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House of Representatives

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No. 72

CALL TO ORDER

At 4:00 p.m., Deputy Speaker Linabelle Ruth R. Villarica called the session to order.

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

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Villarica). Everybody will please rise to sing the Philippine National Anthem.

Everybody rose to sing the Philippine National Anthem.

PRAYER

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

Everybody remained standing for the silent prayer.

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

ROLL CALL

REP. NOGRALES (J.). Good afternoon, Mme. Speaker, I move that we call the roll of Members of the House of Representatives.

THE DEPUTY SPEAKER (Rep. Villarica). 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. 72, dated March 7, 2018.**

THE SECRETARY GENERAL. Mme. Speaker, the roll call shows that 198 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Villarica). With 198 Members present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

REP. NOGRALES (J.). Mme. Speaker, considering that copies of the Journal of the previous session have been distributed to the Members, I move that we dispense with the reading of the Journal.

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

APPROVAL OF THE JOURNAL

REP. NOGRALES (J.). Mme. Speaker, I move that we approve the Journal of the previous session, Journal No. 71, dated Tuesday, March 6, 2018.

I so move, Mme. Speaker.

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

REP. NOGRALES (J.). Mme. Speaker, I move that we proceed to the Reference of Business.

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

The Secretary General will please read the Reference of Business.

REFERENCE OF BUSINESS

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

* See ANNEX (printed separately)

BILLS ON FIRST READING

House Bill No. 7306, entitled:

“AN ACT CREATING THE PHILIPPINE AIRPORT DEVELOPMENT CORPORATION AND APPROPRIATING FUNDS THEREFOR”

By Representatives Alvarez (P.), Fariñas, Suarez, Sarmiento (C.) and Gonzales (A.D.)

TO THE COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION AND THE COMMITTEE ON TRANSPORTATION

House Bill No. 7307, entitled:

“AN ACT PROVIDING ADDITIONAL ORGANIZATIONAL AND OPERATIONAL FUNDING TO THE NATIONAL YOUTH COMMISSION (NYC), TO SUSTAIN DEVELOPMENTAL PROGRAMS, TO FOSTER A COMPREHENSIVE NATION-BUILDING STRUCTURE, TO ACCELERATE AND ESTABLISH A PROGRESSIVE SCHEME TOWARDS MATURITY, AND FOR OTHER PURPOSES”

By Representative Romero
TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 7308, entitled:

“AN ACT CREATING THE ADOLESCENT AND YOUTH HEALTH COMMISSION, TO DEAL WITH THE RISING SEXUAL AND REPRODUCTIVE HEALTH ISSUES, TO ADOPT EXTENSIVE GENDER-SENSITIVE APPROACHES, PROVIDING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES”

By Representative Romero
TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT AND THE COMMITTEE ON HEALTH

House Bill No. 7312, entitled:

“AN ACT DECLARING THE THIRD SUNDAY OF NOVEMBER EVERY YEAR AS THE ‘WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS’”

By Representative Velasco-Catera
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 7313, entitled:

“AN ACT REQUIRING ALL OPERATORS, FRANCHISE HOLDERS, AND SERVICE PROVIDERS OF MASS TRANSPORT PASSENGER TRAINS AND LIGHT RAIL SERVICES TO ACQUIRE COMPREHENSIVE

THIRD-PARTY LIABILITY INSURANCE COVERAGE FOR THE WELFARE OF THE RIDING PUBLIC”

By Representative Sy-Alvarado
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 7314, entitled:

“AN ACT STREAMLINING THE PROCESSING OF APPLICATIONS, CLEARANCES AND PERMITS IN GOVERNMENT AGENCIES, CREATING A NATIONAL INFORMATION COORDINATING OFFICE TO FACILITATE THE PROCESS AND FOR OTHER PURPOSES”

By Representative Sy-Alvarado
TO THE COMMITTEE ON INFORMATION AND COMMUNICATIONS TECHNOLOGY

House Bill No. 7315, entitled:

“AN ACT TO STRENGTHEN THE NATIONAL PROSECUTION SERVICE ACT, AMENDING FOR THE PURPOSE, SECTIONS 16 AND 19 OF REPUBLIC ACT NO. 10071, OTHERWISE KNOWN AS ‘PROSECUTION SERVICE ACT OF 2010, AND FOR OTHER PURPOSES’”

By Representative Castro (F.H.)
TO THE COMMITTEE ON JUSTICE

House Bill No. 7316, entitled:

“AN ACT GRANTING FILIPINO CITIZENSHIP TO MR. XU HAIGANG AKA JAIME CO”

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

House Bill No. 7317, entitled:

“AN ACT CONVERTING SITIO BUCO IN BARANGAY BANLAG IN THE CITY OF VALENCIA, PROVINCE OF BUKIDNON INTO A SEPARATE AND DISTINCT BARANGAY”

By Representative Roque (R.)
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 7318, entitled:

“AN ACT INSTITUTIONALIZING THE GRANT OF STUDENT FARE DISCOUNT PRIVILEGES ON PUBLIC TRANSPORTATION AND FOR OTHER PURPOSES”

By Representative Siao
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 7319, entitled:

“AN ACT CONVERTING THE LOCAL ROAD

STRETCHING FROM BARANGAY MAGBALLO IN THE CITY OF KABANKALAN IN NEGROS OCCIDENTAL AND CONNECTING IT WITH THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL, INTO A NATIONAL ROAD”

By Representative Alvarez (M.)
TO THE COMMITTEE ON PUBLIC WORKS
AND HIGHWAYS

House Bill No. 7320, entitled:

“AN ACT DECLARING THE THIRD SATURDAY OF NOVEMBER EVERY YEAR AS NATIONAL THANKSGIVING DAY AND DECLARING SUCH A SPECIAL NONWORKING HOLIDAY”

By Representative Almario
TO THE COMMITTEE ON REVISION OF
LAWS

RESOLUTIONS

House Resolution No. 1747, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON ENERGY AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF THE MAGNA CARTA FOR RESIDENTIAL ELECTRICITY CONSUMERS RELATIVE TO THE ADMINISTRATION OF THE BILL DEPOSIT OF ELECTRICITY CONSUMERS AND THE METER DEPOSIT REFUND”

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

House Resolution No. 1748, entitled:

“RESOLUTION URGING THE DEPARTMENT OF JUSTICE TO INCLUDE THE USE OF SOCIAL MEDIA AS A MEANS TO EDUCATE THE GENERAL PUBLIC, PARTICULARLY THE YOUTH, OF THE LAWS OF THE LAND”

By Representative Almario
TO THE COMMITTEE ON JUSTICE

House Resolution No. 1749, entitled:

“A RESOLUTION FOR CONGRESS, THROUGH THE COMMITTEES ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY, AND OVERSEAS WORKERS AFFAIRS, TO CONDUCT AN

INVESTIGATION IN AID OF LEGISLATION ON THE POSSIBLE DATA BREACH OF THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION”

By Representative Manalo
TO THE COMMITTEE ON RULES

House Resolution No. 1750, entitled:

“A RESOLUTION FOR CONGRESS, THROUGH THE COMMITTEE ON OVERSEAS WORKERS AFFAIRS, TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE PROPER IMPLEMENTATION OF SECTION 4 OF THE MIGRANT WORKERS ACT, AS AMENDED, AND TO CALL ON THE DEPARTMENT OF FOREIGN AFFAIRS, DEPARTMENT OF LABOR AND EMPLOYMENT, AND THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION TO REVIEW THE PROTECTIONS GUARANTEED BY EACH OFW DESTINATION COUNTRY”

By Representative Manalo
TO THE COMMITTEE ON RULES

MESSAGE FROM THE SENATE

Message dated February 28, 2018, informing the House of Representatives that on even date the Senate designated Senators Win Gatchalian, Loren Legarda, Joseph Victor G. Ejercito, Juan Miguel F. Zubiri and Franklin M. Drilon as conferees to the Bicameral Conference Committee on the conflicting provisions of Senate Bill No. 1461, entitled:

“AN ACT INSTITUTIONALIZING THE ELECTRIC COOPERATIVES EMERGENCY AND RESILIENCY FUND AND APPROPRIATING FUNDS THEREFOR”

and House Bill No. 7054, entitled:

“AN ACT INSTITUTIONALIZING THE ELECTRIC COOPERATIVES EMERGENCY AND RESILIENCY FUND, PROVIDING APPROPRIATIONS THEREFOR”

TO THE COMMITTEE ON RULES

COMMUNICATIONS

Letter dated February 1, 2018 of Glenn F. Baricuatro, Municipal Mayor, Municipality of Pinamungajan, Province of Cebu, submitting their 4th Quarter 2017 status report of the projects implemented by their municipality under the Local Government Support Fund.

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated February 7, 2018 of Mariano R. Martinez, Municipal Mayor, Municipality of San Remigio, Province of Cebu, submitting their Report on Fund Utilization and Status of Program/Project Implementation of the Assistance to Disadvantaged Municipalities under the Local Government Support Fund for the 4th Quarter of CY 2017.
TO THE COMMITTEE ON APPROPRIATIONS

Report on Fund Utilization and Status of Program/Project Implementation for the Fourth Quarter ended December 31, 2017 of the Local Government Support Fund submitted by Noel T. Dotillos, Municipal Mayor, Municipality of Borbon, Province of Cebu.
TO THE COMMITTEE ON APPROPRIATIONS

2017 Annual Report of the Philippine National Police.
TO THE COMMITTEE ON PUBLIC ORDER AND SAFETY

Letter dated 15 February 2018 of Goddess Hope O. Libiran, Director for Communications, Department of Transportation (DOTr), submitting a copy of the 2017 Annual Report of DOTr.
TO THE COMMITTEE ON TRANSPORTATION

COMMITTEE REPORTS

Report by the Committee on Youth and Sports Development and the Committee on Appropriations (Committee Report No. 647), re H.B. No. 7345, entitled:
“AN ACT ESTABLISHING THE ZAMBOANGA DEL NORTE SPORTS ACADEMY AND TRAINING CENTER IN THE MUNICIPALITY OF GUTALAC, PROVINCE OF ZAMBOANGA DEL NORTE AND APPROPRIATING FUNDS THEREFOR”
recommending its approval in substitution of House Bill No. 6159
Sponsors: Representatives Estrella, Amatong and Nograles (K.A.)
TO THE COMMITTEE ON RULES

Report by the Committee on Youth and Sports Development and the Committee on Appropriations (Committee Report No. 648), re H.B. No. 7346, entitled:
“AN ACT ESTABLISHING THE SOUTHERN LEYTE SPORTS ACADEMY AND TRAINING CENTER IN THE CAPITAL CITY OF MAASIN, PROVINCE OF SOUTHERN LEYTE AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 6207
Sponsors: Representatives Estrella, Mercado and Nograles (K.A.)
TO THE COMMITTEE ON RULES

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

REP. NOGRALES (J.). Mme. Speaker, at this juncture, may we be allowed to acknowledge the presence of some of the guests in the House of Representatives, namely: the officials of Barangay Poblacion from the municipality of Libona, province of Bukidnon, led by Chairperson Eriberto Cabanez, Councilor Mary Cyril Buta, Councilor Delia Lura, Councilor Larry Salvacion, Councilor Bonifacio Ebueza Sr., Councilor Aldrin Cablinda, Councilor Roland Ebueza and Barangay Treasurer Lynnne Abriol. They are the guests of the Hon. Ma. Lourdes Acosta-Alba. *(Applause)*

THE DEPUTY SPEAKER (Rep. Villarica). Welcome to the House of Representatives.

REP. NOGRALES (J.). Mme. Speaker, I move that we now proceed with the consideration of measures under the Calendar of Business.

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

CONSIDERATION OF H. B. NO. 6973 *Continuation*

PERIOD OF SPONSORSHIP AND DEBATE

REP. NOGRALES (J.). Mme. Speaker, under the Calendar of Unfinished Business, I move that we consider House Bill No. 6973, as contained in Committee Report No. 572, as reported out by the Committee on Metro Manila Development. For this purpose, may we request that the Secretary General be directed to read only the title of the measure.

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

The Secretary General is directed to read only the title of House Bill No. 6973.

THE SECRETARY GENERAL, House Bill No. 6973, entitled: AN ACT ENHANCING THE EFFECTIVENESS OF THE METROPOLITAN MANILA COUNCIL IN FORMULATING

POLICIES, RULES, REGULATIONS, AND IN ENACTING ORDINANCES FOR METRO MANILA, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7924, ENTITLED, "AN ACT CREATING THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES."

REP. NOGRALES (J.). Mme. Speaker, the parliamentary status of the Bill is that it is in the period of sponsorship and debate. I therefore move that we recognize the Hon. Bayani F. Fernando for the sponsorship of the measure.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Fernando will please proceed.

REP. NOGRALES (J.). Mme. Speaker, I also move that we recognize the Hon. Tobias "Toby" M. Tiangco to resume his interpellation.

THE DEPUTY SPEAKER (Rep. Villarica). The Hon. Toby Tiangco is recognized.

REP. TIANGCO. Mme. Speaker, I have not finished my interpellation yet, but there are other interpellators such as the Honorable Erice and the Honorable Atienza. They have been waiting for a couple of days now. So, I will yield to the Honorable Erice but reserve my right to interpellate after he is done.

Thank you, Mme. Speaker.

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

REP. NOGRALES (J.). Mme. Speaker, I move that we recognize the Hon. Edgar R. Erice from the Second District of Caloocan City for his interpellation.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Erice is recognized.

REP. ERICE. Thank you, Mme. Speaker. Thank you my dear colleagues.

Nais ko po sanang linawin ang ilang mga bagay patungkol dito sa panukalang House Bill No. 6973 na naglalayong bigyan ng kapangyarihan ang Metro Manila Development Authority na gumawa ng mga ordinansa at magbalangkas ng mga batas para ipatupad sa buong Kamaynilaan.

Ang una ko pong katanungan sa principal author ng nasabing panukalang batas ay: Nais po ba ninyong bigyan ng kapangyarihan ang Metro Manila Development Authority sa pamamagitan ng mayor o ang Metro Manila Mayors Council ng kapangyarihang makagawa

o makapagbalangkas, makapagpasá at makapagpatupad ng mga ordinansa at mga batas na ipatutupad sa buong kalakhang Maynila?

REP. FERNANDO. Mme. Speaker, my dear colleague from Metro Manila, I think that question had been asked for three days now. I have been here in this platform and, just the same, I would say the same thing. The Bill is not asking for authority, for the MMC to have that authority to enact ordinances. We have given up that hope a long time ago since I submitted this proposed Bill when I was still Chairman of the MMDA way back in 2007 or 2008. So, the Bill is actually for the mayors to prepare any proposed ordinance, vote on it, and then present it to the 17 sanggunian of Metro Manila for their decision. It is not the Metro Manila Council; this is not actually the mayors enacting the ordinances. Thereafter, with a majority of the local government councils voting in the affirmative, then the Metro Manila Council, the mayors will simply get that decision, those ordinances to be implemented. Actually, the authority is not with the local, not with the Metro Manila Council; the authority is with the local government council, the Sanggunian that have the legislative power.

REP. ERICE. Sa kasalukuyan po, ang mga panukalang batas ay nagmumula sa mga Sangguniang Panlungsod ng Metro Manila. Kung may priority na pangangailangan ang punong-lungsod, siya po ay nagpapanukala at ito ay manggagaling sa Sangguniang Panlungsod.

Ngayon po, under the proposal, it will be the MMDA that will propose ordinances and let the Metro Manila mayors approve or disapprove it. Tama po ba?

REP. FERNANDO. Tama po iyon, Mme. Speaker, at hindi lamang manggagaling sa MMDA, kung hindi, puwede rin pong manggaling sa mga Sanggunian; puwede pong manggaling sa kahit kaninong konsehal, 287 of them, of Metro Manila. Puwede ring manggaling sa 17 vice-mayors of Metro Manila. So, we have here a host of brilliant ideas for Metro Manila.

REP. ERICE. Ang ibig mong sabihin, ang magbotohan ay ang mga mayor, tama po ba?

REP. FERNANDO. Magbobotohan, tama po, ang mga mayors ay magbobotohan, at ang resulta ng botohan na iyon ay ibibigay sa local Sanggunian para pagpasiyahan.

REP. ERICE. Ang ibig mong sabihin, magpapasaya muna ang mga punong-lungsod at kung ano ang mapapagpasiyahan nila, ito ay ipara-ratify nila sa

Sangguniang Panlungsod ng bawat local government ng Metro Manila. Tama po ba?

REP. FERNANDO. Tama po. Ganoon ang layon ng panukalang ito.

REP. ERICE. Magbigay tayo ng specific, hypothetical example at gamitin na natin na halimbawa ang ginawa po ninyo noong kayo ang MMDA Chairman. Ginawa ninyo noon, kung inyong naaalala pa sa mga sidewalk, na pagka ang pedestrians ay nasa kalsada, mayroon po kayong puting tela na basâ at lahat ng lalagpas sa sidewalk ay mababasâ ng puting tela na dala-dala ng MMDA truck. Kung ito po ay ipapanukala ng MMDA, pagbobotohan ito ng mga mayor at, halimbawa, siyam sa 17 mayors ay pumayag dito sa panukalang ito pagkatapos ito ay dadalhin sa mga sanggunian. Kung ang siyam na sanggunian ay pumayag po pero ang walo ay hindi, ibig po bang sabihin, ito ay ipapatupad sa 17 lungsod kahit na ang walo ay hindi pumayag?

REP. FERNANDO. Kung siyam po na sanggunian ang nagsabi na sila ay pumapayag, ibig sabihin lamang na ang lahat po ay kinakailangang sumunod ...

REP. ERICE. Sumunod?

REP. FERNANDO. ... sa itinatakda ng batas na iyon.

REP. ERICE. Kung ganoon po, ...

REP. FERNANDO. Iyan po ang diwa ...

REP. ERICE ... ang panukalang batas na ito ay bumubuo at bumabalangkas ng isang asembliya, ng isang sanggunian na magpapanukala at magpapatupad ng mga batas na kahit hindi sinasang-ayunan ng ilang local governments. Tama po ba ito?

REP. FERNANDO. Mme. Speaker, tama po iyon, parang magiging isang asembliya at ang nasabing asembliya ng mga sanggunian ay para sa Kalakhang Maynila. Sa isang asembliya po, ang bawat miyembro ay nabibigyan ng singkarapatan para bumoto, para magdesisyon, at sa kabila po ng otoridad na iyan ay ang katungkulan na magpapatupad.

REP. ERICE. Tama po iyon.

REP. FERNANDO. Iyan po ang sinasabi natin na responsibility and authority.

REP. ERICE. Tama po iyon. Naniniwala po ako diyan, subalit ayon po sa ating Constitution, Article X, Section 1, ang mga political subdivisions lamang po na

tulad ng probinsiya, lungsod, munisipyo, barangay, ang ARMM at ang Cordillera ang political subdivisions. Ang MMDA po ay hindi naman political subdivision. Tama po ba ito ayon sa Constitution?

REP. FERNANDO. Mme. Speaker, yes that is true. I have to admit at this point in time, ...

REP. ERICE. Kung ganoon po, ...

REP. FERNANDO. ... because—okay.

REP. ERICE. ... ang iisang entity na hindi political subdivision ay hindi puwedeng mag-exercise ng police powers. Tama po ba?

REP. FERNANDO. Kung anu't ano man po ang ating sabihin, ...

REP. ERICE. Ayon sa Constitution, ...

REP. FERNANDO. ... kung itong panukalang ito ay tatanggapin ng Kongreso ngayon, iyon po ay balido. May kapangyarihan po ang Kongresong ito na magbigay ng ganoong kapangyarihan, at iyan po ay sa aking maliit na pagkakaalam sa batas ng Kongreso.

REP. ERICE. Ang Kongreso po ay creation ng Constitution. We cannot go beyond the provisions of the Constitution, and it is very clear in Article X, Section 1 of the konstitusyon that the MMDA is not a political subdivision, and so it cannot exercise police powers which are principally exercised through legislation. Walang kapangyarihan ang MMDA na magbalangkas at mag-apruba ng mga ordinansa o batas. Iyon pong Sangguniang Panlungsod, may kakayahan. Bawat isa po sa 17 sa Metro Manila, 16 na lungsod at isang munisipyo, ay may kakayahan. Sila lang po ang puwedeng makagawa ng mga ordinansa na maipatatupad sa kanilang lugar. Hindi po maaari iyan sa MMDA.

Tama po kayo na kailangan na nating pagsama-samahin dahil may common needs ang Metro Manila, pero kung gagawa po tayo ng batas, dapat within the framework of the Constitution. Iyong ipinapanukala po ninyo na ang MMDA, through the Mayors' Council, gagawa ng mga ordinansa, ito po ay labag sa Konstitusyon. Walang kapangyarihan ang Kongreso na ito na magbigay ng kapangyarihan sa MMDA para makagawa ng batas hangga't ang MMDA po ay hindi political subdivision.

Kaya nga po sa ating Konstitusyon, nakikita ito sa urban centers tulad ng Metro Manila, Metro Cebu, Metro Davao, puwede nating gawin itong mga political subdivision upang masagot ang problemang iyan. Hindi po pupuwede, sa palagay ko po, hindi maaari

na maging makapangyarihan ang MMDA over elected local sanggunian. Maliwanag na maliwanag po, maski po sa MMDA Law, na sinasabi na ang authority lang ng MMDA ay mag-coordinate, mag-monitor at magplano para sa kalakhang Maynila, in conformity with national government policies without prejudice to the autonomy of the local government affected. Ibig sabihin, maski ang MMDA Law, iginagalang ang local autonomy. Pero, kung sasaklaw tayo sa kapangyarihan ng kahit ni isa, kahit ng pinakamaliit na munisipyo sa Metro Manila, aba, sasaklawan natin ang local autonomy ng local government units. Tama po ba?

REP. FERNANDO. Mme. Speaker, with due respect, I would like to remind the Gentleman that the issue is not with the MMDA but with the MMC. The MMDA is just an instrument of the MMC. But in this particular instance, it is the MMC, the mayors, and not the MMDA. Baka mapagkamalan po natin ang bagay na ito.

REP. ERICE. Just the same, Mme. Speaker, the MMC is not a legislative body. They are local chief executives, they are not supposed to enact ordinances.

REP. FERNANDO. Kaya nga po tinatanggap ko na ang bagay na iyan. Kaya nga lang, nais ko sanang maipakita sa lahat kung ano ang mga nangyayari sa katotohanan. Ayon din naman sa batas, na ang ano mang kasunduan na pasukan ng sino mang mayor ay kinakailangan pong iparatipika sa kanyang konseho. Ito po ay wala namang pagkakaiba sa bagay na iyon. Ang pag-upo nila sa Metro Manila Council ay para pong ganoon din lang, nakikipagkasundo sila, at kung ano man ang mapagpasiyahan doon, idudulog niya sa kanyang konseho. Iyon po ay walang pagkakaiba. Ang kagandahan po nga nito, heto tayo sa Kongreso na siya nang magbibigay kung ano man ang kakulangan ng karapatan ng sino man. Ang Kongreso na po ang magbibigay, hindi na po kahit sino. At ultimo naman iyong pinagbabasehan nating batas na MMDA Law, gawa po iyon ng Kongresong ito. Ano man o kung mayroon mang pagkukulang sa Konstitusyon, palagay ko po ay napag-usapan na iyan noong balangkasin ang MMDA Law. Ang sa akin po sana, kung ano man ang pagkukulang ay hamo na po ang Kongresong ito ang magpuno sa kanila sa pamamagitan ng kanilang pagboto dito sa ating pinag-uusapan.

REP. ERICE. Mme. Speaker, wala pong pagkukulang ang Konstitusyon. Ang may pagkukulang po ay itong panukalang batas ninyo sapagka't maliwanag naman sa Konstitusyon kung gusto nating magkaroon ng pangkalahatang sanggunian ang Metro Manila. We can always convert Metro Manila into a political subdivision

with an elected governor and with an elected assembly that can formulate and enact laws and ordinances. Pero ang gusto ninyo po ay kalabanin ang Konstitusyon. Ang gusto ninyo pong mag-enact ng ordinansa ay iyong mga walang karapatan na mga local chief executive sa pamamagitan ng Metro Manila Council.

So ang may kakulangan po ay hindi ang Konstitusyon. Ang Konstitusyon ay mayroong sagot diyari. Kung gusto natin na iyong mga metropolitan areas ay magkaroon ng coordination at mayroong common laws, common ordinances, and common plans, kailangan pong i-constitute natin sila as a political subdivision; pero hangga't hindi sila political subdivision at bibigyan iyong isa-isang ahensya ng kapangyarihan para mag-legislate, iyan po ay labag sa Konstitusyon.

REP. FERNANDO. Mme. Speaker, I am not blaming the Constitution. I do not see any fault or anything wrong with it, pero siguro po ay mabuti na ring malaman natin kung mayroon mang pagkukulang, ilalagay ko na po doon sa MMDA Law.

Pasintabi sa mga bumoto at gumawa noong batas na iyon. Kung may pagkukulang man ay maaaring doon po sa pagkakagawa noon. Kaya nga't iyong pagkukulang pong iyon ay pupunuan natin sa pamamagitan nitong panukalang ito para sa ganoon pa man ay wala na pong makuwestiyon sa hukuman.

Alam po ninyo, ako ay walong taong nagserbisyo diyari sa MMDA. Ngayon ko lang po naliliwanagan at ngayon lang ako pinapasukan ng takot na noon pala, iyong aking ginagawa at pinaninindigan kong MMDA Law ay wala palang ibig sabihin at puwede pala akong makulong sa kakulangan ng anumang karapatan ng ahensyang iyon, sa kakulangan noong MMDA Law na iyon. Kaya po kanina, galing na mismo sa bibig ng ating dating Speaker na silang mga gumawa ng batas na iyon, kaya nga po iyan ay mabuti nang mapagkaisahan, mapagbasehan natin at kung hindi po natin gagawan ng paraan ay mabuti pang tigilan na natin iyong MMDA Law. Huwag na nating gamitin at masusubo lang po ang maraming tao diyari sa bagay na iyan.

Hindi po iilang beses akong napunta sa husgado at kinukwestiyon ang karapatan ng MMDA, ng Metro Manila Council na iyan. So, kaya ito po ang remedyo, atin nang remedyuhan bago pa masubo sa kompromiso ang sinumang tao sa kakulangan ng batas na iyon. Iyon pong nabanggit ninyo na maaaring mas mabuting magkaroon ng elected na governor ang Metro Manila, maging political subdivision na iyan, iyan po ay narinig ko na, ang mga panukalang iyan. At sa inyo mismo, kagalang-galang, ay narinig ko iyan, hindi lang siguro ilan—isa o dalawang taon ko nang narinig po sa inyo iyan, pero sa haba po ng 24 na taon mula nang gawin ang MMDA Law, wala pong nangyaring ganyan. Kaya't kung sakali man po at matapos ang batas na ito ay

maipasá, baka puwedeng simulan ninyo nang ipasok ang panukalang iyan at ako po ay baka hindi tatanggi sa panukala ninyong iyon na maging elected governor na, kung elected governor para sa Metro Manila. Pero sa kasalukuyan po, ito lamang po ang aking naririnig at nakikita na pinakamadaling paraan para maremedyuhan natin, sapagka't ang mga taga-Metro Manila po ay naghihintay ng napakalaking pagbabago. Ang nakita ko po sa aking walong taong panunungkulan diyan, at ako naman ay nag-Mayor din ng siyam na taon, ang isa pong pinakamalaking pagkukulang ay ang kakulangan natin ng mga takdang gawain, takdang mga batas para mapasunod natin at mabago natin ang pag-uugali ng bawát isang naninirahan dito sa Kamaynilaan. Iyan pong mga batas na iyan ang umuukit. Iyang mga batas na iyan ang nagiging modelo, at iyan ang nagtutulak sa bawat isa para ang kanyang pag-uugali ay ibagay niya sa pangangailangan ng mas malaking komunidad na kanyang kinabibilangan.

REP. ERICE. Mme. Speaker, it is my position na ang panukalang batas na ito, sa halip na makapagbigay ng solusyon ay makapagpapagulo pa sa sitwasyon dito sa kalakhang Maynila. Sa katunayan po, 16 sa 17 alkalde ng Metro Manila ay nagpahayag ng pagtutol dito sa panukalang batas na ito. Sa katunayan, hindi lang po ang mga konsehal ng Metro Manila kundi ang konsehal ng buong bansa ay tutol sa panukalang ito. Ganoon din po ang Vice Mayors League sapagkat dahil din sa panukalang batas na ito ay tatapakan iyong local autonomy at hindi po papayag ang mga local government na tapakan ang local autonomy.

Para po sa kalinawan ng lahat, tayo ay magbibigay ng isang hypothetical situation. Halimbawa po, nagpasá ang Metro Manila Council na iyong mga lagusang tubig, daluyang tubig sa bawat siyudad ay lagyan ng harang upang maharang ang basura, upang malaman kung ano ang mas maraming basurang napo-produce na lungsod. Ipinasá po ito ng Metro Manila Council. Nagbotohan sila at sampu ay pabor na harangan, lagyan ng harang para sa mga basura, bawat ilog. Pito po iyong hindi sumang-ayon. Kung ipatutupad ninyo po ito, ano ang gagawin ninyo kung halimbawa po sa Quezon City naglagay, hinarangan iyong mga basura na dadaan sa Tullahan River, pagdating naman po sa Caloocan, ayaw pumayag at hindi naglagay. Anong gagawin ninyo sa Caloocan? Kung maglalagay kayo, tatanggalin ang nasa lungsod ng Caloocan, ipahuhuli pa iyong mga tao ninyo na maglalagay ng harang. Paano ho ang gagawin natin kung hindi unanimous ang pagsang-ayon noong 17? Papaano ninyo ipapatupad iyong mga ordinansa na babalangkasin ng Metro Manila Council?

REP. FERNANDO. Mme. Speaker, sa nabanggit po ninyo na example, iyan na nga po ang problema natin. Kapag ayaw noong mayor, basta na lang wala.

Kahit iyan ay pinag-usapan sa Metro Manila Council, kahit pinagbotohan, basta ayaw noong isa, pasensya na kayong lahat. Kaya po walang mangyari sa Metro Manila.

REP. ERICE. Hindi, Mme. Speaker.

REP. FERNANDO. Ito po ay nagkakaroon ng tinawag ninyo nga kaninang asembliya, na kung saan nagkakaroon ng collegial relationship. Ang bawat isa po is given the equal right to vote and that is authority, and with every authority comes responsibility. Iyon po iyong equal rights natin to vote and to be responsible. Naroroon po ang diwa ng collegial assembly na iyan, the collaborative decision of everyone. Iyan po ang mukhang hindi naliliwanagan ngayon ng ating mga mayor sa Metro Manila, kaya po walang mangyari sa atin.

As an example, 24 years ago, ...

REP. ERICE. Mme. Speaker, iyon nga po, ipagpalagay na nga nating naipasá iyong batas ninyo at nakapagpatupad, nakapag-enact tayo ng batas, papaano kung ayaw sumunod ng Caloocan? Anong gagawin ninyo? Paano ninyo parurusahan? Paano ninyo ipatutupad sa Caloocan. Wala kayong police powers?

REP. FERNANDO. Then we go to court.

REP. ERICE. Aba, sa halip po na magkasundo iyong mga Metro Manila mayors sa panukala ninyo, malamang mag-away-away.

REP. FERNANDO. Then the court will so decide. Nobody else, nobody else will decide except after this, and then it would be for the court to decide on these conflicts.

REP. ERICE. Mayroon pa pong isang katanungan.

REP. FERNANDO. Dapat itong mga conflicts nga na ito ay matagal na dapat naipasok sa husgado. Kaya nga lang with this, as I said, as a collegial body, the authority given to you—the equal authority to vote—those who show irresponsibility, that will hold water in any court.

REP. ERICE. Mr. Chairman, Mme. Speaker, naniniwala po ako na kung ipapasá itong batas na ito, ito po ay aabot sa korte sapagkat hindi po talaga papayag iyong mga local government sapagkat ito po ay labag sa Konstitusyon.

May isa pa po akong katanungan. Practically po, itong panukalang batas na ito ay mag-aamyenda sa Local Government Code. Marami na pong mga suggestions, amendments, proposals, subalit wala pa

pong naipapasá. Tatanungin ko lang po kayo, ito po bang panukalang batas na ito ay nagsasaad na inaamyendahan natin ang Local Government Code?

REP. FERNANDO. Labas po sa kaalaman ko ang lalim na ng katanungan na iyan. Ipagaumanhin ninyo hindi ko masagot.

REP. ERICE. Ito po ba ay nagdaan na sa Committee on Local Government?

REP. FERNANDO. Nagdaan po ito sa Metro Manila concerned Committee at nagdaan po ito sa Rules Committee.

REP. ERICE. Pero sa Committee on Local Government, hindi po?

REP. FERNANDO. Ako po ay nakunsulta ng Chairman ng Local Government Committee. Nagtanong po ako ng ilang bagay pero hindi ko po alam kung ano ang alituntunin ng ating Kongreso. Kung kinakailangan po ba ay magdaan sa local government ano iyan. Hindi ko po alam. Ako po ay naghihintay lang sa instruksyon ng mas may nakakaalam sa akin dito. Ako po ay bagong Congressman.

REP. ERICE. Iyan po ang problema natin, marami po tayong hindi alam at ipapasá natin itong panukalang batas na ito. Mme. Speaker, it is my position that this particular ...

REP. FERNANDO. Excuse me.

REP. ERICE. ... legislation is beyond the provisions of the Constitution. If we have to make a reform, if we have to integrate legislation for Metro Manila, we have to create another political subdivision. If we cannot create a political subdivision, any legislative Body will be deemed illegal.

Thank you, Mme. Speaker.

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

REP. NOGRALES (J.). Mme. Speaker, at this juncture, we would like to recognize the next interpellator, the Hon. Tobias "Toby" M. Tiangco from the Lone District of Navotas City.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). Honorable Tiangco of Navotas City is recognized.

REP. TIANGCO. Mme. Speaker, yesterday we left off at the portion wherein the honorable

Sponsor mentioned a case concerning Pasig, that according to the honorable Sponsor, there is a case wherein the courts decided against Pasig. It was the honorable Sponsor's example that local autonomy is not absolute. So, I have been asking for the case number since yesterday, Mme. Speaker, but I do not have it until now. May I know the case number of that case about Pasig?

REP. FERNANDO. Mme. Speaker, I tried my best to get the information as per request of our colleague, and this is what I got at this hour. I just received this text, "Sir, nai-communicate na po namin kay former Treasurer Vic Endriga. We will send you his reply as soon as possible." For the information of my dear colleague, it was then Treasurer Vic Endriga, in his time, when this case came up. But, subsequently, Treasurer Vic Endriga was transferred to Quezon City. Then, after that text, another text came, "Sir, according to one Revenue Examiner, parang *City of Pasig vs Meralco*," and then, just a minute ago, I got this other text, "Ordinance 46 ng Marikina at Ordinance 25 ng Pasig City, petition sa DOJ ng Aris Philippines, et al." Ngayon natandaan ko na po, kasama pa pala kami sa kasong iyon, Pasig and Marikina ang binabanggit po dito. Pasensiya na kayo, hindi ko po nakuha iyong eksaktong numero ng kaso, pero I will continue to dig into this and give my colleague information on this.

REP. TIANGCO. Mme. Speaker, considering that I do not have the cases number and I need time to research on the cases that the honorable Sponsor cited, can we be given time for the cases information to be furnished to me and to allow me to study the cases? Because in the case cited, the honorable Sponsor said that fiscal autonomy is not absolute and I would like to read the case and interpellate based on those cases. Unless the case is given to me first and I am given ample time, I will not be able to interpellate on that matter, Mme. Speaker.

REP. FERNANDO. Mme. Speaker, I just mentioned that one example but there is another example that I also gave. I think it is a very small matter to delay these proceedings for that purpose. I think it is too little a reason to disturb these proceedings.

REP. TIANGCO. Mme. Speaker, we are not delaying, it was brought up by the honorable Sponsor.

Mme. Speaker, when you stand up in Congress and you cite a case, you must be able to defend and explain that case. You cannot just stand up here, Mme. Speaker, cite a case and then just say, "No, it is nothing. It is a small matter." If it is a small matter, you should not even bring it up. But once you bring it up in defense of whatever bill you are defending, you must be able to

stand up and defend it. You cannot just say “later on”, and unless the honorable Sponsor would admit that it has nothing to do with fiscal autonomy, then I will stop my questioning regarding that matter.

REP. FERNANDO. I beg the pardon of my colleague if I had said something which is not to his liking. But, anyway, if I may be allowed to rephrase my statement, ako po ay nagprisinta ng isa pang ehemplo para lang po maunawaan ang ibig sabihin ng aking diwa. At ito po ay napakaliit or isang bagay po lang ito na hindi naman makakaapekto sa kabuuan ng ating pag-uusap, kaya kung pupuwede po ay huwag na nating gawing dahilan itong bagay na ito, kung ito man ay magiging dahilan ng pag-antala sa mga pinag-uusapan natin ngayon.

REP. TIANGCO. Okay, Mme. Speaker, just to move forward, yesterday, we stopped off at Section (E) of the proposed measure in which the proposed Bill states, on page 8, lines 1 to 4 that the Sanggunian shall approve or disapprove in toto the proposed Bill.

Mme. Speaker, for example, traffic, if the Metro Manila Council proposes a unified ordinance for traffic in the whole Metro Manila, siyempre ho ang mangyayari ho niyan ay bababa at magkakaroon ng public hearing at mayroon ho iyang ordinansa—puwede ho iyang magpataw ng fine. Tama ho ba?

REP. FERNANDO. Ang ordinansa po, anumang ordinansa, ay puwedeng magpataw ng multa.

REP. TIANGCO. Okay.

Mme. Speaker, kaya ho nagkakaroon ng public hearing ay para nga ho madinig iyong mga constituent noong local government na iyon. At alam naman na ho natin na ang demographics o ang katayuan ng mga mamamayan sa isang lugar ay hindi pare-pareho. May mga lugar na mas mayayaman o mas may kaya ang mga residente, at may mga lugar naman na mas mahirap ang mga residente. May mga lugar na maraming pedicab. Baka nga may mga lugar din dito sa Metro Manila na kakaunti ang pedicab. Iyong kakayahan noong mga residenteng iyon na magbayad ng penalty ay depende sa katayuan nila sa buhay.

So, magbigay tayo ng halimbawa. Kung ang naaprubahan ng Metro Manila Council ay fine na P2,000 sa pedicab at magkakaroon ho ng public hearing doon sa isang local government unit, bakit naman ho ang puwede lang piliin ng local government unit na iyon ay either ipatupad iyong fine na P2,000 o hindi ito ipatupad? Papaano naman ho kung sa tingin ng local government unit na iyon at sa tingin ng Sangguniang Panlungsod na iyon, base sa katayuan ng kanilang mamamayan, ay dapat may penalty na P500 at hindi P2,000? Hindi sila pabor sa P2,000 dahil sa tingin nila, napakataas. Hindi rin naman sila pabor na walang penalty dahil sa tingin

nila, hindi naman susunod ang mga residente. So, sa tingin nila, dapat may fine na P500. Bakit ho tinatanggal iyong kapangyarihan na iyon, Mme. Speaker, doon sa Sangguniang Panlungsod? Kasi kung ang susundin ho ay itong Section (E) na in toto, without any amendment, ganoon ho ang mangyayari. Eh kaya nga ho mayroong Sanggunian at kaya may public hearing dahil dapat silang makinig doon sa mga residente bago ipatupad iyong mga batas.

So, iyon lang ho ang aking tanong sa ating honorable Sponsor, bakit naman kailangang in toto?

REP. FERNANDO. Mme. Speaker, on the same section, and may I read, in reply to the question of my dear colleague, line 22, item (B):

THE MEMBERS OF THE METRO MANILA COUNCIL SHALL COORDINATE AND CONSULT WITH THEIR RESPECTIVE LOCAL GOVERNMENT UNITS AND OFFICES AND THE PUBLIC TO DETERMINE THAT THE MATTER PRESENTED TO THE METRO MANILA COUNCIL IS RELEVANT AND OF METRO-WIDE APPLICATION. THE RESULT OF THE METRO-WIDE CONSULTATION SHALL BE PRESENTED TO THE METRO MANILA COUNCIL, WHICH MAY OPT TO FORM A TECHNICAL WORKING GROUP AS IT DEEMS NECESSARY ON ISSUES ARISING FROM THE CONSULTATIONS.

Iyan po ay klarung-klaro po siguro dito sa ating proposed Bill na kasama po ang ano, ang patakarang iyon. Maliwanag po iyon dito.

REP. TIANGCO. Mme. Speaker, maliwanag po iyong patakaran na iyon, na kokonsultahin, gagawa ng technical working group. Pero, ang resulta ng technical working group ay hindi naman ibig sabihin na papayag o tututol totally ang isang Sanggunian. Nasa kapangyarihan ho ng Sanggunian na gumawa ng kanilang ordinansa. So, kung ang ipinasá ho ng MMDA ay fine na, halimbawa, P2,000, may kapangyarihan ho ang Sanggunian na sabihin na P500.

So, ang ibig ba hong sabihin ng ating honorable Sponsor ay tinatanggal niya iyong kapangyarihan na iyon ng Sanggunian at ang puwede lang gawin ng Sanggunian ay bumoto ng “Oo” o “Hindi” doon sa panukala ng MMDA?

REP. FERNANDO. Mme. Speaker, kung anuman po ang damdamin ng mayor o noong mga konsehal nila sa pamamagitan ng konsultasyon na ito, kung ano man ang kanilang damdamin, ipaglaban po nila doon sa mga pagpupulong ng konsehong iyan para kung ano man

ang gusto ng kanilang nasasakupan, ano ang magaling para sa kanila at ano ang magaling para sa lahat, iyon po ang diwa ng konsultasyon na iyan, ng asembliya na ito na sinasabi natin.

Ito po ay kakaiba at napakagaling. Hindi na po nananangan ito sa kaalaman lang ng isang mayor sapagkat sa pamamagitan po nito, 287 councilors of the 17 local governments of Metro Manila will get involved. Ang dami pong panggagalingan ng mga ideya. Ang dami pong panggagalingan ng mga datos na mas magaling na pagbasehan ng anumang desisyon ng ating konseho.

Ito, kagalingan po nito, sapagkat sa ngayon po, nabanggit ko nga noong huling pagpupulong, wala pong panahon ang mga mayor. Talaga pong napakaraming problema ng mga local governments. Kaya nga po sa loob ng walong taon kong panunungkulan bilang Chairman, ni hindi po ako naka-quorum kahit minsan ng mga mayor at napaka-busy po nila. Wala kaming usapan na tumagal nang isang oras sapagat puro nagmamadali po sila. Kasama po ako doon. Mayor din ako dati at pinakamatigas ang ulo ko.

Kaya po, dito po, kukunin natin ang mas may panahon, ang mas may lakas na mga kabataan. Halos kabataan iyang 287 na councilors ng Metro Manila, at ang 17 vice mayors, ang sisipag po niyan. Sa kanila po manggagaling. Puwede po makipagdebate magdamagan ang mga bata na iyan. Sila po ang umiikot sa buong Kamaynilaan. Sila po ang aktibo at sila ang higit na nakaaalam ng damdamin ng ating mga kababayan. Sila po ang ating puwedeng maasahan ng ganoon sa panahong ito. Kaya hindi po masama ang pakay ng ating pinag-uusapan. Dahilan po diyan, pinalalawak natin ang kakayahan ng ating Metro Manila Council. Isinasama na po natin ang lahat dito.

REP. TIANGCO. Mme. Speaker, inamin na ho ng ating honorable Sponsor na matigas ang ulo niya noong siya ay Mayor, so bakit naman niya tinatangalan ng karapatan na maging matigas din ang ulo ng mga mayor ngayon?

REP. FERNANDO. Kaya nga po ako ay hindi nagmamagaling. Sinabi ko na, sapagkat noong mga panahong iyon, wala rin po akong makitang productive na ginagawa ng ating Metro Manila Council. Kaya po ako ay hindi na nag-aksaya rin ng panahong magdadaló roon dahil po sa ganyang bagay. Wala po, wala pong mahitá eh.

Kaya po sa tingin ko ay iyon po ang solusyon, para ang isang matigas na ulong Bayani Fernando, huwag mangibabaw o huwag isilang sa bayang ito. Iyon po ang aking isang masasabi diyan, base po sa aking karanasan na mismo. Kaya po ako ay naglakas ng loob na ipasok ang panukalang ito.

REP. TIANGCO. Mme. Speaker, iyong katigasan ho ng ulo ng ating honorable dating Chairman Bayani Fernando bilang Mayor ay, actually, hinahangaan ko nga ho dahil kung hindi ho naging matigas ang ulo niya, hindi ho niya mapapaayos at mapapaganda iyong Marikina. Kaya ho niya napaayos at napaganda iyong Marikina ay dahil, sabi ko nga, sa isang lugar, dapat ang pinakamatigas ang ulo ay iyong mayor. Walang dapat na tao na mas matigas ang ulo kaysa doon sa mayor dahil kung mayroong mas matigas ang ulo kaysa doon sa mayor, hindi maipatutupad iyong kanilang gusto. Kaya tama ho iyong ginagawa ni Chairman BF noon. Kaya bigyan natin ho ng kapangyarihan at leeway iyong mga mayor. Hindi ho puwedeng MMDA o MMC ang magdidikta doon sa mga mayor dahil iba-iba ho ang sitwasyon sa Metro Manila, iba-iba ho ang plano ng mga mayor sa kanilang lungsod. Dapat pabayaan natin ho silang gawin kung ano iyong plano nilang iyon dahil iyon ho ang essence ng local autonomy. Ang kailangan lang ho talaga ay ma-coordinate ng MMDA lahat ng mga effort ng mga mayor.

Mme. Speaker, isipin ho natin na kung lahat ng mayor ay magagawa at maiaayos ang kanilang mga siyudad, hindi ho ba pag pinagsama-sama ho iyon, ganoon din ho ang resulta, magiging maayos ang Metro Manila? So, ang kailangan lang ho talaga dito at ang essence noong MMDA Law is to coordinate.

Ngayon ho, kung hindi man iyan nako-coordinate ng MMDA sa panahon ngayon, iba ho ang dahilan. Ibig sabihin, iyong gamot o iyong solusyon na ibinibigay ng ating honorable Sponsor na bigyan ng karapatan na gumawa ng ordinansa ang MMDA, hindi ho iyan ang sagot doon sa problema ng MMDA. Ang sagot doon sa problema ng MMDA—ako ho ay naging miyembro rin ng Metro Manila Council—ay magkaroon ng maayos na usapan doon sa council. Nangyayari naman ho iyan eh, pero kapag pinilit ho natin na bigyan ng karapatan na gumawa ng ordinansa ang MMDA, hindi rin ho magiging maayos iyan, lalong magkakagulo-gulo lang iyan, lalong hindi magkakasundo ang mga mayor. Kasi isipin ho ninyo, ano ang mararamdaman ng isang mayor kung ang ordinansa na inaprubahan sa siyam na siyudad ay ipapatupad mo sa siyudad na ayaw nila? Papaano ho? Mas magiging cooperative ho ba iyong local government na iyon o mas magiging magulo ang samahan ng mga local government sa Metro Manila?

Let us just imagine that. Hindi ho ba mas magiging magulo ang samahan ng mga local government sa Metro Manila pag ipinilit na kahit hindi ipinasá doon sa local government unit ninyo ay ipapatupad ninyo iyon doon? Ganoon ho ang magiging resulta noon. Hindi ko ho alam kung papaano magiging mas maayos ang samahan ng Metro Manila local government units kapag ipinilit ninyo na iyong ordinansang hindi inaprubahan sa isang lugar ay ipapatupad mo naman doon sa isang lugar.

REP. FERNANDO. Palagay ko po ay naitanong na rin dati ang bagay na iyan at nasabi ko na rin ang aking sagot diyan. Anyway, iyong pag-aalala po ninyo ay aking nirespeto. Kaya nga lang po ay nagkakaiba tayo ng pagtingin sa mga bagay-bagay. Ipagpaumanhin ninyo, ang tanong po ninyo, palagay ko, ay kayo na siguro po ang makasasagot.

REP. TIANGCO. Mme. Speaker, okay, kung iniisip ng ating honorable Sponsor na puwede ho iyong majority ng local government sa Metro Manila ay ipatupad iyong kanilang kagustuhan doon sa mga hindi pumayag na minority, itatanong ko ho doon sa ating honorable Sponsor, bakit naman ho sa isang local government—sabihin na natin sa Marikina—puwede ba iyong pinagbotohan ng majority ng barangay ay ipatupad doon sa barangay na hindi pumayag?

REP. FERNANDO. Ganoon din po, iyon po ay naitanong na ninyo nang ilang beses magmula kahapon. Ganoon pa man, ang akin po dito, hindi po lahat ay saklaw nitong ating panukalang ito. Ang sinasaklaw po lang ay ang tinatawag na Metro-wide concerns at iyon po ay within. Ang saklaw po nito ay within the mandate of the MMDA lamang. Hindi po sakop iyong taxation, hindi po sakop iyong ibang mga bagay. Ang sakop po nito ay nasa traffic, health, nandoon po sa garbage collection, nandoon po sa—pito pong bagay iyan na itinakda ng MMDA Law. Hanggang doon po lang. Hindi po lalaktaw sa ibang bagay iyan na nasa katungkulan ng mga lokal na pamahalaan. Hanggang doon po lang. At doon sa bagay na naitanong ninyo, uulitin ko po rin na hindi po—ang atin pong pinag-uusapan ay mga bagay na lumalampas sa teritoryo ng isang lokal na pamahalaan. Iyon pong bagay, tawag nila nga “Metro-wide concerns,” ano po—at iyon po ang hindi nga nangyayari dito sa Kamaynilaan. Nakita ninyo ang trapik natin. Hindi po natin maresolba iyan sapagkat mayroon tayong 17 batas trapiko sa Metro Manila. Gayung 24 na taon na ang nakakaraan nang itakda sa MMDA Law na magkaroon at inutusan ang MMDA na gawin ang isang single ticketing system for Metro Manila.

Iyong trapik po ay hindi lamang para sa isang bayan. Ngayon po ay 17 na bayan, hindi na makapagsasabing ligtas sila sa suliraning iyan. Iyan po ay napakahirap solusyunan hangga’t hindi tayo nagkakaisa na magkaroon ng isang batas at nang ang ating mga mamamayan ay hindi magkaroon ng kalituhan at ng pag-aalinlangan. Kung isang batas lang ang papasok sa kanilang isipan, mas madali po nating maituturo at matututunan ng mga tao, sapagkat ang nangyayari po sa atin, sa pagkakaiba ng mga batas na iyan, sa kaguluhan, walang naging paraan ang sinuman kung hindi magbayad ng kotong, kaya nangibabaw ang kotong sa Kamaynilaan. Iyan po ay isang bagay na ngayon ay

hinaharap nating napakalaki. Wala po akong nakikitang solusyon diyan. Walong taon ang aking karanasan pero hindi po ako makakita ng pinakamagaling na solusyon diyan kung hindi gawin natin ang itinakdang iyon ng MMDA Law: Mapaniwala natin ang lahat ng mayor na isa lamang ang kailangan nating batas para sa Kamaynilaan sapagkat iisa halos tayong tao dito sa Metro Manila. Ang suliranin natin, ni hindi malaman ng karaniwang tao kung hanggang saan ang hangganan ng kanyang bayan. Isang iglap, naroon ka na pala sa kabilang bayan. Hindi mo nalalaman na ang batas pala roon ay naiiba. Kaya iyan po ang isa lamang halimbawa na hindi na natin maitatakwil o maitatanggi. Kitang-kita po natin ang bagay na iyan. Kaya ito po ang espiritu nitong adhikain ng panukalang batas na ito, nang atin pong mabigyan ng solusyon.

Let us have a unified set of rules so we can have a unified character for our people. Matawag natin ang isang—iyong disiplina na iyan na kailangang-kailangan natin sa lalong madaling panahon para po makaiwas tayo sa napakalaking suliranin ng ating Kamaynilaan. Huwag na po nating katuwiran ng ano pa man at huwag nating pananangan ang ating karapatan sa ating mga nasasakupang bayan. Ang atin pong tingnan ay ang karapatan ng buong Kamaynilaan sa pagkakataong ito, sapagkat wala po sa atin—no man is an island at no city is an island in this metropolis.

REP. TIANGCO. Mme. Speaker, wala ho tayong pagtatalunan kung ang pinag-uusapan ho natin ay ayusin ang trapik. Lahat naman ho tayo ay gusto nating ayusin ang trapik.

Pangalawa ho, hindi ho ipinaglalaman dito iyong karapatan ng mga mayor. Ang ipinaglalaman ho dito ay iyong karapatan noong mga constituent. Hindi ho ba? Dahil ho kapag gumawa ho ng ordinansa, ang papakinggan doon ay iyong constituents ng isang local government unit. Kapag ang gagawin lang ho natin ay sasabihin nating “yes” or “no” at lilimitahan iyong kapangyarihan ng isang Sanggunian na gumawa, magbalangkas ng pinakamabuting batas na aayon sa kanilang constituents, ang nawawalan ho ng karapatan ay iyong constituents noong siyudad na iyon. At ito ho ay labag sa batas at labag sa local autonomy.

Kanina ho, may tanong ho ako na hindi naman sinagot ng ating honorable Sponsor pero sinabi niyang naitanong ko na ho ito. Sigurado ho, ako, hindi ko pa ho naitanong ito. Ang tanong ko ho is, kung ang Marikina ay may 21 barangay, kung ang 11 barangay doon ay gumawa ng ordinansa at pinirmahan nila, puwede bang ipatupad iyon doon sa sampung barangay na hindi pumayag?

REP. FERNANDO. Mme. Speaker, I think this is in the same vein as the last—of the previous questions of the Gentleman, and may I remind, with due respect

to the honorable interpellator, it is now his third time to take the floor; twice he exceeded, or I think he has exceeded his one-hour interpellation, harping on the same questions and concerns already addressed by this Sponsor.

It is hoped that other items will be allowed the precious hours of the plenary again and we will move on as regards the subject at hand.

REP. TIANGCO. Mme. Speaker, the reason ...

REP. FERNANDO. Thank you very much.

REP. TIANGCO. I have been asking the question and I have not been getting an answer. Okay, is the Gentleman raising a point of order, Mme. Speaker? May I know?

REP. FERNANDO. Mme. Speaker, I leave it to our ...

REP. TIANGCO. If the Gentleman is raising a ...

REP. FERNANDO. ...rules

REP. TIANGCO. ... point of order, Mme. Speaker, it is in our rules and he must cite the section that I am violating.

SUSPENSION OF SESSION

REP. NOGRALES (K.). Mme. Speaker, I move that we suspend the session for one minute.

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

It was 5:21 p.m.

RESUMPTION OF SESSION

At 5:29 p.m., the session was resumed.

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

SUSPENSION OF CONSIDERATION OF H.B. NO. 6973

REP. NOGRALES (J.). Mme. Speaker, I move that we suspend the consideration of House Bill No. 6973.

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

REP. NOGRALES (J.). Mme. Speaker, at this juncture, I move that we acknowledge the presence of some guests in the House of Representatives, namely: the Divorce Advocates of the Philippines, the Divorce for the Philippines Now International, the Divorce and Dissolution of Marriage, the Yes to Divorce Global, and the Alliance Development Women Empowerment Philippines or ADWE, guests of the Hon. Emmi A. De Jesus.

REP. ATIENZA. Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). Welcome to the House of Representatives.

REP. ATIENZA. Mme. Speaker, to discuss or to begin the discussion on the very important, sensitive issue of divorce or the nullification, annulment or dissolution of marriage which is the basic unit of Philippine society, this Congress should follow the rules. We have a basic rule. Before we can talk about anything in session, we have to have a quorum. I am questioning the quorum, Mme. Speaker.

SUSPENSION OF SESSION

REP. NOGRALES (J.). Mme. Speaker, I move to suspend the session for one minute.

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

It was 5:30 p.m.

RESUMPTION OF SESSION

At 5:37 p.m., the session was resumed.

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

REP. ATIENZA. Mme. Speaker, as one who questioned ...

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Atienza is recognized.

REP. ATIENZA. Yes. Thank you, Ma'am. As the one who questioned the quorum, at this point, I would like to withdraw my motion momentarily because Members are coming in and to make this Congress—the session in particular more productive, I temporarily—we are definitely agreeing that we should continue our session.

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

Is there any objection? (*Silence*) The Chair hears none, Majority Leader, please.

REP. NOGRALES (J.). Mme. Speaker, I move that we suspend the consideration of items in the Calendar of Unfinished Business.

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

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 7302
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. NOGRALES (J.). Mme. Speaker, I move that we consider House Bill No. 7302, contained in Committee Report No. 639, as reported out by 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. Villarica). 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. 7302, entitled: AN ACT TO REFORM THE BUDGET PROCESS BY ENFORCING GREATER ACCOUNTABILITY IN PUBLIC FINANCIAL MANAGEMENT (PFM), PROMOTING FISCAL SUSTAINABILITY, STRENGTHENING CONGRESS' POWER OF THE PURSE, INSTITUTING AN INTEGRATED PFM SYSTEM, AND INCREASING BUDGET TRANSPARENCY AND PARTICIPATION.

REP. NOGRALES (J.). Mme. Speaker, as copies of House Bill No. 7302 have been previously distributed to the Members—at this juncture, I move that we recognize the Vice Chairperson of the Committee on Appropriations, the Hon. Mark Aeron H. Sambar, to begin the sponsorship of the measure.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The Hon. Mark Sambar is recognized.

SPONSORSHIP SPEECH OF REP. SAMBAR

REP. SAMBAR. Thank you, Mme. Speaker.

Mme. Speaker, honorable Members of the House, ladies and gentlemen, good afternoon.

On behalf of the House Committee on Appropriations, it is my honor to sponsor the Budget Reform Act, a substitute Bill of House Bills No. 5590, 5993, 343, 930, 1056, 2385, 2387, 2828, 2832, 2868, 3897, 4652 and 6847.

As you may well know, the Philippines continues to make strides towards being a global leader in public financial management. Just recently, the International Budget Partnership's Open Budget Survey for 2017 gave the country an open budget in the score of 67, up from 64 in 2015. This indicates that the country now provides sufficient and substantial budget information that enables its citizens to participate in budget discussions. The score is significantly higher than the 2017 global average score of 42. The Philippines now ranks first in Asia and 19th in the world in budget transparency, outshining other Asian countries surveyed such as Indonesia with 64, Japan with 60, South Korea with 60, Thailand with 56, and Malaysia with 46. We continue to be one of the fastest-growing countries in Asia, growing by high 6.7 percent in 2017 because of the catalytic effect and excitement that the Duterte administration's sustainable fiscal policy and the Build, Build, Build Program continue to create in our private sector and in our economy.

We have won medals and awards abroad in the Open Government Partnership for our participatory budgeting and external audit innovations. Viewed from the lens of international best practices, these awards and recognition are just proofs that the Philippines has been making significant progress in improving its budget process through the years.

Given these affirmations, it is high time that the country pass a legislation that will institutionalize these great strides and advances that we have achieved in public financial management, such as the treasury single account, performance budgeting and participatory audit, to name a few, that will modernize the legal and regulatory framework of the country's budgeting and PFM processes.

In reality, the last comprehensive law on the country's public financial management was enacted in 1987 as Book 7 of the government's Administrative Code or EO No. 292. This Bill aims to breathe new life to the three-decade-old law in order to come up with a clearer and more comprehensive budgeting framework for the Philippines, which will quicken completion of government programs and projects, provide for stronger control for both Congress and the Executive, and allow greater participation by the people.

* See MEASURES CONSIDERED (printed separately)

It is earnestly sought by this Committee that this Budget Reform Bill be passed in this Seventeenth Congress.

Thank you, Mme. Speaker.

REP. NOGRALES (J.). Mme. Speaker, at this juncture, I would like to move that we acknowledge the presence of some guests of the House of Representatives, supportive of this measure. They are from the Department of Budget and Management, led by Undersecretary Laura Pascua; Atty. Maria Paula Domingo, the OIC Director; Atty. Rosemarie Pagala; Director Amanela Arevalo; Mr. Omar Castanar and Mr. John Dumas, as well as our friends from the National Economic and Development Authority, Assistant Director Bien Ganapin; from the Bureau of the Treasury, Deputy Treasurer Sharon Almanza; and from the Department of Finance, Ms. Malou Quintos.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). Welcome to the House of Representatives.

REP. NOGRALES (J.). Mme. Speaker, at this juncture, I move that we recognize the Gentleman from Party-List BAYAN MUNA, the Hon. Carlos Isagani T. Zarate, for his interpellation.

THE DEPUTY SPEAKER (Rep. Villarica). The Hon. Carlos Zarate is recognized.

REP. ZARATE. Thank you, Mme. Speaker.

Will the good Sponsor entertain some questions and interpellation?

REP. SAMBAR. Mme. Speaker, it would be my honor.

REP. ZARATE. The good Sponsor, Mme. Speaker, earlier mentioned that there is a need for this Budget Reform Act to be passed by this Congress to supplant or replace the 1987-enacted administrative code or Executive Order No. 292 which contains basically budget processes that we are following up to the present. Is this the ...

REP. ERICE. Mme. Speaker, point of order, point of order. It is a very important proposal and I do not think we have a quorum today, so may I request for a roll call.

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

SUSPENSION OF SESSION

REP. NOGRALES. Mme. Speaker, I move that we suspend the session.

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

It was 5:46 p.m.

RESUMPTION OF SESSION

At 5:53 p.m., the session was resumed.

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

REP. ERICE. Mme. Speaker.

I am withdrawing my earlier motion. I have observed that there are several Representatives in the South Lounge.

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

The Majority Leader is recognized.

REP. NOGRALES (J.). Mme. Speaker, I move that we recognize the Hon. Carlos Zarate to continue his interpellation.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Zarate may please proceed.

REP. ZARATE. Thank you, Mme. Speaker.

So, to continue, Mme. Speaker, the question left hanging earlier was, the purpose or the objective of this Bill, House Bill No. 7302, is to supplant or to repeal, in effect, Executive Order No. 292, which is the governing law when it comes to the budget process that we are practicing now. Is that correct, Mme. Speaker, Mr. Sponsor?

REP. SAMBAR. Mme. Speaker, with the full indulgence of the Honorable Zarate, I do not think it is supplanting Executive Order No. 292 but merely updating it with the times and the current realities that we face.

REP. ZARATE. So, if the purpose is just to update, there will be no provisions of the existing Executive Order No. 292 that will be replaced or repealed. Is that correct, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, Honorable Zarate, as with updating anything, there will be some changes made and, of course, there will be some items in the Administrative Order that will be repealed because, in some cases, they are no longer applicable or, in some cases, we will have an updated guideline to follow. So that will be the consequence of those updates.

REP. ZARATE. Yes, Mme. Speaker, Mr. Sponsor. In fact, in House Bill No. 7302, explicitly, there is a provision in Section 82 pertaining to the repealing clause because, in effect, if this becomes a law, this will actually repeal, replace or amend existing laws, regulations and executive orders, specifically Executive Order No. 292. So, and, as earlier mentioned by the Sponsor, in fact, it will amend, replace or repeal some laws.

Now, my next question, Mme. Speaker, just for the information of this august Body, may the honorable Sponsor, enumerate some of these major reforms or proviso that will, in fact, conform to the objective of this Bill that will supposedly reform our budget process.

REP. SAMBAR. Mme. Speaker, Honorable Zarate, some of the landmark changes that are to be made by this BRB or Budget Reform Bill are as follows: 1) there will be a Unified Accounts Code Structure; 2) there will be a Performance-Informed Budgeting and a program classification that will start in 2018; 3) there will be a limited validity of existing appropriations in our cash-based budgeting; 4) there will be an introduction of the Treasury Single Account; and, 5) there will be more open and stronger participatory budgeting and auditing practices as well as a stronger people's budget; and 6) there will be institutionalization of a Budget and Treasury Management System and a Unified Reporting System, among others.

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

Yes, and, it is stated in the Declaration of Policy and Objectives. True, the purpose of this Bill is actually to reform our budget process because we know for a fact that in the past years, or in fact decades, there was really a big correlation between how we are budgeting and expending our very limited resources, and how our economy is growing or expanding.

Earlier, the good Sponsor, Mme. Speaker, said that, the necessity of passing this budget is, in fact, more urgent especially that in the past, and he cited that last year, we had been cited as one of the best economies at least in Southeast Asia, citing—did I get it correct, that the growth in our GDP was 6.7 percent, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. That is correct, Mme. Speaker.

REP. ZARATE. Is it not a fact that in 2016, for example, our GDP was in fact 7.1 percent, Mr. Sponsor, Mme. Speaker? In fact, our economy last

year did not grow compared to the 2016 fiscal year where we had a 7.1 percent GDP, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Chair, the Honorable Zarate is correct. Although there are just some discrepancies with the figure, our budget was 6.9 percent in 2016 and it became 6.7 percent in 2017, according to my figures. That does not necessarily mean that we are still not one, of the fastest-growing countries in Asia in terms of economy. Maybe there are just some slight differences in the percentages, but it is still an indication that we are still one of the top destinations and top countries in terms of investment and growth in the Southeast Asia region.

REP. ZARATE. Well, I hope the good Sponsor, Mme. Speaker, can cite data to back up his claim that the reason we are still considered as one of the best economies in Asia is our growth in our GDP. If we have to examine it, our economy stays afloat at 6.7 percent in 2017 largely because of two main factors, as in the past. These are: first, the remittance of our overseas Filipinos, and second, because of the so-called sunshine industry that is the Business Process Outsourcing. In 2017, for example, I believe that we had one of the highest in history, the remittance from our OFWs was \$28.1 billion. If I am not mistaken, this is almost a third of our national budget. The BPO industry in 2017 had \$8.1 billion.

Ito ang dahilan, sa tingin ko, kung kaya lumulutang pa rin ang ating ekonomiya at hindi dahil doon sa sinasabi ho natin na naging come-on sa mga investors ang Pilipinas.

Naitanong ko ito, Mme. Speaker, Mr. Sponsor, because again, since 2013, if I am not mistaken, or earlier than that, we had already reached the trillion budget, and since then, our budget has been growing. We have for this year, we have almost P3.8-trillion budget and we know for a fact that as our budget increases, lumalaki at lumolobo rin ang utang. Our national debt now is estimated at P6.6 to P6.8 trillion, if I am not mistaken. Indeed, there is a need to truly revisit and look into how, especially, Congress exercises our power of the purse and allocates this very limited resources that we have.

My next question, Mr. Sponsor, Mme. Speaker, just a little background, prior to Executive Order No. 292, may the good Sponsor enlighten us on how, and what the governing law or rule we should follow when it comes to budgeting?

REP. SAMBAR. Mme. Speaker, prior to Executive Order No. 292, we were governed by PD No. 1177.

REP. ZARATE. PD No. 1177.

REP. SAMBAR. Presidential Decree No. 1177, Your Honor, Mme. Speaker.

REP. ZARATE. I just want to stress a little farther back, prior to PD No. 1177. May the good Sponsor also enlighten us on what the governing law or Executive Order is that governs our budget process.

REP. SAMBAR. Mme. Speaker, for the information of our good colleague, when PD No. 1177 was enacted, it repealed certain provisions of Sections 1656 and 1657 of the Revised Administrative Code of Commonwealth Act No. 246, as well as Republic Act No. 992 and Presidential Decrees No. 75 and 999.

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

Tama po iyan. Prior to Presidential Decree No. 1177, the governing law when it comes to the budget process is the Revised Administrative Code as well as some other amendatory provisions of presidential decrees. In fact, the main feature then of our budget process prior to PD No. 1177, a presidential decree during the time of President Marcos when he was already the dictator, was that he had a rule-making power. Prior to that, one of the main features of our budget process is line-item budgeting. Is that correct, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, that is correct. Line-item budgeting is a very important factor in our budgeting process.

REP. ZARATE. Yes. When PD No. 1177 was decreed by President Marcos, naturally, he practically abolished line-item budgeting because what was there to a line item when he had the legislative power, and he was the executive ruler at the same time. If my colleague Mme. Speaker, can recall, dito nauso iyong lump-sum appropriations. Is that correct, Mr. Sponsor, Mme. Speaker? In PD No. 1177, lump-sum appropriations became more apparent prior to PD No. 1177. Is that correct, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, if that is the assumption of the good Representative Zarate, then it is so, but I am not particularly ...

REP. ZARATE. I am citing this, Mme. Speaker, Mr. Sponsor, because we have to look at the antecedents and history as to why our budget process is this way now and why we are—and you mentioned earlier, we want to have performance budgeting, unified, and there is this

limited validity and cash-based budgeting because of the scourge of the lump-sum appropriations in the past. PD No. 1177, Mme. Speaker, distinguished Sponsor, institutionalized, in fact, lump-sum budgeting in the past. Now, unfortunately, when EO No. 292 was issued during the revolutionary government of then President Aquino, she practically just copied all these provisions in PD No. 1177 with minor amendments. Will the good Sponsor confirm that?

REP. SAMBAR. Mme. Speaker, that is correct.

REP. ZARATE. Yes, That is correct. Practically, EO No. 292 is just a cut and paste of—with some embellishment of PD No. 1177. That is why even under EO No. 292, lump-sum appropriations are still being practiced, and it was institutionalized. In fact, this Congress is one of the beneficiaries. This institution is a beneficiary of this lump-sum appropriation through different levels. It started with Countrywide Development Fund and, ultimately, it became the Priority Development Assistance Fund or the PDAF which ultimately was declared unconstitutional by the Supreme Court.

Then, there is another variation, nag-morph na naman iyong budget. In 2013, we discovered that there was this budget animal which we call “Disbursement Acceleration Program” which again was declared unconstitutional by the Supreme Court.

My question now is, Mme. Speaker, Mr. Sponsor, can you, Mr. Sponsor, point out in this proposed Bill the provisions that will cure the defect of the previous budget process that we had under PD No. 1177 and EO No. 292?

REP. SAMBAR. Thank you, Mme. Speaker. Thank you to the Honorable Zarate. That was a very enlightening history lesson actually. Few of those things, I personally did not know, but it was good to know. That is why it is integral for us to pass House Bill No. 7302 or the Budget Reform Bill because introduced in this Bill are measures that come from the collective wisdom of both the Executive and the Legislative over the many years that the previous budgets have taken shape. We have learned the best practices during those times and then we have incorporated them into this Bill. First and foremost, our good colleague has mentioned the provisions that will eliminate lump sum or at least take it out from the budget.

One of the things we mentioned was program classification. With the program classification, it is going to be more transparent. What kinds of programs will there be in the budget? Included in that also is cash-based budgeting, where the validity is only one year. We cannot have lump sums in the budget, precisely

because of the one-year validity. What will happen is, if it is not itemized line by line, there is no way for them to be delivered and no way for it to be paid because it is not itemized in the budget. It has to be itemized in the budget and with the one-year validity, it all has to happen in one fiscal year. From January 1 to December 31 of that year, all services and programs should be delivered or rendered within the time frame.

Lump sums only exist because there are so-called programs that are to be funded, so there is no clear definition of what the program is. With this kind of budgeting, and with the one-year validity on the cash-based programming, we will now have line-item budgeting so that we know what will be delivered, we know what services will be rendered and those that can be paid within the fiscal year.

REP. ZARATE. Thank you, Mr. Sponsor, Mme. Speaker. That is true and, in fact, based on your statement, Mr. Sponsor, Mme. Speaker, we are going back actually to the pre-martial law type of budgeting, that is, itemized budgeting.

I will now go to some specific provisions. You said that we are now practically eliminating or avoiding lump-sum appropriations or budgeting. I read Section 27, the provision on Special Purpose Fund. The SPF is one of the lump sums that can be found annually in our budget. It is true that the Bill now limits Special Purpose Fund to Contingent Fund and DRRMF, and the statutory share of the LGU, as well as Pension and Gratuity Fund. In the same provision, I wonder, if we are truly eliminating the lump-sum appropriation, while in the same paragraph, the Bill states that “other SPFs or other Special Purpose Funds not falling under any of the preceding purposes the details of which could not be determined during the budget preparation stage and based on the parameters is to be set in the IRR”. Reading this provision, it appears that you are still opening up the possibility that other lump sums can still be created even after the budget has already been prepared and we can just leave it eventually. How can these lump sums be determined through the Implementing Rules and Regulations? How is that, Mme. Speaker, Mr. Sponsor?

REP. SAMBAR. Mme. Speaker, honorable colleague, it is good that you pointed out that under Section 27, Number 4, there is a sentence that reads, “other SPFs not falling under any other preceding purposes, the details of which could not be determined during the budget preparation stage and based on the parameters to be set in the IRR”.

First and foremost, it is already written out there that there are only certain provisions that can be put

into the certain category. For instance, in our transitory provisions, well, that is one of the funds that will be needed and in addition to the programs that are not finished within one fiscal year, can they be re-appropriated into this kind of fund.

More importantly, Mme. Speaker, if we look at the sizes and the types of lump sums that are being mentioned by the good and honorable Representative Zarate, historically, we can see that they are shrinking.

It is becoming smaller and smaller, so that our aim here is to deal away with lump sums in the future.

At this juncture, Deputy Speaker Villarica relinquished the Chair to Deputy Speaker Gwendolyn F. Garcia.

REP. ZARATE. Thank you, Mr. Sponsor, Mme. Speaker. But that defeats the purpose of the objective, of limiting lump sums. By placing in this provision number 4, paragraph 4, other SPF, this is very vague. In fact, it will open the floodgates to other lump sums later on that may be created.

Remember, Mr. Sponsor, Mme. Speaker, we are trying to reform the budget process and it is not only for this administration that this supposed reform Bill will be applicable. It will be applicable even in the future, then by placing this kind of provision, the devil that we wanted to prevent or do away with will still be in this particular law because you are putting up a very vague provision that will allow the creation of the so-called “Special Purpose Funds” that we know for a fact, based on our experience, was used by the Executive, especially as a way to advance or in patronage politics in this country, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, the purpose of these SPFs is because we cannot predict what will happen in the future, and it is difficult to foresee certain events where we cannot tie ourselves by enumerating every single special fund or every single fund as of this point. So, it allows us some flexibility, but with the assurances of the DBM and the DBCC, we will try our best to minimize these lump sums, and with the historical data and what we have been doing in the past few years with the budget, we can see that there is a concerted effort to really decrease the lump sum in our budget.

REP. ZARATE. Thank you, Mme. Speaker, Mr. Sponsor. There is no debate. We cannot predict the future. Precisely, we want to plug all the gaps, but by placing this kind of provision in Section 27, as I have said, parang binubuksan natin, nagbibigay tayo ng puwang na magkaroon ng unlimited, unli SPFs in the future, and we do not know yet what are these SPFs. I

understand, of course, why the Contingent Fund should be placed there, why the Disaster Risk Management Fund should be there, why the statutory share of the LGUs should be a Special Purpose Fund; but saying that we can place other SPFs in the future and justifying it that we just have to trust the DBM because it is now trying to reform our budget process, that is precisely why, specifically, the previous administration, created this so-called "Disbursement Acceleration Program" by exploiting flaws in our budget process.

So, if we really want, if we truly want to plug this problem, I think this proviso has no place in this proposed Reform Bill. If we want to reform our budget process, this provision should not be included in this particular paragraph, Mr. Sponsor, Mme. Speaker.

May we get a reaction, Mme. Speaker, distinguished Sponsor.

REP. SAMBAR. Yes, Mme. Speaker. Thank you to the honorable Member.

First and foremost, I would like to reiterate that the number of special purpose funds has been decreasing. From 17, we only have four now. The SPFs are not necessarily lump sums in the future. Once there is a certain program or a proposed new SPF, it will also be used for a particular purpose only, and it could be turned and named like the NDRRMF, or a Contingent Fund, or a statutory share of the LGUs. That is the time we can isolate and really name that fund. But as of this point, we are asking for flexibility, with that flexibility, we can, we are allowed to have those kinds of funds in the future.

REP. ZARATE. I certainly disagree with the Sponsor, Mme. Speaker, but by placing this proviso, I have to reiterate, it will give an opening, probably not now but in the future, an opening that can be exploited. By the very nature that it is a Special Purpose Fund, I believe it is unavoidably a lump-sum appropriation in the future.

At any rate, I will go now to Section 31, on the Unprogrammed Fund. In the past, a lump-sum appropriation, which the good Sponsor agrees to, that was not subject in fact to congressional scrutiny. Will the good Sponsor agree that the Unprogrammed Fund is not subject to congressional appropriation or scrutiny, Mme. Speaker?

At this juncture, Deputy Speaker Garcia relinquished the Chair to Deputy Speaker Linabelle Ruth R. Villarica.

REP. SAMBAR. Mme. Speaker, Honorable Zarate, I would beg to disagree. I think the unprogrammed appropriations are still appropriated line by line.

There are purposes that are enumerated for the use of the unprogrammed appropriations. Nevertheless, unprogrammed appropriations, especially under this Budget Reform Bill as stated in the second paragraph of Section 31, may only be authorized only when supported: 1) by excess revenue collections in any one of the particular non-tax revenue sources from its corresponding revenue collections target in the BESF as certified by the Bureau of Treasury; and 2) new revenue collections or those arising from new tax or non-tax revenues which are not part of the original revenue sources in the BESF; or 3) when there are approved loan proceeds for FAPs which were not included in the proposed budget. So, there are conditions to be met before these unprogrammed appropriations are funded and are implemented.

REP. ZARATE. Yes, that is true, Mr. Sponsor, Mme. Speaker. It is by its nature that the unprogrammed appropriations or the Unprogrammed Fund is a stand-by fund, but it is not yet supported by any resources or appropriations in the annual General Appropriations Act. Is that correct? Is my appreciation correct, Mme. Speaker, Mr. Sponsor?

REP. SAMBAR. Mme. Speaker, I think that is correct because certain guidelines need to be reached before these are funded or before they can be implemented. These are not necessarily funded by the General Appropriations Act.

REP. ZARATE. That is the point of my statement that this is not subject to congressional scrutiny because the ones that we are scrutinizing here are, in fact, those covered by the GAA. These Unprogrammed Funds or activities funded by this unprogrammed appropriations are, in fact, amounts or funds that are in excess of what we are appropriating here as part of the General Appropriations Fund. Is that a correct appreciation, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, maybe we, the Honorable Zarate and this Representation may have different views because whenever the NEP is submitted, there is a section for unprogrammed appropriations which can still be scrutinized by any Member of Congress during the budget deliberations. If the Gentleman is saying that Members of Congress cannot take a look at this, I think that is not necessarily correct, because when these programs are submitted by the different agencies through the NEP, it is subject to scrutiny by every Member of Congress.

REP. ZARATE. Thank you, Mr. Sponsor, Mme. Speaker. One of the major problems in the past in our budget process is the reenacted budget. In this proposed

Bill, will a reenacted budget no longer be possible or it is still possible even under this particular Bill?

REP. SAMBAR. Mme. Speaker, I would like to go to Section 33 which mentions the reenacted budget. To answer the Honorable Zarate, yes, it is still possible to have a reenacted budget.

REP. ZARATE. Are there provisions in this proposed Bill that in fact discourage having a reenacted budget? That is one problem that we had in the past and if we want to plug this problem, we have to strengthen our processes to avoid having a reenacted budget, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, of course, the wish of Congress is to not have a reenacted budget, and for that to happen, if there is a time for it or if there is such a situation where a reenacted budget may occur, there are guidelines and certain fiscal responsibility principles that will be enforced. If I may read, Mme. Speaker, they are:

(a) The aggregate level of the re-enacted budget shall be limited to the total amount appropriated in the preceding year's Appropriations Law, but shall in no case exceed the level of sources of financing under the BESF of the Proposed National Budget;

(b) The appropriations for the following shall be limited to the amount authorized under the re-enacted budget, but in no case exceed the amount proposed by the President in the Proposed National Budget [for]:

1. Ongoing programs, projects and activities;
2. Personnel benefits, including retirement gratuities, pensions, terminal leave pays and related expenses;
3. NDRRMF, Contingent Fund, Statutory Shares of LGUs, and other SPFs; and
4. Budgetary support to GOCCs for their operational requirements.

(c) In no case shall the following be considered part of the re-enacted budget:

1. Completed programs, projects and activities funded in the General Appropriations Law for the preceding fiscal year;
2. Budgetary support for GOCCs for support to programs, activities or projects; and
3. Equity contributions of the National Government to GOCCs.

REP. ZARATE. Thank you, Mr. Sponsor, Mme. Speaker. I appreciate that because, indeed, we have to really discourage having a re-enacted budget.

My next question, Mme. Speaker, will the good Sponsor categorically state that under this Reform Bill,

the so-called power of the purse will be strengthened rather than diminished, because in the past, our power of the purse was only considered as the power of the coin purse? Will the good Sponsor state that under this proposed Bill, the power of the purse of the Congress will be strengthened rather than just limited to the coin purse that has been the practice in the past?

REP. SAMBAR. Mme. Speaker, I categorically agree that this Bill will strengthen the power of purse of Congress.

REP. ZARATE. If that is so, Mme. Speaker, will the good Sponsor enlighten us why in several provisions of this Bill, for example, in the provision related to the statement of fiscal policy, as to the medium-term fiscal policy, the role of Congress here is just FYI, for the information of Congress.

REP. SAMBAR. Mme. Speaker, may I ask the Honorable Zarate to enumerate ...

REP. ZARATE. Yes.

REP. SAMBAR. ... what section is that.

REP. ZARATE. For example, Mme. Speaker, Mr. Sponsor, in "Section 15. *Statement of Fiscal Policy*. – The DBCC shall prepare, subject to the approval of the President, the Statement of Fiscal Policy x x x." On the second paragraph, "The President shall submit for information of Congress, the Statement of Fiscal Policy x x x." So Congress is not actually a part in the formulation of fiscal policy.

Then again in "Section 16. *Medium-term Fiscal Strategy*. – The DBCC shall prepare, subject to the approval of the President, a Medium-term Fiscal Strategy and its annual updates x x x."

The second paragraph states, "The President shall submit for the information of Congress, the Medium-term Fiscal Strategy x x x."

If our aim is really to strengthen the power of Congress over appropriations, as the power of the purse, why is it in these two very important provisions, our role is just, as stated, for information of Congress, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, honorable colleague, in my opinion, these fiscal strategies and the statement of fiscal policy are more of a strategic plan of the Executive, especially since the NEP is prepared by the Executive. That is just their plan on how they want to implement and how they want the budget to be used. When we say the power of the purse of Congress, it is the power of scrutiny and oversight. We scrutinize whatever they submit to us so that we can exercise our power of the budget by

scrutinizing and by giving our opinions regarding their strategy and policies.

If you ask me, how Congress would strengthen its power over the budget, it is more on the validity of the appropriations. With the one-year validity, Congress really will have the power to say that we only have a one-year validity for these programs, so the Executive has to follow line by line what is written, or what we have passed here in Congress. That is imperative and that is where the power of Congress lies as well.

REP. ZARATE. Thank you, Mme. Speaker. But will the good Sponsor agree with this Representation that the Bill actually enlarges the power of the Executive over the national budget? I say that because in scrutinizing the various provisions of this Bill, I have noted that it provides for more mechanisms so that the Executive can have more power and control over the funds even under the General Appropriations Act. For example, in Section 19, Deviations from Fiscal Objectives, the purpose of which does not deviate much from the Contingent and NDRRMF Funds. However, the provision is silent as to the implication if you deviate from the fiscal objectives; it is silent as to the implication of that deviation on the approved appropriations made by Congress.

It appears that even after we passed the appropriations law or the GAA, the Executive still has control as to how this particular appropriation will be implemented because they can deviate. My understanding of this provision is correct, it deviates from the objective set in the Annual Appropriations Act, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, in regards to Section 19 on the Deviation from Fiscal Objectives, when I read this Section, it is my understanding that when the Executive deviates in fiscal objectives, a report is submitted to Congress. Based on that report, Congress can act in the subsequent budget scrutiny and inform the people as to why that deviation occurred. Now, if the Executive cannot explain themselves properly, then it is incumbent on Congress to act on the deviation and that is where the power of Congress lies. So, I do not think it diminishes the power of Congress or it increases the power of the Executive. I think, it actually increases the power of Congress because now, the Executive has to report on the deviation from their fiscal objective.

REP. ZARATE. Thank you, Mr. Sponsor.

That happens—the action of Congress will happen only after a report has been submitted by the Executive to Congress. So, the Congress, what I am trying to find out from here is what will be

the implication of this deviation as to, for example, an approved appropriation? Just like in the past, when several departments deviated from what was approved by Congress in its appropriation, again, I go back to the issue of the Disbursement Acceleration Program, in the middle of the year they just declared that these are already savings and can be pulled into the DAP, so that is a deviation.

So, that is what I am looking at here. If we will just—if we allow the Executive to have more control over the funds, for example, deviating from the set policy of objectives, from this medium-term fiscal objectives, then the only obligation of the Executive is just, you know, to report. As the good Sponsor, Mme. Speaker, said, after that report, we will study the report, then we will act accordingly, but that is after. So, we are trying to prevent a situation where an appropriations law passed by Congress will not be totally respected by the Executive as to its implementation, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, in regards to what was said by the Honorable Zarate, going back, this is what this Bill is introducing, that the Executive has to report to us if there is a deviation in fiscal objectives. In the past, there is no such need for reporting, and that is why what the good Cong. Zarate mentioned about the DAP happened because there was no reporting on that. Second, the deviation is not with respect to the budget but only with fiscal objectives, for example—debt and deficit. The deviation is still within the bounds of the budget. Third, if you look at Section 66, with the NGA Reporting Requirements, it states that, “For greater transparency and accountability, each Head of an NGA shall: (a) Submit monthly and quarterly reports on the agency’s financial and non-financial performance to the DBM, x x x”.

So, this also is being introduced in this Bill that NGAs or national government agencies have to have monthly and quarterly reports submitted to Congress so that we can continuously evaluate what they are doing and act accordingly so.

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

Actually, these reportorial requirements are nothing new. It is, in fact, part—already part of our General Appropriations Act. That is only one instance that—one point where I can say that, under this Bill, we are giving the Executive more. We enlarge the power of the President or the Office of the President, the Executive, control over the national budget. Aside from Section 19, I already cited that, the possibility that they will deviate. Second, if you go to Section 34, again we are giving an additional power or enlarging the power of the Executive through granting the Executive the power

in Section 34 to propose a Special Appropriations Bill, it provides for a special appropriation under which it authorizes the expenditure for a specific purpose not included or not covered under the annual appropriations law or under the GAA. So, it may mean that this special, correct me if I am wrong, it may mean that this particular expenditure may only be proposed after the passage of the GAA, and parang it is the same purpose as the Contingent Fund or the Risk Reduction Fund which are based on so-called unforeseen requirements of the government. So, again, we are giving much leeway to the Executive on this matter, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, in Section 34, which mentions the Special Appropriations Bill, it is just a proposal of the Executive. It will still be incumbent upon Congress to consider and pass the said Special Appropriations Bill. So, going back, the power still lies in Congress to approve and to scrutinize this Special Appropriations Bill, if ever proposed. And, if I am not mistaken, this Special Appropriations Bill can only be proposed under extraordinary circumstances.

REP. ZARATE. Yes, if there are unforeseen requirements. Is that correct, Mr. Sponsor?

REP. SAMBAR. That is correct, Mme. Speaker.

REP. ZARATE. At any rate, as I have said, it appears that this provision, again, gives or enlarges the power of control of the Executive rather than strengthening the power of the purse by Congress. And, of course, the good Sponsor will agree, Mme. Speaker, that even the Special Purpose Funds are subject to the approval of the President. It has control over the Special Purpose Funds.

REP. SAMBAR. Mme. Speaker, it is my understanding that the Special Purpose Funds should still be appropriated by Congress, so it is not necessarily under the—in the implementation stage, maybe, but in terms of the scrutiny of the budget, it will still be under Congress to decide whether or not to approve the Special Purpose Funds.

REP. ZARATE. Thank you, Mr. Sponsor, Mme. Speaker, just a few more questions.

Now, in Part II of this proposed Bill, on the additional roles and responsibilities of Congress, the President, the Commission on Audit, the Department of Budget and Management, and several other agencies, I have observed, Mme. Speaker, Mr. Sponsor, that the DBM, the Department of Budget and Management, is given so much power here that it becomes one of the

most, if not the most powerful departments now under the Executive, Mr. Sponsor, Mme. Speaker.

I said that because, in fact, the DBM can now criss-cross in exercising its powers, even on agencies under the Department of Finance, even on the GOCCs, and national government agencies, the Bureau of Treasury, even COA, et cetera, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, I think the Honorable Zarate is mentioning Section 8, the responsibilities of the Department of Budget and Management. Actually, it is just outlining what the DBM is already doing as of now. So, it is nothing new and, I think, some of these responsibilities are already part of their responsibilities under EO No. 292 as well.

REP. ZARATE. Thank you, Mr. Sponsor.

My final question, Mme. Speaker, we know for a fact that the General Appropriations Act which includes General and Special Provisions of the budget process, and I have observed that this Budget Reform Bill, focuses mostly or mainly on clarifying the budget items or budget issues that have been the subject of criticisms in the past. Now, may I ask the good Sponsor, Mme. Speaker, if this particular law will be passed, will this supersede the General Provisions of our annual General Appropriations Act? If it will, then, what will happen to the General Provisions of our General Appropriations Act?

REP. SAMBAR. Mme. Speaker, once this BRB is passed into law, it will supersede the General Provisions of the GAA. But, in subsequent GAAs, it will not be retroactive. So, if we pass the GAA for 2018; and this law is passed in 2018, it will not supplant the GAA that we pass in 2018; but in subsequent GAAs, it will. The provisions in the GAA that are touched upon by this Bill will be superseded by this Bill.

REP. ZARATE. So, the future GAAs will no longer contain any General Provisions and Special Provisions. Is that correct, Mr. Sponsor, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, I think there will still be General Provisions and Special Provisions in the GAA that are not touched upon by this Bill.

REP. ZARATE. So, it means that plugging all the leaks in the present budget process is actually not totally addressed by this particular Bill, Mr. Sponsor, Mme. Speaker.

REP. SAMBAR. Mme. Speaker, I am not 100-

percent sure what leaks the Honorable Zarate is mentioning, but at least, with the introduction of this Bill, we are institutionalizing best practices that we have learned over the past few years. So, at least, that is a start for us to work on.

REP. ZARATE. Thank you, Mr. Sponsor. I think my time—I was already being signaled that my time is up. This Representation still believes that despite the good intention of the good Sponsors of this Bill, it will not, in fact, plug the biggest leakage in our budget process. That is the scourge of the lump-sum appropriations. That is the root cause of the pork barrel and other graft-ridden allocations in the past. It was like that before, it is still now and in the future because of the many weaknesses. Still, to this Representation at least, it will again open the floodgates to more lump-sum appropriations that can be manipulated and taken advantage of to the detriment of our people.

Thank you, Mr. Good Sponsor, for entertaining our interpellations. Thank you, Mme. Speaker.

REP. SAMBAR. Thank you.

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

REP. BELARO. Mme. Speaker, the next to interpellate is the Gentleman from ACT TEACHERS Party-List. I move that we recognize the Hon. Antonio L. Tinio for his interpellation.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Tinio is recognized.

REP. TINIO. Thank you, Mme. Speaker.

Ilang mga clarifications po. So, ang House Bill No. 7302 ay naglalayong magpatupad ng mga reporma sa budget process ng gobyerno. So, ilang clarification, currently, ano nga ba iyong batas na gumagabay? Of course, there are certain general provisions in the Constitution pertaining to the budget. Malinaw iyon. But apart from that, there are already existing laws. So, there are existing laws and then there are the general and special provisions in every General Appropriations Act. Currently, that is how the system works.

So, anu-ano nga ba? Just for purposes of this discussion, what current laws are in effect that lay down the legal framework for the crafting of the budget—of the national budget?

REP. SAMBAR. Mme. Speaker, to answer the Honorable Tinio, what we have in place right now are EO No. 292, Book VI; PD No. 1177; PD No. 1445, or portions of it; among others. So, ...

REP. TINIO. Okay. So, mainly it is Executive Order No. 292, ...

REP. SAMBAR. Yes, that is correct.

REP. TINIO. ... the chapters on budget, from budget preparation to execution to—ano nga iyong sunod? Accountability. Iyon. Yes. But you also mentioned PD No. 1177, which was amended later on by, I think, I believe, it was a Republic Act. Tama ba?

So, and then ...

REP. SAMBAR. It was amended—Mme. Speaker, for the ...

REP. TINIO. For the record, yes.

REP. SAMBAR. For the record, it was amended by Republic Act No. 6670.

REP. TINIO. Yes. Okay.

So, you have—ang mas nauna doon is PD No. 1177, a Marcos era decree, obviously, which was subsequently amended by this Republic Act—among number nga iyon?

REP. SAMBAR. Sixty-six ninety.

REP. TINIO. Six, six, seventy.

REP. SAMBAR. Sixty-six seventy. Six, six, seven, zero.

REP. TINIO. Then, subsequently, you had Executive Order No. 292. And now, the Sponsor proposes this new Bill to reform the budget process.

So, I would like clarification from the Sponsor on how this will affect—is this Bill intended to supplant, in other words, to repeal all of those previously mentioned laws? And in a way, that would be better para malinaw po—isang batas na lang ang umiiral. So, ganoon ba? Will this law have the effect of repealing those previous legislations?

REP. SAMBAR. Mme. Speaker, Honorable Tinio, as I answered the Honorable Zarate, we are updating certain provisions of EO No. 292 with this Bill. So, it is just to update and to face the realities that we have now. So, we are not repealing the whole EO No. 292.

REP. TINIO. Okay. It is not a repeal.

So, in effect, Mme. Speaker, my question—my first question, actually, has to deal with the Repealing Clause of the Bill. If we look at the Repealing Clause, it is your standard, if I am not mistaken, let me see, it is

the standard, you know, cut and paste generic Repealing Clause:

Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, proclamation, charter, rule or regulation and/or parts thereof contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

Iyong generic nga, my concern, Mme. Speaker, is instead of providing clarity, it will create more room for ambiguity in terms of policy. Ano ba talaga ang umiiral, lalo na in case of, you know, conflict? How does the Sponsor intend to or what is the answer of the Sponsor, explanation of the Sponsor, as to why the Sponsor has not chosen to make an explicit repeal or amendment, you know, in order to clarify the legal framework for budget reform?

I will cite a specific example. O sige, PD No. 1177, there is Section 28, Prohibition Against the Increase of Appropriations. Let me quote:

The National Assembly shall in no case increase the appropriation of any project or program of any department, bureau, agency or office of the Government over the amount submitted by the President in his budget proposal. In case of any reduction in the proposed appropriation for a project or program, a corresponding reduction shall be made in the total appropriation of the department, office or agency concerned and in the total of the General Appropriations Bill.

That is a very clear provision in PD No. 1177, Prohibition Against the Increase of Appropriations by Congress. Ang sinasabi po dito, yes, puwedeng may isa-submit na budget ang Presidente, at ang Kongreso, ang Lehislatura ay may kapangyarihang magbawas, puwede siyang magtapyas. Pero very explicitly sinabi rito, hindi puwedeng magdagdag sa mga program or project, in any program or project. Let me point out that if we fast-forward to the current budgetary practice, alam naman natin na routinely ginagawa ng Kongreso iyan, iyong isina-submit na budget ng Executive, binabago iyan dito, hindi ba, so nagkakaroon ng amendments. Iyong amendments, hindi lang po pagbawas sa mga na-submit ng Executive. As we know, mayroong ginagawang realignment, nagdadagdag sa specific programs, activities, and projects. Okay.

So, what is the legal basis of that very routine practice of Congress which, in fact, for many Members, is part of what “Congressional power of the purse” means, na may isina-submit ang Kongreso, may isina-

submit ang Presidente, may prerogative ang Kongreso na baguhin ito, hindi lang bawasan ang mga budget ng departamento o programa, kundi magdagdag sa iba pa, you know? For the 2018 budget, we know that ginawa iyon. Halimbawa, ano ba iyong mga binawasan? Binawasan iyong, if I am not mistaken, may ibinawas sa Education Facilities Fund ng Department of Education, tapos inilipat sa iba. Unless I am mistaken, parang iyon ang natatandaan ko. That is one example.

So, could you explain to me, kasi nga nakalilito na. Sa PD No. 1177, malinaw na bawal iyon. I would like to be enlightened on what subsequent laws were passed that enabled Congress to do what it does, which is to routinely amend the proposed budget of the Executive. And by amending, we mean that it includes the augmentation of certain programs and so on. So, puwedeng pakilina po.

REP. SAMBAR. Thank you, Mme. Speaker. And thank you to the Honorable Tinio for pointing that out.

As we all know, all the legislation that we pass in Congress, the powers of these laws emanate from the Constitution. We follow the Constitution that states that the appropriations cannot be increased. The totality of the appropriations cannot be increased. We follow that principle.

That is why in this BRB, if you look at Section 25, I think it is paragraph 3 or 4 that states that Congress, well, this House Bill No. 7302 explicitly says, “Congress may not increase the appropriations recommended by the President for the operations of government as specified in the Proposed National Budget.” So, this one was supplanted, this EO No. 292.

REP. TINIO. Could you provide the exact section that you cited, Mme. Speaker.

REP. SAMBAR. And, Mme. Speaker, for your information and I think the Honorable Tinio knows this, EO No. 292, some of the provisions here were copied from the Martial Law era. So, the Section 24 that he mentioned is a Martial Law proclamation. That is why we emanate our power from the Constitution, that we would follow the Constitution. What is followed in the Constitution is that the totality of the appropriations cannot be decreased—or increased, I am sorry.

REP. TINIO. Well, that is why I wanted a clarification because yes, PD No. 1127, sorry, 1177, what I read, Section 28, the Prohibition Against the Increase of Appropriations, that is indeed, obviously, being a presidential decree, a product of the dictatorship. In fact, this Section 28 was explicitly repealed by Republic Act No. 6670, Republic Act No. 6670, as of 1987, if I am not mistaken. So, this specific provision was repealed.

However, we find the same or nearly the same provision in Executive Order No. 297, the Administrative Code—292, I am sorry—which is already a post-Marcos dictatorship law. Even though it is called an “Executive Order,” this is a law because this was promulgated by President Corason Aquino at the time when the so-called Freedom Constitution gave her legislative powers. And, as far as I know, this remains to be the law governing the budget process up to the present.

So, while that earlier provision I read, 1127, was repealed, in EO No. 292, we find Section 24, Prohibition Against the Increase of Appropriations, stating:

The Congress shall in no case increase the appropriation of any project or program of any department, bureau, agency or office of Government over the amount submitted by the President in his budget proposal.

So, it is the same, pinalitan lang dito; instead of “National Assembly,” ginawang “Congress,” no. In other words, if this is the existing law, then that would imply that the standard practice of Congress over the past few years, including for the most recent GAA, is illegal, unlawful because it violates this very explicit prohibition.

So, am I correct in my understanding of current laws on the budget process, Mme. Speaker?

REP. SAMBAR. Mme. Speaker, I think that is the understanding of the Honorable Tinio.

REP. TINIO. Well, ...

REP. SAMBAR. I beg to differ but I can...

REP. TINIO. Could we hear an explanation? Has this Section 24 been repealed? Because, the wording is very clear and unambiguous:

Congress shall in no case increase the appropriation of any project or program of any department, bureau, agency or office of the Government over the amount submitted by the President in his budget proposal.

Now my point in raising this, Mme. Speaker, is, well, I am raising, one, a serious legal question here given that the whole or major portions of the General Appropriations Act could be questioned based on this particular provision. Iyong mga ni-realigned whether in the House, in the Senate or during the Bicam, puwedeng ma-question iyon, hindi ba? We are talking of possibly hundreds of billions of pesos

that have been realigned. May legal basis ba iyan? Okay, so isa iyon.

Now, what I would like to hear is whether or not your proposal, House Bill No. 7302, will provide some clarification on this kasi, ang tingin ko po, either sundin natin iyong nasa batas o hindi kaya ay, total nagpo-propose kayo ng budget reform, eh di once and for all, linawin na ito. Ano po ba ang, is there, I think, the Sponsor, Mme. Speaker, mentioned a provision in this proposal that might address that. Am I correct? Mayroon ba?

REP. SAMBAR. Yes, Mme. Speaker. Under, again, under Section 25.

REP. TINIO. Section 25.

REP. SAMBAR. Page 11, I am not sure if we have the same pages...

REP. TINIO. Okay. Yes.

REP. SAMBAR. ...on page 11, line number 10.

REP. TINIO. Line number 10.

REP. SAMBAR. It was taken from the Constitution itself that says:

Congress may not increase the appropriations recommended by the President for the operations of the government as specified in the Proposed National Budget.

So, with the introduction of this House Bill No. 7302, it will now specifically address the issue that the Honorable Tinio is referring to.

SUSPENSION OF SESSION

REP. TINIO. Mme. Speaker, may I ask for a minutes suspension of the session so I could just confer with the Sponsor. Just a minute po.

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

It was 7:15 p.m.

RESUMPTION OF SESSION

At 7:15 p.m., the session was resumed.

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

REP. TINIO. Well, thank you, Mme. Speaker. So, the Sponsor pointed out to me that particular provision, which well, this is—I just cited that example to illustrate my point. Do I take it to mean then, Mme. Speaker, that in this particular provision, “Congress may not increase the appropriations recommended by the President for the operations of the government as specified in the Proposed National Budget,” the intention here is to effectively repeal Section 24 of Chapter 4 of EO No. 292? Iyon na ba ang magiging effect niyan? Iyon muna iyon tanong ko. Repealed na ba iyon?

REP. SAMBAR. Yes, that is correct, Mme. Speaker.

REP. TINIO. Because, actually, Mme. Speaker, unless you modify this, the wording here, I would say that it is not actually a repeal kasi hindi naman magkabangga iyong wording nito “that Congress may not increase the appropriations recommended ...” et cetera, hindi siya bangga doon sa more explicit prohibition sa Congress. So, the effect will not be a repeal.

Kaya nga ang point ko lang, my larger point here is, iyon po ang problema noong approach ninyo na nag-generic repealing clause lang kayo. Hindi malinaw whether or not something like this will be, actually, repealed. Kung gusto ng Kongresong ito na tanggalin iyon, di sabihin natin. Parang iyong ginawa sa Republic Act No. 6670, hindi ba? Sabi doon, Section 28 of 1127 is repealed—eh di malinaw.

So, ano ang tingin po? In other words, to close this point, Mme. Speaker, would the Sponsor be open to making explicit the provisions of law—particularly, in PD No. 1177, Republic Act No. 6670 and Executive Order No. 292—gawin ninyo na explicit kung ano iyong mga repealed or amended. Para wala na ngang—magkakakaso lang tayo niyan, you know.

REP. SAMBAR. Mme. Speaker, ...

REP. TINIO. Of course, Mme. Speaker, alam natin this will entail more homework. Kailangan, kailangan, siyempre, trabaho iyan. Pero para sa akin, kung gagawa kayo ng batas, ilinaw ninyo na, ilinaw na natin.

REP. SAMBAR. Mme. Speaker, we are open to the suggestion of the Honorable Tinio and we will make the proper motion at the proper time.

REP. TINIO. Okay. Thank you, Mme. Speaker.

Another matter. Speaking of Republic Act No. 1127, sorry, 1177, a very controversial provision, which was found in 1177 is the provision on automatic appropriations. For a long time, this was cited as the legal basis for debt payment, debt servicing, hindi ba? So, lalo na noong panahon na halos 30, 40 percent ng national budget ay nakalaan sa interest payment, debt

servicing, labas pa doon sa automatically appropriated na payment of principal.

So, ito iyong palaging itinuturo na probisyon na nagbigay ng legal basis para sa automatic appropriations for debt payment.

So, if I may read Section 31 of PD No. 1177:

Automatic Appropriations. All expenditures for (a) personnel retirement premiums, government service insurance, and other similar fixed expenditures, (b) principal and interest on public debt, (c) national government guarantees of obligations which are drawn upon, are automatically appropriated: *provided*, that no obligations shall be incurred or payments made from funds thus automatically appropriated except as issued in the form of regular budgetary allotments.

Okay. So, Mme. Speaker, ito pa rin ba iyong legal basis ng automatic appropriations sa budget? Does this remain or mayroon pa bang—or was this provision simply carried over into EO No. 292?

REP. SAMBAR. Mme. Speaker, I do not think this provision was touched and I think it still remains ...

REP. TINIO. So, could I just have a clarification? Alam ko nandiyan naman iyong mga legal expert ng DBM. Ang legal basis ba noong automatic appropriations ay ito, PD No. 1177 or EO No. 292 or any other law?

REP. SAMBAR. The basis, Mme. Speaker, is still EO No. 292 and RA No. 4860 which deals with Foreign Borrowings Act. So, that is the legal basis for Section 26 in my copy of EO No. 292 which deals with automatic appropriations.

REP. TINIO. So, clearly, well, if we take the Bill as the basis of the intentions and objectives of the Sponsor, wala po kayong plano na galawin o baguhin iyong Automatic Appropriations provision specifically in relation to public debt? You have no—obviously not, kasi wala sa Bill eh. So, I answered my own question, but would the Sponsor be open to a change in public policy regarding automatic appropriations for debt? Kasi po, ang sabi sa inyong Bill—this is among the intentions based on the title—is to strengthen Congress’ power of the purse. Pero ang isa pong malinaw na remnant ng Marcos dictatorship na hindi pa rin nawawala ay iyong absolute or nearly absolute authority of the Executive when it comes to public debt na basically hindi kailangan ang Kongreso. Yes, it is the power and prerogative of the Executive to enter into debt in behalf of the national government, pero iyong Kongreso wala nang papel diyan dahil automatic appropriations.

Unlike, for example, in the case of the United States, hindi ba, when Congress—yes, it is still the Executive, the President that has the power and prerogative to contract debts in the name of the national government or the federal government. However, sa US, as far as I know, may proseso doon where the Executive has to go to Congress to propose and Congress has to approve a ceiling for public debt, hindi ba? So, parang pumupunta ang Executive sa Kongreso para humingi ng pahintulot, puwede bang umutang kami up to this level? Ganoon. Ngayon, iyan ay wala sa atin. Wala sa sistema natin. So, in other words, walang sayang mga halal na Kinatawan ng mamamayang Pilipino sa usapin ng pautang. Hindi po ba ganoon?

REP. SAMBAR. Mme. Speaker, to answer the Honorable Tinio's question, I do not think it is necessary for us to amend Section 26 or the Automatic Appropriations because if the Honorable Tinio mentioned the ceiling, RA No. 4860, as amended, which provides for a foreign borrowing ceiling, it is, to date, one billion US dollars. That is the ...

REP. TINIO. One ...

REP. SAMBAR. ... ceiling of ...

REP. TINIO. What is that? One?

REP. SAMBAR. ... billion US dollars.

REP. TINIO. One billion US dollars.

REP. SAMBAR. That is our ceiling.

REP. TINIO. So, ina-adjust iyan?

REP. SAMBAR. Mme. Speaker, correction. As amended, the ceiling fluctuates based on the current market situation. So, the ceiling does fluctuate but it actually is with regard to our actual proposed budget. So, we cannot borrow more than what we have or what we have proposed to spend. In addition to that, Mme. Speaker, if we look at Sections 55, 56, 57 and 58 of House Bill No. 7302, there is an enumeration of certain responsibilities with regard to the management of national government borrowings and the borrowings of the GOCCs and the LGUs. So, I do not think it is necessary to repeal Section 26 of EO No. 292, Mme. Speaker.

REP. TINIO. Well, Mme. Speaker, iyon ang issue na gusto kong i-raise nga dito at buksan sa mga kasamahan natin sa Kongreso. Precisely, under existing laws, basically, sinuko na—nag-hands off

na ang Lehislatura sa usapin ng public debt. So, iniwan entirely sa discretion ng Executive branch whether national government or even LGU sa local government. So, usapin na lang ito sa pagitan ng mga Ehekutibo at saka iyong kanilang mga technocrat, financial expert, usually in the Department of Finance or in the Central Bank maybe. Nawala na iyong papel ng mga elected—mga halal na kinatawan ng taumbayan gayong ang magbabayad sa mga utang natin na ito siyempre ay ang mamamayan. Kaya ako po ay nagpo-propose na magpasok tayo—panahon na lalo pa at sinasabi ng administrasyon—kahit iyong mga nakaraang administrasyon, kahit iyong mga nakaraang administrasyon na naalpasan na natin iyong debt crisis at in good standing na tayo, kaya nating magbayad ng utang.

Ang administrasyong Duterte, nagpapalano ngang umutang sa Tsina kahit mas mataas ang interes sa mga utang nito kumpara sa iba pang ODA ng ibang mga bansa. So, sa ganyang sitwasyon, palagay ko lalong mahalaga na ibalik natin ang papel ng Kongreso sa usapin ng pambansang utang. So, I think it is now time to finally repeal the Automatic Appropriations clause as far as debt, public debt is concerned. Bigyan natin uli ng papel—I mean, I am not saying, you know, each debt payment has to be approved by Congress, pero kailangang may papel sa authorization ang Kongreso, which we do not find now.

So, would the Sponsor be open to such a possible amendment to your Bill?

REP. SAMBAR. Mme. Speaker, if the good colleague of ours is saying that Congress has lost its power with regard to foreign debt or these foreign borrowings where we are charged at higher interest rates, let me assure the Members of this Body that any proposal for any Overseas Development Assistance or foreign-funded projects will still be in the GAA. So, there is still the power of Congress to scrutinize those projects and those programs, whether or not we will approve them. So, if Congress decides not to accept those programs and projects, it is based on the collective wisdom of Congress to do so.

REP. TINIO. Well, Mme. Speaker, FYI na lang ang Kongreso diyan. Hindi ba in most cases, napirmahan na iyong mga kontrata? By the time inuulat dito iyan, pirmado na iyong mga utang na iyan, so, wala po talagang say. So, muli po, idinidiin ko—alam ko limitado ang oras ko—hindi ko pahahabain pero tumitindig po ako ngayon para ipaglapan na panahon na po na ibasura na itong automatic appropriations para sa debt, para sa utang.

Hindi na po tayo dapat pumayag na maging mga

alila ng IMF, World Bank o mga pribadong bangko na pinagkakautangan natin. So, ibalik po natin ang papel ng mga halal na Kinatawan sa usapin ng pautang; otherwise, you know, even on a local scale, I mean, I digress a bit here pero para to illustrate what is at stake, alam ninyo, batay po sa mga pag-iikot ko sa iba't ibang probinsiya, alam ko may nagkakaroon ng problema when it comes to LGU debt. Maraming mga mayor, utang sila ng malaki para sa mga proyekto nila for their LGUs tapos aba ay problema na noong mga susunod na administrasyon kung paano babayaran iyan.

So, in fact, iyan ang naging problema ng Pilipinas for a long time under the Marcos dictatorship, kung anu-anong mga—that is precisely, you know, why we have a huge debt problem, and it is because the Executive, from the time of Marcos to the present, has had a free and unhampered hand when it comes to contracting public debt. Tapos bahala na kung paano ito babayaran.

REP. SAMBAR. Mme. Speaker ...

REP. TINIO. Ang pinaka-obvious na example dito ay iyong Bataan Nuclear Power Plant, hindi ba? O, ni isang bombilya walang napasindihan na ni isang bombilya, pero after 25 years, nabayaran na iyan, nandiyan iyan, and it is still useless. In the meantime, iyong ipinambayad doon could have gone to public schools, to public hospitals—you know what I am talking about. So, iyan ang resulta ng Marcos era policy na ito ng automatic appropriations for debt. Kaya kailangan po ibalik ang papel ng Kongreso.

REP. SAMBAR. Mme. Speaker, I would like to thank the Honorable Tinio for pointing that out to us. Well, that is quite true. However, I do not think the Budget Reform Bill is the proper vehicle for us to tackle that.

REP. TINIO. Why not?

REP. SAMBAR. Because, we are tackling the—if the Honorable Tinio is mentioning that Section 26 of Executive Order No. 292 which is the Automatic Appropriations, which is financing of the debt. If I am not mistaken, the Honorable Tinio wants that Congress be more participatory in how these foreign loans are acquired, how they are incurred, how they are applied, or how they are implemented. That is a separate Republic Act that can be amended but it cannot be—I think that is a different Republic Act that can be—that is tackled by this Budget Reform Bill, Mme. Speaker.

REP. TINIO. Well, sige, hindi ko na po pahahabain pa. I think that my interventions on the Automatic Annual Appropriations provision of House Bill No. 1177 are very pertinent kasi budget reform ang pinag-uusapan.

In fact, what I am talking about is increasing the power of the purse of Congress—nasa title po iyan ng inyong proposal, precisely by giving back to Congress its role in the matter of public debt.

To conclude, ngayon nga binanggit ko kanina pero babanggitin ko uli. Ngayon, ang Duterte administration nagpapalano na umutang ng malaki sa Tsina para sa kanyang Build, Build, Build Program. Si Secretary Pernia mismo ng NEDA, in one public forum, admitted na actually iyong mga concessional loans ng Japan, from 0.25 percent or lower ang kanilang interest rate. Samantala, sabi niya, ang China raw ay between three to six percent ang kanilang interest rate.

So, tapos ngayon lang, sa front page ng *Inquirer*, mayroon pong news report about how in China, their party newspaper, the Communist Party of China newspaper, is reporting that the Duterte administration is planning to take on loan from the Chinese government which will entail that our natural resources will serve as collateral for these loans. Then, nasa balita pa rito, international news, you know, the predatory loan policy of China. Case in point being Sri Lanka na pinautang ng Tsina ang Sri Lankan government para itayo iyong kanilang port in Colombo. Hindi mabayaran iyong utang, nag-default o hindi mabayaran iyong utang ng Sri Lankan government, so according to the terms of the loan, pag-aari na ng Tsina iyong main port at Colombo. I was recently in Colombo a few months ago, nakita ko iyon, iyong ginagawa pa iyong port na iyan. Kita mo iyong mga Chinese heavy equipment including the ships, nire-reclaim nila iyong lupa. So, I know exactly what they are talking about.

My point being ay ngayon po walang say ang Kongreso kung gusto ni Pangulong Duterte na ibaon tayo sa utang sa Tsina, gawing collateral iyong resources natin sa West Philippine Sea. Kahit iyong mga hindi nga kini-claim ng China ipapa-joint venture daw or joint exploration daw between China and the Philippines. So, I am just pointing out the stakes here on the issue of national debt or public debt at bakit kailangang maibalik ang papel ng Kongreso dito at hindi lamang dapat usapin ng Executive.

Noong panahon ni Marcos ganoon, ano ang nangyari? Nabaon tayo sa utang, kinurakot ng marami, hindi napakinabangan ng taumbayan, taumbayan ang nagbabayad. Hanggang ngayon, ganoon pa rin ang patakaran.

So, let me conclude that point. Panahon na po para ibasura natin itong automatic appropriations clause na ito. This is the opportunity dahil Budget Reform Bill ito. Anyway, narinig ko na po iyong sagot ninyo. I am satisfied with that. So, basically, you are not open to it. *(Laughter)*

Okay, so let me go to another point.

Napansin ko po na, you know, marami sa mga

provisions dito, particularly, the definition of the “Meaning of Savings,” iyong realignment of savings, and so on. The use of savings, actually, if we put it in historical context, alam natin na kaya hinarap ng Kongreso iyang usapin na iyan ay dahil sa isyu ng DAP, iyong Disbursement Acceleration Program ng Aquino administration. Tama ba? Which the Supreme Court, in a historic decision, *Araullo vs. Aquino*, and I know my esteemed colleague from BAYAN MUNA, Representative Zarate, was one of those who argued for the petitioners in that landmark case, idineklara nga na unconstitutional iyong Disbursement Acceleration Program; hindi tama iyong definition noong “savings,” tapos iyong paglipat-lipat ng pondo, and so on, and so forth, by the Aquino administration. So, the redefinition of “savings” that we actually find here, actually, comes from that, hindi ba, stemmed from that. Tama po ba?

REP. SAMBAR. Mme. Speaker, that is correct.

REP. TINIO. That is correct. Okay. At natutuwa kami na nandiyang iyan.

Pero, noong mga panahong iyon, mayroon pang isang mahalagang desisyon din eh, *Belgica vs. Ochoa*, iyan iyong kaugnay sa PDAF, iyong Priority Development Assistance Fund. If we will recall, alam natin ito, ito iyong dahil sa mayroong PDAF noon, which is a Special Purpose Fund for legislators, tapos alam naman natin, hindi ba, inabuso; Lump-Sum Fund, inabuso; mga bogus projects to fake NGOs; tapos possibly ibinulsa nina Janet Napoles and, possibly, some legislators, that is a fact. One of the key rulings in that jurisprudence, *Belgica vs. Ochoa*, is, nai-declare na unconstitutional iyong PDAF because of the post-enactment intervention of legislators in budget execution.

Now, Mme. Speaker, ang tanong ko lang, bakit po wala dito sa ating Budget Reform Bill iyong partikular na prinsipyo na iyon? So, I propose na, you know, sa halip na jurisprudence lang, ilagay na natin sa batas, that it could be a separate provision just to make sure that it is now in law, that the post-enactment intervention of legislators during the budget execution phase. Ibig sabihin, doon sa aktuwal na paggastos na ng budget once it is authorized by Congress, dapat ho ilagay natin dito. Would the Sponsor be open to such a provision?

REP. SAMBAR. Mme. Speaker, we do not need to enumerate that into the Budget Reform Bill. As the Honorable Tinio has stated, there has always been a jurisprudence. There was a decision by the Supreme Court that in regards to the Priority Development Assistance Fund, that legislators cannot be part of the post-enactment, if I am not mistaken.

REP. TINIO. Intervention.

REP. SAMBAR. Or there is intervention in the post-enactment. I think, it is already general knowledge and it is supposed to be followed already so there is no need for us to enumerate that in this Bill.

REP. TINIO. Well, Mme. Speaker, I think, ang kahalagahan noon, una, sa halip na jurisprudence lang, nasa batas na. Pangalawa, masasama sa penal provision, hindi ba? Kapag may lumabag, whether iyong legislator o iyong kakuntsabang ahensiya, aba ay siyempre, saklaw ng penal provisions na nandito rin. Hindi ba may penal provisions po?

REP. SAMBAR. Mme. Speaker, if I am not mistaken, there are already existing penal provisions that punish those convicted of these kinds of crimes associated with these kinds of situations and actions.

REP. TINIO. So, in short, Mme. Speaker, hindi po bukas ang Sponsor kung sakaling lagyan natin ng ganoong probisyon?

REP. SAMBAR. Mme. Speaker, I do not think it is necessary.

REP. TINIO. Okay, noted, nasa record po.

Okay. Ngayon, alam ko isang oras lang, so let me go, siguro last point. Actually, may iba pang mga point eh, pero ito muna, iyong si Congressman Zarate touched on this but, let me go back to it, the Special Purpose Funds.

Sa summary po ninyo, I mean, in the summary prepared by the Committee, you know, which is supposed to give a—it is an aid, wala naman siyang legal status pero it is an aid for the benefit of the Members of the House para, at a glance, makita nila kung ano iyong ilalaman ng Bill. Sabi po rito, nasaan ba iyon, if I may, well, it says here, “Key Provisions,” among the Key Provisions is, where did I find that, here:

number 7) Rationalizes the appropriation of lump-sum funds by limiting the Special Purpose Funds in the annual budget to the National Disaster Risk Reduction and Management Fund (NDRRMF), the Contingent Fund, and the Statutory Shares of LGUs, the details of which could not be determined during the budget preparation stage.

So, kung babasahin ko lang ito, sabihin ko, wow okay, ito na lang ang lump-sum funds, tatlo na lang: NDRRMF, Contingent Fund and the Statutory Shares of LGUs. Yes, tagumpay. We would consider that a victory kasi matagal na naming advocacy na alisin na natin ang lump-sum funds.

Kaya lang, ito po ang lesson dito, kailangan talaga basahin noong mga Representatives iyong buong Bill kasi nga ang sabi naman pala rito:

Section 27. *Special Purpose Funds.* – To promote the transparent and detailed disclosure of all proposed government spending, Special Purpose Funds (SPFs) in the Proposed National Budget shall be limited to: (1) the NDRRMF; (2) the Contingent Fund; (3) Statutory Shares of LGUs; and (4) other SPFs not falling under any of the preceding purposes, x x x.

You know, so aba ay may four pa pala eh. And then, this four is a catch-all, generic. So, iyong ipinangako doon sa simula ay binawi din sa dulo. Bakit po ganoon? Bakit ba hindi puwedeng tanggalin na lang natin iyong four?

What are these other SPFs? I am looking at the GAA for this year. Actually, kung titingnan natin iyong section on Special Purpose Funds, ano na lang ba siya? So, I am seeing—anu-ano ba? Well, let it come from you para mas exact. Baka mali ako eh. In the current GAA, what are these Special Purpose Funds?

REP. SAMBAR. Mme. Speaker, for the GAA of 2018, the Special Purpose Funds are enumerated as follows: Budgetary Support to Government Corporations, Allocations to Local Government Units which include—do you want me to enumerate all these?

REP. TINIO. It is okay. Hindi na po.

REP. SAMBAR. Okay. Contingent Fund, the MPBF, the National Disaster Risk Reduction Management Fund and the Pension and Gratuity Fund.

REP. TINIO. Iyong unprogrammed appropriations, is that considered part of Special—iba pa iyon, iba pa iyon. Okay. Sige.

Okay. So, in-enumerate po ninyo. So, in the proposed Bill, Special Purpose Funds are NDRRMF, Contingent Fund and Statutory Shares of LGUs. So, by Statutory Shares of LGUs, ito iyong ALGU? Tama ba? Allocations to Local Government Units. Is that it? Is that the same thing?

REP. SAMBAR. Sorry. Can you repeat that, Mme. Speaker?

REP. TINIO. Hindi. So, in the Bill, the Special Purpose Funds enumerated are NDRRMF, Contingent Fund and Statutory Shares of LGUs.

REP. SAMBAR. That is correct.

REP. TINIO. So, iyong Statutory Shares of LGUs

does that correspond to what is currently known in the GAA as Allocations to Local Government Units? ALGU?

REP. SAMBAR. Yes, that is most of the ALGU, Your Honor.

REP. TINIO. Most of the ALGU. Oo.

Okay. Let us assume for purposes of discussion, iyon na iyon. But apart from this, sabi nga ninyo, in the current budget, mayroon pa tayong, well, iyong Budgetary Support to Government Corporations, then you have the Miscellaneous Personnel Benefits Fund, and the Pension and Gratuity Fund.

Now, bakit hindi po puwedeng tanggalin na iyon? Iyong mga Budgetary Support to Government Corporations, why does that have to be a Special Purpose Fund?

REP. SAMBAR. Mme. Speaker, actually, in the current year's budget, there are details for it. So, we can actually move it to the ...

REP. TINIO. Precisely.

REP. SAMBAR. ... budget of those GOCCs.

REP. TINIO. Precisely. O, pati iyong MPBF, hindi ba ganoon, may details iyon?

REP. SAMBAR. That is correct, Your Honor. There are ...

REP. TINIO. May details iyon ...

REP. SAMBAR. ... details for that one, Mme. Speaker.

REP. TINIO. Oo, may details iyon up to the Department level. Am I correct? Agency level?

REP. SAMBAR. Yes, that is correct.

REP. TINIO. O, eh bakit hindi na lang ilagay sa agency? Bakit hindi?

REP. SAMBAR. Mme. Speaker, for the information of the Honorable Tinio, the MPBF has already been reduced. As much as possible, we have already moved a lot of these funds to their respective departments and agencies. However, there are certain allocations, such as the PBBs or the Performance-Based Bonuses, that are not necessarily the same all the time so that there is a need for a fund to address that issue.

REP. TINIO. So, iyong PBB, iyon na lang iyon?

REP. SAMBAR. That is one, if I am not mistaken.

REP. TINIO. Ano pa ba?

REP. SAMBAR. Also, Mme. Speaker, the MPBF is used for the filling up of unfilled positions.

REP. TINIO. Unfilled positions, eh you can identify those positions down to the office level so bakit hindi ilagay iyon doon?

REP. SAMBAR. It is to fill up unfilled positions and to create new positions, Mme. Speaker, so there is a need for a fund for that.

REP. TINIO. Well, okay.

REP. SAMBAR. So, the reason we have a MPBF and not put everything into a Contingency Fund or a Contingent Fund is so that there is more transparency.

REP. TINIO. How about the Pension and Gratuity Fund?

REP. SAMBAR. The Pension and Gratuity Fund also has details on the agencies that ...

REP. TINIO. Bakit hindi ilagay sa agency?

REP. SAMBAR. One of the reasons, Mme. Speaker, that the Pension and Gratuity Fund is separate is that if we add it to the budget of the respective agencies, it will bloat their budgets and then, people would think when they see the budget of those agencies that they have a big budget but unfortunately, most of it will be coming from their Pension and Gratuity Fund.

REP. TINIO. So, you are saying it is optics, for the sake of appearance. Parang kaya ginawang lump sum iyan, para huwag naman magmukhang masyadong malaki iyong budget kasi actually malaking bahagi noon para sa personnel benefits pala. That is what you are saying. Iyon na ba iyon? Is that it?

REP. SAMBAR. No, Mme. Speaker. I think the essence of transparency, we are already enumerating it in the budget so that it is a line item for pension and gratuity. So, the purpose is there already.

REP. TINIO. Well, Mme. Speaker, to wind up, alam ko wala na tayong oras, ang punto po ay kakayanin naman po kung gugustuhin na talagang nilimita na iyong Special Purpose Funds. Tanggalin na po natin iyong number four. Would the Sponsor be amenable to a proposal to let us just drop the number four para wala na tayong debate.

REP. SAMBAR. Mme. Speaker, I would like

to reiterate our position we originally shared with Congressman Zarate that I think we still need that provision ...

REP. TINIO. Flexibility.

REP. SAMBAR. ... for flexibility.

REP. TINIO. All right. So, Mr. Speaker, we maintain our position that for as long as that catch-all provision is retained, then, you know, there is always a possibility for abuse where, you know, the issue of the budget as presidential pork barrel will continue to haunt the Executive branch for as long as nandiyan iyan. So, ang punto ko lang, puwede namang gawin na wala na iyan, ilagay sa mga ahensiya. It is not a matter of transparency so kung gugustuhin, kakayanin po ito.

So, iyon po. May mga ilang concerns po tayong na-raise, if I may wind up. We mentioned among others, well, first, the need for clarity, how will this law affect existing laws such as PD No. 1177 and EO No. 292, especially since there are provisions that do not necessarily harmonize with each other. Okay. So, my recommendation was for the Sponsor to come up with a list of items for explicit repeal or amendment para malinaw po sa lahat. Pangalawa, iyong para sa akin napakahalagang isyu po ng automatic appropriation particularly for public debt. Kailangang ibasura na po natin, once and for all, iyong Marcos-era control, in the same way na sinasabi ninyo, iyong Kongreso, binigyan ng kapangyarihang mag-modify sa submission ng Presidente.

Kasi noong panahon ni President Marcos, ayaw niyang ginagalaw iyong budget niya ng Interim Batasang Pambansa or whatever. Iba na tayo ngayon. Iba na rin tayo sa usapin ng debt. Hindi na lang po Presidente ang exclusively na magtatakda nito. Kailangan may say po ang mga Kinatawan ng taumbayan dahil taumbayan ang magbabayad sa utang na ito. Isa pa po, kung isinama natin iyong mga mahahalagang jurisprudence on DAP o ng Disbursement Acceleration Program, particularly in relation to the use of savings and definition of savings and realignment and so on ay ganoon din po, isama na natin iyong napakahalagang jurisprudence prohibiting post enactment intervention of Legislators para hindi na po maulit iyong, you know, pork barrel scam or something similar.

Lastly, iminungkahi po natin na seryosohin na natin iyong paglimita sa lump-sum funds para huwag na po natin balik-balikan iyong isyu ng Presidential pork. Tanggalin na natin iyong pangbawi ninyo, maganda na sana kung lilimitahan na lang sa tatlo pero ibinukas ninyo pa uli. Ang tindig po natin ay tanggalin na natin dapat sa probisyon na ito. Hanggang doon na lamang po, Mme. Speaker.

Maraming salamat.

REP. SAMBAR. Thank you.

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

SUSPENSION OF CONSIDERATION
OF H.B. NO. 7302

REP. BELARO. Mme. Speaker, I move that we suspend the consideration of House Bill No. 7302.

I so move, Mme. Speaker.

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

The consideration of House Bill No. 7302 is hereby suspended.

CONSIDERATION OF H.B. NO. 7266
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BELARO. Mme. Speaker, I move that we consider House Bill No. 7266, contained in Committee Report No. 629, as reported out by the Committees on Rural Development, and Appropriations.

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

THE DEPUTY SPEAKER (Rep. Villarica). 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. 7266, entitled: AN ACT PROVIDING FOR A RURAL EMPLOYMENT ASSISTANCE PROGRAM AND APPROPRIATING FUNDS THEREFOR.

REP. BELARO. Mme. Speaker, I move that the Explanatory Note of the Bill be considered as the sponsorship speech on the measure.

I so move, Mme. Speaker.

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

REP. BELARO. Mme. Speaker, I move that we

recognize the author of the measure, the Hon. Rodel M. Batocabe of AKO BICOL Party-List.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Batocabe is recognized.

REP. BELARO. Mme. Speaker, I move that we recognize the Hon Antonio M. Bravo, PhD, for his interpellation.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The Honorable Bravo is recognized.

REP. BRAVO (A.). Thank you, Mme. Speaker.

Will the good Gentleman, author of House Bill No. 7266, entertain some questions from this Representation?

REP. BATOCABE. Gladly, Mme. Speaker.

REP. BRAVO (A.). Thank you, Mme. Speaker, distinguished colleague.

First, I would like to commend the author of this House Bill No. 7266. This has a very noble intention to at least provide temporary employment to our unserved kababayan especially in the rural areas. Am I correct, Mr. Sponsor, the good Gentleman from AKO BICOL, that this employment will just be for a period of 90-days as stipulated here?

REP. BATOCABE. It should be a minimum of 45 days, but not more than 90 days per year.

REP. BRAVO (A.). So, what will happen after 90 days if an individual is still unemployed? Will he be given a chance to be reemployed?

REP. BATOCABE. The reason here, the rationale of this Bill is to supplement the income of workers in the rural areas who are primarily engaged in the agricultural sector. As you can see, I come from the cooperative sector and you know that the jobs in the rural areas are more often than not, seasonal. In other words, during planting season they have jobs, and then during harvesting they have, but there are also instances when they have lean months that they do not have their jobs. It is now the duty of the government to give them jobs when they do not have any jobs during that time.

REP. BRAVO (A.). The target beneficiaries of this Bill that is being contemplated on are those that are involved in agricultural activities. Am I correct?

REP. BATOCABE. Can you repeat the question again, please?

REP. BRAVO (A.). The target beneficiaries of the Bill will benefit the farm workers?

REP. BATOCABE. Yes. Primarily, the farmworkers.

REP. BRAVO (A.). To include fisherfolk?

REP. BATOCABE. Fisherfolk and all other residents in the rural areas who are either employed or even underemployed.

REP. BRAVO (A.). Since it will involve appropriation, Mme. Speaker, Mr. Sponsor, where will our funds be sourced out?

REP. BATOCABE. This will be in the budget of the DSWD. Actually, we have been doing this. Now, we have discussed the work program by the DSWD, the assistance to our rural workers. What we are just doing with this Bill is to institutionalize this program.

REP. BRAVO (A.). It will be tapping the program of the DSWD, which is already in existence, am I correct in my understanding?

REP. BATOCABE. Yes, in existence. All we have to do is to institutionalize this, so that notwithstanding any change in administration, this program will be continued. Mme. Speaker, this is also a way of spurring the growth in the countryside. When we provide government funds in the countryside, it will circulate within the countryside and it will also spur businesses there. Let us say for example, a small sari-sari store or even for medicine or any other basic necessities that may be needed by a family that will help them tide their daily living.

REP. BRAVO (A.). Thank you very much distinguished, Mr. Sponsor, for that very comprehensive explanation and I would like to manifest my full support to this proposed Bill. If it would be acceptable to the good Gentleman, I would like to propose some amendments at the proper time, if they will be acceptable.

REP. BATOCABE. Of course, they will be acceptable and just for the record, your sector will be the one directly and positively affected by this Bill.

REP. BRAVO (A.). I would also like to register myself to become a coauthor of this proposed Bill.

REP. BATOCABE. We will gladly accept, Mme. Speaker.

REP. BRAVO (A.). Thank you, Mme. Speaker. Those are all my questions.

REP. BATOCABE. Thank you.

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

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

I so move, Mme. Speaker.

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

REP. BELARO. Mme. Speaker, I move that we open the period of amendments.

I so move, Mme. Speaker.

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

REP. BELARO. Mme. Speaker, there being no Committee amendment, I move that we now proceed to consider individual amendments.

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

REP. BELARIO. Mme. Speaker, I move that we recognize Hon. Antonio M. Bravo, PhD, for his individual amendment.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The Hon. Antonio M. Bravo, PhD is recognized.

INDIVIDUAL AMENDMENT

REP. BRAVO (A.). Thank you, Mme. Speaker. I just want to make a correction. My name is Anthony. (*Laughter*)

Mme. Speaker, distinguished colleagues, I move to propose an amendment to line 12, which is Definition of Rural Area, to be defined as follows: RURAL AREA REFERS TO ANY BARANGAY WITH, AT LEAST, 50 PERCENT LAND AREA IS DEVOTED TO AGRICULTURE, TIMBERLAND, FOREST AND OR PASTURE LAND AS DETERMINED BY THE COMPREHENSIVE LAND USE PLAN OF THE CONCERNED LOCAL GOVERNMENT UNIT (.) PERIOD

REP. BATOCABE. We do not have any objection, Mme. Speaker, to the proposed amendment.

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

REP. BELARO. Mme. Speaker, I move for the approval of the individual amendment, subject to style. I so move, Mme. Speaker.

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

REP. BELARO. Mme. Speaker, ...

REP. BRAVO (A.). That is all the amendment I am proposing, Mme. Speaker.

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

REP. BELARO. Mme. Speaker, there being no other individual amendments, I move that we close the period of amendments.

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

REP. BELARO. Mme. Speaker, I move that we approve House Bill No. 7266, as amended, on Second Reading.

I so move, Mme. Speaker.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Villarica). There is a motion for the approval of House Bill No. 7266, as amended, on Second Reading.

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

SEVERAL MEMBERS. *Aye*.

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

FEW MEMBERS. *Nay*.

APPROVAL OF H.B. NO. 7266, AS AMENDED, ON SECOND READING

THE DEPUTY SPEAKER (Rep. Villarica). The *ayes* have it; House Bill No. 7266, as amended, is approved on Second Reading.

The Majority Leader is recognized.

OMNIBUS CONSIDERATION OF HOUSE BILLS ON SECOND READING

REP. GONZALES (A.P.). Mme. Speaker, I move for the omnibus consideration of the following local bills contained in the Calendar of Business for Thursday and Friday:

1. House Bill No. 7230, contained in Committee Report No. 620;
2. House Bill No. 7240 under Committee Report No. 623;
3. House Bill No. 7241 under Committee Report No. 624;
4. House Bill No. 7242 under Committee Report No. 625;
5. House Bill No. 7243 under Committee Report No. 626;
6. House Bill No. 7291 under Committee Report No. 633; and
7. House Bill No. 7292 under Committee Report No. 634.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we consider the respective Explanatory Notes of the Bills as the sponsorship speeches on the said measures.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we open the period of sponsorship and debate.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, there being no Member who wishes to interpellate or speak against the said local bills, I move that we terminate the period of sponsorship and debate.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we open the period of amendments and approve the Committee amendments, if any, as contained in their respective Committee reports on the aforementioned Bills.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, there being no Committee amendment, I propose that we consider individual amendments.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, there being no other individual amendments, I move that we terminate the period of amendments.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we approve on Second Reading the following House Bills: 7230, 7240, 7241, 7242, 7243, 7291 and 7292.

I so move, Mme. Speaker.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Villarica). As many as are in favor of the approval of the bills enumerated in the omnibus motion, please say *aye*.

SEVERAL MEMBERS. *Aye*.

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

OMNIBUS APPROVAL OF LOCAL BILLS ON SECOND READING

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

The bills enumerated in the omnibus motion are hereby approved on Second Reading.*

CONSIDERATION OF H.B. NO. 7264 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. GONZALES (A.P.). Mme. Speaker, I move that we consider House Bill No. 7264, contained in Committee Report No. 628, as reported out by the Committees on Higher and Technical Education, and Appropriations.

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

THE DEPUTY SPEAKER (Rep. Villarica). 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. 7264, entitled: AN ACT ESTABLISHING THE CORDILLERA STATE POLYTECHNIC SKILLS INSTITUTE, INTEGRATING THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TRAINING CENTERS AND TESDA-SUPERVISED STATE-RUN TECHNICAL-VOCATIONAL INSTITUTIONS (TVIs) IN THE CORDILLERA ADMINISTRATIVE REGION AND APPROPRIATING FUNDS THEREFOR.

REP. GONZALES (A.P.). At this juncture, I move that we acknowledge the Chairperson of the Committee on Higher and Technical Education, the Hon. Ann K. Hofer.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). The honorable Chairperson, Ann K. Hofer, is recognized.

REP. GONZALES (A.P.). Mme. Speaker, I move that we consider the Explanatory Note as the sponsorship speech on the said measure.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we open the period of sponsorship and debate.

I so move, Mme. Speaker.

* See MEASURES CONSIDERED (printed separately)

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

REP. GONZALES (A.P.). Mme. 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.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we open the period of amendments and approve the Committee amendments, if any, as contained in the Committee Report on the aforementioned Bill.

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

REP. GONZALES (A.P.). Mme. Speaker, there being no Committee amendments, I propose that we consider the individual amendments to the said Bill.

I so move, Mme. Speaker.

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

INDIVIDUAL AMENDMENTS

REP. HOFER. Mme. Speaker, Your Honor, as the Committee Chairperson, and at the behest of the author, the Hon. Mark O. Go, may I propose the following amendments to House Bill No. 7264.

On page 1 of House Bill No. 7264, Section 2, line 8, between the comma (,) and the word “Kalinga”, may I propose to insert the word BENGUET.

I so move, Mme. Speaker.

REP. GONZALES (A.P.). Mme. Speaker, I move that we accept the amendment.

I so move, Mme. Speaker.

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

The Majority Leader is recognized.

REP. HOFER. Mme. Speaker, Your Honor, on page 1, Section 3, line 15, between the comma (,) and the word “Kalinga”, may I propose to insert the word BENGUET.

I so move, Mme. Speaker.

REP. GONZALES (A.P.). Mme. Speaker, I move that we accept the amendment.

I so move, Mme. Speaker.

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

REP. HOFER. Mme. Speaker, Your Honor, on page 2, Section 4, line 25, between the comma (,) and the word “Kalinga”, may I propose to insert the word BENGUET.

I so move, Mme. Speaker.

REP. GONZALES (A.P.). Mme. Speaker, I move that we accept the amendment.

I so move, Mme. Speaker.

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

REP. HOFER. Finally, Mme. Speaker, Your Honor, on page 5, Section 8, line 28, between the comma (,) and the word “Kalinga”, insert the word BENGUET.

I so move, Mme. Speaker, Your Honor.

REP. GONZALES (A.P.). Mme. Speaker, I move that we accept the amendment.

I so move, Mme. Speaker.

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

REP. GONZALES (A.P.). Mme. Speaker, there being no other individual amendments, I move that we terminate the period of amendments.

I so move, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Villarica). Is there any objection? (*Silence*) The Chair hears none; the period of amendments is closed.

REP. GONZALES (A.P.). Mme. Speaker, I move that we vote on Second Reading on House Bill No. 7264, as amended.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Villarica). As many as are in favor of House Bill No. 7264, as amended, please say *aye*.

SEVERAL MEMBERS. *Aye*.

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

APPROVAL OF H.B. NO. 7264, AS AMENDED,
ON SECOND READING

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

House Bill No. 7264, as amended, is approved on Second Reading.

REP. GONZALES (A.P.). Mme. Speaker, I move that we include additional coauthors of House Bills No. 6724, 7290 and 7302, as contained in the list to be submitted by the Committee on Rules.

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

REP. GONZALES (A.P.). Mme. Speaker, I move that we proceed to the Additional Reference of Business and direct the Secretary General to read the same.

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

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

ADDITIONAL REFERENCE OF BUSINESS

The Secretary General read the following Committee Report, and the Deputy Speaker made the corresponding reference:

ADDITIONAL REFERENCE OF BUSINESS

COMMITTEE REPORT

Report by the Committee on Health and the Committee on Appropriations (Committee Report No. 651), re H.B. No. 7362, entitled:

“AN ACT CONVERTING THE SAN LORENZO RUIZ WOMEN’S HOSPITAL IN MALABON CITY, METRO MANILA INTO A GENERAL HOSPITAL TO BE KNOWN AS THE SAN LORENZO RUIZ GENERAL HOSPITAL, INCREASING ITS BED CAPACITY FROM TEN (10) TO TWO HUNDRED (200) BEDS AND APPROPRIATING FUNDS THEREFOR” recommending its approval in substitution of House Bill No. 5791

Sponsors: Representatives Tan (A.), Sandoval and Nograles (K.A.)

TO THE COMMITTEE ON RULES

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

REFERRAL OF HOUSE RESOLUTIONS
ON INQUIRIES IN AID OF LEGISLATION

REP. BELARO. Mme. Speaker, in accordance with our Rules Governing Inquiries in Aid of Legislation, I move that we refer the following House Resolutions to the appropriate committees:

1. House Resolution No. 1707, to the Committee on Agrarian Reform;
2. House Resolution No. 1708, to the Committee on Overseas Workers Affairs;
3. House Resolution No. 1709, to the Committee on Housing and Urban Development;
4. House Resolution No. 1710, to the Committee on Good Government and Public Accountability;
5. House Resolution No. 1711, to the Committee on Good Government and Public Accountability;
6. House Resolution No. 1712, to the Committee on Natural Resources;
7. House Resolution No. 1716, to the Committee on Local Government;
8. House Resolution No. 1717, to the Committee on Population and Family Relations; and
9. House Resolution No. 1719, to the Committee on Basic Education and Culture.

I so move, Mme. Speaker.

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

ADJOURNMENT OF SESSION

REP. BELARO. Mme. Speaker, I move that we adjourn the session until Monday, March 12, 2018, at four o’clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Villarica). Is there any objection? (*Silence*) The Chair hears none; the session is adjourned until March 12, Monday, at four o’clock in the afternoon.

It was 8:23 p.m.