending it to industries, big corporations, private corporations, even our government financial enterprises, institutions. We need to look into these, Mr. Speaker, because these are institutions established to help the farmers, to help those regions that need capital.

Thank you, Mr. Speaker.

REP. ZARATE. Thank you, Mr. Speaker, Mr. Sponsor. It is good that the good Sponsor mentioned the pressing problem that we have to address also, the Bangsamoro issue. I will go back to that later.

So, it is very clear the Sponsor is saying that since President Duterte—this is one of the hallmarks of his campaign: corruption, unsolved crimes, anti-drugs and the shift to federalism. It gives—according to the Sponsor, Mr. Speaker, an affirmation that since he won the election, that this is also the choice of our people to amend our 30-year old Constitution now. Pinapalabas ho ng ating kagalang-galang na Sponsor, G. Ispiker, na ang naging balakid sa pag-unlad ng ating bansa ay ang ating kasalukuyang Konstitusyon. Sa tingin ko po, kung iyon po ang ating batayan na sinasabi natin na gusto ng ating mamamayan ang pagkapanalo ni Pangulong Duterte ay siguro po ay hindi sapat na batayan iyon na overwhelming.

Sa katunayan, alam naman natin na he won. He was voted by 16 million more or less Filipino people during the last election out of the 54 million qualified voters. So, hindi ho ibig sabihin noon na mayorya iyon, na dahil nanalo si Pangulong Duterte, ay mayorya na rin ang may gusto ng pagbabago ng ating Saligang Batas mula sa kasalukuyan na unitary to a federal system of government. Sa katunayan, kung puwede ko lang hong mabanggit, after he won the election last year, there was a survey conducted at tinanong ang ating mga kababayan kung gusto ba nila ng pagbabago sa ating Saligang Batas. Mayroon hong nagsabi—this was, of course, July of last year—where 44 percent agad ang nagsabi kaagad na they do not want it now. Ano ang ibig sabihin. During that time, they do not want an amendment of our Constitution or even a revision of our Constitution and the 15 percent ang nagsabi na talagang ayaw nila, at any time, na baguhin ang Saligang Batas or roughly, a total of 60 percent ang nagsasabi na ayaw nila na baguhin ang ating Saligang Batas. Ang nagsabi lamang na gusto nilang baguhin ang ating Saligang Batas ay nasa 37 percent kaya hindi ko ho matanggap ang sinabi ng ating kagalang-galang na Sponsor, Mr. Speaker, na there is an overwhelming clamor na kagustuhan ng ating mga kababayan na baguhin ang ating Saligang Batas dahil ito ay nagiging sagabal sa pag-unlad ng ating bayan.

Sa katunayan, G. Ispiker, G. Sponsor, ang ating kasalukuyang Saligang Batas, halimbawa sa usapin—at dahil nabanggit na rin dito sa “Whereas” clause—sa usaping ekonomiya ay hindi pa nga ho natin naipatupad ang karamihan sa mga probisyon ng ating Saligang Batas pero gusto nating ibuyangyang na ito sa mga dayuhan. Palaging ginagawang dahilan na ang atin daw foreign direct investments ay napakaliit dahil sa protectionist policies ng ating Saligang Batas.

I beg to disagree. Sa katunayan, halimbawa, doon sa usaping pagmamay-ari, ownership of land and control of our public utilities, na there is a constitutional limitation as to ownership, 60 percent for Filipinos and 40 percent for foreigners. Even this particular protectionist provision in our Constitution, alam naman natin na napag-iikutan ito. Sa usapin na lang ho ng pagmimina na siyang naging malaking problema sa ating bayan ngayon, iyong plunder of our natural resources, malimit itong banggitin ni Pangulong Duterte na itong mga oligarkiya, na siya raw ang nagtatamasa sa mga natural resources, especially in Mindanao. Kahit na nakasaad sa ating Saligang Batas na 60-40 iyan, alam naman natin na karamihan ng mga malalaking kumpanya ng pagmimina sa ating bayan ay pagmamay-ari at nasa kontrol ng mga dayuhan.

Ang ating telekomunikasyon hanggang sa kasalukuyan, kahit na naipasa na dito sa ating Kapulungan, sa House of Representatives, ang panukalang batas na ilimita na lamang ang depenisyon

ng public utility sa tatlong negosyo: tubig, kuryente at sewerage. Tinanggal na natin ang telecommunications pero dahil hindi pa naging batas iyan, sa kasalukuyan, ang telecommunications companies ay considered public utilities, kaya nag-aapply pa rin iyong 60-40 constitutional requirements pero alam po natin na kahit mayroong constitutional prohibition ay napag-iikutan din ito. Sa katunayan, ang dalawang pinakamalaking telecommunications companies ay tinatawag natin itong duopoly ay kontrolado ng mga dayuhan.

Kaya iyon po ang isang nakapangangamba kahit sinabi natin dito na—anyway ito namang House Resolution na ito ay para lamang masimulan natin ang mode of amending or revising our Constitution pero malinaw po kung ano ang tutunguhin nito. Ang tutunguhin nito ay ang pagbubukas. It will open the floodgates of not only amending, but also revising major parts of our 1987 Constitution, in particular, the protectionist provisions of our Constitution, Mr. Speaker, Mr. Sponsor.

REP. MERCADO. Thank you very much, Mr. Speaker. I just would like to make some factual presentation that the 44 percent that you said were in favor, that was one year ago, August 16, 2016. Our visitation and consultation that was made, the latest, these are factual ...

REP. ZARATE. Noong Oktubre po ba, G. Sponsor?

REP. MERCADO. ... respondents from all venues of the consultation were generally in favor to amend or revise the Constitution, at 79 percent, majority of the respondents believe that there is a need to amend the Constitution, while only 21 percent deemed to retain the current Constitution.

Be that as it may, even if the President got six million votes over his other candidates, he is now our President. Presidents or leaders have their own vision: the vision to fight poverty, to make the country competitive, and to make the people self-reliant. These are things that we cannot get away with, if you are a leader, and the President has a vision also. He believes that there is so much criminality because of the drug problem. He wants to solve that and he wants to solve that in a way that is practical. It cannot be solved nationwide. It was proven that there were so many problems that arose in terms of solving these problems on criminality and on drugs, and now we have this Mindanao problem. Our leaders have their own vision. Being a leader, and as President, he now commands the respect and the support of the majority of our people. We cannot contest that. So, this is part of his plan.

Then as Members of Congress, we believe we have a role to do. Even if there are so many criticisms on the

way we should amend our Constitution, but the fact remains that ours is a noble attempt to do something as our contribution while we are here in this world. It is not bad to dream. It is not bad to do something for the good of your constituencies. I limit myself to my own district. They sent me here because they feel that they needed a voice in this Congress.

Now, aside from being a Representative of our Congress, they want us now to do something, "Go read and revisit the Constitution." Why is it that until now our progress is stunted? Why is it that until now we have not achieved so much the benefits or progress in terms of agriculture, in terms of—in fact, it has gone from bad to worse, and everything is, when you come to Manila, you feel sick because of the traffic and the pollution. When you go to the airport, you have to queue. When you go to the areas like Manila, it is so—it needs something. There is something that needs to be done. That is why I think this is now, for me, an opportunity to revisit our Constitution, Mr. Speaker.

REP. ZARATE. Maraming salamat po, kagalang-galang na Sponsor, Mr. Speaker. Certainly, I agree with our distinguished Sponsor na talagang ang ating bayan ay mayroong isang napakalitim na problema at sa tingin ko, nasapol ninyo ito kanina. Sinasabi ninyo na talagang kahit na sa inyong distrito ay malaganap pa rin ang kahirapan, from bad to worse, sabi ninyo po kanina. Tama po iyon at hindi lang ho sa inyong distrito iyan. Sa katunayan, sa maraming parte din ng ating bayan, ng Pilipinas at kahit sa Mindanao ay ganoon pa rin. Deka-dekada na ang nangyari—ang dami na nating batas, halimbawa, sa usapin ng repermang agraryo. Ilang batas na ba ng repermang agraryo ang ipinasa ng Kongresong ito at ginastusan ng bilyun-bilyon? Bakit hanggang ngayon, walo sa bawat 10 magsasaka ay hindi pa rin nila pag-aari ang lupang kanilang sinasaka..

So, iyan po, tama, there is a very deep and even widespread problem, na hinaharap po at ang problemang ito ay sa tingin ko, ay systemic and structural. Sa katunayan, nabanggit ninyo ho kanina iyong distribution of wealth. Hindi lang ho ito usapin ng distribution of wealth na magmumula sa National Capital Region papunta, halimbawa, sa mga mahihirap na rehiyon, katulad ng maraming rehiyon sa Mindanao, lalung-lalo na sa Bangsamoro Region, or mahihirap na rehiyon sa Kabisayahan katulad ng ibang bahagi ng inyong distrito. Hindi lang ho ito usapin ng paghahati ng budget, sa pambansang budget. Sa katunayan, sa tingin ko, kaya sinabi kong structural at systemic ito, ito ay usapin na distribution of wealth sa usapin ng: Sino ang may control ng ating ekonomiya at ng ating resources?

Nabanggit ko na kanina ang pinakamaraming populasyon natin hanggang sa kasalukuyan ay ang ating mga magsasaka, at kahit na ho siguro sa distrito ng

ating kagalang-galang na Sponsor, majority ng kanyang mga constituents ay mga magsasaka pa rin at iyan ang nagre-reflect ng tunay na problema ng ating bayan. Ang pinakamarami sa ating populasyon ay walang kontrol sa resources dahil ito ay nasa kontrol lamang ng iilan sa ating bayan at nasa control ng mga dayuhan. Kaya iyan ho ang ating sinasabi.

Kung ang panukalang Con-Ass, o Constituent Assembly, Charter change ay ang tutunguhin nito para ibukas o ibuyangyang ang ating pambansang patrimonya sa mga dayuhan, at lalo pang kontrol ng mga oligarkiya at ng mga panginoong may lupa, anong pagbabago ang ating ihahatid sa ating mga kababayan? So, paulit-ulit lang po dahil iyong sinasabi po naman ninyong federalismo, iyon po ay porma lamang ng gobyerno. Mag-federalismo man tayo o maging unitary porma ng ating pamahalaan, kung tuloy-tuloy pa rin po itong systemic na problema, na ang marami sa ating mga kababayan, ang mga manggagawa at mga magsasaka ay walang kontrol sa ating ekonomiya, ay tuloy-tuloy pa rin ho ang kahirapan sa ating bayan.

Balikan ko lang itong ating pinag-uusapang Resolusyon, napakasimple lang, sabihin ninyo, na magko-Con-Ass tayo dahil ito ang, if I may use the word on the fifth “Whereas” clause, “the most expeditious, open, and the least costly among the options contemplated.” Ito raw po ang pinakamura. Alam ninyo po, G. Sponsor, G. Ispiker, mukhang napaka-unlikely na ang Kongresong ito na sabihin niya na ito ang pinakamura. Ang dami hong gastos na ginawa ang Kongreso nitong mga nakaraan. Sa ating pambansang budget, napakaraming budget diyan ay nawawaldas lang. Nagba-budget tayo para sa pork barrel, nagba-budget tayo sa nakaraan noong mga Disbursement Acceleration Program. Sa ating pambansang budget magmula noong 2014 hanggang ngayon, mayroong P30 billion diyan para sa tinatawag nilang Risk Management Fund. Para saan iyan? Ang budget na ito ay para sa malalaking korporasyon na nalulugi ang negosyo at puwedeng tapalan ng gobyerno ang lugi nila. Kung ang atin pong dahilan lamang ay gusto nating makatipid, napakasimpleng dahilan po iyan kaya gusto nating mag-Con-Ass. Sabi ko nga, kung budget at budget lang din ang pag-uusapan ay puwedeng gumawa ng paraan ang Kongresong ito.

Kaya mapunta po ako doon sa nakabahala at nakapangangamba-- iyong gusto nating madaliin, gusto nating balato na pamahagi, cheap, dahil sa mga nangyayari ho sa atin ngayon. Kani-kanina lamang, ipinasa natin iyong extension ng martial law sa buong Kamindanawan ng isang taon ang pinapangambahana po natin, dahil gusto nating madaliin at gusto natin iyong mura na pamamaraan at mabilisan na walang gastos, ay hinahayaan natin ang Kongreso na gamitin ang kanyang kapangyarihan para baguhin ang ating Saligang Batas para mapagbigyan ang kagustuhan at

interes ng kasalukuyang administrasyon na isentralisa sa kanya ang kapangyarihan. Nakaupo rin ho ako sa ilang mga diskusyon sa Komite. Maraming panukala doon—buwagin ang Kongreso, hayaan ang Presidente na siya ang mag-appoint kung sino ang uupo sa Kongreso, et cetera, in the course of the transition at marami pang iba. Maraming gustong tanggalin ang ating—halimbawa, human rights provision in our Constitution, at iba pa.

So, iyon po ang mga pinangangambahana natin. Gusto natin ng mura, mabilisan, pero parang nagagamit ang Kongresong ito para sa makitid na interes ng iilan, pang-ekonomiyang interes at pampolitikang interes. Ang nakabahala pa nga, dahil inihalimbawa ko kanina, ang Kongresong ito, kung ano ang kumpas ng Malakanyang ay sinusunod. Sa nangyaring pagbobotohan kanina sa extension ng martial law, ni walang nangyaring debatehan. Hindi tayo nagdedebate, at nagkaroon lang ng interpellation at mabilisang sagot, maigsiang tanong, mabilisang sagot pero walang pagdedebate. Ni hindi natin pinakinggan ang mga biktima ng martial law sa Mindanao. Ang hinayaan lang natin ay ang naratibo ng militar na sinasabi nila na niyayakap at gusto ng mga mamamayan ng Mindanao ang martial law.

Parang ganito rin ang sinasabi natin ngayon dito sa House Concurrent Resolution No. 9. Sinasabi natin gusto ng mamamayan na baguhin ang ating Saligang Batas at niyayakap nila ito dahil ito ang dahilan ng pagkabansot ng ating ekonomiya at ng pagkabansot ng ating pag-unlad. Kaya G. Ispiker at G. Isponsor, pag-iisipan po natin ng mabuti ito.

Tootoo na very laudable, bilang Sponsor, ang inyong pong gusto ay talagang umunlad ang ating bansa pero mukhang ang gusto nating gamot na ipainom sa ating mga kababayan ay magpapalala pa sa sakit na nararamdamang ating bayan ngayon. Parang Dengvaxia ito na sa halip na masolusyunan ang dengue ay mas lalo pang magpapalala sa mga taong wala pa o hindi pa naman nagkaka-dengue, Mr. Speaker.

*At this juncture, Deputy Speaker Abu relinquished the Chair to Deputy Speaker Romero “Miro” S. Quimbo.*

REP. MERCADO. Thank you very much, Mr. Speaker, my dear colleague. I think you are really correct in your observations but, maybe, these things also happen because these are allowed by our Constitution. Foreign invaders can come because it might be that it is allowed in our Constitution. We have not strengthened our provisions regarding the protection of our sovereignty and territory. Congress might be used, as what you had said, because it might be in the provisions of our Constitution that we are susceptible to the pressures of the central government. So, is it not that this is a great opportunity for us to revisit and read why these things are happening and if so, can we plug

all these loopholes? Can we do something to make our Congress respectable, dignified and have its integrity protected? Can we not possibly strengthen the Armed Forces of the Philippines to the point that nobody, from now on, can invade us just like that, even if there is already a decision coming from the International Court of Justice?

These are the things that—what is very meaningful about this debate, about this proposal, Mr. Speaker, is the opportunity for us to do something about solving these ills that are happening now. We should not let these continue, Mr. Speaker. Our colleagues who are knowledgeable about the problems of our country today, might have some ideas which we can place in our Constitution just in case we will have the time to amend our Constitution, Mr. Speaker.

**REP. ZARATE.** Salamat po, G. Isponsor, Mr. Speaker. Tama po, ako man ay ganoon din ang inaasam, na tayo bilang mga Kinatawan ng ating constituents, tayo bilang mga Miyembro ng Kongreso ay talagang tumayo para sa interes ng ating mamamayan. Kaya nga po ang aking sinasabi kanina, kung pag-uusapan ang interes ng ating mga mamamayan, talaga bang ang problema ay ang Saligang Batas, na kailangan rebisahin at baguhin? Iyan ang unang katanungan. Baka naman ang tunay na tanong ay, hinayaan ba natin ang Saligang Batas at ang mga probisyon nito na maipatupad sa real sense of its being implemented?

Marami na po akong naibaybay kanina na mga instances na hindi natin muna hinayaan ang Saligang Batas na maging makatotohanan. Sa katunayan, isang irony ang gusto nating amyendahan o rebisahin ang ating Saligang Batas para maging bukas ito, lalong-lalo na ang mga protectionist economic policies, pero ang ating mga tinitingalang bansa kagaya ng Amerika, ang Europa at iba pang mga malalaking bansa ay pabalik doon sa tinatawag nating protectionist regime. Si Trump lang, ano ang sinabi niya, “America first.” Ang Amerika, sabi niya, ay natatalo na, kaya kailangang ibalik ang Amerika ang mauuna. Ang mga negosyo ay para lamang sa mga Kano pero dito tayo, nitong nakaraang APEC-ASEAN Summit ay tayo pa ang nagbubukas, sinasabi natin free trade policy tayo, buksan natin ang ating bansa para pumasok sila, na mas lalo pang makakapagsamtala ang mga dayuhan dito. So, iyon po, that is very ironic.

Ang mga malalaking bansa, they are going back, retreating to the protectionist regime pero tayo we are opening up, hindi natin pinoproteksiyunan ang ating ekonomiya. Nabanggit na rin iyan kanina at sa maraming debatehan, kahit nasa Committee level na, we need to amend and revise our Constitution because we want foreign direct investments to come in. Sa katanuyan, nitong mga nakaraang mga panahon, masyado nating binuyangyang ito. Tingnan ninyo po,

G. Isponsor, G. Ispiker, ang mga negative list kung ano lang mga negosyo na puwedeng pasukin na ng mga dayuhan.

Sinabi po ninyo kanina, let us give this Congress an opportunity para maipakita na ang Kongresong ito ay nilalaban ang interes ng ating mamamayan sa pamamagitan ng Constituent Assembly. Wala akong masasabi kundi ganito, napakaraming pagkakataon na ang Kongreso, sinabi nito na tatayo ito para sa interes ng ating mga kababayan at mamamayan. I will cite a few examples. Noong 2001, sinabi ng Kongreso na ipasa natin ang EPIRA dahil kapag naipasa natin ito, para ito sa interes ng mamamayan, ng mga konsumero ng kuryente, dahil magmumura ang kuryente. Ano ang nangyari? Halos dalawang dekada na ang nakaraan, tayo pa rin ang may pinakamahal na kuryente sa buong Southeast Asia, kundi man sa buong Asya. After EPIRA, na-privatize ang ating mga state power assets, na halos binenta lang for a song ang ating assets sa kuryente, pero lubog pa rin sa utang ang National Power Corporation, ang NAPOCOR. Hindi pa rin nito nabayaran ang mga utang na siyang ginawang dahilan para raw i-privatize at ibenta ang ating power assets. Iyan ang unang halimbawa na ang interes na dala-dala ng Kongreso minsan ay hindi interes ng ating mamamayan.

Pangalawa, sinabi natin na kapag may Oil Deregulation Law, magkakaroon ng kompetisyon, magmumura ang petrolyo. Ano po ang nangyari after several decades? Noong nakaraang araw lang pinagdedebatehan ito sa Committee on Energy. Wala po tayong kontrol kung ano ang gusto ng mga oil oligarchs. Ang naging papel na lamang ng gobyerno, i-announce na mayroong pagtaas ng presyo ng petrolyo bukas pero wala na siyang kontrol. Iyon din po ang isang halimbawa ng sinasabi nating our good intentions. Our intentions may be good pero sa kalaunan ay ano po ang nagiging epekto? Ito ay lalong nakapaglugmok ng ating mga kababayan sa kahirapan.

Marami pa pong iba. Kaya nitong bago lang, kaya nga tayo nagdedebatehan muli ngayon dahil inaantay natin ang panukalang batas na TRAIN. Pinasa rin natin ang TRAIN dahil sabi natin para sa interes ito ng mamamayan. Nagkaroon ng additional income tax dahil ang P250,000 ay wala nang income tax pero hindi natin sinabi na ang kapalit naman ito ay mga bagong buwis na by January 1, 2018, kahit na ang minimum wage earners na hindi naman makikinabang sa income tax adjustments na ito, magbabayad ng dagdag buwis sa petrolyo, dagdag buwis sa sugary products, at iba pang mga panibagong buwis kagaya ng expanded value-added tax.

Ang ibig ko lang pong sabihin, hinay-hinay lang tayo dito, Mr. Speaker, distinguished Sponsor. Gusto nating baguhin ang ating Saligang Batas pero ang tanong ko po, nakabinbin na nang matagal, halimbawa, ang usapin ng Genuine Agrarian Reform Bill dito sa

Kongreso. Kung gusto nating umunlad talaga ang ating bayan, napakalaking usapin ang repermang agraryo, napakalaking usapin ang pambansang industriyalisasyon, bakit hindi po natin ito pagtuunan ng pansi? Bakit hindi i-fast-track ng Kongreso ang mga panukalang batas na ito?

Puwede po bang makahingi tayo ng reaksiyon mula sa ating kagalang-galang na Sponsor, Mr. Speaker.

REP. MERCADO. Thank you very much, Mr. Speaker. I concur with the observation of my colleague, but there are observations that the beneficiaries of land reform are also selling their CLOA. They are not tilling the land. They sold their rights to the land. That is why there are also problems that affected our production since the owners who had the capital, who had the equipment, could not anymore continue cultivating because their lands are limited, it is not anymore profitable. So, I think we should also inform our brother-farmers, that if they benefitted from land reform, there should also be hard work. They should give hard work and they should be disciplined also by cultivating the land and not parting with their ownership of the land. Anyway, that these were some observations in Nueva Ecija and even in our province.

As to your other observations, Mr. Speaker, my dear colleague, we cannot do anything because ours is a democratic form of government. We are ruled by the majority, by the people, unless we change our system of government. For as long as we are a democratic government, we are bound to observe the democratic processes, one of which is the majority, the rule of the majority. Second, perhaps it would be best, if I may suggest, with due respect, that, with all your experiences and observations, it will be good if you can also propose alternative solutions. We also welcome suggestions and solutions, but please, if you can also suggest, like on energy, on land reform, on the other economic provisions—that is why this is a deliberative body because this is an exchange of ideas where, ultimately, we hope to build up the best principle, ideas or solutions to our problems.

Thank you, Mr. Speaker.

REP. ZARATE. Thank you, Mr. Sponsor, Mr. Speaker. True, but you know, Mr. Sponsor, Mr. Speaker, I am just in a quandary and I really wonder—gusto natin talagang baguhin ang Konstitusyon dahil nakita natin itong problema?

Ibalik ko lang ulit. Ang dami po nating puwedeng magawa sa kasalukuyan para matugunan ang mga problema natin pero hindi natin ginagawa. Pagpasensiyahan po ninyo pero ito rin ang aking masasabi—gusto nating tugunan, halimbawa ang usapin ng korapsyon, ang usapin ng unequal distribution of wealth pero ako ay nagtataka na hanggang ngayon,

makailang beses nang inihain sa Kongreso ang mga panukalang batas, halimbawa, tulad ng Freedom of Information pero hindi pa rin natin naipapasa. Ang panukalang batas na nasa ating Konstitusyon din, na kailangan magkaroon ng batas laban sa dynasty o ang Anti-Dynasty Law o Anti-Dynasty Bill. Noong Sixteenth Congress, umabot na iyan sa plenaryo pero hanggang ngayon wala pa ito, natulog ulit sa Committee level.

Ibalik ko lang po ulit sa usapin ng repermang agraryo. Sinabi ninyo kanina ang mga problema rin ng magsasaka pero, pagpasensiyahan po ninyo, ang isa sa pinakamasipag na tao sa ating bayan ay ang mga magsasaka. Sila ang pinakamasipag—gigising ng maaga, matutulog ng late, at kahit mainit ang araw ay nagta-trabaho sa bukid. Kaya kung naging failure man ang mga repermang agraryo, ito rin po ang kadahilanang ang mga nakaraang programa mismo ng mga repermang agraryo natin.

Kaya nga po nakapanghihinayang, Mr. Speaker, distinguished Sponsor, na inaamin ng gobyerno, halimbawa, sa usapin ng halos limang dekada ng rebelyon sa ating bansa, at sa usapin pa ng mga rebelyon sa Mindanao, na ito ay hindi matatalo sa usapin lamang sa solusyong militar at kailangan magkaroon ng mga sistemik at istruktural na mga pagbabago. Dito nga sa usapang pangkapayapaan, halimbawa, ng gobyerno ng Pilipinas at National Democratic Front of the Philippines, sinabi nila na kailangan magkaroon ng socio-economic reforms sa ating bansa para ang limang dekada nang rebelyong ito ay mahinto na, at isa sa pinag-uusapan nila ay ang usapin ng libreng pamamahagi ng lupa sa ating milyon-milyong mga magsasaka. Ito ay dapat na nilang nilagdaan nitong nakaraang Nobyembre pero nakapanghihinayang because, for whatever reason, President Duterte cancelled the peace talks between the government of the Republic of the Philippines and the National Democratic Front of the Philippines. Ngayon, ang ating solusyon, sabi ninyo po kanina, mag-federal, baguhin ang Konstitusyon. Sinasabi rin ninyo, ibuyangyang ang ating ekonomiya. Taliwas naman ito doon sa inamin na, kahit ng mga nakaraang administrasyon, na kailangan magkaroon ng socio-economic reform sa ating bayan para matugunan ang problema ng kahirapan.

Pupunta po ako sa ibang usapin. Nabanggit ninyo kanina ...

REP. MERCADO. Before that, may I be allowed to ...

REP. ZARATE. Yes.

REP. MERCADO. ... make some ...

REP. ZARATE. Yes, please, Mr. Speaker, distinguished Sponsor.

REP. MERCADO. ... comment, Mr. Speaker. Yes, these are things that have been happening for centuries, hindi lang decades ito, iyong agrarian reform problem. That is why, do you not think that there is a need to restructure the resources in such a way that these will go directly to the farmers through federalism? As of now, power is concentrated in the departments and there is so much red tape such that support services will not go down and be enjoyed by the farmers. Land alone without support services is nothing as it has to be supported with irrigation. Let us support it with seeds. Let us support it with farm equipment. If we will only federalize, there is a chance that the resources they will receive will be used directly for their benefit—to buy equipment, repair irrigation, build farm-to-market roads as demanded by the people themselves. As of now, we could not do it because it is highly centralized. Do you not think that our Secretaries, our Undersecretaries, ever went to far-flung areas in the Visayas, Mindanao and Luzon? They are only living in their own quarters. They should go out and look for themselves the problems on the ground.

So, if there is federalism, where there is redistribution of resources and wealth of the national government, there is a chance that this distributed wealth will help and will go to the farmers. I think, there is a possibility of great success of our program on agrarian reform.

REP. ZARATE. Thank you, Mr. Sponsor, Mr. Speaker. On the contrary, federal system na ho ito at federal states or regions. Ang pinapangambahalan ho natin dito, kanya-kanya sila ng batas. Sabihin ng isang rehiyon, possibly, ay “Bawal sa amin ang agrarian reform. Itong rehiyon namin, dapat nakabukas ito, 100 percent puwedeng magmamay-ari ang mga dayuhan dito.”

REP. MERCADO. Yes, Mr. Speaker. Excuse me, but ...

REP. ZARATE. It will only defeat ...

REP. MERCADO. Mr. Speaker, did you remember what Quezon said—I would rather have a Philippines run like hell by Filipinos than by foreigners. So, whatever they do with their resources, that is their fate. They will be the ones to be blamed but presently, the ones determining their fate are people who are not even living in their region, people who are not knowledgeable about the problems in their respective farmlands. Do you not think that even if resources are wasted, I would rather have these resources wasted by our farmers rather than having the same wasted by our appointed officials who are only staying in their offices, air-conditioned offices here in Manila.

REP. ZARATE. Thank you, Mr. Sponsor, Mr. Speaker.

By the way, nabanggit ninyo ho kanina iyong usapin ng Bangsamoro Basic Law. Matanong ko lang po, dahil dito sa pinapanukala ninyong Constituent Assembly, at malinaw naman na ang tutunguhin nito ay ang pag-revise ng ating Konstitusyon—para ang form ay maging from unitary to federal system. Ang tanong ko po siguro, Mr. Sponsor, Mr. Speaker, ano po ang mangyayari dito sa panukalang batas na ngayon ay nakasalang din sa tatlong komite ng Kongreso para—sabi rin ni Pangulong Duterte, tugunan? Ito ay tugon sa historical injustice sa ating mga kapatid na Moro. So, saan ho sila lalagay dito? Halimbawa po, ang timeline ng Komite ay maipasa ito sa susunod na taon, March or June. Ganoon din po ang gusto ninyong mangyari na ang Constituent assembly ay lalarga na, raratsada na sa susunod na taon. Ano po ba ang mangyayari dito sa panukalang batas para ho sa Bangsamoro? Ito ba ay dinidribol-dribol lang natin para sumabay siya at isama na siya dito sa panukalang Constituent Assembly at maging kabahagi siya ng pinapanukala ninyong federal form of government?

REP. MERCADO. First of all, Mr. Speaker, ...

REP. LAGMAN. Mr. Speaker.

REP. MERCADO. ... the BBL ...

REP. LAGMAN. Mr. Speaker.

REP. MERCADO. ... is under a different committee.

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

REP. LAGMAN. Mr. Speaker.

REP. TY. What is the pleasure of the ...

THE DEPUTY SPEAKER (Rep. Quimbo). What is the pleasure of the honorable Gentleman from Albay?

REP. LAGMAN. With the indulgence of the honorable Chairman of the sponsoring Committee and the Honorable Zarate, can we move that the consideration of House Concurrent Resolution No. 9 be suspended, pending the arrival of more Members of the House, if they are still coming.

#### SUSPENSION OF SESSION

REP. TY. Mr. Speaker, I move for a one-minute suspension of the session, please.

THE DEPUTY SPEAKER (Rep. Quimbo). There is a motion to suspend the session. The session is suspended for a few minutes.

*It was 7:44 p.m.*

#### RESUMPTION OF SESSION

*At 10:02 p.m., the session was resumed with Deputy Speaker Raneo “Rannie” E. Abu presiding.*

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

The Majority Leader is recognized.

#### SUSPENSION OF CONSIDERATION OF H.CT.RES. NO. 9

REP. DEFENSOR. Mr. Speaker, I move that we suspend the consideration of House Concurrent Resolution No. 9.

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

The Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, in accordance with our Rules, I move that we authorize all Committees to conduct meetings or public hearings, if deemed necessary, during the House recess from December 16, 2017 to January 14, 2018.

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

The Majority Leader is recognized.

#### CONSIDERATION OF CONF. CTTEE. RPT. ON H.B. NO. 5636 AND S.B. NO. 1592

REP. DEFENSOR. Mr. Speaker, we are in receipt of the Bicameral Conference Committee Report on the disagreeing provisions of House Bill No. 5636 and Senate Bill No. 1592, on the Tax Reform for Acceleration and Inclusion or “TRAIN.”

REP. DEFENSOR. In accordance with our Rules, I move that we ratify the said Bicameral Conference Committee Report.

REP. TINIO. Objection, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The

Secretary General is hereby directed to read the transmitted report.

*With the permission of the Body, and since copies of the Conference Committee Report have been previously distributed, the Secretary General read only the titles of the measures without prejudice to inserting the text of the report in the Congressional Record.*

REP. TINIO. Mr. Speaker.

THE SECRETARY GENERAL. House Bill No. 5636, entitled: AN ACT AMENDING SECTIONS 5, 6, 22, 24, 25, 31, 32, 33, 34, 79, 84, 86, 99, 106, 107, 108, 109, 116, 148, 149, 155, 171, 232, 237, 254, 264, AND 288; CREATING NEW SECTIONS 148-A, 150-A, 237-A, 264-A, 264-B, AND 265-A; AND REPEALING SECTIONS 35 AND 62, ALL UNDER THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED; and Senate Bill No. 1592, entitled: AN ACT AMENDING SECTIONS 5, 6, 24, 25, 27, 28, 31, 33, 34, 35, 51, 52, 56, 57, 58, 74, 79, 84, 86, 89, 90, 91, 97, 99, 100, 101, 106, 107, 108, 109, 110, 112, 114, 116, 128, 148, 149, 150, 151, 155, 171, 174, 175, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 232, 236, 237, 249, AND 288; CREATING NEW SECTIONS 148-A, 150-A, 237-A, 264-A, 264-B, AND 265-A; ALL UNDER REPUBLIC ACT NO. 8424, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES.

REP. TINIO. Mr. Speaker, I question the quorum.

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

REP. TINIO. There is no quorum, Mr. Speaker.

REP. DEFENSOR. In accordance with our Rules, I move that we ratify the said Bicameral Conference Committee Report.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection?

REP. TINIO. Objection.

#### RATIFICATION OF CONF. CTTEE. RPT. ON H.B. NO. 5636 AND S.B. NO. 1592

THE DEPUTY SPEAKER (Rep. Abu). The Chair hears none; the motion is approved.\*

REP. TINIO. Objection, Mr. Speaker.

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

REP. TINIO. Mr. Speaker, objection.

REP. DEFENSOR. ... until January 15, 2018, at four o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Abu). The session is adjourned until January 15, 2018. The session is adjourned.

REP. TINIO. There is no quorum.

ADJOURNMENT OF SESSION

REP. DEFENSOR. Mr. Speaker, I move to adjourn...

THE DEPUTY SPEAKER (Rep. Abu). The session is adjourned.

REP. TINIO. Objection, Mr. Speaker.

*It was 10:05 p.m.*