



Congressional Record

PLENARY PROCEEDINGS OF THE 17th CONGRESS, SECOND REGULAR SESSION
House of Representatives

Vol. 4

Monday, February 19, 2018

No. 64

CALL TO ORDER

At 4:00 p.m., Deputy Speaker Frederick "Erick" F. Abueg called the session to order.

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

NATIONAL ANTHEM

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

Everybody rose to sing the Philippine National Anthem.

THE DEPUTY SPEAKER (Rep. Abueg). Please remain standing for the Invocation to be delivered by the honorable Rep. Lorna C. Silverio of the Third District of Bulacan.

Everybody remained standing for the Invocation.

INVOCATION

REP. SILVERIO. Almighty Father, God of all creation, we come before You today to give honor and praise.

You are the source of all that is good. You are the source of all our blessings. Thank You for every gift that has been given.

Lord God, we seek Your kingdom and intercession, that we may accomplish our goals while displaying Your character. Give us Your guidance this afternoon as we work together as a team to do Your will in today's session.

By Your grace alone, through Your Son, our Savior Jesus Christ. Amen.

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

ROLL CALL

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

THE DEPUTY SPEAKER (Rep. Abueg). 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 reflected in Journal No. 64, dated February 19, 2018.**

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 226 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Abueg). With 226 Members present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

APPROVAL OF THE JOURNAL

REP. TY. Mr. Speaker, considering that copies of the Journal of the previous session have been distributed to the Members, I move that we approve Journal No. 63, dated February 14, 2018.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abueg). Is there any objection? (*Silence*) The Chair hears none; Journal No. 63 is hereby approved.

The Majority Leader is recognized.

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

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

* See ANNEX (printed separately)

The Secretary General will please read the Reference of Business.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

House Bill No. 7167, entitled:

“AN ACT POSTPONING THE MAY 14, 2018 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923 AND REPUBLIC ACT NO. 10952 AND FOR OTHER PURPOSES”

By Representative Umali
TO THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

House Bill No. 7168, entitled:

“AN ACT CREATING THE METRORAILWAYS TRANSIT REGULATORY BOARD TO PROMOTE THE EXTENSIVE USE OF OUR RAILWAYS THROUGH A RATIONAL PAYMENT SYSTEM, TO FOSTER AND IMPOSE THE APPROPRIATE FARE RATES, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES”

By Representative Romero
TO THE COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION, THE COMMITTEE ON TRANSPORTATION AND THE COMMITTEE ON LEGISLATIVE FRANCHISES

House Bill No. 7169, entitled:

“AN ACT TO PRESCRIBE THE FOOD GUIDE PYRAMID LABELLING FOR FOODS”

By Representative Kho
TO THE COMMITTEE ON HEALTH

House Bill No. 7170, entitled:

“AN ACT ESTABLISHING A SEPARATE DISTRICT ENGINEERING OFFICE IN DAVAO CITY TO BE KNOWN AS THE THIRD DISTRICT ENGINEERING OFFICE TO HAVE JURISDICTION OVER THE

FORTY-SIX BARANGAYS COMPRISING THE SECOND LEGISLATIVE DISTRICT”

By Representative Garcia-Albano
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 7171, entitled:

“AN ACT REPEALING REPUBLIC ACT 10912, OTHERWISE KNOWN AS THE ‘CONTINUING PROFESSIONAL DEVELOPMENT ACT OF 2016’ ”

By Representatives Tinio, Castro (F.L.), Zarate, De Jesus, Brosas, Casilao and Elago
TO THE COMMITTEE ON CIVIL SERVICE AND PROFESSIONAL REGULATION

RESOLUTIONS

House Resolution No. 1681, entitled:

“A RESOLUTION RECOGNIZING AND COMMENDING THE KASAMAKA INITIATIVE AS A NATIONAL GRASSROOTS-BASED ADVOCACY PROGRAM FOR FINANCIAL INCLUSION IN EVERY BARANGAY AND LOCAL GOVERNMENT UNIT; EMPOWERING THE PEOPLE AFFORDABLE ACCESS TO INCLUSIVE DIGITAL FINANCE SUCH AS MICROSAVINGS, MICROINSURANCE, MICROINVESTMENT AND MICROCREDIT, SHIELDING THEM FROM PREDATORY LENDER OR 5-6 OPERATORS IN SUPPORT OF PRESIDENT RODRIGO R. DUTERTE’S INITIATIVE IN REDUCING POVERTY BY 2020”

By Representative Revilla
TO THE COMMITTEE ON POVERTY ALLEVIATION

House Resolution No. 1682, entitled:

“A RESOLUTION URGING THE COMMITTEE ON AGRICULTURE AND FOOD TO INVESTIGATE, IN AID OF LEGISLATION, THE SHORTAGE IN GOVERNMENT-SUBSIDIZED RICE AS RECENTLY ALLEGED BY THE NATIONAL FOOD ADMINISTRATION (NFA) FOLLOWING RELIEF OPERATIONS FOR VICTIMS OF STRIFE AND TYPHOONS IN 2017 AND IMMEDIATELY PUT IN PLACE COUNTERMEASURES IN ORDER TO EFFECTIVELY ADDRESS THE DEARTH”

By Representative Castelo
TO THE COMMITTEE ON RULES

House Resolution No. 1683, entitled:

“RESOLUTION CALLING FOR AN INVESTIGATION IN AID OF LEGISLATION BY THE APPROPRIATE COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON THE ALLEGED ULTRA VIRES ACTS BY PHILIPPINE NATIONAL OIL COMPANY PRESIDENT REUBEN LISTA”

By Representative Suarez
TO THE COMMITTEE ON RULES

House Resolution No. 1684, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON PUBLIC ORDER AND SECURITY AND THE LOCAL GOVERNMENT OF THE HOUSE OF REPRESENTATIVES TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION INTO THE WIDESPREAD STONING INCIDENTS HAPPENING IN MANY PARTS OF THE COUNTRY WHICH PUT INTO QUESTION THE CAPABILITY OF THE PHILIPPINE NATIONAL POLICE AND LOCAL AUTHORITIES TO GUARANTEE THE SAFETY AND SECURITY OF THE TRAVELLING PUBLIC”

By Representative Savellano
TO THE COMMITTEE ON RULES

House Resolution No. 1685, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON TOURISM AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE EFFORTS AND ACTIVITIES OF THE NAYONG FILIPINO FOUNDATION, INC. RELATIVE TO THE MANAGEMENT OF THE PROPERTIES UNDER ITS ADMINISTRATION, INCLUDING ITS LAND IN THE ENTERTAINMENT CITY A PORTION OF WHICH HAS ALLEGEDLY BEEN LEASED AND THE REMAINDER THEREOF PRESENTLY PROPOSED TO BE DEVELOPED UNDER A PPP SCHEME”

By Representatives Pineda, Romero, Belmonte (R.), Canama, Salo, Lopez (B.), Villarin, Bertiz, Montoro, Belaro, Lacson, Mending, Uybarreta, Salon and Lopez (M.L.)
TO THE COMMITTEE ON RULES

House Resolution No. 1686, entitled:

“A RESOLUTION URGING THE COMMITTEE ON AGRICULTURE AND FOOD AND THE SPECIAL COMMITTEE ON FOOD SECURITY TO EXERCISE ITS FUNCTIONS AND INVESTIGATE IN AID OF LEGISLATION CONCERNING THE

POSSIBLE EXISTENCE OF A SHORTAGE IN THE GOVERNMENT SUBSIDIZED RICE THROUGH THE NATIONAL FOOD AUTHORITY (NFA)”

By Representative Geron
TO THE COMMITTEE ON RULES

MESSAGES FROM THE SENATE

Message dated February 12, 2018, informing the House of Representatives that the Senate on even date passed Senate Bill No. 1620, entitled:

“AN ACT ABOLISHING THE ROAD BOARD, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8794”

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

TO THE COMMITTEE ON GOVERNMENT REORGANIZATION AND THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

Message dated February 12, 2018, informing the House of Representatives that the Senate on even date passed Senate Bill No. 1662, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 8049 TO STRENGTHEN THE LAW ON HAZING AND REGULATE OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES”

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

TO THE COMMITTEE ON RULES

Message dated February 13, 2018, informing the House of Representatives that the Senate on February 12, 2018 approved the Conference Committee Report of the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1354, entitled:

“AN ACT ESTABLISHING A NATIONAL MENTAL HEALTH POLICY FOR THE PURPOSE OF ENHANCING THE DELIVERY OF INTEGRATED MENTAL HEALTH SERVICES, PROMOTING AND PROTECTING PERSONS UTILIZING PSYCHIATRIC, NEUROLOGIC AND PSYCHOSOCIAL HEALTH SERVICES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

and House Bill No. 6452, entitled:

“AN ACT ESTABLISHING A NATIONAL MENTAL HEALTH POLICY FOR THE PURPOSE OF ENHANCING THE

DELIVERY OF INTEGRATED MENTAL HEALTH SERVICES, PROMOTING AND PROTECTING THE RIGHTS OF PERSONS UTILIZING PSYCHIATRIC, NEUROLOGIC AND PSYCHOSOCIAL HEALTH SERVICES, AND APPROPRIATING FUNDS THEREFOR”

TO THE COMMITTEE ON RULES

COMMUNICATIONS

Letter dated January 19, 2018 of Roman G. Del Rosario, Presiding Justice, Court of Tax Appeals, submitting to the House of Representatives the Quarterly Financial and Physical Accomplishment Reports of the Court of Tax Appeals for the 4th Quarter ending December 31, 2017, to wit:

1. Statement of Cumulative Allotments, Obligations Incurred and Unobligated Balances;
2. Detailed Statement of Cumulative Expenditures/Obligations Incurred, Obligations Liquidated/Disbursements and Unliquidated Obligations;
3. Report on the Results of Expended Appropriations;
4. Financial Report of Operation;
5. Physical Accomplishment Report; and
6. Summary of Notice of Cash Allocations (NCA).

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated January 22, 2018 of Gen. Ricardo R. Visaya (Ret.), Administrator, National Irrigation Administration, submitting to the House of Representatives the CY 2017 Fourth Quarter Progress Report of NIA CARP-IC for Mindanao Sustainable Agrarian and Agriculture Development (MinSAAD) Project.

TO THE COMMITTEE ON AGRICULTURE AND FOOD

Letter dated January 24, 2018 of Nestor A. Espenilla, Jr., Governor, Bangko Sentral ng Pilipinas, submitting to the House of Representatives their Report to Congress on Public Sector Foreign Loans approved by the Bangko Sentral ng Pilipinas (BSP): Fourth Quarter 2017 and the entire year.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

Letter dated January 24, 2018 of Eduardo M. Año, Officer-in-Charge, Department of the Interior and Local Government, submitting the Statement of Allotments, Obligations and Balances (Current and Continuing Appropriations) of the Office of the Secretary, as of December 31, 2017, in compliance

with Section 91 of the General Provisions of Republic Act No. 10924.

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated February 12, 2018 of Roger E. Dino, Deputy Director, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas, furnishing the House of Representatives duly certified and authenticated BSP issuances, to wit:

1. Circular No. 995 dated 5 February 2018; and
2. Circular Letter No. 2018-009 dated 6 February 2018.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

COMMITTEE REPORTS

Report by the Committee on Justice (Committee Report No. 607), re H.B. No. 7179, entitled:

“AN ACT GRANTING PHILIPPINE CITIZENSHIP TO MAYLEEN TING”

recommending its approval in substitution of House Bill No. 4656

Sponsors: Representatives Umali, Macapagal-Arroyo and Lazatin

TO THE COMMITTEE ON RULES

Report by the Committee on Justice (Committee Report No. 608), re H.B. No. 7180, entitled:

“AN ACT GRANTING PHILIPPINE CITIZENSHIP TO FATHER JULIAN C. MAZANA”

recommending its approval in substitution of House Bill No. 5405

Sponsors: Representatives Umali, Tiangco, Fuentesbella, Noel, Ferrer (J.) and Castro (F.H.)

TO THE COMMITTEE ON RULES

Report by the Committee on Natural Resources (Committee Report No. 609), re H.B. No. 7184, entitled:

“AN ACT ESTABLISHING THE FOREST BOUNDARY OF THE PROVINCE OF TARLAC”

recommending its approval in substitution of House Bill No. 6060

Sponsors: Representatives Ty, Yap (V.), Cojuangco and Villanueva

TO THE COMMITTEE ON RULES

Report by the Committee on Population and Family Relations (Committee Report No. 610), re H.B. No. 7185, entitled:

“AN ACT RECOGNIZING THE FOREIGN DECREE OF TERMINATION OF MARRIAGE AND ALLOWING ITS

SUBSEQUENT REGISTRATION WITH THE PHILIPPINE CIVIL REGISTRY, AMENDING FOR THE PURPOSE OF EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES”

recommending its approval in substitution of House Bill No. 6446

Sponsors: Representatives Aragonés and Cayetano

TO THE COMMITTEE ON RULES

Report by the Committee on Cooperatives Development (Committee Report No. 611), re H.R. No. 120, entitled:

“A RESOLUTION DIRECTING THE COMMITTEE ON COOPERATIVES DEVELOPMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED VIOLATIONS IN THE CONTRACTS BETWEEN OIL PALM PLANTATION COOPERATIVES IN SOUTHERN PALAWAN AND AGUMIL PHILS., INC. WHICH PUT COOPERATIVES IN HUGE DEBTS AND DISPLACED FARMERS FROM THEIR OWN LANDS”

informing the House of its findings and recommendations

Sponsors: Representatives Geron, Bravo (A.), Canama, Montoro, Acosta, Palma, Paduano, Aquino-Magsaysay and Salon

TO THE COMMITTEE ON RULES

Report by the Committee on Cooperatives Development (Committee Report No. 612), re H.R. No. 1688, entitled:

“RESOLUTION COMMENDING THE ACES CREDIT DEVELOPMENT INCORPORATED MULTIPURPOSE COOPERATIVE (ACDIMPC) FOR ITS OUTSTANDING ACHIEVEMENTS AND LEADERSHIP IN THE UPLIFTMENT AND DEVELOPMENT OF ITS MEMBERS IN THE COUNTRYSIDE”

recommending its adoption in substitution of House Resolution No. 1365

Sponsors: Representatives Geron, Bravo (A.) and Canama

TO THE COMMITTEE ON RULES

Report by the Committee on Civil Service and Professional Regulation and the Committee on Appropriations (Committee Report No. 613), re H.B. No. 7191, entitled:

“AN ACT REGULATING THE PRACTICE OF THE CRIMINOLOGY PROFESSION IN

THE PHILIPPINES, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT 6506, OTHERWISE KNOWN AS ‘AN ACT CREATING THE BOARD OF EXAMINERS FOR CRIMINOLOGISTS IN THE PHILIPPINES’ ”

recommending its approval in substitution of House Bill No. 1123

Sponsors: Representatives Mariño, Nograles (K.A.), Alejano and Rodríguez (M.)

TO THE COMMITTEE ON RULES

Report by the Committee on Human Rights and the Committee on Appropriations (Committee Report No. 614), re H.B. No. 7193, entitled:

“AN ACT PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD, AND PROVIDING PENALTIES FOR VIOLATION THEREOF”

recommending its approval in substitution of House Bills Numbered 61, 256, 1645 and 3938

Sponsors: Representatives Nograles (K.A.), Nograles (J.J.), Roque (H.), Villarica, Bag-ao and Deloso-Montalla

TO THE COMMITTEE ON RULES

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

REP. LAGMAN. Mr. Speaker.

REP. SALO. Mr. Speaker, may we acknowledge the presence of the guests of ...

REP. LAGMAN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abueg). What is the pleasure of the Honorable Lagman?

REP. LAGMAN. I rise on a question of personal and collective privilege. I have reserved this last Wednesday, consequent to the speech of the distinguished Deputy Speaker Gwendolyn F. Garcia.

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

REP. SALO. Mr. Speaker, I respectfully move for the recognition of the Hon. Edcel C. Lagman for his question of privilege.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abueg). The Honorable Lagman is recognized and is given 10 minutes.

QUESTION OF PRIVILEGE OF REP. LAGMAN

REP. LAGMAN. Mr. Speaker and distinguished colleagues.

Deputy Speaker Gwendolyn Garcia, in her privilege speech last Valentine's Day, repeatedly scored this Representation for being critical of the position of Speaker Pantaleon Alvarez, of not enforcing her dismissal as ordered by the Ombudsman on the grounds that: 1.) he is going to determine the validity of the Ombudsman's decision; and 2.) only the House of Representatives can discipline or dismiss its Members.

Since Deputy Speaker Garcia refused to be interpellated, I reserved my right last Wednesday to deliver today a rebuttal in the nature of a personal and collective privilege. The speech of Deputy Speaker Garcia gives me the opportunity to further expound on my position against the common stance of Speaker Alvarez and Deputy Speaker Garcia.

Towards the end of the regular weekly media briefing of the Magnificent Seven opposition group last Tuesday, a question sought the reaction of the group to the Speaker's announcement that he would not implement the Ombudsman's decision dismissing Representative Garcia for grave misconduct with perpetual disqualification for reemployment in the government service.

My reaction consisted of two brief points without even mentioning the name of Deputy Speaker Garcia or insisting that she should be removed contrary to what she alleged in her speech. I said, "One, under the Rules of Procedure of the Office of the Ombudsman, its decision is immediately executory even when the respondent has a pending motion for reconsideration or appeal; and two, the Constitution does not exempt Members of the Congress and the Judiciary from the investigatory jurisdiction of the Ombudsman even, as the power of the House to discipline or expel its Members is not exclusive."

It is in this context that I ask, "What Constitution is Speaker Alvarez referring to?" To my knowledge, the *SunStar CEBU* was the only newspaper which published my comments. I do not know the political or partisan inclination of *SunStar CEBU*. I have nothing personal against Deputy Speaker Gwen Garcia. What we are discussing are purely legal and ethical questions.

Let me now go to the pertinent provisions of the 1987 Constitution. Section 5 of Article XI created the independent—let me repeat "independent"—Office of the Ombudsman. Foremost among its powers, functions, and duties, as provided in Section 13, paragraph 1 of Article XI, is:

Investigate on its own, or on complaint by any person, any act or omission of any public official, employee, office or agency, when such act or omission appears to be illegal, unjust, improper, or inefficient.

This provision was quoted verbatim by Deputy Speaker Garcia. It must be underscored that the investigatory jurisdiction of the Ombudsman under Section 13, paragraph 1 of Article XI does not exclude Members of the Congress and the Judiciary. This all-encompassing jurisdiction cannot be limited or impaired by an ordinary statute like the Ombudsman Act of 1989. The power to investigate must logically end in either dismissal of the complaint or a finding of culpability of the respondent. In the present issue, the Ombudsman found Representative Gwen Garcia culpable of grave misconduct. A diligent reading of the proceedings of the 1986 Constitutional Commission does not show any intention on the part of the Commissioners to exempt Members of the Congress and the Judiciary from the jurisdiction of Office of the Ombudsman.

Mr. Speaker, distinguished colleagues, while it is true that Section 16(3) of Article VI provides that: "Each House may x x x punish its Members for disorderly behavior, and, with the concurrence of two-thirds of all its Members, suspend or expel a Member," such grant of authority is not the exclusive domain of the House to the exclusion of the Supreme Court and the Ombudsman in proper cases. For example, under the expanded judicial power of the Supreme Court under Section 1 of Article VIII, a suspended or expelled Member of the House can file a petition for certiorari challenging the action of the House on the ground of grave abuse of discretion as an exemption from the doctrine of political question.

The Ombudsman Act was enacted almost 30 years ago. House Bill No. 13646, which subsequently became the Ombudsman Act of 1989, was approved on Second and Third Readings in one day, June 8, 1989, presumably because it was certified as urgent. This was the same day the House adjourned *sine die*. The said Bill had a very brief but aptly relevant Explanatory Note which reads, and I quote:

Article XI of the 1987 Constitution creates the independent Office of the Ombudsman as the guardian of public accountability and public trust. To ensure the success of the Ombudsman, this Bill is proposed.

However, this salutary objective of the Bill failed to disclose that embodied in the then proposed measure were provisions which could be in conflict with the Constitution. Not even the sponsorship speeches of Rep. Isidro Zarraga and Rep. Raul Roco highlighted that Members of the Congress and the Judiciary are excluded from the disciplinary jurisdiction of the Ombudsman.

I truly regret that I had allowed my affirmative vote to be recorded. On hindsight, I should have objected on record to some provisions which could be constitutionally infirm. But as a Legislator gains experience and steadfast advocacies hone his outlook,

his sharpened critical mind could subsequently comprehend more easily the import and complications of a proposed legislation or an enacted statute.

I now challenge the constitutionality of at least two (2) provisions of the Ombudsman Act of 1989, namely: 1.) Section 8(2) which provides, and I quote:

A Deputy, or the Special Prosecutor, may be removed from office by the President for any of the grounds provided for the removal of the Ombudsman, after due process.

This provision was struck down as unconstitutional by the Supreme Court in *Gonzales vs. Office of the President*, wherein it was held that:

x x x subjecting the Deputy Ombudsman to discipline and removal by the President, whose own alter egos and officials in the Executive Department are subject to the Ombudsman's disciplinary authority, cannot but seriously place at risk the independence of the Office of the Ombudsman itself.

2.) Another provision in the Ombudsman Act, which must be challenged and struck down as unconstitutional, is Section 21, insofar as it exempts Members of the Congress and the Judiciary from the disciplinary authority of the Ombudsman. The foregoing provision is constitutionally infirm when it excluded Members of the Congress and the Judiciary from the disciplinary authority or jurisdiction of the Ombudsman for the following reasons: 1.) Under Section 13 of Article XI of the 1987 Constitution, the investigatory jurisdiction of the Office of the Ombudsman covers all public functionaries and employees without any exception. The constitutional jurisdiction of the Office of the Ombudsman encompasses Members of Congress and the Judiciary. The plenary jurisdiction as mandated by the Constitution cannot be diluted by the Ombudsman Law of 1989, as an ordinary statute. 2.) Section 21 also constricts the independence of the Ombudsman as it curtails its jurisdiction over Members of the Congress and the Judiciary.

THE DEPUTY SPEAKER (Rep. Abueg). May we remind the Honorable Lagman to wind up.

REP. LAGMAN. Can I have another 10 minutes, Your Honor, because this would have to be an extensive discussion?

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

REP. SALO. There is no objection, Your Honor, Mr. Speaker.

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

REP. LAGMAN. Section 21 is a class legislation. It is an affront to the equal protection clause because it arbitrarily favors Members of Congress and the Judiciary, who all germanely belong to the general class of public officials and employees who must maintain honesty and integrity in the public service.

There is neither rhyme nor reason for Members of Congress and the Judiciary to be excluded from the jurisdictional authority of the Office of the Ombudsman. Members of Congress and the Judiciary do not have any unique or peculiar attributes which would make them a class distinct from other public functionaries and employees who are enjoined to uphold public office as a public trust. In fact, there is more reason for Members of Congress and the Judiciary to be under the jurisdiction of the Ombudsman because Members of Congress wield powers and enjoy privileges which are prone to abuse and members of the Judiciary should be exemplars of the tenet that public office is a public trust. It is a self-serving exclusion which was extended to the members of the Judiciary to conceal the congressional wayward intent to singularly shield Representatives and Senators from the Ombudsman's scalpel.

At least four current Members of the House have submitted, with the acquiescence of the House leadership, to the jurisdiction of the Office of the Ombudsman. They voluntarily served their respective preventive suspensions imposed by the Ombudsman. These four Gentlemen, albeit professing their innocence and demurring from the Ombudsman's jurisdiction, had the decency to submit to the jurisdiction of the Ombudsman.

It must not be overlooked that the Ombudsman resolved an administrative case against Representative Gwen Garcia for acts she committed when she was Provincial Governor. With respect to the jurisdiction of the Ombudsman over administrative cases, there is a separate provision under Section 19 of the Ombudsman Act which is apart from Section 21.

Section 19 provides, and I quote:

Administrative Complaints. – The Ombudsman shall act on all complaints relating, but not limited to acts or omissions which:

- (1) Are contrary to law or regulation;
- (2) Are unreasonable, unfair, oppressive or discriminatory; x x x”

... and grounds of similar import. Section 19 does not exclude Members of the House from the administrative jurisdiction of the Ombudsman. Section 18 of the Ombudsman Act authorizes the

Office of the Ombudsman to adopt its Rules of Procedure. Section 7 of said Rules makes the decision of the Ombudsman immediately executory even pending a motion for reconsideration or appeal by the respondent. The executory nature of the decision of the Ombudsman despite the pendency of a motion for reconsideration or appeal has been confirmed by the Supreme Court in a catena of cases.

Now, let me go to the Anti-Graft and Corrupt Practices Act. The Anti-Graft and Corrupt Practices Act covers all public officers and employees including Members of the Congress, without any exception. Under the Act, a public officer includes “elective and appointive officials and employees, permanent or temporary, whether in the classified or unclassified or exempt service receiving compensation, even nominal, from the government x x x.”

An offense in violation of Republic Act No. 3019 is cognizable by the Office of the Ombudsman for preliminary investigation and filing, once warranted, of the requisite information before the Sandiganbayan. A Member of Congress is not exempt from the jurisdiction of the Ombudsman and the Sandiganbayan with respect to cases involving violations of the Anti-Graft and Corrupt Practices Act. Verily, in indictments and convictions under the Anti-Graft Law, a Member of Congress cannot argue that he is outside the jurisdiction of the Ombudsman and the Sandiganbayan. In fact, under the Anti-Graft Law, more particularly Section 6 thereof, there is a special prohibition with respect to Members of Congress.

Considering that the Anti-Graft and Corrupt Practices Act covers the Members of Congress, any conviction for an offense under said Act which involves removal from office cannot be defied by an invocation that only the House can remove its Members. By parity of reasoning, the adverse effect of the Ombudsman’s finding of culpability for grave misconduct against a Member of the House for acts committed by the respondent in a previous position as Provincial Governor cannot be defied because such removal is the logical consequence of the accessory penalty of disqualification from holding public office or reemployment in the government service.

The fundamental issue is not who shall discipline Rep. Gwendolyn F. Garcia. The transcendental issue is whether she would submit to the decision of the Ombudsman pending the motion for reconsideration or appeal, as is the rule of the Office of the Ombudsman. The election of a former local chief executive to the position of Member of the House of Representatives is not an inoculation of immunity from the effects of a perpetual disqualification from reemployment in

government service as an accessory penalty for grave misconduct.

In the current impeachment proceedings against the Chief Justice, the constitutional tenet that “public office is a public trust” has been repeatedly invoked, with the concurrence of Rep. Gwendolyn Garcia. This beneficent principle is provided for under Section 1 of Article XI, which reads:

Section 1. Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.

This is the same constitutional precept which is invoked in the Declaration of Policy in The Ombudsman Act of 1989, and this is the same constitutional admonition which is restated in the Statement of Policy under the Anti-Graft Law.

When Rep. Gwen Garcia called on the Members of the House to stand together for the immunity of Representatives from the “encroachment” of the Ombudsman, is she calling for the exemption of the Members of the House from the salutary principle that “public office is a public trust”?

The ball is now in the court of Speaker Alvarez. Whether he freezes the ball or throws it out of bounds is his accountability.

Thank you, distinguished colleagues. Thank you, Mr. Speaker.

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

REP. SALO. Mr. Speaker, I move that we refer the speech of the Hon. Edcel C. Lagman to the Committee on Rules for its appropriate action.

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

REP. SALO. Mr. Speaker, may we acknowledge the presence of the guests in the gallery of the Hon. Sabiniano S. Canama and Hon. Anthony M. Bravo, PhD. They are Mr. Raymond Branzuela from CATMON Community Multi-Purpose Cooperative and Mr. Romeo Arrabis from CATMON Water Services and Sanitation Cooperative.

THE DEPUTY SPEAKER (Rep. Abueg). The guests of Representatives Canama and Bravo will please rise. Welcome to the House of Representatives. (*Applause*) The Majority Leader is recognized.

PRIVILEGE HOUR

REP. SALO. Mr. Speaker, today being a Monday, and pursuant to our Rules, I move that we proceed to the Privilege Hour.

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

The Chair declares a Privilege Hour.

REP. SALO. Mr. Speaker, I move that the Gentleman from my fellow Party-List KABAYAN, Rep. Ciriaco S. Calalang, be recognized to avail of the Privilege Hour.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abueg). Rep. Ciriaco S. Calalang of Party-List KABAYAN is recognized to speak under the Privilege Hour.

PRIVILEGE SPEECH OF REP. CALALANG

REP. CALALANG. Thank you, Mr. Speaker.

Mr. Speaker, my esteemed colleagues, guests, mga kababayan, a pleasant good afternoon to all.

Today, I take the floor as a Representative of the Filipino people who have long suffered the negative effects of bureaucracy and red-tape.

Today, mayroon po akong ipapahayag sa inyo. Ang US Embassy po ay nag-donate ng mga computer sa ating government agencies. Ito po ay ang mga computer sa NSO or Philippine Statistics Office, sa Bureau of Immigration, at sa National Bureau of Investigation. Naka-receive po sila ng mga bagong computer from the US Embassy. Isang pindot lang po ng computer sa US Embassy, alam na po ang ating civil status, NBI records at travel records. This means, mayroon nang data interconnectivity among these government agencies, but the data center is the US Embassy.

Mr. Speaker, puwede po pala tayong magkaroon ng data interconnectivity kung gagawin o gugustuhin natin. Irrefutable as it is, this is the era of scientific advancements and technological innovations. If truth be told, the unrelenting rise of technology and its resultant benefits have benefited the lives of many Filipinos. As a matter of fact, our government agencies use computers and Internet in processing requests and applications. Indeed, in this day and age, our government agencies have taken advantage of the technological advancements, but not fully.

Mr. Speaker, I am the newest Member of this House as I only took my oath last January 11, 2018. I know that this House has introduced numerous and timely bills that are of great use. In point of fact, we already have Republic Act No. 9485 or the Anti-Red Tape Act of 2007 for

simplified procedures that will reduce red tape and expedite transactions in the government. The newest is Senate Bill No. 1311 or the Expanded Anti-Red Tape Act of 2017, which seeks to modify, build the gaps, and cure the defects of the existing Anti-Red Tape Act of 2007 in improving the current system of business community's transactions with the government, and in processing everything at your fingertips. All these are made possible through the electronic Business One-Stop Shop or BOSS business permit and licensing system in cities and municipalities nationwide that provide unified application forms, as well as a comprehensive checklist of requirements.

Mr. Speaker, each government agency maintains its own database and information in pursuit of its mandate and exercise of its ministerial and regulatory functions. As a consequence, they require various documents to strengthen and substantiate these database and information. What is more, all government agencies require original copies of these documents.

If we apply for NBI clearance, driver's license, passport, TIN or tax account number, postal ID, SSS number, GSIS number, and/or Pag-IBIG ID, we need to present our original birth certificate, marriage license and two government-issued IDs. There is redundancy and duplicity in government transactions and applications. We can eliminate the burdensome redundancy and duplicity if there is data interconnectivity among the following agencies: the Philippine Statistics Authority or the NSO, the DFA, the NBI, the BIR, the SSS, and the LTO. This data interconnectivity will facilitate government transactions and lessen the burden among citizens. Data interconnectivity can also be used in bank loan applications and in assessing credit-risk rating.

As I see it, this problem in our present community's transactions with the government is a vile mockery of the full potential of man in concocting useful measures to ease the lives of the people—that is through technology. Ironic as it is, we still need to go through these slow and inconvenient practices in our government transactions, when in truth, our world is already dominated with great innovative support. Man has already provided solutions to today's problems through technology. It is also man who can provide these conspicuous gaps, provide feasible and innovative solutions, and maximize the bursting rewards of technological advancements.

Today, we already live in the digital age. Time is of the essence. Our citizens demand speed, velocity, and real time in dealings with the government. We cannot waste time.

Mr. Speaker, we must have a dynamic, progressive and responsive way of governance. It is time that we have data interconnectivity among government agencies.

Let us streamline government functions and avoid burdening our citizens. Let us have ease in doing business and transactions with the government if data interconnectivity could lead us to progress.

It is time that we pass the Philippine Data Interconnectivity Act.

Thank you, Mr. Speaker, for this privilege.

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

REP. SALO. Mr. Speaker, I move that we refer the speech of the Hon. Ciriaco S. Calalang to the Committee on Rules for its appropriate action.

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

REP. SALO. Mr. Speaker, next to avail of the Privilege Hour is Rep. Maximo B. Rodriguez Jr. of the Second District of Cagayan de Oro City.

THE DEPUTY SPEAKER (Rep. Abueg). The honorable Representative Maximo B. Rodriguez Jr. of the Second District of Cagayan de Oro is now recognized.

PRIVILEGE SPEECH OF REP. RODRIGUEZ (M.)

REP. RODRIGUEZ (M.). Thank you, Mr. Speaker.

My dear colleagues, I rise on the issue of the meager share of Mindanao in the national budget.

From 2014 to 2017, the average share of Mindanao in the country's annual budget stood at 12.8 percent. For 2018, sadly, it decreased to 12.5 percent. For years, Mindanao has always been at the short end of the stick and has, for all intents and purposes, been neglected. This fact is highlighted even more if one compares Mindanao's share to that of Luzon or the National Capital Region or NCR. For 2018, NCR's share is 11.3 percentage points more than that of Mindanao. Mind you, Mr. Speaker, we have 25 million population in Mindanao, while the NCR has about 8 to 12 million only.

For 2018, the six regions of Mindanao will have an aggregate allocation of P318.4 billion which constitutes 14.1 percent of the P2.2 trillion budget for national government departments. This amount is P42.2 billion higher than the current year's allocation for Mindanao. The budgetary increment for Mindanao in 2018 exceeds that of Luzon and Visayas, but pales in comparison to the budget increases of National Capital Region and the nationwide allocation. Further, if one looks at population share and the share in the number of poor families in Mindanao compared to its share in the national budget, one can see that there is a budget gap. Based on 2015 statistics, Mindanao has a population share of 23.9 percent and a 40.4-percent share in the number of poor families in the Philippines. Despite

these figures, Mindanao, as previously mentioned, will only get 14.1 percent share in the 2018 National Budget net of Special Purpose Funds and the 10 national government agencies whose allocations are lumped under the National Capital Region.

As for the different national government agencies, there have been improvements in some Departments, but there are also increases in others. For the Department of Agriculture, their overall budget increased from P45.9 billion in 2017 to P54.2 billion in 2018. However, the allocation for Agriculture in Mindanao decreased, while that of Luzon's increased, and also that of the NCR, the National Capital Region, which increased by P12.6 billion. Mindanao's share is 17 percentage points lower than Luzon's; it is also 26.4 percentage points lower than that of the National Capital Region.

For the Department of Health, their 2018 budget shows that 54.6 percent has been allocated as "nationwide," but only P7.5 billion has been allocated in Mindanao which is P2.9 billion lower than 2017's allocation. For 2018, Mindanao has only 7 percent of the Department of Health's budget.

For the Department of Education, Mindanao will have P137 billion allocation in 2018. This allocation is P25.9 billion higher than 2017's. While the share of Mindanao has increased, the allocation for Luzon remains substantially higher at P260.3 billion.

For the Department of Public Works and Highways, Mindanao's P48.8 billion allocation for 2018 is 32 percent higher than 2017's. Its P11.8 billion budget increase is higher than Luzon and Visayas, but lower than NCR's P32 billion. However, Mindanao's allocation pales in comparison to the "nationwide" 2018 allocation amounting to P399 billion. For the Department of Social Welfare and Development, P35.5 billion of its P138 billion is allocated for Mindanao. This amount is gladly 14 percent higher than 2017's, but still lower than Luzon's 2018 allocation.

Mr. Speaker, while we in Mindanao are very obviously grateful for the budget increases especially to the Department of Education, Department of Public Works and Highways, and the Department of Social Welfare and Development, we are still hoping that the budgets of other departments in Mindanao will also increase. We would like to remind the Department of Budget and Management of our President's promise to Mindanao that he would give an equal share of the national budget to the island. With the President coming from Mindanao, we are very hopeful even now that we in Mindanao will finally receive a just and equal share in the national budget, which will finally help us develop and reach our potential.

Thank you very much, Mr. Speaker. That is all.

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

REP. SALO. Mr. Speaker, I move that we refer the speech of the Honorable Rodriguez to the Committee on Rules for its appropriate action.

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

REP. SALO. Mr. Speaker, next to avail of the Privilege Hour is the Hon. Carlos Isagani T. Zarate of the Party-List BAYAN MUNA.

THE DEPUTY SPEAKER (Rep. Abueg). The honorable Rep. Carlos Isagani Zarate of the Party-List BAYAN MUNA is recognized for his privilege speech.

PRIVILEGE SPEECH OF REP. ZARATE

REP. ZARATE. Maraming salamat, G. Speaker. Magandang hapon po sa lahat.

G. Speaker, ako po ay tumatayo ngayon upang magtalumpati para sa mga empleyado o kawani ng gobyerno, partikular sa mga miyembro ng mga makabayang unyon.

G. Speaker, hinihimok natin na tunay ang maghatid ng makabuluhang serbisyo—serbisyonang publiko ng ating mga government employees o ng ating mga kawani, at karugtong nito, nais natin na may tunay silang pag-ibig sa bayan at sa ating mga mamamayan. Ganito natin matitiyak na sila ay hindi lamang mga kawani o empleyado ng gobyerno o ng pamahalaan, ngunit sila rin ay mga tunay na lingkod-bayan.

Ang mga kawani ng ating pamahalaan ay tulad ng milyun-milyong mga manggagawa ng Pilipinas, G. Ispiker, na nakikibaka para sa regularisasyon at seguridad sa trabaho. Iba-iba ang tawag dito sa mga sektor. Tinatawag silang emergency hire, job order or JO, contract of service o memorandum of agreement workers. Pero sa katotohanan, G. Ispiker, ang dulo nito, sila ay mga manggagawang kontraktuwal. Kaya nakapagtataka lamang na sa ating gobyerno na nangangako na tatapusin nito ang kontraktuwalisasyon ay kanlungan mismo ang mga ahensya nito ng hindi patas at mapagsamantalang patakaran. Katunayan, tumatagal ng mga dekada ang pagiging kontraktuwal ng maraming kawani sa ating pamahalaan.

G. Ispiker, partikular sa mga unyong makabayan o progresibo sa loob ng mga ahensya ng gobyerno ang pagtuligsa sa korapsyon at sa mga patakaran ng pamahalaan na may epekto sa interes ng ating mga mamamayan at sa ating bayan. Halimbawa na rito ay ang paggiit ng mga manggagawa ng National Housing Authority ng tunay at makamasang serbisyonang pabahay para sa mga maralita.

G. Ispiker, lehitimo at makatarungan ang tindig ng ating mga kawaning nag-uunyon. Kaya naman ating

mariing tinutuligsa ang naging sagot at aksyon ng dating heneral na si Eduardo Del Rosario, na siya ngayong tumatayong Chair ng board of directors ng National Housing Authority, sa panawagang dialogue ng mga opisyal at miyembro ng unyon sa nasabing kagawaran. Sa halip na tugunan ang lehitimong kahilingan at kahingian ng mga kawani ng NHA, nilihis nito ang usapin at direkta nitong binansagang front daw ng Communist Party of the Philippines ang unyon ng NHA.

G. Ispiker, mga kapwa ko Mambabatas, ginagarantiyahan ng ating Saligang Batas ang kalayaang magbuo ng mga unyon, asosasyon at iba pang samahan ang ating mga kawani sa pribado man, mga kumpanya o maging sa mga ahensya ng ating pamahalaan. Subalit ang malisyosong paratang na ito sa mga miyembro ng Consolidated Union of Employees of the National Housing Authority or CUE-NHA ay tahasang pagpapahamak sa mga miyembro nito na maging biktima ng pasistang atake ng tiranikong pamahalaan.

Ang paratang ni Chairman Del Rosario laban sa CUE-NHA na mga prente ng CPP-NPA ay tahasang mapanganib, dahil hindi lamang ito isang paraan ng psywar na pananakot, posibleng magdulot din ito ng kapahamakan sa mga nasabing kawani, miyembro at opisyal ng nasabing unyon.

Maaalala lamang natin, G. Ispiker, na nagbitiw ng nakaririmarim na pahayag si Pangulong Duterte na “shoot them in the vagina” sa mga babaeng rebelde. Ang mga ganitong pahayag, kasama ng pasistang atake sa mga sibilyan, lalung-lalo na sa mga Lumad sa Mindanao, ay nagpapakita lamang ng kakayanan ng pamahalaan at ng sandatahang lakas nito na magpamalas ng walang puknat na karahasan sa ating mamamayan.

Namamayagpag ang paglabag sa karapatang pantao, mula sa pagbaha ng dugo sa giyera laban sa droga, hanggang sa militarisasyon, pambobomba at pagpatay na hatid ng Oplan Kapayapaan at martial law sa Mindanao. Hindi talaga mapapayapa ang sinumang bansagang kalaban ng Estado kahit pa man hindi ito mapatutunayan. Kaya naman sa paratang na ito, G. Ispiker, tila binigyan ng go-signal ni Chairman Del Rosario na dahasin ang mga pinuno at miyembro ng unyon ng NHA.

Sadsad na sa larangang pagkalinga sa karapatang pantao ang Pilipinas. Ibang antas na ang kahihiyan na pati na ang mga government employees ay ganito na rin ang sinasapit mula sa ating pamahalaan. Partikular na isyu ng mga kawani ng NHA ang pagbibigay ng tunay at makataong pabahay na may batayang pasilidad, kinakailangang mga serbisyonang panlipunan at kabuhayan para matiyak ang makataong kalagayan nila sa mga pabahay ng gobyerno. Ito po ang mandato ng NHA, G. Ispiker, at maging ng buong pamahalaan, ngunit ang pagbubuo ng Department of Human Settlements and Urban Development, ayon na rin sa unyon ng NHA, ay maghahatid lamang ng higit pang pribatisasyon ng pabahay at mag-aambag sa malala nang kawalan ng

lupa ng mga mamamayan sa ating kanayunan, bukod pa sa isasangkalan nito ang seguridad sa trabaho ng mga kasalukuyang empleyado ng National Housing Authority at iba pang matitingkad na mga isyu kaakibat dito.

G. Ispiker, ito ay mga lehitimong alalahanin ng unyon at ng mga kasapi nito. Muli, tunay na nakakabagabag na imbes na sagutin ni Chairman Del Rosario ang mga usaping ito ay nahulog siya sa McCarthyism o ang pagpapatang sa mga unyon bilang mga Komunista.

Wala bang maisagot si Chairman Del Rosario sa lehitimong mga isyung inilalagap ng unyon ng NHA? Wala ba siyang katuwirang lalampas pa sa red-baiting? Dinaig na ba siya sa pag-aanalisa ng mga empleyado ng NHA kaya ito na lamang ang kaniyang naging katugunan? Para saan pa, kung gayon, ang kaniyang pagkakaluklok sa National Housing Authority kung wala itong maisagot sa mga usaping pabahay at iba pang mga usaping pambayan, G. Ispiker?

Hindi ligtas sa political persecution ang mga hanay ng mga unyonista sa loob ng ating pamahalaan at sa iba't ibang ahensya nito. Katunayan, G. Ispiker, noong December 3, 2012, dinakip sina Randy Vegas at Raul Camposano, parehong mga organisador ng COURAGE o ang samahan ng mga kawani sa ating pamahalaan. Ito ay isang pederasyon ng government employees' union. Sila ay ikinulong sa gawa-gawang kaso at ipiniit sa Camarines Norte at nananatiling nakapiit hanggang sa kasalukuyan.

Hindi rin bago ang ganitong masamang gawi ng puwersa ng Estado sa mga kawani ng pamahalaan. Kung ating maaalala, G. Ispiker, noong 2015, kinundena mismo ng Presidente ng Integrated Bar of the Philippines si Atty. Rose Reyes, ang pangha-harass at intimidasyon sa mga miyembro ng COURAGE. Aniya:

The Integrated Bar of the Philippines strongly condemns the harassment and intimidation perpetrated by elements of the military and the police against members of the progressive sectors of our society, particularly political activists and advocates. The high-handed exercise of authority is a throwback to martial law and has no place in our democracy.

Kaya bilang panghuli, G. Ispiker, mga kapwa ko Mambabatas, hinihimok ko kayong manindigan para sa karapatan ng ating mamamayan, sa karapatang mag-union ang ating mga kawani sa pamahalaan, at para sa mga empleyadong nakikita ninyo sa inyong paligid ngayon. Bilang mga kapwa na nasa serbisyo publiko o serbisyong-bayan, maninindigan tayo para sa ating government employees at sa ating mga mamamayan.

Maraming salamat, G. Ispiker.

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

REP. SALO. Mr. Speaker, I respectfully move that we refer the speech of Rep. Carlos Isagani Zarate to the Committee on Rules for its appropriate action.

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

REP. SALO. Mr. Speaker, I respectfully move that we recognize Rep. Emmi A. De Jesus from the Party-List GABRIELA for her privilege speech.

THE DEPUTY SPEAKER (Rep. Abueg). Rep. Emmi De Jesus from the Party-List GABRIELA is hereby recognized.

PRIVILEGE SPEECH OF REP. DE JESUS

REP. DE JESUS. Maraming salamat, Mr. Speaker, at magandang hapon sa lahat ng ating Kinatawan na naririto ngayon. Ito po ay may kaugnayan doon sa isang napakalaking issue sa isang sektor na patuloy na naghihirap.

Nais irehistro ng Representasyong ito ang pagkaalarmang hindi yata sasapat ang salitang “pagkadismaya” kung hindi pagkundena sa isinasagawang operasyon ng “Tanggap Bulok, Tanggal Usok” na kontra umano sa mga luma at smoke-belching na jeepney.

Mula Enero, mahigit 1,000 tsuper na ang sinita, pinagmulta o di kaya ay kinumpiska ang lisensya dahil umano sa paglabag ng minamanehong jeep sa isinasaad na mga standard. Mahigit 1,000 kabuhayan at pamilya na ang walang pakundangang binulabog ng Inter-Agency Council for Traffic or I-ACT para isulong ang crackdown sa mga jeep at libu-libong pasahero na rin ang naapektuhan ng isinasagawang operasyon. Isang kongkretong halimbawa nito, Mr. Speaker, noong February 8, nagkagulo po sa UP Diliman dahil ang mga mag-aaral ay walang masakyan dahil sa ginawa nilang operasyon. Kahit saang lugar, siguro naman, kahit tayo ay nasa mga pribadong sasakyan natin, kapag tayo ay umuuwi, makikita natin at kapuna-puna ang mga kawawang commuter na wala namang ibang inaasahang sasakyan kundi mga jeepney kaya pagkahababaha ng pila.

Higit na nakakagalit kung sisilipin ang guidelines na ginagamit para matukoy ang hindi compliant umano na jeep. Bawal daw pumasada ang kung tawagin po nila ang may “pansit na wiring.” Bawal daw iyong higit sa isa ang kulay ng ilaw sa loob ng jeep. Bawal na din kapag may bakbak na pintura ang jeep. Kada violation, P5,000 agad ang multa. Napakalaki nito—sa katunayan, higit na mas malaki sa karaniwang boundary ng isang tsuper sa isang araw. Sa dami at haba ng listahan ng mga bawal, talagang hindi na talaga papasada ang mga tsuper, at tiyak may masisilip na paglabag na naman ang LTRFB sa halos lahat ng jeep.

Para sa Representasyong ito, Mr. Speaker, ang intensyon ng gobyerno sa pagsasagawa ng kampanya ay unti-unting walisin ang mga jeep sa kalsada para bigyang daan ang mga umano ay modernong jeep, at alinsunod sa programang modernization. Ang tingin namin sa aktwal, ito ay tuluyang pag-phaseout sa mga jeepney. Pagparalisa sa kabuhayan ng mga tsuper ang isinasagawang crackdown. Maliit na nga ang kanilang kita at bugbog na bugbog na sa pagsirit ng presyo ng produktong petrolyo at iba pang bilihan bunga ng TRAIN, ginagatasan pa sila ngayon ng rehimen upang gamitin ang mga multa. Sa napakatagal na panahon, walang natanggap na suporta mula sa gobyerno ang mga drayber ng jeep. Masahol pa, kung natatandaan ninyo, inalipusta pa sila ni Pangulong Duterte noong nakaraang taon nang sinabi niyang magdusa ang mga mahihirap na tsuper. At para takutin ang mga tsuper na lumaban sa programang PUV modernization, kung natatandaan natin, sinampahan pa ng kaso ang kanilang lider, ang lider ng PISTON na si George San Mateo bilang bahagi na ng atake sa mamamayan.

Kung usok at usok din lang ang pag-uusapan, nagsisilbing smokescreen itong “Tanggap Bulok, Tanggal Usok” para sa jeepney phaseout at ang nakakabahala, ang magiging ganap na korporatisasyon ng pampublikong transportasyon. Pabor ito sa mga malalaking negosyante na karamihan ay bahagi ng oligarkiya, magbebenta ng mga bagong unit ng jeep at magbabaon sa utang sa mga operator at tsuper. Sa isang hearing, inamin mismo ng Department of Transportation na sa darating na April, nasa 500 na bagong jeep ang papasada sa Kamaynilaan at ilang probinsiya. Kasunod nito, inamin din nila na bunga nito ay tatanggalan ng prangkisa ang mga lumang jeep para igawad sa mga bagong unit. Nakakabahala dahil kung bulok din lang ang pag-uusapan, hindi ba nagmimistulang bulok ang isang programang wala namang masusing batayan maliban sa agresibong tulak ng pribadong kapital? Sa Committee hearing hinggil sa PUV modernization noong nakaraang Nobyembre, inamin mismo ng LTFRB na hindi pa tapos ang pag-aaral kaugnay sa programa, maging ang route rationalization plan. Sa mismong hearing na iyon, ang Representasyong ito ay nagbanggit na puro drawing ang mga opisyal ng gobyerno kung hindi naman nila masasagot ang mga masusing tanong: Magkano ang itataas ng pamasaha? Ano ang magiging disenyo at daloy ng ruta? Paano maa-absorb ang mga drayber na mawawalan ng kabuhayan, na ngayon pa lang po, napakarami nang tsuper ang talagang lumalapit sa iba’t ibang opisina para humingi ng tulong na animo ay mga pulubi, samantalang mga able-bodied naman sila at handa naman talaga silang sumagupa at magserbisyo sa ating mamamayan.

Mga kapwa Kinatawan, Mr. Speaker, hindi biro ang isasagawang pag-phaseout sa mga jeepney dahil apektado ang mahigit na 600,000 na mga tsuper at 300,000 operators sa buong bansa, at tandaan ninyo, kabilang ang kanilang pamilya. Kung mananaig ang malalaking

negosyante sa public transport, tiyak magtataas ng minimum na pasahe para siyempre bawiin ang kapital. Tatama ito sa bawat pamilya, lalo na sa pamilya ng mga manggagawa at maralitang araw-araw sumasakay ng jeep. Tatama ito sa mga kababaihan, lalo na sa mga ina na pilit pinagkakasya ang kakarampot na kita sa harap ng hambalos ng taas-presyo ng halos lahat ng bilihan.

Kaya naman, mahigpit na kaisa ang GABRIELA Women’s Party ng mga tsuper para pigilan ang planong PUV modernization o pag-phaseout sa kanila, at malabanan ang isinasagawang crackdown na ngayon ay tinatawag na “Operasyon Tanggal Usok, Tanggal Bulok.”

Nagbibigay-pugay din kami sa mga tsuper at iba pang sektor na kumikilos para sa laban sa jeepney phaseout na incidentally, ngayong araw, ay mayroon silang ginawa para itala ang kanilang paninindigan. Malinaw na bagamat “modernization” ang bansag sa programa, hindi naman ito ang titiyak pagdating sa kanilang kabuhayan at kagalingan ng kanilang pamilya. Hindi katanggap-tanggap na ang mga nagtutulak ng programa ay baka mas concerned pa doon sa mga tinatawag na “wiring,” iba-ibang kulay ng jeep, kaysa doon sa kabuhayan ng mga tsuper at ng mga manggagawa na nakikinabang sa serbisyong ibinibigay ng jeep. Sa pagbabandila ng ganitong programa at pagturing sa mga ordinaryong mamamayan, tiyak tuluy-tuloy na uusok ang galit ng sambayanan at titindig laban sa ganitong programa, sa bangis ng kapital, at siyempre, doon sa mga dikta ng gobyernong ito.

Mr. Speaker, kapwa ko Mambabatas, sana po maunawaan natin ang kalagayan ngayon ng mga tsuper na mawawalan ng hanapbuhay. Bakit hindi asikasuhin? Kapag sinabi nating modernization at pampublikong serbisyo ang ating nasa isip, higit na dapat bigyang-pansin ang pagtitiyak ng pagsasaayos ng LRT, higit na bigyang-pansin ang pagsasaayos ng pampubliko at pangmasang transportasyon.

Muli, ang paninidigan ng Representasyong ito ay ang paglaban at pagkokondena sa operasyong “Tanggap Usok, Tanggal Bulok.”

Magandang hapon po.

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

REP. SALO. Mr. Speaker, I respectfully move that we refer the speech of Rep. Emmi De Jesus to the Committee on Rules for its appropriate action.

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

The Majority Leader is recognized.

REP. SALO. Mr. Speaker, I respectfully move that we recognize Rep. Sarah Jane I. Elago, from the Party-List KABATAAN, to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Abueg). Rep. Sarah Jane Elago from the Party-List KABATAAN is hereby recognized.

PRIVILEGE SPEECH OF REP. ELAGO

REP. ELAGO. Thank you, Mr. Speaker.

Our fellow Representatives, the Filipino youth and the people:

This afternoon, I rise on a matter about the Youthquake 2.0, and why the youth need to stand for rights, freedom and democracy.

Human rights violations, though not supposedly a norm, are now happening even more often, with killings everyday, with reports of threats and harassments. Attacks on the rights of the youth are no different and are now even more blatant and devious.

The passage of the Universal Access to Quality Tertiary Education Act is a victory of the youth movement for free education, though ironic that the youth would have to fight for a right that they should have been granted in the first place. Its implementation, however, betrays that hard-earned and well-deserved victory as university and college administrations are now forced to find ways to circumvent the free tuition policy and the new law because of the limited capacity that we have in our public universities and colleges.

The K to 12 program, Mr. Speaker, which promised jobs for graduates of Senior High School students has brought additional two years of heavier financial burden to families. This year, the program's first batch of graduates will be forced to find jobs in companies and industries that find them to be, in a recent statement, "not work-ready"—companies and industries who are now lobbying for more internship hours from all these Senior High School students. If genuine education is our goal, Mr. Speaker, holistic development instead of mere job-readiness should be the primary factor of any reform in the education system.

These challenges to the youth's right to education cannot be fully realized in the system where even education itself has to bow down to the interest of profit, of capitalists and investors. And when the youth do admonish the system, however logically and rationally, they are threatened not only by their university or college administration or officials but also by the heads of government themselves.

The admonition, needless to say, comes from fear of dissent—a view that the young people have no role in society other than to sit inside their classrooms; memorize dates, places, events; and repeat alphabet letters or theories or solve equations from books. It is a view that we most despise for hindering our development as well-rounded individuals. It is a view that seeks to isolate the students and the youth from being aware of our societal ills and the plight of the marginalized and the oppressed.

Instead of reprimanding students and the youth, let us ask why they dared to join the solidarity actions and demonstrations. We must guide them instead of threatening them of being kicked out of their universities and colleges, for they would have undoubtedly learned more from the masses and beyond the four corners of their classrooms.

When the youth join these mobilizations, we do not do so as a hobby or leisure, never as a form of escape, never as an excuse to cut classes or never to attend classes, and never as a form of arrogance. When the youth join these mobilizations, it is because we have finally realized that many of the democratic rights and services we enjoy today are victories won through the collective pursuit of the people. When young people join protests, it is because we have finally realized that our individual concerns are not too divorced from the oppressive system that perpetrates structural ills in our society. It is because we have realized that we are not at all immune from the effects of bogus reforms, of anti-people policies, of anti-drug and counter-insurgency operations. It is because we have realized that we are deprived of our right to education for the very same reason that other sectors are deprived of access to other basic social services. This is because of the preference to outsource these services in favor of profit, and which in turns makes us milking cows at the expense of the people's rights and welfare.

For the youth or the young people joining these mobilizations, demonstrations, solidarity actions, we must show our support and solidarity. Let us be proud of them for they have chosen to become leaders not only of tomorrow, they have chosen to become leaders of today.

When the young people join these mobilizations, they relive the spirit of the First Quarter Storm. They aim not only to be like those who were once young, they aim to draw inspiration and lessons from those who fought before us, for them to be braver and stronger.

Coincidentally, Mr. Speaker, Oxford Dictionary's word of the year for 2017 was "youthquake." Youthquake is defined as a "significant cultural, political, or social change arising from the actions or influence of young people." In the Philippines, 2017 was only a year for the people to gain traction for its campaigns for full-blown nationwide and massive demonstrations.

On February 23, the youth and student sector will conduct a nationwide action, an expression of a resolute commitment to fight for rights, freedom and democracy. For with the worsening human rights, the economic and political situation in the country, it would be a sin for the youth to remain silent and, in effect, to side with the oppressor. Ten or twenty years from now, the youth will wake up to the same horrific conditions if they do not rise up to fight against the oppressive system that persists up to this day. And it

is better to fight with all strength and vigor rather than to regret not doing so.

Likewise, we strongly encourage all legislators to stand in solidarity with the ranks of the marginalized and the oppressed. Iyong mga walang boses sa ating lipunan ang ating bigyan ng boses. Let us give them a moment of our time, out of our chairs, out of our offices, and unite with them in their fight for genuine social reform and democracy.

Para sa mga kabataang Pilipino, para sa mga Iskolar ng Bayan: let us take a moment out of our classrooms, bring your readings and your books in the demonstrations, if you must. Let us show the administration, our leaders, our policymakers, that protests and learning in the classroom are not mutually exclusive, but should complement each other.

Hindi lang nalilimitahan sa apat na sulok ng ating mga classroom ang ating pag-aaral, lalung-lalo na kung ito ay para sa pag-alam kung paano ba natin gagamitin ang lahat ng ating mga natututunan na mga teyorya, na mga mahahalagang punto sa ating kasaysayan para naman magsilbi sa ating bayan, at para hindi lamang mag-aral ng kasaysayan, kung hindi tayo na mismo ang gagawa ng kasaysayan.

Nagkaroon na ng mga panalo noon ang mga nauna sa atin—sa mga konseho ng mag-aaral, sa mga pampublikasyon na mga alyansa, sa iba't ibang mga grupo na nakabatay man sa mga eskuwelahan o sa mga komunidad. Ngayon naman ang panahon upang tayo ang magpanalo ng mga laban para sa susunod na henerasyon.

We vow to march and to stand beside the interest of the marginalized and the oppressed. YouthQuake 2.0 on February 23 is not only about the youth and student sector or their issues, concerns, and challenges confronting their sector, but also about the struggle—more so about the struggle of the Filipino people and how the youth have actively participated and will continue to actively participate in it.

Isang makabayan at palabán na hapon po sa lahat. Maraming salamat, Mr. Speaker.

Magkita-kita po tayo sa darating na Biyernes, February 23, kung saan magkakaroon ng boses para sa pagkakaisa, para sa karapatan, sa kalayaan at sa demokrasya na hindi po natin papayagan na maagaw mula sa ating henerasyon at sa mga susunod pa na henerasyon ng mga Pilipino.

Maraming salamat muli, Mr. Speaker.

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

REP. SALO. Mr. Speaker, I move that we refer the speech of the Hon. Sara Jane Elago to the Committee on Rules for its appropriate action.

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

REP. SALO. Mr. Speaker, I move that we terminate the Privilege Hour.

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

REP. SALO. Mr. Speaker, I move that we now proceed to the consideration of measures under the Calendar of Business, the Business for the Day.

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

CONSIDERATION OF H.B. NO. 7134 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. SALO. Mr. Speaker, I move that we consider House Bill No. 7134, contained in Committee Report No. 599, as reported out by the Committee on Health and the Committee on Appropriations.

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

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

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

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

THE SECRETARY GENERAL. House Bill No. 7134, entitled: AN ACT PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE ACT NO. 3573, OTHERWISE KNOWN AS THE “LAW ON REPORTING OF COMMUNICABLE DISEASES.”

REP. SALO. Mr. Speaker, I move that the Chairperson of the Committee on Health, the Hon. Angelina Tan, be recognized to begin her sponsorship of the measure.

* See MEASURES CONSIDERED (printed separately)

THE DEPUTY SPEAKER (Rep. Abueg). The honorable Rep. Angelina “Helen” D.L. Tan, MD is recognized.

REP. TAN (A.). Mr. Speaker, please consider the Explanatory Note of my House Bill No. 3163 as part of my sponsorship speech.

REP. SALO. Mr. Speaker, I respectfully move that the Explanatory Note, as stated in the measure, be considered as the sponsorship speech of the sponsor.

I so move, Mr. Speaker.

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

REP. SALO. Mr. Speaker, there being no Member who wishes to interpellate or speak against the measure, I move that we terminate the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Abueg). Is there any objection? (*Silence*) The Chair hears none; the period of sponsorship and debate is now terminated.

REP. SALO. Mr. Speaker, I now move that we open the period of amendments.

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

REP. SALO. Mr. Speaker, there being no Committee or individual amendments, I move that we close the period of amendments.

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

REP. SALO. Mr. Speaker, I now move that we vote on Second Reading on House Bill No. 7134.

I so move, Mr. Speaker.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Abueg). As

many as are in favor of House Bill No. 7134, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Abueg). As many as are against, please say *nay* (*Silence*)

APPROVAL OF H.B. NO. 7134 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Abueg). The *ayes* have it; House Bill No. 7134 is now approved on Second Reading.

The Majority Leader is recognized.

SUSPENSION OF SESSION

REP. SALO. Mr. Speaker, I move that we suspend the session for a few minutes.

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

It was 5:35 p.m.

RESUMPTION OF SESSION

At 5:35 p.m., the session was resumed.

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

The Majority Leader is recognized.

ADJOURNMENT OF SESSION

REP. SALO. Mr. Speaker, there being no remaining matter for the day, I move that we adjourn the session until tomorrow, February 20, 2018, at four o'clock in the afternoon.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abueg). Is there any objection? (*Silence*) The motion is approved.

The session is adjourned until February 20, 2018, at four o'clock in the afternoon.

It was 5:35 p.m.