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PLENARY PROCEEDINGS OF THE 18th CONGRESS, FIRST REGULAR SESSION

House of Representatives

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No. 20c

RESUMPTION OF SESSION

At 3:00 p.m., the session was resumed with Deputy Speaker Johnny Ty Pimentel presiding.

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

The Majority Leader is recognized.

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

I so move, Mr. Speaker.

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

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

ADDITIONAL REFERENCE OF BUSINESS

The Secretary General read the following House Bills and House Resolution on First Reading, Communications and Committee Report, and the Deputy Speaker made the corresponding references:

BILLS ON FIRST READING

House Bill No. 4839, entitled:

“AN ACT PROVIDING FOR THE PROTECTION OF AND ENHANCED SERVICES TO TOURISTS AND PROVIDING FUNDS THEREFOR”

By Representative Matugas

TO THE COMMITTEE ON TOURISM

House Bill No. 4840, entitled:

“AN ACT CREATING THE PROVINCE OF WESTERN MAGUINDANAO”

By Representative Sinsuat

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 4841, entitled:

“AN ACT TO INCLUDE A SUBJECT IN LOCAL

HISTORY IN THE CURRICULA OF ALL PUBLIC AND PRIVATE HIGH SCHOOLS”

By Representative Savellano

TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4842, entitled:

“AN ACT DECLARING PEKKANG FALLS IN SINAIT; BECQUES FALLS AND ARISUDUSOD FALLS IN CABUGAO; PIKKANG FALLS AND TURTURAYOK FALLS IN SAN JUAN; PIMMADER FALLS, PIMMILOV FALLS AND ALVIN FALLS IN STO. DOMINGO; AND BURAYOK FALLS, NAGBALDI FALLS, MASUNGAD FALLS, PUNDO FALLS IN BANTAY; PROVINCE OF ILOCOS SURAS ECOTOURISM SITES AND APPROPRIATING FUNDS THEREFOR”

By Representative Savellano

TO THE COMMITTEE ON TOURISM

House Bill No. 4843, entitled:

“AN ACT GRANTING INCOME TAX HOLIDAY TO ALL NEWLY ESTABLISHED BUSINESS ENTERPRISES IN THE PROVINCE OF NORTHERN SAMAR”

By Representative Ong (Jose)

TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 4844, entitled:

“AN ACT CREATING THE DEPARTMENT OF DISASTER RESILIENCE, DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR”

By Representative Lim

TO THE COMMITTEE ON GOVERNMENT REORGANIZATION AND THE COMMITTEE ON DISASTER MANAGEMENT

House Bill No. 4845, entitled:

“AN ACT STRENGTHENING THE SECURITY OF TENURE OF WORKERS, AMENDING FOR THE PURPOSE PRESIDENTIAL

DECREE NO. 442, AS AMENDED,
OTHERWISE KNOWN AS THE ‘LABOR
CODE OF THE PHILIPPINES’ ”

By Representative Tambunting
TO THE COMMITTEE ON LABOR AND
EMPLOYMENT

House Bill No. 4846, entitled:

“AN ACT STRENGTHENING THE
ARCHITECTURE PROFESSION,
AMENDING FOR THE PURPOSE
CERTAIN PROVISIONS OF REPUBLIC
ACT NUMBERED NINE THOUSAND
TWO HUNDRED SIXTY-SIX (R.A. NO.
9266), OTHERWISE KNOWN AS THE
‘ARCHITECTURE ACT OF 2004’ ”

By Representative Tambunting
TO THE COMMITTEE ON CIVIL SERVICE
AND PROFESSIONAL REGULATION

House Bill No. 4847, entitled:

“AN ACT REGULATING THE PRACTICE OF
EMPLOYERS IN POSTING NOTICES OF
TERMINATION OF EMPLOYMENT OF
FORMER EMPLOYEES IN NEWSPAPERS,
SOCIAL MEDIA, AND OTHER PUBLIC
INFORMATION VENUES”

By Representative Tambunting
TO THE COMMITTEE ON LABOR AND
EMPLOYMENT

House Bill No. 4848, entitled:

“AN ACT FURTHER AMENDING REPUBLIC
ACT NO. 544, AS AMENDED, OR THE
CIVIL ENGINEERING LAW”

By Representative Tambunting
TO THE COMMITTEE ON CIVIL SERVICE
AND PROFESSIONAL REGULATION

House Bill No. 4849, entitled:

“AN ACT RENAMING THE NATIONAL
ORTHOPEDIC HOSPITAL (NOH)
SCHOOL FOR CRIPPLED CHILDREN TO
PHILIPPINE ORTHOPEDIC CENTER (POC)
SCHOOL FOR LEARNERS WITH SPECIAL
EDUCATIONAL NEEDS”

By Representative Crisologo
TO THE COMMITTEE ON BASIC EDUCATION
AND CULTURE

House Bill No. 4850, entitled:

“AN ACT REGULATING THE FEES AND
CHARGES IMPOSED BY BANKS AND
FINANCIAL INSTITUTIONS FOR
AUTOMATED TELLER MACHINE (ATM)
TRANSACTIONS”

By Representative Castelo
TO THE COMMITTEE ON BANKS AND
FINANCIAL INTERMEDIARIES

House Bill No. 4852, entitled:

“AN ACT ESTABLISHING A NO-HOMEWORK
ON WEEKENDS FOR ALL ELEMENTARY
AND HIGH SCHOOL STUDENTS”

By Representative Vargas
TO THE COMMITTEE ON BASIC EDUCATION
AND CULTURE

House Bill No. 4853, entitled:

“AN ACT REORGANIZING THE COMELEC
OFFICES”

By Representative Dy (Faustino Inno)
TO THE COMMITTEE ON SUFFRAGE AND
ELECTORAL REFORMS

House Bill No. 4854, entitled:

“AN ACT CONVERTING THE MUNICIPALITY
OF UBAY IN THE PROVINCE OF BOHOL
INTO A COMPONENT CITY TO BE
KNOWN AS THE SCIENCE CITY OF
UBAY”

By Representative Aumentado
TO THE COMMITTEE ON LOCAL
GOVERNMENT

House Bill No. 4855, entitled:

“AN ACT RENEWING FOR ANOTHER TWENTY-
FIVE YEARS THE FRANCHISE GRANTED
TO CRUZ TELEPHONE COMPANY, INC.
UNDER REPUBLIC ACT 7961”

By Representative Duavit
TO THE COMMITTEE ON LEGISLATIVE
FRANCHISES

House Bill No. 4856, entitled:

“AN ACT PROVIDING A BAN ON DUMPING
OF SEWAGE SLUDGE AND INDUSTRIAL
WASTE INTO THE SEA”

By Representative Sy-Alvarado
TO THE COMMITTEE ON ECOLOGY

House Bill No. 4857, entitled:

“AN ACT PROVIDING HEALTH
MAINTENANCE ORGANIZATION (HMO)
FOR ALL PUBLIC-SCHOOL TEACHERS”

By Representative Sy-Alvarado
TO THE COMMITTEE ON BASIC EDUCATION
AND CULTURE

House Bill No. 4858, entitled:

“AN ACT ESTABLISHING A DIAGNOSTIC
LABORATORY TO IDENTIFY THE

DISEASES AFFECTING LOCAL HOGS
AND FOR OTHER PURPOSES”

By Representative Sy-Alvarado
TO THE COMMITTEE ON HEALTH

RESOLUTION

House Resolution No. 387, entitled:

“RESOLUTION ORGANIZING
THE PHILIPPINES-BAHRAIN
PARLIAMENTARIANS’ FRIENDSHIP
GROUP”

By Representative Yu
TO THE COMMITTEE ON INTER-
PARLIAMENTARY RELATIONS AND
DIPLOMACY

COMMUNICATIONS

Letter dated 11 July 2019 of Sec. Isidro S. Lapeña, PhD., CSEE, Director General, Technical Education and Skills Development Authority, providing the House of Representatives a copy of the National Technical Education and Skills Development Plan (NTESDP) 2018-2022, which envisions a “Vibrant Quality TVET for Decent Work and Sustainable Development”.

TO THE COMMITTEE ON HIGHER AND
TECHNICAL EDUCATION

Letters dated August 28, 2019 of Salvador C. Medialdea, Executive Secretary, Office of the President, Malacañang, transmitting two (2) original copies each of the following Republic Acts which were signed by President Rodrigo Roa Duterte:

1. R.A. No. 11441, entitled:
“AN ACT INCREASING THE BED CAPACITY OF CORAZON LOCSIN MONTELIBANO MEMORIAL REGIONAL HOSPITAL IN THE CITY OF BACOLOD, PROVINCE OF NEGROS OCCIDENTAL FROM FOUR HUNDRED (400) BEDS TO ONE THOUSAND (1,000) BEDS, AUTHORIZING THE INCREASE OF ITS PERSONNEL, AND APPROPRIATING FUNDS THEREFOR”;
2. R.A. No. 11442, entitled:
“AN ACT DECLARING FEBRUARY 3 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE CITY OF BIÑAN, PROVINCE OF LAGUNA, TO BE KNOWN AS ‘BIÑAN LIBERATION DAY’ ”;
3. R.A. No. 11443, entitled:
“AN ACT DECLARING JANUARY 23 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE PROVINCE OF

BULACAN IN COMMEMORATION OF
THE INAUGURATION OF THE PHILIPPINE
REPUBLIC”;

4. R.A. No. 11444, entitled:
“AN ACT DECLARING JULY 4 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE ENTIRE PROVINCE OF BOHOL, TO BE KNOWN AS ‘FRANCISCO DAGOHOY DAY’ IN HONOR OF FRANCISCO DAGOHOY, A NATIVE OF BOHOL AND LEADER OF THE LONGEST PHILIPPINE REVOLT ON RECORD THAT LASTED FOR EIGHTY-FIVE (85) YEARS DURING THE SPANISH ERA”;
5. R.A. No. 11445, entitled:
“AN ACT AMENDING REPUBLIC ACT NO. 9090 OR AN ACT DECLARING FEBRUARY FIRST OF EVERY YEAR AS ‘JOSE MARIA C. PANGANIBAN DAY’ AND A SPECIAL WORKING PUBLIC HOLIDAY IN THE PROVINCE OF CAMARINES NORTE”;
6. R.A. No. 11446, entitled:
“AN ACT DECLARING DECEMBER 27 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE CITY OF BAYBAY, PROVINCE OF LEYTE, IN CELEBRATION OF ITS ‘BINAYBAYON FESTIVAL’ ”;
7. R.A. No. 11447, entitled:
“AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO AUDIOVISUAL COMMUNICATORS, INC. UNDER REPUBLIC ACT NO. 8124, ENTITLED ‘AN ACT GRANTING THE AUDIOVISUAL COMMUNICATORS, INC., A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES’ ”;
8. R.A. No. 11448, entitled:
“AN ACT EXPANDING ACCESS TO EDUCATIONAL SERVICES THROUGH THE ESTABLISHMENT AND ADMINISTRATION OF TRANSNATIONAL HIGHER EDUCATION, AND APPROPRIATING FUNDS THEREFOR”;
9. R.A. No. 11449, entitled:
“AN ACT PROVIDING FOR ADDITIONAL PROHIBITIONS TO AND INCREASING PENALTIES FOR VIOLATIONS OF REPUBLIC ACT NO. 8484, OTHERWISE KNOWN AS THE ‘ACCESS DEVICES REGULATION ACT OF 1998’ ”; and
10. R.A. No. 11450, entitled:
“AN ACT CREATING A BARANGAY IN THE CITY OF DASMARIÑAS, PROVINCE OF

CAVITE TO BE KNOWN AS BARANGAY VICTORIA REYES”.

TO THE ARCHIVES

Letters dated 18 and 24 September 2019 of Donaldo B. Robles, Acting Deputy Director, Docketing Monitoring and Records Division, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas (BSP), furnishing the House of Representatives with duly certified and authenticated BSP issuances, to wit:

1. Circular Letter No. CL-2019-066 dated 12 September 2019;
2. Circular Letter No. CL-2019-067 dated 17 September 2019; and
3. Circular No. 1050 dated 18 September 2019.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

COMMITTEE REPORT

Report of the Committee on Suffrage and Electoral Reforms (Committee Report No. 32), re H.B. No. 4933, entitled:

“AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923 AND REPUBLIC ACT NO. 10952, AND FOR OTHER PURPOSES”

recommending its approval in substitution of House Bills Numbered 47, 396, 420, 625, 905, 1029, 1071, 1354, 1571, 2060, 2175, 2276, 2386, 2483, 2531, 2551, 2608, 2647, 2727, 2874, 2888, 2890, 2959, 3037, 3100, 3187, 3268, 3316, 3500, 3515, 3652, 3670, 3937, 3959, 4042, 4606, 4682 and 4738

Sponsors: Representatives Ferrer (Juliet), Dy (Faustino Inno), Erice and Rodriguez

TO THE COMMITTEE ON RULES

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

CHANGE OF REFERRAL OF CERTAIN MEASURES

REP. BOLILIA. Mr. Speaker, I move for the change of referral of the following measures: House Bill No. 214 – declaring a national policy for sports as an engine for nation building, social progress and promotion of total human development, and creating the Department of Sports, from the Committee on Youth and Sports

Development to the Committees on Government Reorganization, and Youth and Sports Development.

I so move, Mr. Speaker.

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

REP. BOLILIA. I also move for the change of referral of House Joint Resolution No. 16 – authorizing the use of the rice subsidy as provided under the Pantawid Pamilyang Pilipino Program (4Ps) in the General Appropriations Act (GAA) for the purchase of palay from farmers, mandating for the purpose the Department of Social Welfare and Development (DSWD) to buy palay from the local farmers and distribute rice subsidy in the form of actual rice instead of cash assistance to qualified beneficiaries, from the Committee on Appropriations to the Committee on Agriculture and Food.

At this juncture, Deputy Speaker Pimentel relinquished the Chair to Deputy Speaker Michael L. Romero, PhD.

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

REP. BOLILIA. Mr. Speaker, by leave of the House, I move that the Committee on Agriculture and Food be authorized to immediately consider House Joint Resolution No. 16 and House Resolution No. 322.

I so move, Mr. Speaker.

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

The Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, we have been informed that the Hon. Jose L. Atienza Jr. of the Party-List BUHAY wishes to rise on a matter of personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Romero). May I ask Honorable Atienza what is the nature of his privilege.

REP. ATIENZA. We would just like to clarify and, at the same time, answer the allegations aired yesterday that this Representation had been sowing fake news to the Chamber, so if given a chance, I would like to beg you to give us an opportunity to clarify the matter.

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

REP. BONDOC. Mr. Speaker, under Section 102 of our Rules, the request for a personal and collective privilege by the Honorable Atienza is in order. I move that we recognize Hon. Lito Atienza of Party-List BUHAY.

THE DEPUTY SPEAKER (Rep. Romero). Rep. Lito Atienza is given 10 minutes.

QUESTION OF PRIVILEGE OF REP. ATIENZA

REP. ATIENZA. Maraming salamat po, Mr. Speaker, and thank you, Mr. Majority Leader, for understanding our position.

Yesterday, we deliberated on a privilege speech delivered by Hon. Bernadette “BH” Herrera-Dy and she mentioned about a growing problem of people shying away from health centers to have their children vaccinated and that there seems to be a resurging polio problem among our children. As a matter of our knowledge of the issues as to why people are shying away from health centers today, we interpellated Congresswoman Dy. In our interpellation, we explained that to our knowledge, mothers and women are shying away from vaccination and campaigns of the government to have their children vaccinated simply because people have lost confidence in the DOH for it has lost its credibility on this particular type of service because on two occasions, people were taken advantage of without their knowledge: one, during the tetanus toxoid massive vaccination of women aged 14 to 44, which turned out, as we exposed it then, iyong bakuna nila ay mayroong pampabaog. Twenty percent of the women who were vaccinated were supposed to be sterilized and that was their only way to really reduce the number of Filipinos being born. Before that, outside and in court, we proved our point that there were vials of tetanus toxoid vaccine which were being used on our women, innocent as they were, with 20 percent laced with HCG element which had no place in an anti-tetanus vaccine. Iyon po ay pampabaog. Iyong mga tinamaan noon ay hindi na nagbuntis. Mayroon po akong mga kakilalang nabiktima diyan, so that was core number one. And then sometime in 2015 and 2016, the government again went on a massive vaccination of children supposedly to protect them from dengue. Marami po ang nagpabakuna, iyong iba ay sapilitan na pinabakunahan. Ano po ang naging bunga? Hindi pala dapat binabakunahan ng Dengvaxia ang isang bata kung hindi pa nagkakaroon ng dengue; otherwise, they would be exposing themselves to contaminating each other with dengue or rather developing dengue simply because of their exposure to Dengvaxia.

Who said this? It was Sanofi itself, the manufacturer of the vaccine, hindi po ako. Iyan po ang deklarasyon ng Sanofi Pharmaceuticals, a foreign company, and

they said that they did not say that this was going to solve the problem of dengue coming into the picture in the country. It will not make the children immune even. In fact, if they were vaccinated, they will have more chances of having dengue. Iyan po ang sinabi ng Sanofi. Binanggit ko rin po iyan, kaya po tayo ngayon ay may problema. Ang mga ina ay hindi nakakalimot doon sa tetanus toxoid at iyong mga ina ay hindi pa rin nalilimitan ang Dengvaxia scandal—scandal, because lumabas ang katotohanan sa ating imbestigasyon, imbestigasyon ng Kongresong ito. We investigated that particular issue. It came out very clear that they rushed the immunization program. They were catching up with the elections of 2016. Pinilit nilang bakunahan maski iyong ayaw magpabakuna. Binigyan ng quota ang mga Congressmen, P200,000, P500,000 or P1 million, para lamang magastos ang pera. Iyan po naman ay pumutok na ngayon. Kaya ang sinasabi ng mga ina bago sila maniwala ulit sa DOH ay marami pa ang dapat gawin ng bagong pamunuan ng Department of Health. Ako naman ay natutuwa sapagkat ginagawa ni Secretary Francisco Duque ang lahat upang mabawi ang tiwala ng mga mamamayan.

Now, the Lady, who stood up yesterday, branded the information that I carried to this Chamber as nothing but fake news. Tingnan ninyo iyan, that is unfair. Coming from a Member of Congress, she should have respected my opinion as I would have respected hers, but since she branded it as fake news, I am willing to prove this in any forum; mamili na siya. I will prove that she is wrong and that she is guilty of some wrongdoing in the government. If she proves that I have infected this Chamber with fake news, then I am willing to be prosecuted and I am willing to resign from my position; but if I am able to prove in that debate which I am inviting her to join me in, she has to answer for the Dengvaxia deaths and the dengue deaths ...

REP. GARIN (J.). Point of order, Mr. Speaker.

REP. ATIENZA. ... of our children.

REP. GARIN (J.). Mr. Speaker, point of order.

REP. ATIENZA. Otherwise, I will personally prosecute her.

REP. GARIN (J.). Mr. Speaker, point of order, Mr. Speaker.

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

REP. BONDOC. Mr. Speaker, what rule is the subject of the point of order of the Lady?

REP. GARIN (J.). Mr. Speaker, today is not a Monday. May I know why the Honorable Atienza is standing up and, again, spreading misinformation that tetanus toxoid causes sterility.

REP. BONDOC. Mr. Speaker.

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

REP. BONDOC. Mr. Speaker, as I have prefaced before the introduction, the Honorable Atienza is rising under Rule 102 of our Rules, where he availed himself of the right to speak on a matter of personal and collective privilege, on a matter about his reputation.

With that, Mr. Speaker, everything is in order, and the Honorable Atienza has the floor.

REP. GARIN (J.). Mr. Speaker, with the answer of the Majority Leader, allow me to enlighten him that our rules say that no matter can be discussed without a quorum. I therefore move that we call the roll.

SUSPENSION OF SESSION

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

It was 3:15 p.m.

RESUMPTION OF SESSION

At 3:19 p.m., the session was resumed.

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

The Majority Leader is recognized.

ROLL CALL

REP. BOLILIA. Mr. Speaker, I move that we call the roll of Members.

THE DEPUTY SPEAKER (Rep. Romero). 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. 20, dated October 1, 2019.**

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 209 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Romero). With 209 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, may we acknowledge the presence in the gallery of the guests of Hon. Vincent Franco “Duke” D. Frasco. They are the Philippine delegation of the Ship for Southeast Asia and the Japanese Youth Program, headed by its National President, Atty. Jamel T. Mamutuk.

THE DEPUTY SPEAKER (Rep. Romero). The presence of the guests of Hon. Duke Frasco is hereby acknowledged. Those on the left side, please rise. Welcome to the House of Representatives. (*Applause*) The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, may we also acknowledge the presence of the guests of Hon. Gabriel H. Bordado Jr. They are the graduate class on Public Policy and Program Administration for Development of the University of the Philippines-Los Baños, College of Public Affairs and Development, headed by Dr. Aileen V. Lapitan. They are as follows: Berna Grace Adame, Daniela Joy Celebre Amadure, Oliver Barrientos, Julie Ann Barril, Cirilo Marqueses Bathan Jr., Norijoy Jamison Bayot, Merardo Arenas Camba Jr., John Darel Cupon Colarina, Patrice Xandria Mari Afante Delos Reyes, Elizabeth Anne Estrella Ebarvia, Johnrey Agus Fillone, Jessie R. Fortus, Joni Mae De Guzman Gonzaga, Alrowvin Jorn Rebong Gutierrez, John Maico Miranda Hernandez, Judith Obrero Jimena, Camille Levina Larios, Raymond Pinon, Ediline Tamis, John Kerzey P. Legaspi, Vicente De Loyola Limsan Jr., Angela Reyes Llamas, Patrick Dagandan Mabbagu, Aurora Vargas Mamiit, Mary Joy Sanggalang Mojica, Abegail Tapado Molina, Anna Martha Como Monsanto, Isaac Alan B. Nonan, Lindsay M. Orsolino, Geeza June Villanueva Painaga, Donna May Piamonte Saludo, Serasin Pathiranage Kumar, Bryan James Jondonero Sudaria, Julius Cesar Lumactod Telan and Angelica Marie Tamesis Umali, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Romero). Will the guests of Rep. Gabriel Bordado Jr. please rise? Welcome to the House of Representatives. (*Applause*) The Majority Leader is recognized.

REP. GARIN (J.). Parliamentary inquiry, Mr. Speaker.

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

* See ANNEX (printed separately)

REP. BONDOC. Mr. Speaker, we ask for the indulgence of Hon. Janette Garin for a few minutes to give way to some administrative matters of the House, Mr. Speaker.

REP. GARIN (J.). Willingly, Mr. Speaker.

REP. ATIENZA. Mr. Speaker, may I be allowed to finish my question of personal privilege.

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

REP. ATIENZA. Thank You, Mr. Speaker.

REP. BONDOC. Mr. Speaker, we will just greet some guests of our fellow Representatives, as well as some administrative matters, before we continue with the question of privilege of the Honorable Atienza.

REP. DELOS SANTOS. Mr. Speaker, may we acknowledge the presence of the guests of Hon. Sabiniano S. Canama from COOPNATCCO Party-List and Hon. Rico B. Geron from AGAP Party-List. From the Cooperative Development Authority, they are Administrator Myrlla Pardillo; Administrator Vidal Villanueva III; Exec. Dir. Ray Elevazo; Dep. Exec. Dir. Giovanni Platero; Dr. Gary Leonardo, Chairperson of the Philippine Cooperative Center; and Celia Atienza from the League of the Cooperative Development Officers of the Philippines.

THE DEPUTY SPEAKER (Rep. Romero). The guests of Hon. Sabiniano Canama and Hon. Rico Geron will please rise. (*Applause*) Welcome to the House of Representatives.

The Majority Leader is recognized.

REP. DELOS SANTOS. Mr. Speaker, may we also acknowledge the presence of the guests of Hon. Rozzano Rufino B. Biazon from the National Youth Commission and the National Youth Parliament. They are Salm Bumanlag, Cresencio M. Bacolod, Brylle Tuarong, Marvin Dulaquina, Fatimary Gopez, Charles Vincent Manarang, Kristel Cabalona, Job Berroya, Jenivie Ann Salano, Kathrina E. Narciso, Angela Marie Villareal, Teodolfo Bonitez and Warlyn Tambio, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Romero). The guests of Hon. Ruffy Biazon will please rise. Welcome to the House of Representatives. (*Applause*)

The Majority Leader is recognized.

ELECTION OF REP YAP (E.)
TO THE COMMITTEE ON FOREIGN AFFAIRS

REP. LACSON-NOEL. Mr. Speaker, I move that

we elect Hon. Eric Go Yap from ACT-CIS Party-List as member of the Committee on Foreign Affairs.

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

The Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, Hon. Janette Garin has a parliamentary inquiry. May we inquire as to the nature of her parliamentary inquiry, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Romero). Representative Garin is recognized.

REP. GARIN (J.). Thank you, Mr. Speaker.

Earlier, the Majority Leader mentioned that our colleague is rising on a matter of personal and collective privilege. May I inquire, Mr. Speaker, distinguished colleague, the circumstances behind this?

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

REP. BONDOC. Mr. Speaker, esteemed colleague, as earlier stated, when the Honorable Atienza rose on a matter of personal privilege, the Chair quite rightly questioned why he was rising. As I recall, and the records will bear me out, the Honorable Atienza claims to have been called a purveyor of fake news yesterday and wishes to defend his honor.

Under Section 102 of the House Rules on "Questions of Privilege," it states, and I quote:

Questions of privilege are urgent matters directly and principally affecting the duties, conduct, rights, privileges, dignity, integrity or reputation of the House or of its Members, individually or collectively. Subject to the ten-minute rule, every Member has the right to raise a question of personal or collective privilege. However, prior to availing of this right, a Member shall seek the permission of the Chair which shall, in turn, allow the Member to proceed upon a determination that the request is in order.

The Chair, having found the request of the Honorable Atienza in order, was given 10 minutes for his question of privilege.

REP. GARIN (J.). Mr. Speaker, may I again inquire as to what Section of the House Rules was mentioned by the honorable Majority Leader.

REP. BONDOC. Mr. Speaker, may I respond to our

esteemed colleague. It is Section 102 on Questions of Privilege.

REP. GARIN (J.). Mr. Speaker, Section 102 states that these are urgent matters directly and principally affecting the duties, conducts, rights, privileges, dignity, integrity, reputation of the House or of its Members, individually or collectively.

Unfortunately, Mr. Speaker, distinguished colleagues, I cannot find a copy of the minutes of the session that is being alluded to. Was this yesterday, was this last week, was this last month? May I request, Mr. Speaker, the Secretary General to furnish me with a copy of the speech.

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

REP. BONDOC. Mr. Speaker, may we request the Secretary General, at the proper time, to comply with the request of our esteemed colleague. May I remind our esteemed colleague not to debate with the Chair on his ruling that the Honorable Atienza was in order, and we ask her to give the Honorable Atienza, again, the chance to exercise his right to a question of privilege.

REP. GARIN (J.). Mr. Speaker, distinguished colleague, I am not debating with the Chair or questioning the wisdom of the honorable Majority Leader, but it is precise for me, Mr. Speaker, distinguished colleague, to base what I am saying on the rules that are guiding this honorable Congress.

Questions on matters of personal privilege should be contained specifically because it will be very difficult, Mr. Speaker, distinguished colleague, if somebody will just rise up and say he or she was alluded to, when in fact that person was not alluded to. If somebody rises and he mentions fake news, ibig pong sabihin noon, pagka ang pananaw mo eh natamaan ka, pero hindi naman ikaw ang pinapatamaan, eh mahirap po iyon, because, Mr. Speaker, distinguished colleague, as elected officials, we cannot just abuse the voice that was generated by our people. Hindi po pupuwede na pagka ikaw ay Miyembro ng Kongreso eh basta-basta ka na lang tatayo dito at kung anu-ano ang sasabihin mo.

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

REP. BONDOC. Mr. Speaker, I move, again, for the previous motion which I have ruled upon, that the Honorable Atienza has the floor on a question of privilege. He has an additional ...

REP. GARIN (J.). Mr. Speaker, I object.

REP. BONDOC. ... three-and-a-half minutes.

THE DEPUTY SPEAKER (Rep. Romero). The Chair recognizes Honorable Atienza.

REP. GARIN (J.). Mr. Speaker, I object. There being an objection, ...

REP. ATIENZA. Thank you, Mr. Speaker. Thank you, Mr. Speaker.

REP. GARIN (J.). ... you should call for a ruling.

REP. ATIENZA. Thank you, Mr. Speaker.

REP. GARIN (J.). Mr. Speaker, I have an objection.

REP. ATIENZA. The Lady is exactly doing what ...

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

REP. ATIENZA. ... she is jeering on the floor.

REP. GARIN (J.). Point of order, Mr. Speaker.

REP. BONDOC. Mr. Speaker, we are appealing to our esteemed colleague, please, debate will never be curtailed in the House of Representatives, but let us follow our rules so that everyone will be given a chance to speak, and the mandate of our leadership is that debate will be free and will be allowed. So, please, rather than having to declare any Member out of order and expelled from this hall, let us follow our rules, and based on our rules, the Honorable Atienza has the floor.

THE DEPUTY SPEAKER (Rep. Romero). The Chair ...

REP. ATIENZA. Thank you, Mr. Speaker.

REP. GARIN (J.). Mr. Speaker, I am following the rules because I have ...

THE DEPUTY SPEAKER (Rep. Romero). Point of order, point of order.

The Chair adopts the position of the Majority Leader.

REP. GARIN (J.). Mr. Speaker, I have a pending objection, ...

THE DEPUTY SPEAKER (Rep. Romero). Motion to suspend the session.

REP. GARIN (J.). ... the Speaker is thereby obliged to divide the House.

SUSPENSION OF SESSION

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

It was 3:42 p.m.

RESUMPTION OF SESSION

At 3:58 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, our parliamentary status is that the Honorable Atienza has the floor on a matter of personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Romero). Rep. Lito Atienza is now recognized.

QUESTION OF PRIVILEGE OF REP. ATIENZA *Continuation*

REP. ATIENZA. Salamat po, Mr. Speaker.

As I was saying before I was interrupted, we totally disclaim any fake news about what we bring forth in this Chamber. We have too much respect for the Congress of the Philippines to be entertaining fake news. An allegation was made by the Lady and I am replying to her. I am challenging her to a debate before the public so that whoever is proven guilty, if I am proven guilty, I should resign my position here; but if I can prove her guilty, she should resign from her post and I will go further. We will file the necessary charges that we shied away from earlier.

Iyong Dengvaxia is a campaign which exposed children to dengue and to possible death. Up to now, we do not know how many actually died because of Dengvaxia. The responsibility of the Dengvaxia campaign rests on the shoulders of the Lady who is violently reacting to what we are delivering. With that, Mr. Speaker, we rest our case.

REP. GARIN (J.). Mr. Speaker.

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

REP. BONDOC. Mr. Speaker, I move that we recognize our esteemed Deputy Minority Leader, Hon. Janette L. Garin.

REP. GARIN (J.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Romero). Rep. Janette Garin is now recognized.

REP. GARIN (J.). Thank you, Mr. Speaker.

Is our distinguished colleague willing to be interpellated?

REP. ATIENZA. I would actually give more preference to more important matters on the floor. But if the Lady would want to engage this Representation, I never refuse a lady. Gladly.

REP. GARIN (J.). Thank you very much, Mr. Speaker, distinguished colleague.

My first question is, did you feel or did you hear your name being alluded to in my interpellation on the privilege speech of Hon. Bernadette Herrera-Dy yesterday?

REP. ATIENZA. Mr. Speaker, common sense dictates—and I have a lot of common sense—I was the one interpellating and then she followed by questioning the interpellation and the message that we were carrying on the floor. So, who else could she have been referring to—the wind, Congressman Daza—ako po ang nakatayo rito.

REP. GARIN (J.). So, Mr. Speaker, my question is...

REP. ATIENZA. Kaya kung sinasabi niya na hindi ako ang kanyang pinatatamaan, para sa akin tama na iyon.

REP. GARIN (J.). Mr. Speaker, distinguished colleague, I am not saying anything. I am asking a question. Narinig mo ba na sinabi ko ang pangalan mo, Mr. Speaker, distinguished colleague? Let me rephrase my question. If you did not hear that your name was being mentioned, would you feel that you were the one being alluded to?

REP. ATIENZA. The Lady is speaking like a seasoned lawyer with a double meaning question. Of course, I was feeling that I was being referred to because I was the one interpellating Congresswoman Dy, but if she would want to say now, officially, "I was not referring to you, Mr. Congressman," I will accept the words of the Lady. As I said, I respect the rights and privileges of a lady as differentiated from that of a man.

REP. GARIN (J.). Mr. Speaker, distinguished colleague ...

REP. ATIENZA. Kung sasabihin niyang hindi ako iyon ay hindi ako iyon.

REP. GARIN (J.). Mr. Speaker, ang sinabi ko po na ang fake news ay nakasasakit at nakamamatay dahil maraming life-saving vaccines ang nasira dahil sa mga maling impormasyon, lalo na kung ito ay hindi nanggagaling sa mga eksperto. Again, Mr. Speaker, I was not specifically alluding to any person unless he or she is guilty that he or she is pretending to be an expert where he or she is not.

My point here, Mr. Speaker, if Honorable Atienza is requesting me to say that I am not alluding to him, ang isasagot ko po diyan ay depende po sa kanya iyon kasi hindi naman po niya ako kasama 24/7. Kung mayroon po kayong mga sinasabi kaukol sa bakuna ay matatamaan kayo, pero kung ang sinasabi ninyo naman ay totoo, hindi po kayo matatamaan.

Let me move further, Mr. Speaker. The Honorable Atienza was actually saying that he was interpellating Hon. Bernadette Herrera-Dy who was expounding on the campaign for a rabid polio vaccination because of what is happening in our country now and the low polio vaccination coverage of IPV, which is pegged at 40 percent. What is the relation of tetanus toxoid to polio vaccine?

REP. ATIENZA. Mr. Speaker, this college of Members elected by the people should help one another. If anyone has any knowledge of anything, it is his or her duty to help the one delivering the important message. Our intention was to guide Congresswoman Dy that the problem lies with the question of credibility on the part of the DOH, credibility and confidence of the public which were lost because of the tetanus toxoid chicanery. Ang sabi sa mga ina, iyon daw ay proteksiyon sa tetanus. Ang tanong namin, bakit babae ang kanilang ini-immunize samantalang manggagawa, karpentero, kaminero, mangingisda ang siyang tinatamaan ng tetanus. So, we researched and we found out that the toxoid was laced—20 percent of the toxoid was laced with HCG. Alam ni doktorang iyan. The Secretary of Health should know that.

REP. GARIN (J.). Mr. Speaker, distinguished colleague ...

REP. ATIENZA. Anyway, let me finish my reply; otherwise, we will not get anywhere. Ang amin po ay constructive, that we must now address the problem of lost credibility and confidence. Sinundan ng Dengvaxia scandal where this House was rocked by that scandal. We spent long hours investigating and we found out all the data that we needed to send some people to jail, but in deference to relations and memories of camaraderie, I think the report was not enough and was not pinpointing

responsibilities. If the Lady felt alluded to, again, hindi ko rin problema iyon. Problema nila iyon dahil sila ang nagpakana ng Dengvaxia.

REP. GARIN (J.). Mr. Speaker.

REP. ATIENZA. Ang problema ngayon, ang mga ina ay nagdududa sa gobyerno para bakunahan iyong kanilang ...

REP. GARIN (J.). Mr. Speaker, if I may ...

REP. ATIENZA. ... mga anak ...

REP. GARIN (J.). ... para

REP. ATIENZA. ... ng polio vaccine.

REP. GARIN (J.). Mr. Speaker, if I may, para hindi po tayo nalilito, ...

REP. ATIENZA. Mr. Speaker, I cannot tolerate ...

REP. GARIN (J.). ... let us take it one at a time.

REP. ATIENZA. ... anymore this kind of actuation ...

REP. GARIN (J.). Mr. Speaker.

REP. ATIENZA. ... where the rights of a Member of Congress is curtailed. We will not allow it. Allow me to finish, Mr. Speaker.

REP. GARIN (J.). Mr. Speaker, ang punto ko lang po na sinasabi sa ating kasamahan dito ay para po hindi nalilito ang taumbayan at iyong ating mga kasamahan, let us take it one step at a time. Let us discuss polio and then tetanus toxoid and then dengue vaccine. Kasi kung ginagawa po nating chopsuey ay hindi po naiintindihan noong mga kababayan natin iyong ating mensahe. That is why I was interjecting, Mr. Speaker, Your Honor, ...

REP. ATIENZA. Mr. Speaker, malinaw na malinaw po sa aking isipan, niloloko ang tao kaya nawawalan ng tiwala ang mga ina. Ibalik natin ang tiwalang iyon, magpapabakuna lahat ng mga bata.

REP. GARIN (J.). Mr. Speaker.

REP. ATIENZA. Ang mga anak ko ay binakunahan sa health center—anim—noong mga panahong nakaraan na buong-buo ang tiwala ng mamamayan sa mga health center. Ngayon, tanungin ninyo ang mga ina, dalawa ang duda nila, baka iyan ay iyon na namang tetanus

toxoid o kaya ay Dengvaxia na naman iyan. Kaya ang problema natin, pagtulong-tulungan nating harapin. Let us help Secretary Duque regain public confidence and credibility so that we may be able to vaccinate children who may be exposed to diseases.

REP. GARIN (J.). Mr. Speaker, if I may. That is why I wanted to clear it up, and interpellate our distinguished colleague here.

Unang-una po, I am with you, distinguished colleague, in saying that we should help the DOH bring back the confidence of the people in terms of public health programs. Kailangang-kailangan po iyan and that is why if you observe, Mr. Speaker, distinguished colleagues, in the series of budget hearings, I was very keen on telling the DOH and Secretary Duque, “Maximize and utilize the experts rather than just letting them sit there.”

Una po, Mr. Speaker, baka po hindi po naintindihan na when he mentioned that I was alluding to the statement on the DOH bringing back the confidence of the people to the DOH, hindi po iyon ang problema, Mr. Speaker. When I interpellated Hon. Bernadette Herrera-Dy, I stood up not because I am a Congresswoman, not because I am just a doctor, but more so because I am a mother who also has children. I have actually been trained on advanced vaccinology but I have never flaunted that. My training at the University of Geneva taught me many lessons: first, vaccinology is actually a very foreign topic that is difficult to laymanize. Kaya nga po noong narinig ko ang tetanus toxoid, and I was actually of the impression that polio vaccine was the one being discussed, I stood up as a matter of obligation having also been trained on the aspect of obstetrics and gynecology.

Mr. Speaker, if Honorable Atienza will allow me, tama po iyong tanong niya. Bakit po ba iyong mga lalaki, iyong mga manggagawa, iyong mga kabataan ay hindi binabakunahan ng tetanus toxoid? Mr. Speaker, distinguished colleagues, mali po iyon. The government vaccination program actually has DPT 1, DPT 2, DPT 3 at one-and-a-half, two-and-a-half, and three-and-a-half months old. DPT stands for Diphtheria, Pertussis, Tetanus. It is a vaccine that is 3-in-1. So, at one-and-a-half months old, libre po na ibinibigay iyong bakuna ng tetanus sa lahat ng mga baby. Ang second dose po ay ibinibigay at two-and-a-half months old and the third dose is at three-and-a-half months old, subalit dahil kapag lumalaki ang bata, bumabawas ang bisa ng bakuna.

When I joined the DOH family, mayroon naman pong sin taxes. Minarapat po namin na ang obligasyon ng pribadong mga magulang ay ibigay sa DOH. Ano po ba ito? The government has been providing the first three doses for free. You need at least five doses in your lifetime to be immune from tetanus. That is why

we embarked. Kasi ang nangyari po, iyong private na ang nagpapabakuna at seven years old and 11 years old at hindi nagiging epektibo kasi walang pambayad iyong ibang nanay. That is why we started the school-based immunization campaign where the fourth dose of tetanus toxoid is given at seven years old and the fifth dose is given at 11 years old. Kaya kapag ikaw ay lumampas na sa edad na 11, you have actually completed the five doses. Ano po ba ang sinasabi ng ating kagalang-galang na kasamahan? He is actually referring to the tetanus toxoid booster that is given to pregnant women. Ibinibigay po siya dalawang beses habang buntis iyong nanay dahil noong panahon na iyon, wala pang school-based immunization program. If you missed your tetanus toxoid at seven years old and at 11 years old at manganganak ka, marami po, Your Honor, Mr. Speaker, ang nanganganak sa ospital na minsan contaminated ang mga gamit at dumadami po iyong ating tinatawag na tetanus—neonatal tetanus and the tetanus that infects the mother. If we see our record, Mr. Speaker, distinguished colleague, noong tinanggal by virtue of a court order—tinanggal ang tetanus toxoid sa buong bansa, somewhere in the mid-1990s, ang dami pong namatay na mga baby at mga nanay kaya agad po itong ibinalik.

Just last year, the Philippines was proud to have been declared free of neonatal tetanus. Kaya po ang tanong po ng ating kagalang-galang na kasamahan, bakit hindi iyong ating mga lalaki at magsasaka at ating mga kawani? Binabakunahan din po sila. Kaya lang ibinibigay po ang booster doses at seven and 11 years old. Kung mayroon po tayong calamities, makikita ninyo po iyan, iyong atin pong mga mayor and governor dito, kapag mayroong mga bagyo o mayroong mga lindol, o may mga nangyayari, agad-agad sa evacuation centers nagkakaroon po ng booster shots ang ating mga public health worker.

Kung ikaw naman ay nasugatan o naaksidente, binibigyan kaagad-agad ng dalawang klase ng tetanus. Iyon po iyong tinatawag na TTIG, which is actually Tetanus Toxoid Immune Globulin. Ibig sabihin, within 24 hours, dahil may sugat ka at iyong isa naman ay puwedeng sumunod lang. Isa lang po ang libre sa gobyerno. Iyong isa po ay binibili.

The bottom line, Mr. Speaker, distinguished colleague, is that is basically the reason I stood up yesterday, because I was seeing that the privilege speech being delivered by our colleague was actually shifting into a lot of issues covering immunization, and the issue on tetanus toxoid causing sterilization has actually been one of the backlogs of vaccination in our country and one of the reasons why neonatal tetanus was not eradicated.

On the issue naman of MMR or the measles, mumps, rubella virus that was coined falsely and fakely with autism, Dr. Wakefield has been removed

of his license. Iyan nga po, Mr. Speaker, distinguished colleagues, ang rason kung bakit ako tumayo. Tumayo po ako, kaakibat ninyo po ako na kailangang tulungan natin ang Department of Health pero kailangang alam po natin ang totoo para wala po tayong mga maling statement with regard to vaccination.

Mr. Speaker, our distinguished colleague here mentioned how many more deaths will be caused by Dengvaxia. Is our distinguished colleague aware of the December 22 Declaration of the World Health Organization, followed by a declaration of the Strategic Advisory Group of Experts of the World Health Organization in June and again in August of 2018?

REP. ATIENZA. First of all, Mr. Speaker, I would like to thank the Lady for a lengthy medical protocol lecture. I learned a lot this afternoon. Well, anyway, itinatantong po niya kung ano ang aking pananaw tungkol sa tetanus toxoid. Are you asking me that?

REP. GARIN (J.). Your Honor, Mr. Speaker, my question is, are you aware of the December 22 Declaration of the World Health Organization in Geneva that was followed by a June declaration of SAGE, which stands for Strategic Advisory Group of Experts—still it is aligned with WHO but that is actually a component organization represented by vaccination experts and infectious disease specialists, experts in each country and another in August?

REP. ATIENZA. Then I will ...

REP. GARIN (J.). Are you aware of that Declaration?

REP. ATIENZA. Then I will answer that with a basic question. When you implemented the Dengvaxia vaccination, were you not aware that you should have been very careful in selecting the children to be vaccinated? Dahil ang sabi ng Sanofi, nakinig po ako sa kanila, we told the Department of Health to be very selective and only those who have been exposed to dengue should be vaccinated. The Department of Health did not follow that. We had a massive recruitment here in Congress. Congressmen were told you were given 100,000; 200,000; 300,000 children as your quota, kaya ang dami pong nabakunahan na hindi dapat nabakunahan. Tama po ba iyon o mali rin ang Sanofi at mali rin po iyong aming pagkakaintindi?

REP. GARIN (J.). Mr. Speaker, that is why I asked the question kung alam po ba ng ating kagalang-galang na kasamahan iyong December 22 Declaration ng World Health Organization in Geneva that was actually sent to all countries, especially the Philippines, at iyon pong

sinunod na advisory ng Strategic Advisory Group of Experts otherwise known as SAGE.

Ano po ba ang SAGE? Ang SAGE ang organisasyon ng buong mundo kung saan isa o dalawang eksperto ng pagbabakuna ang kinukuha ng WHO and they meet twice a year. There were three declarations, one statement, one message, nobody has died from the Dengvaxia vaccine and the dengue vaccine does not cause deaths. Kaya po sinasabi ko ito kasi kanina sinabi niya, “Ilan pa ang mamamatay?” These are actually the statements that created and sowed fear sa ating mga kababayan.

Moving forward, Mr. Speaker, our distinguished colleague mentioned na hindi sinunod ang sinabi ng WHO. Pasensiya naman po.

REP. ATIENZA. Hindi po ako ...

REP. GARIN (J.). Mawalang galang po, pero ...

REP. ATIENZA. ... ang nagsabi noon, ang Sanofi ang nagsabi noon.

REP. GARIN (J.). Mr. Speaker, let me finish. Hindi po totoo iyon. Everything that we did was aligned with WHO guidelines at that time.

When Sanofi Pasteur requested for a change in labeling, that was what they did. It never said that it is linked to deaths. They were simply categorizing the endemic and the non-endemic countries, together with the zero-prevalence status of each country. Noong ginawa po ang dengue vaccination program, pinag-aralan po iyan. Sinimulan noong 2005—wala pa po ako sa DOH—itinuloy po hanggang 2010, natapos noong 2014. Nandoon na po when I assumed. The only problem there was the implementation because the Department of Health was awaiting funds.

Kaya nga po, Mr. Speaker, kung minamarapat po ng ating kasama dito, I will be very much willing to make a PowerPoint presentation of how the decision was arrived at upon resumption of session and all the guidelines encompassed that we have followed.

Ito lang po ang tanong ko, Mr. Speaker: Sa pananaw po ba ng ating kasamahan, kung totoo ang haka-haka ng mga hindi eksperto na nakamamatay ang bakunang ito, bakit po patuloy itong ginagamit ng 21 countries, plus the European Union countries, plus the United States where the US FDA is actually one of the most, if not the most, stringent food and drug authority in the whole world?

REP. ATIENZA. Mr. Speaker, this is a typical male-female dialogue—one word from the male, a hundred words from the female. But let me answer that question. Why do other governments still use Dengvaxia? It is because they are using it according to the application,

rules of the vaccine. Dito lang po sa atin tunay na hindi ginawa iyong dapat gawin ng Department of Health kaya tayo nagkaproblema.

Anyway, I have said that, I will always say that I will never change my position in the investigation in Congress. Why did she not hear me question? Because I respect the relation, but now that she has said a lot of things, I repeat my offer to her—let us debate on this issue ...

REP. GARIN (J.). Mr. Speaker, distinguished colleague ...

REP. ATIENZA. ... on television and prove to the Filipinos that you did not commit an error of judgment and I will prove otherwise, and whoever wins in that debate will remain in the Congress of the Philippines because the loser should, by delicadeza, resign.

Thank you, Mr. Speaker.

At this juncture, Deputy Speaker Romero relinquished the Chair to Deputy Speaker Prospero A. Pichay Jr.

REP. GARIN (J.). Mr. Speaker, distinguished colleague, I have the same mutual respect for my colleague. The issue that I am a female, and he is a male, I do not want to put meaning on that as we do not tolerate sexism in this House. My point is, babae ka man o lalaki, isa lang po ang pinanggagalingan natin, iyan po ang boses ng taumbayan. It will not actually erase or delete our passion to serve our people, dahil para que pa na nandirito tayo kung hindi tayo tatayo upang sabihin ang katotohanan.

The challenge for me to resign if indeed Dengvaxia causes deaths, surely, Mr. Speaker, I welcome and I accept that. I have said several times that the dengue vaccine does not cause deaths. Kung ang sinasabi niya ay dahil ginawa ng ibang bansa ang hindi ginawa ng Pilipinas, my challenge to Honorable Atienza is to make a call to all the incumbent Ministers of Health of the 21 countries, plus the European countries and the United States of America, and ask them: "Did the Philippines do it right or what is the fault of the Philippine DOH?"

Lastly, Mr. Speaker, distinguished colleagues, vaccination is very tedious—masalimuot po ang topic na ito. Kung matatandaan ninyo po, even when Apolinario Mabini died because of polio, he was misconstrued as having died of a sexually transmitted disease. His family, bearing the burden of public ridicule despite what he has done for our beloved country, decided to stand up, and they exhumed his body to prove to the world that Apolinario Mabini died of polio. They were able to isolate the polio virus in the corpse of the marrows of

his bones, disproving the news and the impression that he died of a sexually transmitted disease.

Ganito rin po, Mr. Speaker, Your Honors, ang nangyari sa mga siyentipikong gumawa ng mga bakuna, sa mga scientists na minsan ay hindi naiintindihan na ang ginagawa nila ay para sa taumbayan. Vaccination is actually a very difficult task because you earned the fruits of what you plant after several decades, when you already eradicate the disease.

I will not back out but I will stand firm in saying that vaccines and vaccination save lives. Maski po sangkatutak na kaso ang ipatong sa akin, I will not stop from speaking the truth. Why will I be afraid of doing my duty? Bakit ko po kakatakutang tumayo at alagaan ang mga batang Pilipino kung ito ay aking obligasyon? Science is behind me. Every statement that we make, every issue that we answer, every move that the Department of Health did during my tenure, was backed up by voluminous documents, of 24 years of trials. Kaya po, isa lang po ang masasabi ko: I cannot please everybody but if, Mr. Speaker, you know that the truth is behind you, you will always stand up. Being afraid, failing to speak the truth or failing to defend the helpless children who badly need our vaccines is just like saying "you do not deserve to live this world," and you do not deserve to be called an "honorable Member" or an "honorable public official." Mr. Speaker, distinguished colleagues, vaccination is not just our obligation to our children, it is the right of every person, it is an obligation of our government.

Maraming salamat po.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Proceed.

REP. ATIENZA. We would like to thank the Majority Leader and the Speaker who gave us the chance to elucidate one another on this issue. I will leave the rostrum with one message: There are three things that cannot be hidden—the moon, the sun, and the truth.

Maraming salamat po.

THE DEPUTY SPEAKER (Rep. Pichay). Thank you.

The Majority Leader is recognized. *(Applause)*

REP. BONDOC. Mr. Speaker, I move that we refer the speech of the Honorable Atienza and its interpellation to the Committee on Rules.

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

The Majority Leader is recognized.

REP. SINGSON-MEEHAN. Mr. Speaker, I move to acknowledge the presence of the guests of Hon. Irene Gay F. Saulog of KALINGA Party-List. We have here the School Administrators and Principals of Maranatha Christian Academy of Makati Chapter: Mr. Aldrin Palanca, Mrs. Elleza Palanca, Mr. Andreo Pabelico and Ms. Adelfa Pabelico.

THE DEPUTY SPEAKER (Rep. Pichay). Kindly stand up so that your presence will be acknowledged. Welcome to the House of Representatives. *(Applause)*
The Majority Leader is recognized.

REP. SINGSON-MEEHAN. Mr. Speaker, I move to acknowledge the presence of the guests of Rep. Lucy Torres-Gomez from the Fourth District of Leyte: Board Member Carmen Jean Torres-Rama and Ms. Jo Arbis.

THE DEPUTY SPEAKER (Rep. Pichay). Please stand up so that your presence will be acknowledged. *(Applause)* Welcome to the House of Representatives.
The Majority Leader is recognized.

PRIVILEGE HOUR

REP. BOLILIA. Mr. Speaker, with leave of the House, I move that we open the Privilege Hour.

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

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize the honorable Gentleman from the Third District of Camarines Sur, the honorable Rep. Gabriel H. Bordado Jr., to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Pichay). The Honorable Bordado is recognized. Please proceed.

PRIVILEGE SPEECH OF REP. BORDADO

REP. BORDADO. Thank you, Mr. Speaker.

Mr. Speaker, in the past few days, stories about proclaiming the real Vice President were making the rounds on social media—clearly a desperate attempt initiated by trolls and panicky supporters of a losing Vice Presidential candidate, perhaps in a bid to sway public opinion on the incoming Presidential Electoral Tribunal decision. Mr. Speaker, they even came up with fabricated and rehashed graphics indicating the supposed victory of their candidate.

The more logical voices online, however, Mr. Speaker, were quick to point out what is true and obvious—that in this very hall, more than three years

ago, Mr. Speaker, Congress proclaimed the duly elected Vice President of the Republic of the Philippines, Maria Leonor “Leni” Gerona Robredo.

Unfortunately, Mr. Speaker, since her assumption to office, she has been subjected to political propaganda and lies masquerading as news. As the leader of the opposition, she has been a target of harassment from those who wish to undermine the will of the people. This electoral protest, Mr. Speaker, is just one of among the many attacks being thrown against her.

Mr. Speaker, in anticipation of the Presidential Electoral Tribunal’s verdict, let us lay out the facts of the protest.

Mr. Speaker, Vice President Robredo’s margin of victory was 263,473 votes in 2016. This was challenged by Mr. Marcos, saying that there was widespread cheating during the elections. In order to prove his point, Mr. Speaker, the PET or the Presidential Electoral Tribunal asked him to select three provinces where he could show that fraud did occur. Mr. Marcos chose Camarines Sur, Negros Oriental and Iloilo. After the recount, Mr. Speaker, Vice President Robredo’s winning margin grew to 279,215 votes.

Mr. Speaker, *The Philippine Star* columnist, Federico Pascual, in his article last Sunday, September 29, 2019, explained how this increase happened.

Pascual quoted election lawyer Emil Marañon III as saying:

PET’s manual recount matched the election day count which became the basis of Robredo’s proclamation. No discrepancy was found during the PET’s audit of the ballots.

Mr. Speaker, but if the count and the audit were correct, why did the Vice President gain more votes in the recount?

Mr. Speaker, Pascual again cited Atty. Marañon, saying that these are the “recoveries” from the ballots which were shaded but rejected by the vote counting machine on election day. Now, they were counted following the intent-of-the-voter rule.

Mr. Speaker, originally, Vice President Robredo’s increase was around 19,000 votes, but there were also some votes recovered for Mr. Marcos. At the end of the process, Mr. Speaker, Vice President Robredo had an addition of more than 15,000 votes.

Mr. Speaker, since the recount is done, what should we and the public expect?

The numbers, Mr. Speaker, are clear and there is no doubt on who won the elections. According to the Presidential Electoral Tribunal’s Rule No. 65, if Mr. Marcos’ chosen provinces do not yield substantial recovery in his favor, the ballot boxes from the remaining provinces will no longer be opened and the protest shall be dismissed.

Mr. Speaker, at a time when facts are easily twisted and lies are sensationalized, I urge everyone to stand by the truth. Mr. Speaker, as Chief Justice Lucas Bersamin puts it, “We should also be careful of what we do here because the credibility of our processes as well as the political system is at stake.” Mr. Speaker, I fully agree with the Chief Justice. This can only be done by respecting the legitimate will of the people.

Thank you very much, Mr. Speaker.

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

Thank you, Congressman Bordado.

REP. BOLILIA. Mr. Speaker, I move that the privilege speech of the Honorable Bordado be referred to the Committee on Rules for appropriate action.

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

REP. BOLILIA. Mr. Speaker, I move to recognize the Lady from the Fifth District of Camarines Sur, Hon. Jocelyn Fortuno, to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Fortuno, you are recognized.

Please proceed.

PRIVILEGE SPEECH OF REP. FORTUNO

REP. FORTUNO. Mr. Speaker, my distinguished colleagues, guests, and all of those who are here tonight who have been touched at one point in their lives by a teacher.

September 5 to October 5 is National Teachers Month and October 5 is World Teachers’ Day—two declarations to honor the men and women who have dedicated their lives to take care of the education of our children.

It is said that the greatest gift that parents can give their children is the gift of education. We, Filipinos, take this to heart. This is the driving force of our OFWs who toughly brave the loneliness of working in foreign lands just to be able to afford the education of their children. This is why our hearts break when our children, in the chaos and confusion, fail us and drop out of school to pursue worldly pleasures before we are able to equip them with the tools they need to survive the complexities of life. Our partners, our allies, our soldiers in this most important battle are the Teachers.

It has also been said that man’s greatness and genius through the history of mankind would not have been possible if it were not for the person or group of

people that helped them discover their talent, unlock their potential, build their confidence and embark on the pathway of learning to be strong enough to stand on their own.

Who would Aristotle be without Socrates? Would we have known the learning potential of blind people were it not for Ann Sullivan patiently coaching a blind Helen Keller? And what about Maria Montessori, an Italian educator, who early on discovered a system of educating young children by helping them find that spark that would gradually encourage them to enjoy the process of learning.

We have, from the beginning of time, produced such prolific philosophers like Plato, Cicero, Pythagoras, Bertrand Russell, and Joseph Conrad, to name a few, their minds gifted with such an abundance of fertile thoughts, yet, it is hard to imagine how they came to be without the help of that one person who inspired them to think, thus igniting the fire in their young minds.

The intricate bond of love that the teachers and the students have for each other are forged in the hours they spend together, exploring the frontiers of knowledge and the workings of the heart and the mind.

The teachers open doors for willing spirits and embrace what golden nuggets of wisdom they find along the way. Such is the complexity of the task that we expect teachers to do. Should we not ensure then that we have the right people on the ground? When the framers of our Constitution mandated that we give the biggest slice of the budget to education, they had this thought as their frame of reference to get the best result: recruit the best people to do the job.

In the corporate world, this is the number one consideration. This means being ready to pay the cost. This means using an attractive package of compensation to find and keep the workforce, sustain their peak motivation, and keep them on their toes, well-equipped and ready to deal with the ever-changing challenges.

This is how we should treat our teachers. This is how to ensure that the welfare of the persons dearest to our hearts, our children and grandchildren, is not only in good hands but in the hands of the best.

An investment on our teachers is an investment on our global future. Let us do our best in providing them with the essential tools that would foster learning. Teachers are the backbone of any educational system. They influence our children’s lives and though it takes time for us to see the fruits of their hard work, our nation’s future is on their hands. We have a responsibility to nurture them as much as they nurture our future’s future.

Man has conquered great heights, explored all frontiers of this earth, from the world’s tallest mountains, the glacial terrains of the Arctic, the deepest gorge of the Marianas Trench, the exotic Galapagos and Patagonia Islands, even the vastness of the Saharan

desert and the Amazon River. Is it not just as important that we should also explore and delve deep into the human mind and heart?

As Legislators, we have in our hands the power to make this happen. When the time comes for us to deliberate on the bills we have filed out of our deep and sincerest concern for our teachers, let us craft a bill which will give the teachers a topnotch salary, a pay which is liberating, a wage which will free their minds from worrying about how they could make both ends meet.

Raising the teacher's capability to live a fairly comfortable life will be beneficial to society in the long run. The field of education will be competitive in attracting the right and the best people to do the job, then we can rest easy. Our beloved children, whom we rightly love above everything and anyone else, will indeed be in good hands.

When we have before us the responsibility of rearing good and responsible citizens, the seemingly insurmountable mountain of challenges that face us pale in comparison to what we can contribute to the "Filipino Dream," that every child, regardless of physical constraints, regardless of poverty be educated, to be healthy both in mind and in spirit, and to be happy, for essentially, is that not what we always have hoped for?

My esteemed colleagues, today, we honor our teachers in words. Tomorrow and for always, we should walk the talk, we should commit ourselves to always care for them in words and in action.

Thank you, Mr. Speaker, and good afternoon to everyone.

THE DEPUTY SPEAKER (Rep. Pichay). Thank you, Honorable Fortuno.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize the Lady from ACT TEACHERS Party-List, Hon. France L. Castro, for her manifestation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Hon. France L. Castro, you are recognized. Please proceed.

REP. CASTRO (F.L.). Thank you, Mr. Speaker.

Nagpapasalamat po ako, Mr. Speaker, at bilang dating guro ng public school ng 25 taon, na-touch po ako doon sa mga nabanggit sa privilege speech ni Congresswoman Fortuno at nag-a-agree po ako doon sa kanyang mga sinasabi, lalung-lalo na po iyong sa sinasabi niya tungkol doon sa ating mga Legislators, na dapat tingnan natin iyong kapakanan ng ating mga kaguruan. Nakita natin iyong economic condition ng ating mga kaguruan, Mr. Speaker, sa ngayon po, alam ninyo po, ang Teacher 1 ay P20,754 ang gross salary.

Mas malala pa po doon sa mga private schools, na mayroon lang P8,000 to P12,000 na suweldo ng mga teachers.

Pangalawa po, Mr. Speaker, iyong work conditions, nakita natin, Mr. Speaker, na iyong mga teacher natin ay talagang buhay na bayani ng ating lipunan, dahil po sa kakarampot na suweldo ay natitiis po nito iyong kondisyon ng kaniyang paggawa, natitiis po nito iyong kakarampot na suweldo para iyong kanyang karunungan o skills ay maibahagi doon sa mga learners natin. Kaya napakahalaga po, Mr. Speaker, na tayong mga Legislators ay pinapahalagahan natin iyong role na ginagampanan ng ating mga guro sa ating lipunan.

So, Mr. Speaker, gusto ko lang sigurong i-manifest, dahil tayo po dito sa Kongreso ay may mga panukalang batas na magtataas sa suweldo ng mga guro, kaya lang po ima-manifest ko lang, Mr. Speaker, sana makatulong ang Kapulungang ito, iyong aming panawagan ni Congresswoman Fortuno, na sana substantial iyong salary increase na maibibigay natin sa ating mga kaguruan.

Uma-agree po ba rito si Congresswoman Fortuno?

REP. FORTUNO. Mr. Speaker, I would like to express my appreciation to the Honorable Castro for such positive manifestation in support of the idea that this Body really has the power to increase whatever amount we could give to our teachers to make their conditions in the field livable and comfortable.

REP. CASTRO (F.L.). Okay.

THE DEPUTY SPEAKER (Rep. Pichay). Would the Honorable Castro make a motion to refer that to the proper committee?

REP. CASTRO (F.L.). Yes, Mr. Speaker.

Siguro, puwede ko ring sabihin na dapat ang Kapulungang ito ay gawing urgent itong mga panukalang mga batas para taasan ang suweldo ng ating mga kaguruan, dahil alam ninyo po, Mr. Speaker, sa Sabado po, October 5, ito lang po siguro iyong maibibigay nating regalo doon sa ating mga teachers ngayong World Teachers Day. So, mina-manifest ko po, Mr. Speaker, na sana po, sa tulong ninyo, sa tulong po ng Kapulungang ito ay mapag-usapan agad ang pagtaas ng suweldo ng ating mga kaguruan.

Marami pong salamat. (*Applause*)

THE DEPUTY SPEAKER (Rep. Pichay). Are you not going to make a motion? Are you not going to make a motion to refer the speech of Honorable Fortuno to the proper committee?

Anyway, yes, the Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move to refer the privilege speech of Congresswoman Fortuno and the manifestation of Congresswoman Castro to the Committee on Rules.

I so move, Mr. Speaker.

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

The Majority Leader is recognized

REP. BONDOC. Mr. Speaker, in order to give our colleague a chance to manifest, I move that we recognize Hon. Loren Legarda.

THE DEPUTY SPEAKER (Rep. Pichay). Hon. Loren Legarda, you are recognized.

REP. LEGARDA. I apologize because I am new in this big House, and so I was actually raising my hand. Yes, I understand, I should have gone to the podium. So, I hope I have not interrupted the proceedings. I simply wanted, Mr. Speaker, to associate myself with the brilliant, timely, and relevant speech of our colleague, esteemed Representative Jocelyn Fortuno from the Fifth District of Camarines Sur.

We all have our affiliation with teachers. My own grandmother from Antique, Carmen Gella, was a public school teacher. I would therefore commend you for the timely intervention on World Teachers' Day which is October 5, and for the benefit of my colleagues in this House of Representatives, we passed in the 2019 GAA an P800 million amendment for teachers this year. On October 5, please ask every teacher in your district whether they have received the allowance which should have been equally divided among all teachers all over the country, P800 million, divided by the 900,000 or more teachers, if I am not mistaken.

My simple manifestation is: first, an appreciation for the timely intervention of Your Honor; second, to make sure that the DepEd, in fact, cascades it, utilizes it and gives it in a timely manner—the P800 million which this Representation, as your former Chair of Finance in the Senate, has passed last year, which is for implementation this year.

Also, may I request the new Chair of Appropriations of the House of Representatives and the Senate's new Chair of Finance to embed it in the annual budget and let DBM make it an annual NEP so that it would not be reliant on the intervention of a lawmaker. And so, ang hiling ko po, alamin natin sa ating mga guro, natanggap ba ninyo ang karagdagang allowance sa October 5, sa World Teachers' Day, in recognition of your valiant efforts.

Thank you, Mr. Speaker. (*Applause*)

THE DEPUTY SPEAKER (Rep. Pichay). Thank

you, Hon. Loren Legarda. Perhaps, we can ask the oversight function of the Committee on Basic Education and Culture to find out if the P800 million was indeed given to the teachers. So, if you can make that into a motion that we are going to convene the oversight function of the Committee on Basic Education and Culture, then, we can ask.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize Hon. Sarah Jane I. Elago of KABATAAN Party-List for her manifestation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Elago, you are recognized.

REP. ELAGO. Thank you, Mr. Speaker.

This youth representation would like to express our salute and our highest regard to all the Filipino teachers and all who have been molding the future of this nation, the inheritors of our future and all those who have been heeding the call for us to realize our very important and historic role as pag-asa ng bayan, the hope of our land.

Maraming salamat po sa ating mga guro. We are with you in the struggle for teachers' rights and welfare. Hindi lang po sa pagdaragdag ng sahod sa ating mga guro, dahil hindi po dapat isang regalo lang iyan para sa mga teachers, iyan po ay isang matter of obligation para sa ating mga Mambabatas bilang pagsuporta sa mga ilaw, sa mga tanglaw ng ating mga eskwelahan, ng ating mga pamantasan, at kahit saan pang espasyo kung saan ang ating mga bata at kabataan ay natututo kung paano po sila magiging mabuti na mamamayang Pilipino.

Maraming salamat, Mr. Speaker. Again, maraming salamat din po sa ating distinguished Legislator from Camarines Sur at sa lahat po ng ating mga Kinatawan ng mga guro sa kapulungan na ito.

In advance, Mr. Speaker, and with solid commitment to follow through all these manifestations, Happy World Teachers' Day on October 5.

Maraming salamat po. Maraming salamat po sa inyo.

THE DEPUTY SPEAKER (Rep. Pichay). Thank you very much, Honorable Elago.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that the manifestations of Honorable Legarda and Honorable Elago be referred to the Committee on Rules for appropriate action.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Is there

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

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we acknowledge the presence of the guests of ANG PROBINSYANO Party-List Representative: Hon. Alfred C. Delos Santos, as well as Mr. Mitch Carson and Speak in Manila organization.

THE DEPUTY SPEAKER (Rep. Pichay). Kindly stand up so that your presence will be acknowledged. (*Applause*) Welcome to the House of Representatives.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, please recognize the Gentleman from COOP-NATCCO Party-List, Hon. Sabiniano S. Canama, for his privilege speech. (*Applause*)

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Canama, you are recognized. I am sure you were recognized by the gallery, so, please proceed.

PRIVILEGE SPEECH OF REP. CANAMA

REP. CANAMA. Thank you very much, Mr. Speaker.

Distinguished colleagues, before I deliver my privilege speech, please allow me to acknowledge the presence of leaders of cooperatives in the gallery. They come from all over the country from Luzon, Visayas and Mindanao, led by the Philippine Cooperative Center or PCC, together with the Cooperative Development Authority or CDA. They are here in connection with the celebration of the National Cooperatives Month this October. Year 2019 is the 104th anniversary of the cooperative movement in the Philippines.

After 104 years, the Cooperative Development Authority has registered a total of 26,000 plus cooperatives, out of which, 18,000 plus are functional or operating based on the data recorded by the CDA as of 2018. The total membership of the cooperative sector is approximately 11 million individuals. The cooperatives have generated more than 580,000 direct and indirect employment. These cooperatives produced billions of pesos worth of goods and services. Indeed, Mr. Speaker, my dear colleagues, cooperatives are significant contributors to the Philippine economy.

The cooperatives have empowered the less fortunate members of our society through various programs. They are doing different community services to complement the government's efforts in bringing peace and development, especially, in the countryside.

Mr. Speaker, my dear colleagues, during this

cooperative month celebration, we would like to highlight, on behalf of the cooperative sector in the country, our thanks and gratitude: first, to President Rodrigo Roa Duterte for his solid support to the cooperative movement through various programs and services extended to cooperatives and its members. Just recently, he signed into law Republic Act No. 11364, An Act Reorganizing and Strengthening the Cooperative Development Authority (CDA), which will surely bring about a strong partnership between the said agency and the cooperative sector.

Second, we thank our colleagues in Congress for the retention of our coop tax exemptions, (*Applause*) and further, Mr. Speaker, thank you to our colleagues for allocating funds to the different programs directly benefiting the cooperatives. (*Applause*)

Third, we thank the various agencies for making cooperatives as their primary partners in implementing the various programs like the 4Ps of the DSWD; the P3 Program of the Department of Trade and Industry; the PLEA of the Department of Agriculture; livelihood capability programs of the DAR, DOLE, BFAR, TESDA and DOST; the medical services of the Department of Health; and many, many others.

Fourth, we thank the various local government units through the municipal mayors, city mayors and provincial governors, and their respective legislative councils which extended their utmost support to the cooperative movement through their voluntary creation of local cooperative offices and Cooperative Development Councils with corresponding personnel and budget allocation. All of these contributed to the development of the cooperatives in their area. I know, Mr. Speaker, that some of the local officials are here with us today as Members of the Eighteenth Congress. *Salamat po sa kanila.* (*Applause*)

Mr. Speaker, my dear colleagues, let me also express my gratitude to the men and women who continue to volunteer and serve as board directors, committee members and officers of their respective cooperatives. We would like to emphasize and take note that they serve as volunteers for the sake and for the good of their cooperatives. Thank you also to the management and staff of the various cooperatives who stayed and served in the movement, and who contributed their skills and talents in spite of a better compensation and higher benefits compared to the other sectors. And most of all, Mr. Speaker, distinguished colleagues, thank you for the 11 million-strong members of the cooperative movement, who chose to become part of the movement who has the passion, and the heart for poverty alleviation. *Palakpakan po natin iyong mga members ng kooperatiba sa buong bansa.* (*Applause*)

Mr. Speaker, my dear colleagues, this Representation the COOP-NATCCO Party-List, after conducting consultations with the various cooperative sectors and

government agencies, would like to put forward to this Eighteenth Congress the cooperative sector's priority legislative agenda. We are appealing and hoping for your support for the passage of the following:

First, the amendments to Republic Act No. 9520 or the Philippine Cooperative Code of 2008, particularly on lifting the tax exemption threshold for cooperatives from the present limit of P10 million General Reserve Fund or GRF;

Second, House Bill No. 2433, entitled: AN ACT MANDATING EACH LOCAL GOVERNMENT UNIT TO ALLOT TO COOPERATIVES TWO PERCENT (2%) OF ITS APPROPRIATIONS FOR LOCAL DEVELOPMENT PROJECTS;

Third, House Bill No. 2435, entitled: AN ACT PROVIDING FOR THE CREATION OF THE COOPERATIVE BANKING ACT; and

Lastly, House Bill No. 2436, entitled: AN ACT MAKING THE POSITION OF A COOPERATIVE OFFICER MANDATORY IN THE MUNICIPAL, CITY AND PROVINCIAL LEVELS.

Mr. Speaker, distinguished colleagues, on behalf of the cooperative sector, we call upon the Bureau of Internal Revenue as our partner in development to assist the cooperatives in complying with the requirements and further to relax the TIN or Tax Identification Number requirements for the issuance of a Certificate of Tax Exemption.

We call upon the Land Bank of the Philippines as the primary financial partner of the cooperatives in the countryside to review their products and services, and to make these more suitable, affordable to the marginalized and vulnerable sectors, especially the farmers and the fisherfolks.

We call upon all other agencies to continue strengthening our partnership by extending greater and priority access to various programs and services to cooperatives.

We call upon this Congress to allocate more funds to these agencies especially to the Cooperative Development Authority. *(Applause)*

In closing, Mr. Speaker, my dear colleagues, let me end with this quote: "Ang hindi marunong lumingon sa pinanggalingan ay hindi makakarating sa paroroonan."

This humble Representation would like to extend to the cooperative leaders, especially to the members of the COOP-NATCCO Party-List, who supported and exerted all their efforts, and elected me in the Seventeenth and Eighteenth Congresses.

Sa inyo po, thank you, thank you, thank you. Kung wala po kayo at kung wala po ang tulong ninyo ay wala po ako dito sa Kongreso. Salamat po sa inyo. *(Applause)*

Finally, I was just elected as the Chairman of the Committee on Cooperatives Development in this House

of Representatives. On behalf of the sector, I would like to thank Speaker Alan Peter Cayetano, my friends in the party-list coalition and all my colleagues in this Eighteenth Congress for the trust and confidence. Hand in hand, and together with all the stakeholders of the cooperative movement, we will work as one in fulfilling our mission of making cooperatives the true instruments in reducing poverty and a potent force in development and nation-building.

Mabuhay po tayong lahat.

Mabuhay po ang Kilusang Kooperatiba.

Maraming salamat at magandang hapon po. *(Applause)*

THE DEPUTY SPEAKER (Rep. Pichay). Thank you very much, Honorable Canama.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize the Lady from ACT TEACHERS Party-List, Hon. France L. Castro, for her interpellation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Hon. France L. Castro, you are recognized. Please proceed with your interpellation.

REP. CASTRO (F.L.). Maraming salamat, Mr. Speaker. Sa ngalan po ng Makabayan bloc, nakikiisa po ang Kinatawang ito sa pagdiriwang ng National Cooperative Month. Napakarami pala nating mga ipagdiriwang, sa buwang ito. *(Applause)*

Pangalawa po, Mr. Speaker, sa ngalan din po ng Makabayan bloc, sinusuportahan po natin iyong privilege speech ni Congressman Canama dahil naniniwala po tayo roon sa kanyang tinuran na ang cooperative movement is a potent force in development and nation-building, at dadagdagan ko lang po ito, Mr. Speaker, this is also a potent force for social transformation, dahil po pinalalago ng kooperatiba ang kanyang mga miyembro, at kung ikukumpara natin sa korporasyon, Mr. Speaker, iyong contribution po ng bawat miyembro ng kooperatiba ay pinagsasama-sama kung magtatagumpay po ang kooperatiba, at kung hindi po magtatagumpay ang kooperatiba, ito ay pinaghahati-hatian ng ating mga miyembro ng kooperatiba. Ang ibig ko pong sabihin, Mr. Speaker, iyong success and risk na makukuha natin in cooperativism ay lahat po ng miyembro ay magshe-share sa ganito—tagumpay man ito o hindi. Tama po ba ito, Honorable Canama?

REP. CANAMA. Yes, Mr. Speaker, Your Honor, I am very grateful to the manifestation of my colleague. I believe she is a member also of a certain cooperative and I believe she would work toward that direction. *(Applause)*

REP. CASTRO (F.L.). Thank you, Honorable Canama. Alam po ninyo, Mr. Speaker, noong ako po ay guro pa, kasama ng aking mga kasamahan sa eskwelahan sa Quirino High School ay in-organize po namin ang Quirino High School Faculty Club Cooperative. Mula po noon, Mr. Speaker, itong cooperative na ito ay napalago namin, dahil po doon sa spirit ng sama-samang pagkilos at spirit ng responsibilidad ng mga miyembro sa isa't isa

Ngayon po, Mr. Speaker, ang mga eskwelahan po ay may mga kooperatiba rin, pero sa nabanggit ng ating kasamahan mula sa COOP-NATCCO na si Honorable Canama, nakita natin na iyong mga cooperative sa mga LGU at sa iba't ibang mga sektor ay nagiging maunlad, pero, Mr. Speaker, sa mga teachers' cooperative po, ano po kaya ang maitutulong ng ating cooperative movement na pinamumunuan po ni Honorable Canama para mapaunlad naman po natin ang cooperative ng ating mga guro sa kani-kanilang mga eskwelahan?

REP. CANAMA. Mr. Speaker, I would like to appreciate my colleague who has also organized a cooperative before in her school, meaning, Hon. France Castro has a passion and a heart for the cooperatives. I sincerely appreciate that one.

For the record, Mr. Speaker, Your Honor, there are so many successful cooperatives which are school-based and are composed of teachers, personnel of the DepEd and even including students.

As regards her concern, how could we help those cooperatives? We are very much willing. There are continuing education and continuing strategies on how to make these cooperatives develop and most likely, in the near future, into competitive and maybe billionaire cooperatives. We are very, very much willing to help.

REP. CASTRO (F.L.). Okay. Maraming salamat po, Mr. Speaker, sa ganoon pong sinabi ng ating kagalang-galang na Mambabatas mula po sa COOP-NATCCO. Ipinapahayag po ng Kinatawan ng ACT TEACHERS Party-List na makikipagtulungan po ako sa Committee ng Cooperatives, sa kanyang Committee para maisulong po natin itong mga kooperatiba ng ating mga eskwelahan at maisulong po natin iyong kooperatiba ng ating mga mamamayan at makatulong po ito para sa sinasabi niya kanina. Naniniwala po ako, Mr. Speaker, na ito ay magiging paraan for poverty alleviation. Ang Kinatawan ng ito kasama po ng ating mga kasamahan sa Makabayan bloc ay buong puso pong sumusuporta sa anumang mga balakin ng ating Committee para sa ikauunlad ng ating mga kooperatiba. Maraming salamat, Mr. Speaker. *(Applause)* Maraming salamat, Congressman Canama.

THE DEPUTY SPEAKER (Rep. Pichay). Thank you very much, Honorable Castro.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize the Gentleman from SAGIP Party-List, Hon. Rodante D. Marcoleta for his interpellation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Deputy Speaker Rodante Marcoleta, you are very much recognized.

REP. MARCOLETA. Salamat po, Mr. Speaker.

Mr. Speaker, G. Kinatawan ng COOP-NATCCO, napakaganda pong pakinggan noong inyong privilege speech. Marami po akong natutunan na napakaimportanteng mga bagay. Nagtaka lamang po ako noong bandang huli na mayroon po kayong isang kasabihan na binitawan. Sa akin pong palagay, mayroon kayong hinanakit kasi sabi po ninyo, "Ang hindi marunong lumingon sa kaniyang pinanggalingan, ay hindi makarating sa kaniyang paroroonan." Mayroon po ba kayong pinatututsadahan doon? *(Laughter)*

REP. CANAMA. Mr. Speaker, distinguished Deputy Speaker, my colleague in the party-list coalition, first of all, I am so flattered and honored by your introduction that you liked my privilege speech especially the content on cooperativism. Actually, I am not the original proponent of that saying. Kinuha ko lang iyon sa teacher ko na sabi niya, "Kapag napunta ka na sa isang posisyon na malayo na sa dati mong pinanggalingan, dapat naman magpasalamat ka sa kung saan ka nanggaling." *(Applause)*

Mr. Speaker, my colleagues, utang na loob ko po sa sektor ng kooperatiba ang posisyon ko pong ito. Galing po ako sa isang yano lang na cooperative doon sa lugar ng Tangub City, Misamis Occidental in Mindanao. It was never in my imagination that I would become a Representative of the Cooperatives. Because of the help and efforts of the cooperative leaders throughout the country, utang ko po na ako ay nandito ngayon at kasama po ninyo. Salamat po sa kanila. *(Applause)*

REP. MARCOLETA. Salamat po sa paglilinaw ninyo G. Kinatawan at ngayon ay masaya na ang aking damdamin *(Laughter)* sapagkat wala pala kayong pinatututsadahan, kung hindi, iyan pala ay bilang pagtanaw ninyo ng utang na loob sa inyong mga nasasakupan at nakarating kayo sa posisyon na kagaya nito upang maibalik naman ninyo ang pagtulong sa kanila. *(Applause)*

REP. CANAMA. Yes, that was the essence of my quote. Para naman makapagpatuloy ako sa gusto nating gawin dito, we need to have the continuous support of the sector. I belong to the cooperative movement. I

belong to the cooperative sector. I feel and I believe that whatever I do in this Chamber, kailangan ko talaga ang tulong ng cooperative sector. *(Applause)*

REP. MARCOLETA. Kung ganoon po ay iiwan ko na lamang sa inyo ang isa pang salawikain sapagkat sa inyong pagtahak sa isang napakadawag na lakarin, sapagkat iyan ay patungo doon sa pagtatagumpay na inaasahan ng inyong constituents.

Iwan ko sa inyo ang isang salawikain na alam din ninyo, “Ang paglalakad nang matulin, kung matinik ay malalim.” *(Laughter)* Kailangan po, G. Ispiker, magpakaingat sapagkat inaasahan kayo ng inyong constituents. Huwag sana kayong matinik at kung matinik man kayo, sana mababaw lang.

Salamat po, Mr. Speaker. *(Applause)*

REP. CANAMA. Mr. Speaker, distinguished Deputy Speaker, ang Party-List po ninyo ay SAGIP. I humbly request that sagipin ninyo ako pagdating ng panahon na ako ay matinik. *(Laughter) (Applause)*

THE DEPUTY SPEAKER (Rep. Pichay). Thank you, Deputy Speaker Marcoleta, sa iniwan mong kasabihan.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that the privilege speech of the Honorable Canama and its interpellations be referred to the Committee on Rules for its appropriate action. *(Applause)*

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

Thank you, Honorable Canama, for that privilege speech. I am sure that you have enlightened a lot of Legislators, so that your proposal, as far as your bills are concerned, will probably be acted upon immediately.

The Majority Leader is recognized.

REP. BOLILIA. Mr. Speaker, I move that we recognize the Representative from AGAP Party-List, Hon. Rico B. Geron, for his privilege speech.

THE DEPUTY SPEAKER (Rep. Pichay). The Honorable Geron is recognized. Please proceed.

PRIVILEGE SPEECH OF REP. GERON

REP. GERON. Thank you, Mr. Speaker.

Before I proceed, I would like to thank our members from the cooperative movement na nagpakaabala ngayong hapon upang makiisa sa unang araw ng ating selebrasyon ngayong Oktubre.

Mr. Speaker, dear colleagues, today, October 1,

2019, marks the first day of the month-long celebration of the Philippine Cooperative Movement as a celebration of success. The Cooperative Development Authority provides the theme: “A Countervailing Force Against Climate Change and Violent Extremism Through People Empowerment to Trail-blaze Shift in the Paradigm Towards Sustainability and Social Inclusion”

The cooperative is a vehicle for positive change in the lives of 11 million kababayans who are members of cooperatives. I asked a cooperative member for 20 years, “What is the essence of a cooperative to you?” His reply is that the cooperative provided his family hope and a way out of poverty. Since no banks will approve, even offer them access to credit, the cooperative is the only channel that gave them a chance for a small loan. To an individual with a desire to uplift his life, cooperatives provide a menu of assistance designed to do just that.

For agricultural-based cooperatives, the sector which is, I think, the most neglected by this society but which I believe is the most important, considering the food that they produce, they offer either one or a combination of credit, technical and marketing assistance, making this a proof of the concept of a model of inclusive growth. Our credit cooperatives offer a value-based proposition anchored on our knowledge of their capacity for enterprise development at the micro level. This is our strength and we should not be remiss in the mission to help uplift their lives.

To cooperative leaders and members na naririto ngayon, kayo ang mga sundalo ng pagpupunyagi at pagsusumikap na ang tanging sandata ay ang kalasag ng pagkakaisa sa giyerang laban sa kahirapan, laban sa kawalang pag-asa at sa pagtatagumpay, at tiyak na magbibigay ng kaginhawaan para sa lahat. Ipagpatuloy ninyo ang labang hindi para sa inyong sarili, manapa ay para sa lalo pang mas nakararaming mahihirap. Ang pagsugpo sa kahirapan ay magbubunsod sa pagkakaroon ng kapayapaan.

Ang buwan ng Oktubre ay inilaan upang kilalanin ang kabayanihang ito ng ating mga mandirigma sa kooperatiba na naglalaan din ng kanilang buhay, ng kanilang panahon, at ng kanilang resources, upang makatulong sa pagpapaunlad ng buhay ng iba.

We thank you for your heroism. We thank you for your selfless contributions to our country.

Finally, to us policy-makers, we thank you for your continuous support to cooperatives. Like in the Seventeenth Congress, you allowed the cooperatives to continue enjoying tax exemption privileges under the proposed law in the TRAIN 1, and in the Eighteenth Congress, you maintain the same under TRAIN 2. Ipinagpapasalamat po ng buong kilusang kooperatiba sa buong bansa ang pagkilalang ito sa kagalingan ng ating mga kooperatiba. Hindi rin natin dapat kalimutan na sa Seventeenth Congress ay naihabol natin ang amyenda sa Charter na hindi naging madali. Sa katunayan, inabot

ng 18 taon bago nagkaroon ng pagbabago sa Republic Act No. 6939, nang maging ganap ang batas na ito matapos lagdaan ng Pangulong Rodrigo Duterte noong August 8, 2019. Naglalayon ito na lalong patatagin ang Cooperative Development Authority, at tiyakin ang pagiging responsive nito sa kilusang kooperatiba. Isang malaking pasasalamat ang ipinapaabot namin sa inyo, kasama ng sektor kooperatibang naririto ngayon, sa inyo mga kapwa ko Mambabatas, sapagkat ito ay tunay na mahalaga sa kilusang kooperatiba ng ating bansa, subalit panawagan natin ang patuloy nating pagsubaybay sa mga batas na ating ipinapasá, upang tiyakin na ang layunin nito ay tuluyang tumugon sa kung ano ang ating ginagawa.

Cooperatives should be continuously supported through relevant legislation. We should further enhance the existing environment for cooperatives to thrive, because they have proven that they can contribute to nation-building. Most of them grew as self-help organizations. Imagine what they can accomplish given the right combination of government support.

With this, I call upon all the branches of government to support the Cooperative Month this October. May we be reminded not just of the cooperatives' crucial role in ushering us to our vision of sustainable and progressive lives for our people, but also of their accomplishment today as a socioeconomic force that has transformed the lives of our people. Join us in celebrating their achievements today and their potential greatness.

Maraming-maraming salamat po sa inyong pakikinig at nawa ay magkaisa tayo sa pagtataguyod ng mga kilusang katulad nito na tumutugon sa pagpapaunlad ng kabuhayan ng ating maliliit na mga kababayan.

Maraming salamat po at magandang hapon sa inyong lahat. (*Applause*)

At this juncture, Deputy Speaker Pichay relinquished the Chair to Deputy Speaker Roberto V. Puno.

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

REP. BOLILIA. Mr. Speaker, I move that the privilege speech of Honorable Geron be referred to the Committee on Rules.

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

The privilege speech of the Honorable Geron is referred to the Committee on Rules.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, I move that

we recognize Hon. Edgar R. Erice from the Second District of Caloocan for his privilege speech.

THE DEPUTY SPEAKER (Rep. Puno). The Gentleman from the Second District of Caloocan, Hon. Egay Erice, is recognized for his privilege speech.

PRIVILEGE SPEECH OF REP. ERICE

REP. ERICE. Thank you, Mr. Speaker. Thank you, Mme. Majority Leader.

Mr. Speaker, dearest colleagues, I rise at least to defend not just a proposal, but a sincere effort to contribute in alleviating the worst of conditions of Metro Manila commuters, unfortunately and subsequently dismissed by two of our colleagues in the Upper Chamber as a crazy idea.

Thus, may I take this opportunity to fully explain to you, my dear colleagues, and to all agencies of government a scheme which I sincerely believe will ease the burden of our ordinary commuters in Metro Manila, at least temporarily.

According to the Asian Development Bank, Metro Manila is now the most congested metropolis in the developing Asia, causing at least P3.5 billion a day in opportunity losses, subalit mga kasama, ang hindi nababanggit sa krisis na ito sa trapiko ay ang kalbaryo na matagal nang dinaranas ng mga mahihirap nating mananakay sa Metro Manila, mga pangkaraniwang manggagawa at kawani, mga estudyante na hirap na hirap na sa paggising ng alas tres o alas kuwatro ng madaling araw upang makipaghabulan sa mga bus sa EDSA para sa mga pampublikong sasakyan, pumila ng higit isang oras sa MRT, ulanin at maarawan, matuyuan ng pawis at madukutan, uuwing gabing-gabi, pagod, bawas ang productivity at wala na halos panahon para sa pamilya. Sila ang mas malaking sektor ng mga mananakay na dapat sanang pinagtutuunan ng pansin at inaasikaso ng pamahalaan. Subalit, mga kasama, ang mga palpak na schemes ng pamahalaan tulad ng color coding, number coding at ngayon naman ay ang pagbaba ng provincial buses sa EDSA ay tila ba polisiyang laban o kontra para sa mga mahihirap—anti-poor policies laban sa mga pangkaraniwang mananakay.

Sa number coding ng mga sasakyan, napapalutasan lamang ito ng mga mayayaman sa pamamagitan ng pagbili ng panibagong sasakyan, kaya lalo pang dumarami ang mga pribadong sasakyan. Sa Ayala Alabang, mayroon lamang 5,000 naninirahan, subalit may 25,000 sasakyang pag-aari. Lima bawat pamilya ang puwede nilang pagpilian upang masakyan, samantalang kulang na kulang ang mga bus at public utility vehicles, lalagyan pa ng number coding.

Ayon sa datos ng Metro Manila Development Authority, may kulang-kulang na 300,000 pribadong sasakyan ang dumaraan sa EDSA araw-araw na

nakakapaghatid lamang ng kulang-kulang kalahating milyong mga pasahero at an average of 1.5 passenger per vehicle. Samantalang mayroon namang kulang-kulang 10,000 mga bus na nakapaghatid ng higit kumulang 600,000 pasahero araw-araw sa EDSA. Ibig sabihin, apat na porsyento lamang ang mga bus kumpara sa mga pribadong kotse ang dumaraan sa EDSA, subalit mas marami silang pasaherong naseserbisuhan.

Kaya minamahal na mga kasama, mungkahi ko na bigyan naman natin ng pansin ang ating mga mahihirap at pangkaraniwang mananakay. Panahon naman na sila ang maging prayoridad. Panahon naman na magsakripisyo rin tayong may mga sasakyan.

Ang aking panukala, habang hinihintay nating matapos ang mga big ticket mass transport projects ng pamahalaan tulad ng MRT rehabilitation, MRT 7, Metro Subway at ng NLEX-SLEX connector road, i-convert natin ang EDSA bilang mass transport highway. Let us dedicate EDSA's five lanes exclusively for public utility buses and vehicles. Let us dedicate one single lane in Metro Manila for ordinary commuters.

From 6:00 a.m. to 9:00 am and 6:00 p.m. to 9:00 p.m., Mondays to Fridays, let us ban private vehicles from plying through EDSA, the inner two lanes for the point-to-point bus system that will make bus travel from Trinoma to Ayala in just 15 minutes, and EDSA from end-to-end in less than an hour. The remaining three lanes will be allocated to public utility vehicles and buses that will have alternate bus stop system. This will make mass transport travel along EDSA very convenient and fast. We can even increase speed limits in the inner lanes.

I am very sure that by doing so, the turnaround of PUBs and UVs will be fast and can even double their passenger capacities. We can also utilize provincial buses to ply through EDSA route to ensure availability of buses. In doing so, I am sure that MRT's load will be reduced and will be more convenient for MRT riders. Mawawala nang kusa ang pila sa MRT kung maraming mga bus at mapapabilis ng pamahalaan ang pagkukumpuni ng MRT.

Ano naman po ang mangyayari sa mga pribadong sasakyan? Magigipit po ba sila? Sa aking pananaw, hindi po sapagkat mabibigyan natin sila ng apat na choices, apat na options. Ano po ito?

Una, sila naman, ang mga may-ari naman ng mga pribadong sasakyan, tayo naman ang gumising nang maaga. Kung aalis tayo ng alas singko ng umaga, hindi tayo matatrapik sa EDSA. Makakalabas tayo ng EDSA bago mag-alas sais. Tipid pa tayo sa gasolina.

Pangalawa, kung tatanghaliin naman tayo ng gising, mag-Waze na lang tayo at gumamit ng alternate route. Pinag-aralan ko, manggagaling ako sa aking distrito sa Grace Park, kung ako ay pupunta dito sa Kongreso, mayroon akong puwedeng tatlong daanan na alternate routes.

Pangatlo, kung bibilis naman ang bus travel, eh di sa halip na mag-drive ka ng dalawang oras sa EDSA, gastos pa sa gasolina, bayad ka pa sa parking, eh di gumamit ka na lang ng pampublikong bus.

Pang-apat, kung mayroon ka namang mga appointment, hindi ka naman nagtatrabaho, eh di ipagpaliban mo nang konti. Umalis ka ng iyong tahanan after 9:00 a.m. kung saan puwede mo nang magamit ang EDSA. Sa ganoong paraan, iyong mga pribadong sasakyan, mahahati natin sa apat na options.

This is not the perfect solution, but a temporary and immediate solution na kayang ipatupad next month na hindi kailangan ng infrastructures. Marami pong panukala subalit tiyak ko, isang taon, dalawang taon, hindi ito magaganap sapagkat may mga pangangailangan sa imprastruktura. Dito po, wala na. Instantly, maipatutupad natin ang scheme na ito.

Mr. Speaker, with MMDA's estimate in the coming Christmas season and the SEA Games this November, there will be 20 percent more cars in Metro Manila, kung hindi tayo gagawa ng paraan, kung hindi tayo gagawa ng solusyon ngayon pa lang. I am sure, sa Pasko, sa Disyembre, hindi na gagalaw ang EDSA at magmumura ang buong populasyon ng Metro Manila.

I therefore urge you to help me convince the DOTr and the MMDA to seriously look into my proposal. Ito po ay hindi ko lamang napapanaginipan. Ito po ay naging matagumpay na temporary solution sa ilang mega cities sa ibang bansa. Mahalaga po na ngayon pa lang ay pag-isipan na natin itong ipatupad.

Mr. Speaker, gawin natin ito sa higit na nakakarami nating mga kababayang mahihirap na commuters sa Metro Manila. Mr. Speaker, my dear colleagues, let us ensure that those who have less in life should have more of EDSA.

Thank you.

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

REP. LACSON-NOEL. Mr. Speaker, I move to refer the speech of Honorable Erice to the Committee on Rules.

THE DEPUTY SPEAKER (Rep. Puno). Is there any objection? (*Silence*) The Chair hears none; the motion is approved. The speech of the Honorable Erice is referred to the Committee on Rules.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, I move to extend the Privilege Hour.
I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Puno). Is there

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

The Privilege Hour is extended.

REP. LACSON-NOEL. Mr. Speaker, I move to recognize Hon. Eufemia “Ka Femia” C. Cullamat for her privilege speech.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Puno). Honorable Cullamat, Representative of the Party-List BAYAN MUNA, is recognized for her privilege speech.

PRIVILEGE SPEECH OF REP. CULLAMAT

REP. CULLAMAT. Maraming salamat, G. Ispiker.

G. Ispiker, itinatanong ninyo sa amin kung pag-aari ba namin ang lupa at kukutyain ninyo kami, nasaan ang inyong titulo?

Mr. Speaker, kahambugan ang pag-angkin sa lupa, sapagkat tayo ang pag-aari ng lupa. Paano natin aariin ang isang bagay na mananatiling nariyan kahit tayo ay wala na?

Mahigit apat na dekada na ang nakalilipas nang bitiwang ni Macli-ing Dulag, isang lider katutubo ng Kordilyera, ang mga salitang iyon, subalit nananatiling totoo at buhay na buhay ang bawat kataga nito. Gayundin, nananatiling buhay ang isyu ng pagnanakaw at pagwawasak ng mga lupain, kabuhayan at kultura ng mga katutubo sa ngalan ng mga dambuhalang proyektong katulad ng higanteng Kaliwa Dam.

Apat na dekada na itong tinutulan ni Macli-ing Dulag at ng mga katutubo ng Kordilyera sapagkat wawasakin nito ang kanilang buhay at kultura sa gagawing proyektong habambuhay na nagbabago sa kanilang kapaligiran. Lulunurin sa tubig ang kanilang mga kabukiran, mga komunidad at mga banal na lugar. Palalayasin sila mula sa kapaligirang inaalagaan nila sa daan-daang taon, at nagkanlong ng kanilang maraming salinlahi.

G. Ispiker, kaming mga katutubo at ang kalikasan ay iisa. Saan ninyo kami dadalhin kung wawasakin ninyo ang aming mga komunidad at kalikasan, sa inyong mga lungsod? Hindi para sa amin ang nabubulok na pamumuhay at kulturang urban. Ang aming lupa ang aming buhay. Hindi ninyo ito puwedeng kunin mula sa amin—ang aming buhay. Hindi ninyo ito maaaring gawin kung walang paglaban mula sa amin. Kaming mga katutubo ay likas na tagapagtanggol ng kalikasan.

Bago pa man ako maging aktibista, bilang isang katutubo, lumaki ako nang may pag-unawa na kailangan naming pangalagaan at protektahan ang lupang ninuno at kalikasan para sa aming susunod na henerasyon, susunod na salinlahi.

Sa kalikasan kami kumukuha ng aming mga pangangailangan. Kung dito sa siyudad ay may shopping malls, sa aming katutubong komunidad ay mayroong kagubatan, kabundukan at ilog para kuhanan ng aming mga pangangailangan. Dito nagmumula ang aming mga batayang pangangailangan sa buhay—pagkain, inumin, materyales para sa pabahay at maging mga katutubong gamot. Walang botika sa mga katutubong komunidad pero may mga halamang gamot at pulot, walang palengke pero may lupa kaming matatamnan namin ng gulay. May gubat para makapangaso at may ilog na nagbibigay ng isda, hipon at iba pa.

Alam din namin na ang kaayusan ng kalikasan—ang lupa, tubig at mga buhay na kaugnay nito ay nagsisilbi sa mas malaking ekolohiya, kaya hindi kami kumuha ng lagpas sa aming pangangailangan bukod pa sa potensyal pa itong makasisira ng balanse ng kalikasan, batid namin ay may ibang mauubusan.

Kaya’t nais kong talakayin ang Kaliwa Dam Project mula sa pagtingin ng mga kapatid nating katutubong Dumagat sapagkat nakalulungkot na ang boses nila ay nananatiling maliit kahit na sila ang kagyat na malawakan ding sasalo sa mga masamang epekto ng proyektong Kaliwa Dam sa kalikasan at kabuhayan.

Ang New Centennial Water Source, Kaliwa Dam Project ay isang dambuhalang dam na isinusulong ng Metropolitan Waterworks and Sewerage System para pandagdag sa diumanong kakulangan ng supply ng tubig sa Metro Manila, Cavite at Rizal. Ito ay itatayo sa timog na bahagi ng kabundukan ng Sierra Madre at sasakupin ang bahagi ng Tanay, Rizal, General Nakar at Infanta, Quezon.

Kabuhayan at kultura ng mga kapatid nating Dumagat at magsasaka ang mawawala sa pagtatayo ng Dam. Palalayasin ang mga Dumagat sa kanilang lupaing ninuno, ilulubog sa tubig pati ang kanilang mga sagradong lugar at higit sa 2,000 kabahayan ang maaapektuhan sa pagtatayo ng Dam. Kasama na rito ang mga komunidad na direktang ilulubog sa tubig, gayundin iyong mga pamayanan na mawawalan ng access sa ilog at tubig dahil haharangan sila ng Kaliwa Dam. Lubos na nakararami sa mga maaapektuhang ito ay mga mahihirap na mamamayan na walang kakayahang magpanibagong kabuhayan o makapagtayo ng tirahan at taniman sa ibang lugar.

Karamihan sa mga kapatid nating katutubong Dumagat ay hindi nakatikim o hindi pinatikim ng pormal na sistema ng pag-aaral sa ating mga paaralan. Walang naghihintay sa kanila na maayos na trabaho, sa siyudad man o sa baryo. Papaano na nila ngayon bubuhayin ang kanilang mga pamilya? Ang mga Dumagat, katulad ng iba pang mga katutubo, ay sanay sa agos at sa direksyon ng hangin. Aral kaming mga katutubo sa paaralan ng kalikasan at turo ng aming mga ninuno. Hindi para sa amin ang buhay sa labas ng aming mga katutubong komunidad. Kaming mga

katutubo at inang kalikasan ay iisa—hindi para sa amin ang nabubulok na pamumuhay at kulturang urban.

Ang masaklap pa nito, nililintang pa ang mga Dumagat ng mga ahensya ng pamahalaan tulad ng National Commission on Indigenous Peoples na katuwang ng MWSS para pikit-mata nilang lunukin ang proyektong Kaliwa Dam. Hindi pa man nakokonsulta ang mga pamayanan, lalo na ang mga Dumagat, natapos na agad ang kasunduan ng pamahalaan ng Pilipinas at ng bansang Tsina upang itayo ang higanteng dam na ito.

Hinahabol na lamang ngayon ng NCIP ang Free and Prior Informed Consent ng mga Dumagat para masabing sumusunod sila sa batas ng Indigenous Peoples' Rights Act or IPRA. Sinadyang ginulo ng NCIP ang mga proseso ng pagkuha ng FPIC para siguruhing mahihirapang intindihin ito ng mga Dumagat. Sa mga pulong na ipinapatawag nito, binalewala ng NCIP ang mga pinagkaisahan ng mga tribal leaders o chieftains o kinatawan ng mga angkan. Ayon sa mga nakadalo ng pulong, napagkaisahan ng mga chieftains na hindi muna magbibigay ng desisyon ang mga Dumagat hinggil sa FPIC sa Kaliwa Dam hanggat hindi nila nakikita ang buong plano ng proyekto, ang Environmental Impact Assessment o EIA at ang mismong kasunduan tungkol sa pagtatayo ng higanteng Kaliwa Dam. Subalit sa sumusunod na pulong na ipinatawag ng NCIP, wala pa rin itong naipakitang mga dokumento. Nang singilin ang NCIP sa mga dokumento, ipinilit ng ahensya na hindi raw binding ang mga naunang kasunduan nila sa mga katutubo hinggil sa paglalabas ng mga dokumento.

Nagtingitngit din ngayon ang ibang mga lider-Dumagat dahil hindi sila nasabihan sa mga naunang pulong subalit bigla na lamang nagkaroon ng desisyon. Malinaw, G. Ispiker, na pinag-aaway-away ng NCIP ang mga katutubo.

G. Ispiker, sa mga pulong ng NCIP, laging kasama ang MWSS upang manghikayat na payagan ang proyekto. Bahagi ito ng kanilang disenyo sa panloloko sapagkat ayon sa MWSS ay done deal na raw ang dambuhalang Dam dahil nagkapirmahan na ang Pilipinas at Tsina. Maliban sa mga matatamis na salita, nananatiling tikom ang bibig ng mga tagapamahalaan hinggil sa lubhang masamang epekto ng higanteng proyekto sa kalikasan, buhay at kultura ng mga Dumagat.

May pangako pa ang MWSS na reloksyon, subalit hindi naman nila masabi kung saan ito. May pangako rin na magkakaroon ng trabaho ang mga mawawalan ng kabuhayan pero hindi rin nila sinabi kung ano ito. Sa karanasan natin sa Chico River Pump Irrigation Project na pinopondohan din ng Tsina, alam ng publiko na hindi naman mga Pilipino ang naging manggagawa sa proyekto kundi mga Tsino din. May pangako rin umanong financial assistance ang DSWD pero hindi naman sasapat para makapagsimulang muli ang isang pamilya na may anim hanggang 10 anak, na karaniwang dami ng anak ng mga Dumagat.

Sa ngayon, ipinagmamalaki ng MWSS na ang mga ginagawang daan sa palibot ng mga komunidad na maapektuhan ay mga farm-to-market roads daw upang di-umano ay madaling maibaba ng mga magsasaka at Dumagat ang kanilang mga ani, ngunit ang mga daan na ito ay tumutumbok lahat sa gagawing dam upang mapabilis ang transportasyon ng mga makina at tao.

Sinasabi pa nilang kinakailangang magsakripisyo ang mga minorya para sa ikauunlad ng mayorya, kung kaya kinakailangang ibigay ng mga Dumagat ang tubig ng ilog-Kaliwa upang magkaroon ng tubig ang Kamaynilaan.

G. Ispiker, para sa mga Dumagat, hindi na nila ipinagdadamot ang tubig, bagkus, inaalagaan pa nila ito, kasama ang buong Sierra Madre, upang mapanatili ang malinis na agos nito sa mga ilog. G. Ispiker, 28,000 ektarya ng kagubatan, kabundukan at katubigan ng Sierra Madre ang sa ngayon ay kumakanlong sa iba't ibang katutubo kabilang na ang mga Dumagat. Nandito rin ang mga nanganganib na mga species tulad ng Philippine Eagle, Rafflesia Manillana at White Lauan na nanganganib sa paglaho sa bantang pagkasira ng Sierra Madre.

Para sa aming mga katutubo o pambansang minorya, di hamak na mas malaki ang magiging perwisyo ng proyekto sa tao at kalikasan. Sa katunayan, hindi ang Kaliwa Dam Project ang solusyon para matugunan ang kawalan ng tubig sa kalunsuran. Kung masasabi man na nagkukulang ang tubig, dahil ito sa kawalang-tugon ng MWSS at mga water service provider ng Maynilad at Manila Water para ayusin ang serbisyo nito. Dapat na iayos muna ng Maynilad at Manila Water Co., ang mga tagas ng tubig sa kanilang mga sistema. Dapat din munang buhayin at pasiglahin ang mga dati nang nakatayong watersheds at dam. Kailangang gawin muna ang iba pang hindi mapaminsalang alternatibo nang sa gayon ay hindi naisasakripisyo ang kapakanan ng mga katutubo at magsasaka.

Hindi dapat payagan ang ganitong mapanirang proyekto dahil wawasakin nito, hindi lamang ang kalikasan, kundi pati buhay at kultura ng mga katutubo. Tandaan natin, ang mga katutubo, tulad ng Dumagat, ang nagbibigay ng identidad sa ating pagka-Pilipino. Tulad ng mga Dumagat hindi lamang kami tagapagtanggol ng kalikasan, kami ang bakas ng ating kasaysayan bilang isang nasyon. Kapag pinalayas ninyo kami sa aming lupang ninuno, tinanggal na din ninyo ang aming buhay at identidad, at dudulo ito sa pagkamatay ng aming kultura at salinlahi.

Ang kalikasan at kaming mga katutubo ay iisa. Anong klaseng pamahalaan tayo kung hahayaan nating maglaho kaming mga katutubo?

Halos apat na dekada na ngayon nang paulanan ng bala ng mga sundalo ng pamahalaan ang tahanan ni Macli-ing Dulag. Agad binawian ng buhay ang lider-katutubong ito. Bakit itinataya naming mga

katutubo ang aming buhay sa pagtutol sa mga dam at iba pang dambuhalang proyekto sa aming mga lupaing ninuno? Itinataya namin dahil ang mga proyektong ito ang sisira sa kalikasan at wawasak sa aming buhay at kultura.

G. Ispiker, tutulan ang Kaliwa Dam at lahat ng mapanirang mga proyekto. Iligtas natin ang tribong Dumagat at depensahan natin ang ating inang kalikasan. Kung sa usapin ng pagbago ng klima, bahagi itong pagkawasak ng ating kalikasan kung bakit nagbago ang klima natin ngayon.

Ito lamang po, G. Ispiker. Maraming salamat at magandang hapon sa ating lahat.

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

REP. LACSON-NOEL. Mr. Speaker, I move to refer the speech of the Honorable Cullamat to the Committee on Rules for its appropriate action.

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

The privilege speech of the Honorable Cullamat is referred to the Committee on Rules.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, we would like to acknowledge the presence of the guests of GABRIELA Women's Party and the Makabayan bloc. They are the leaders of BAYAN MUNA Metro Manila: Cora Agovida, Emelyn Feliciano, Alex Rosales, Benito Cabasal, Lorna Piano, Jose Marie Brondial, Fidel Columna, Kevin Paul Aguayon, Elbert John Honoriga, Juzell Jurada, and our former colleague in the Fourteenth and Fifteenth Congresses, KABATAAN Party-List Representative, Raymond "Mong" Palatino.

THE DEPUTY SPEAKER (Rep. Puno). Will the guests please rise. (*Applause*) Thank you for your visit. Welcome to the House of Representatives.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, I move that we recognize Hon. Arlene D. Brosas of Party-List GABRIELA for her privilege speech.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Puno). The Lady from the Party-List GABRIELA, Hon. Arlene Brosas, is recognized for her privilege speech.

PRIVILEGE SPEECH OF REP. BROSAS

REP. BROSAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to convey a very alarming trend in the state of affairs within Metro Manila, especially in relation to basic rights and civil liberties including the constitutional right to organize. Gumagapang ang martial law mula Mindanao patungong Visayas hanggang dito sa Kamaynilaan. Hindi kasingtindi ang operasyong militar at walang aerial bombing, pero pareho ang klima ng takot na ipinapalaganap sa mga komunidad ng National Capital Region.

Nitong Marso, opisyal na inilunsad ng National Capital Region Police Office at Joint Task Force-NCR ng Armed Forces of the Philippines ang security plan na Implan Kalasag para umano sugpuin ang lahat ng banta sa seguridad at mga kriminal na elemento, kabilang ang mga hinihinalang komunista at mga tagasuporta nito. Alinsunod ito sa Executive Order No. 70 na naglalatang ng whole-of-nation approach at sa counterinsurgency plan na Oplan Kapanatagan ng militar. Sa tabing ng peace and development, nilalayong patahimikin ang paglaban ng kababaihan at mamamayan sa harap ng lumalalang krisis at pagpapatupad ng mas masahol na mga neoliberal na patakaran.

Noong panahon ng eleksyon, aktibong ni-red tag ng mismong law enforcement ang GABRIELA Women's Party at iba pang party-lists na kabilang sa Makabayan bloc. Bukod sa pamimigay ng malisyosong publikasyon ng Philippine National Police sa polling places, lantaran din ang pananakot sa mga komunidad upang hindi bumoto o magpamiyembro sa mga progresibong partido. Malinaw na hindi lamang nilabag ng kapulisan ang election rules; nilabag nila ang karapatang pantao ng mamamayang Pilipino.

Pagkatapos ng eleksyon, lumala ang presensiya ng military sa NCR. May tuwirang encampment sa mga lugar sa Caloocan at Malabon. Sa Quezon City ay maraming beses na nag-iikot ang mga JTF-NCR officers at nagpapakalat ng posters na naghihimok sa mamamayan na huwag sumama sa mga protesta.

Hindi lamang ang mga komunidad sa NCR ang ninais na tuluyang i-militarisa pero pati na rin ang mga eskuwelahan. Mula sa pag-red tag ng student organizations hanggang sa lantarang pagpasok ng kapulisan sa mga campus, kitang-kita ang pagnanais ng Philippine National Police at Armed Forces of the Philippines na maghasik ng takot at pigilan ang mamamayan na mag-organisa.

Noong Agosto 11, 2019, nagsagawa ng Simultaneous Anti-Criminality Law Enforcement Operation (SACLEO) ang Manila Police District sa Baseco Compound, Port Area, Manila. Ni-raid ang mga komunidad, naglagay ng mga checkpoint at nagtalaga ng zoning. Dito nakaranas ng harassment ang mga residente dahil kinuhanan sila ng litrato nang walang pahintulot at pinilit silang pumirma ng mga papeles na magpapahamak sa kanila, Mr. Speaker. Tatlo ang kumpirmadong patay sa loob lamang ng isang araw

dahil diumano ay nanlaban. Ang pangyayaring ito ay halos kagaya rin sa Synchronized Enhanced Managing Police Operations o SEMPO sa Negros kung saan marami din ang namatay.

May armadong labanan na ba dito sa Metro Manila? Hindi armado at hindi nanlaban ang mga pinatay sa sunod-sunod na operasyon dito sa Maynila. Tinitindigan ito ng kanilang pamilya at komunidad. Ang tanging laban na isinusulong ng mahihirap na naging biktima ay ang laban para sa karapatan sa paninirahan at disentang trabaho. Dito ipinapakita lamang ng AFP at PNP na gusto lamang nilang gawing Negros ang Metro Manila. Ang hangad nila ay magpakalat ng takot sa mga komunidad lalo na sa mga area kung saan aktibong nag-oorganisa ang masa laban sa pagwasak ng kanilang tahanan.

Mr. Speaker, tila nanunumbalik ang panahon kung saan target ng administrasyong patahimikin ang mga kritikal sa anti-mamamayang polisiya nito. Sa ilalim ng kasalukuyang Konstitusyon at mga batas, hindi krimen ang mag-organisa, hindi krimen ang maging aktibista at tumindig para sa karapatan.

Mr. Speaker, naninindigan ang mamamayan ng Metro Manila laban sa panunumbalik ng martial law. Ang katotohanan lamang na lumilitaw sa patuloy na pag-atake ng estado ay ang hindi magagaping diwa ng mga mamamayang lumalaban. Ang GABRIELA Women's Party, kasama ang malawak na hanay ng masa, ay patuloy na titindig laban sa anumang porma ng karahasan at paglabag sa karapatang pantao.

Maraming salamat, Mr. Speaker.

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

REP. LACSON-NOEL. Mr. Speaker, I move to refer the speech of Honorable Brosas to the Committee on Rules for its appropriate action.

I so move, Mr. Speaker.

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

The privilege speech of Honorable Brosas is referred to the Committee on Rules.

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, I move that we recognize Hon. Manuel F. Zubiri from the Third District of Bukidnon for his privilege speech.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Puno). The Gentleman from the Third District of Bukidnon, Hon. Manuel Zubiri, is recognized for his privilege speech.

SUSPENSION OF SESSION

REP. LACSON-NOEL. Mr. Speaker, I move to suspend the session for a ...

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

It was 6:08 p.m.

RESUMPTION OF SESSION

At 6:09 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. LACSON-NOEL. Mr. Speaker, I withdraw the motion to recognize Honorable Zubiri.

I so move, Mr. Speaker.

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

REP. LACSON-NOEL. Mr. Speaker, I move to terminate the Privilege Hour.

I so move, Mr. Speaker.

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

The Privilege Hour is terminated.

REP. LACSON-NOEL. Mr. Speaker, may we acknowledge first the presence of the guests of Hon. Ma. Lourdes Acosta-Alba composed of the 14 Senior High School students, two parents and three faculty members of the Holy Cross High School, Manolo Fortich, Bukidnon.

THE DEPUTY SPEAKER (Rep. Puno). The guests are welcome to the House of Representatives. Thank you for your visit. (*Applause*)

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 4933 ON SECOND READING

REP. BOLILIA. Mr. Speaker, I move that we consider House Bill No. 4933, contained in Committee Report No. 32, as reported out by the Committee on Suffrage and Electoral Reforms.

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

THE DEPUTY SPEAKER (Rep. Puno). 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. 4933, entitled: AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923 AND REPUBLIC ACT NO. 10952, AND FOR OTHER PURPOSES.

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

PERIOD OF SPONSORSHIP AND DEBATE

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

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

REP. BOLILIA. Mr. Speaker, I move that we recognize Hon. Juliet Marie De Leon Ferrer to sponsor House Bill No. 4933.

I so move, Mr. Speaker.

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

Honorable Ferrer is recognized.

SPONSORSHIP SPEECH OF REP. FERRER (J.)

REP. FERRER (J.). Thank you, Mr. Speaker.

Honorable Speaker, my dear colleagues, ladies and gentlemen, a pleasant evening to you all.

I stand before you today as Chairperson of the Committee on Suffrage and Electoral Reforms in this Eighteenth Congress that approved the postponement of the May 2020 synchronized Barangay and Sangguniang Kabataan elections.

There were 38 bills filed on said postponement

proposing different dates, authored by 142 Members. Of these, 26 bills proposed to hold it in 2022; five bills favored 2021; six bills favored 2023 and one bill proposed any date that may be set by this Congress.

The determination of the term of office and term limitations of barangay officials solely rests on the power of the Philippine Congress. It was approved at the Committee level that it should be held on the second Monday of May 2023. With the number of authors for the postponement of the May 2020 Barangay and SK elections, it is clear that there is a consensus that it be postponed.

The most recent synchronized Barangay and Sangguniang Kabataan elections were held in May 2018. Republic Act No. 10952 sets the next elections on the second Monday of May 2020. While we submit to the wisdom of Congress in crafting this law, this situation poses many impediments to our incumbent Barangay and SK officials.

We deliberated on the proposed measures with resource persons from various sectors. The Barangay and SK officials nationwide have just launched their respective projects in 2018. To hold the elections as scheduled, therefore, will prevent them from completing the same. They have been given the functions and duties they expected to fulfill. And a two-year term is simply too brief.

Our Committee Report seeks to set the next synchronized Barangay and SK elections on the second Monday of May 2023. Subsequent elections shall be one year after every national and local election or in May 2026 and every three years thereafter. All incumbent Barangay and Sangguniang Kabataan officials shall remain in office unless sooner removed or suspended for a cause: PROVIDED, that, Barangay and Sangguniang Kabataan officials who are *ex officio* members of the Sangguniang Bayan, Sangguniang Panlungsod or the Sangguniang Panlalawigan, as the case may be, shall continue to serve as such members in the Sanggunian concerned until the next Barangay and SK elections.

We earnestly hope that this Eighteenth Congress considers and listens to the clamor of our leaders in the grass roots who are the forefront of public service.

Thank you very much, Mr. Speaker.

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

REP. BOLILIA. Mr. Speaker, I move that we recognize the Gentleman from the Second District of Cagayan de Oro City, Hon. Rufus B. Rodriguez, for his sponsorship speech.

THE DEPUTY SPEAKER (Rep. Puno). Honorable Rodriguez is recognized for his sponsorship speech.

* See MEASURES CONSIDERED (printed separately)

SPONSORSHIP SPEECH OF REP. RODRIGUEZ

REP. RODRIGUEZ. Thank you, Mr. Speaker. Thank you, Majority Leader.

It is my honor to give the second sponsorship speech after the honorable Chairperson of our Committee, the Committee on Suffrage and Electoral Reforms, has clearly delineated and presented this particular Committee Report, and therefore, our Chairperson Juliet Ferrer should be lauded because it is a clear presentation and request for support of this honorable Body that we approve Committee Report No. 32.

Mr. Speaker, the objective of this Bill is to postpone the May 2020 synchronized Barangay and Sangguniang Kabataan elections to the second Monday of May 2023 in order to allow the present elected Barangay and Sangguniang Kabataan officials to continue implementing various policies and complete programs that they have just started as funds have just been made available, and for a more sustainable development of the barangays.

Why on the second Monday of May 2023 and not October or December of 2020? This is the specific request of the Committee, of the Commissioner of Comelec, Commissioner Antonio Kho. He said and he pleaded that it will be difficult for the Comelec to have an election in the same year because May 2022 will be the election for President, Vice President, Senators, Congressmen and local officials. And so, there will always be post-election activities. And what are these?

Number one is election protests. You know, in the Philippines, there are no losers, only winners and those who have been cheated. So, this will carry on from May to June to July, and that is why he says that even in December, even for this year 2022, we would not be able to have a very prepared, a credible preparation for the barangay elections if done in 2023. So, we asked our Committee Chair what is the proposal of the honorable Comelec, and the answer of the honorable Chairperson Juliet Ferrer was that a year will be the most appropriate time, a year after the national general elections.

So, a year from May 2020 is certainly the second Monday of 2023 and that is because since primary jurisdiction on elections is not lodged with Congress. The primary jurisdiction is lodged with the Commission on Elections that knows best when to have it. That is why with the approval of our Committee Chair, all of us, some, mine was for October 2022 and others were for May 2022, together. So, we made sure that we want to make a very, very well-prepared barangay election so we made it 2023 on the second Monday of May.

Therefore, Mr. Speaker, this particular bill mandates that the Barangay and the Sangguniang Kabataan elections will be moved to the second Monday of 2023, and the assumption of office, clearly, it provides here—

so that it will be clear when they will assume—clearly, it provides that it shall be at noon of June 30 following the election. And then, we have a very good provision here because the question is, when is the next election after the assumption? Would it be after two years, three years or when? Very clear again, this particular Bill provides that the subsequent synchronized Barangay and Sangguniang Kabataan elections shall be held every year following the national and local elections. It is now very clear. So, after the election in May 2025, it will be done in May 2026.

So now, it is very clear that after the national and local elections, the election for barangays will be a year after. This will be three years after. This is unless, of course, we approve the amendments in the Constitutional Committee. We are now in the process, the Committee on Constitutional Amendments, of extending the terms of congressmen to five years and therefore, we will have them also extended. That is something to be debated on yet, Mr. Speaker, but that is what is now being considered. The three-year term of local officials and congressmen is really—this is the general consensus—a very, very, very, very short three years.

So, the question now is whether it should be a four-year or five-year term. That is what we are discussing. Now, therefore, penultimately, our Bill states, “until their successor shall have been duly elected and qualified, all incumbent Barangay and Sangguniang Kabataan officials shall remain in office unless sooner removed or suspended for cause.” This is now the hold-over provision.

And, finally, this Bill, mandates that the Liga ng mga Barangay at the municipal, city and provincial levels—and we have here officials of the Liga ng mga Barangay, the president is here and the officials of the Liga ng mga Barangay. It is very clearly stated in our Bill, “the Liga ng mga Barangay at the municipal, city and provincial levels shall, not later than July 31, 2023, conduct elections x x x.” We cannot have an election of the Liga again in 2020 when there are no elections, that is found in the Senate version—that there will be election of the Liga in 2022, none in 2020, next year. The Liga, Mr. Speaker, just elected their officers last August 2018 and yet, the Senate version would now want them to have an election again. How can there be an election when there is no barangay election in 2020? Therefore, our version is clearly superior to the Senate’s version because it provides that the election of the Liga ng mga Barangay should be conducted not later than July 31, 2023. Why? Because the election will be on the second Monday of May 2023. That is very logical. That is very reasonable and that is the best interpretation of what should not happen.

Therefore, we will conduct elections for the *ex officio* positions in the Sanggunian under the supervision

of the DILG on or before July 31, 2023. Together with our chairperson, Hon. Juliet Ferrer, who worked hard and steered the committee to make sure that these more than 40 bills—through her leadership and persuasion, we were able to come out with this committee report, Committee Report No. 32.

So, I congratulate, therefore, the first sponsor for her admirable work and we laud her, Hon. Juliet Ferrer.

Thank you very much, Mr. Speaker. Thank you, Majority Leader. My distinguished colleagues, good evening to all. (*Applause*)

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

REP. BOLILIA. Mr. Speaker, I move that we recognize the honorable Gentleman from the Second District of Caloocan City, Hon. Edgar R. Erice for his sponsorship speech.

THE DEPUTY SPEAKER (Rep. Puno). The honorable...

REP. BOLILIA. I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Puno). Honorable Erice is recognized for his sponsorship speech.

SPONSORSHIP SPEECH OF REP. ERICE

REP. ERICE. Thank you, Mr. Speaker. Thank you, Majority Leader.

Mr. Speaker, my dear colleagues, it is simply too short. The term of office given to Barangay and SK officials of two years by virtue of Republic Act 10656 is extraordinarily short. Tayo nga po, tatlong taon na ang ating term of office, nagreklamo pa tayo at gusto natin maging five years. Kung matutuloy ang halalan ng Barangay officials at SK officials, dalawang taon lang po silang manunungkulan. Ito po ay isang malaking pagkakamali at nagpapasalamat po tayo sa Committee on Suffrage and Electoral Reforms sapagkat ngayon ay may pagkakataon tayong itama ang isang mali.

Sa kasalukuyan po, lalung-lalo na ang ating mga Sangguniang Kabataan officials, marami po sa kanila nangangapa pa. Sa katunayan, marami pa po ang hindi nabibigyan ng kani-kanilang mga pondo sapagkat late na po lumabas ang Implementing Rules and Regulations sa paggamit ng Sangguniang Kabataan funds.

Kaya po marapat lamang na talagang mapagpaliban ang synchronized Barangay and SK elections into 2022. Ang aking panukala ay 2022 subalit, kagaya po ng sinabi ng kasama nating Kagalang-galang Rufus Rodriguez, ang panukala ng Commission on Elections, dapat po bigyan sila ng at least one year para makapagprepara after the national elections. So, ang inyong Kinatawan

ay sumasang-ayon dito at nagpapaubaya para ang halalan ng Barangay at SK elections ay maganap sa ika-dalawang Lunes ng Mayo 2023.

The proposed postponement will in effect give an extension of an additional three years to our incumbent Barangay and SK officials. This is sufficient for them to finish whatever worthy programs they have started but, more importantly, to ensure stability in our barangay affairs. Hence, it would be prudent and logical that the barangay elections be held on May 2023.

Thank you, Mr. Speaker.

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

SUSPENSION OF CONSIDERATION OF H.B. NO. 4933

REP. BOLILIA. Mr. Speaker, I move that we suspend the consideration of House Bill No. 4933.

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

The consideration of House Bill No. 4933 is suspended.

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 78 *Continuation*

PERIOD OF SPONSORSHIP AND DEBATE

REP. BOLILIA. Mr. Speaker, under the Calendar of Unfinished Business, I move that we resume the consideration of House Bill No. 78, as contained in Committee Report No. 5 and, for this purpose, may I ask that the Secretary General be directed to read the title of the Bill.

THE DEPUTY SPEAKER (Rep. Puno). Is there any objection? (*Silence*) The Chair hears none; the motion is approved and the Secretary General is directed to read the title of the measure.

THE SECRETARY GENERAL. House Bill No. 78, entitled: AN ACT PROVIDING FOR THE DEFINITION OF PUBLIC UTILITY, FURTHER AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 146, OTHERWISE KNOWN AS THE 'PUBLIC SERVICE ACT', AS AMENDED.

REP. BOLILIA. Mr. Speaker, the parliamentary status of House Bill No. 78 is that we are in the period of sponsorship and debate.

I move that the Vice Chairperson of the Committee on Ways and Means, Hon. Sharon S. Garin, be recognized.

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

Hon. Sharon Garin is recognized.

REP. BOLILIA. Mr. Speaker, I move that the Lady from GABRIELA Party-List, Hon. Arlene Borsas, be recognized for her interpellation.

THE DEPUTY SPEAKER (Rep. Puno). Honorable Brosas is recognized for her interpellation.

REP. BROSAS. Thank you, Mr. Speaker.

Mr. Speaker, will the honorable Sponsor yield to a few questions, Mr. Speaker?

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Thank you, Mr. Speaker.

Dalawa po ang natanggap ko na House bill; iyong first ay iyong Committee Report No. 5, tapos iyong isa ay binago ulit na House Bill No. 78. Alin po dito iyong pinagbabatayan natin ngayon?

REP. GARIN (S.). Iyong committee report po.

REP. BROSAS. Committee report. So, ...

REP. GARIN (S.). Yes, but, Mr. Speaker, we have drafted a substitute bill that will incorporate some of the concerns that have been expressed here in the Plenary, as well as by the other stakeholders. We will have it printed for the good interpellator.

REP. BROSAS. Yes, Mr. Speaker, kailangan po nating i-clarify because iyong dalawang kopya ay magkaiba. So, kung nag-start na pag-aralan namin iyong pag-prepare sa unang version, iba rin pala iyong pangalawang version. Hence, the need to clarify which one is supposed to be in the Plenary right now for debates, the one you are sponsoring. So, ...

REP. GARIN (S.). Currently, Mr. Speaker, I am sponsoring the committee report version.

REP. BROSAS. The committee report?

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Okay.

So, Mr. Speaker, what is the procedure? After Committee Report No. 5, iyong substitute bill po ba na

House Bill No. 78 pa rin na ito ang ipapasa natin, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). We will be presenting on the floor an amendment by substitution, Mr. Speaker. There are various concerns that have been expressed. It will be more tedious should we do it by individual amendments so the committee has decided to do it by substitution.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ito nga po iyong tanong natin, —which is which? Is it right na gawin natin na ang pinag-uusapan ay iyong Committee Report No. 5 na hindi included iyong mga sinasabi ninyo na nilagay ninyo na because of the interpellation ng nakaraan? You are going ahead with it habang ang pag-uusapan ay iyong Committee Report No. 5?

REP. GARIN (S.). Because it is under consideration on the floor, Mr. Speaker, and we are still discussing the concerns and the Committee still has to consider all the opinions of the different interpellators as well as the parties that are concerned. We have not finalized it yet, Mr. Speaker.

Thank you.

REP. BROSAS. So, Mr. Speaker, I am asking because I would like to know as I have questions regarding the substitute bill and regarding Committee Report No. 5, the first one that you mentioned. Itong dalawa pong ito ay puwedeng tanungin. Iyon po iyong gusto kong malinawan o ma-clarify ngayon, Mr. Speaker, honorable Sponsor. If I have questions on the substitute bill, will it be entertained by our honorable Sponsor, Mr. Speaker?

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Okay. Thank you. Iyon po iyong gusto nating ma-clarify kasi, for example, if I have questions na hindi included doon sa first na pinasa na bill, the Committee Report, gusto natin ma-scrutinize din iyong nilabas na bagong substitute bill, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Now, on to my question, Mr. Speaker, honorable Sponsor.

Sinasabing kailangan pumasok ang mas marami pang foreign investment sa sektor ng public utilities to open up certain industries for competition. Pero kaya natin babaguhin ang definition ng terminong “public utilities,” implicit in this objective is a recognition that the Constitution does put a cap on the foreign direct investments, and therefore, nagli-limit ng kompetisyon.

So, ang tanong po natin, bakit may ganitong layunin ang ating Konstitusyon, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). The increase in competition as well as in foreign direct investment, should this still be approved, is a consequence of such but the main objective is to clarify what is unclear because public utility is mentioned in the Constitution as one of those that are confined to the 40-60 limitation. However, in the Constitution itself, what a “public utility” is, is unclear. In fact, the Public Service Act defines public service, not public utility. So, we are trying to clarify this. As the Legislative branch of the government, it is also the responsibility of this institution to clarify what is unclear as of this moment, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, there are reasons kung bakit po nilalagay sa Konstitusyon iyong definition ng public utilities. Kung bakit, ang layunin nito ay tinatawag nga natin or sinasabi natin, Mr. Speaker, honorable Sponsor, na “Filipinization of the economy.” Alam ninyo po ba iyong Filipinization of the economy, Mr. Speaker, honorable Sponsor? What does Filipinization mean?

REP. GARIN (S.). Mr. Speaker, in simple terms, it is the preference of Filipinos in select industries, Mr. Speaker. Filipinos will have preference.

REP. BROSAS. Filipinos?

REP. GARIN (S.). Will have preference over such industries.

REP. BROSAS. Mr. Speaker, honorable Sponsor, mahalaga itong tinatawag na “Filipinization” sa ating ekonomiya sa ngalan ng national industrialization and economic sovereignty. Sabi nga po, dapat panghawakan ng Pilipino ang mga importanteng industriya gaya ng mga nagpo-provide ng mga kailangan ng mga mamamayan sa pang araw-araw na buhay at mga industriyang bumubuo sa bulo ng ekonomiya para pakilusin ang mga industriyang ito para sa mga Pilipino. To wit po, ang Article XII, Section 1 ng ating Konstitusyon ay nagsasabi na:

Ang mga tunguhin ng pambansang ekonomiya ay higit pang ekwitableng na pamamahagi ng mga pagkakataon, kita at kayamanan; sustinidong pagpaparami ng mga kalakal at mga paglilingkod na likha ng bansa para sa kapakinabangan ng sambayanan; at lumalagong pagkaproduktibo bilang susi sa pag-aangat ng uri ng pamumuhay para sa lahat, lalo na sa mga kapus-palad.

Dapat itaguyod ng Estado ang industriyalisasyon at pagkakataon na magkahanapbuhay ang lahat batay sa mahusay na pagpapaunlad ng pagsasaka at repormang pansakahan, sa pamamagitan ng mga industriya na gumagamit nang lubusan at episyente sa mga kakayahan ng tao at mga likas na yaman, at nakikipagpaligsahan kapwa sa mga pamilihing lokal at dayuhan. Gayon man, dapat pangalagaan ng Estado ang mga negosyong Pilipino laban sa marayang kompetisyong dayuhan at mga nakamihasnan sa pangangalakal.

So, maliwanag po dito, Mr. Speaker, honorable Sponsor, sa ating Konstitusyon na kung bakit hindi natin ibinubukas o ibinubuyangyang ng ganoon ang ekonomiya natin na ang tunguhin ay pag-entra pa nang mas lalo pang o napakaraming foreign direct investments kung wala rin naman po ito na maidudulot para sa pambansang industriyalisasyon. Mahalagang-mahalaga po sa atin na ang direksyon ay Filipinization o Pilipinasasyon.

REP. GARIN (S.). Thank you. Mr. Speaker.

The case of *Espina vs. Zamora* says, and I quote:

The 1987 Constitution does not rule out the entry of foreign investments, goods, and services. While it does not encourage their unlimited entry into the country, it does not prohibit them either. In fact, it allows an exchange on the basis of equality and reciprocity, frowning only on foreign competition that is unfair. The key, as in all economies in the world, is to strike a balance between protecting local businesses and allowing the entry of foreign investments and services.

Mr. Speaker, today, with how our public services are, how our transportation is, our telecommunications, the Internet—in fact, all the public services that we have are in dire need of improvement. For example, in Malaysia, which has a 30-million population, it has 27 operators in telecommunications. In Thailand, where there is a hundred million people, there are 10 operators in telecommunications. They have better services than us because they allow foreign investors to help in the improvement of services for each and every constituent they have. We also need help. We need more players in telecommunications if we want better telecommunications. We need more players in the Internet service sector to improve our Internet connection. We need players if we want to improve our internet connection. The same goes for

land transportation, sea transportation, and air transportation. That is why, Mr. Speaker, based on the pronouncements of the Constitution, which does not prohibit foreign investments, based on the pronouncements in the decision of *Espina vs. Zamora*, it is not that we do not want foreign investments. It is only so that it can supplement whatever is lacking in our country.

Protectionism does not mean that we close our doors to foreign investments. We protect, we give preference, but it does not mean that we do not want foreign direct investments, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, kayo na rin ang nagsabi na totoo namang hindi naman pino-prohibit, pero sa kalagayan po ng mga pumapasok na foreign direct investments, ang direction dapat nila ay magkaroon tayo ng economic self-reliance, iyong pagganda noong ating ekonomiya at papunta nga po doon sa paglakas nito, at pagiging self-reliant natin ang pinag-uusapan. It is not doon sa dami ng pagpasok eh, hindi ba? Kundi iyong quality din ng pumapasok na mga investments dito sa ating bansa. Kung sa dinami-dami po ng mga FDIs or sa kasalukuyan na mayroon tayo ay hindi pa rin umaangat iyong kalagayan o hindi nagiging self-reliant iyong ating bansa, ano po ang problema, Mr. Speaker, honorable Sponsor?

So, ibig sabihin, Mr. Speaker, honorable Sponsor, sa lahat ng mga kompetisyon, kakompetisyon, et cetera, na ginawa dito sa Pilipinas ng mga investors ay hindi naman tumataas iyong kalagayan ng ordinaryong mamamayan, may problema po doon. It does not lie doon sa pagbukas mo o gagawin mong 100 percent foreign ownership o kaya magbukas ka ng mas marami pa dito sa ating bansa na direct investments. Hindi po ba, Mr. Speaker, honorable Sponsor?

Kung mag-uusap po tayo niyan, dapat ay iyong kalidad ng investment na direktang tumutulong sa pag-aangat ng pagsasaka, sa kalagayan ng pagsasaka sa ating bansa, aba, pag-usapan natin iyan, hindi ba? Totoo namang kailangan natin iyon, dahil patungo iyon sa tinatawag nating Pilipinisasyon o iyong tinatawag nating Filipinization of the economy, pero kung ang tungo nito ay paglabas din ng mga produkto, investments at kung anu-ano pa, eh ano po ang pakinabang natin sa kanila?

Ang pinag-uusapan po natin dito ay iyong tulong, kaya nga po inilagay iyan, iyong 60-40 na batayan na sinasabi, dahil iyon po iyong limit na ibinibigay sa atin ng Konstitusyon, hindi ba?

So, iyon po iyong gusto nating sabihin na ito ang dahilan kung bakit iyan inilagay, kaya hindi 100 percent at hindi dapat walang patumangga ang pagpasok ng foreign direct investments, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Mr. Speaker, when we speak about protectionism, it is embedded in the Constitution, for example, on the 60-40 limitation ng public utilities, but noting the deliberations in the Constitutional Commission, Commissioner Monsod said that the intent is not to protect the market, it is to protect the Filipino consumers.

What are we trying to protect by keeping away investors? Are we trying to protect the Filipinos? Are we trying to give them better services? You can see, nakita na natin iyong pila para sumakay sa MRT and LRT, that is because the service is bad and it is still expensive.

We can see the tragedies that we have had in our sea transport, and still we maintain, let us keep them out. Let us keep the business poor, the service poor and the cost expensive.

We have to strike a balance, Mr. Speaker. Kasi kung puro lang tayo proteksyon which the Constitution does not say so, na dapat bawal iyong mga foreign investors, we have to strike a balance in which we are able to deliver decent services to every Filipino. Kailangan po we have to improve the transport service, we have to improve the telecommunications and any other basic services that the Filipino deserve, because of the limitations of Filipino capital, we can only do that with the entry of foreign direct investments.

Yes, it will open, some of these industries will be allowed to have 100 percent foreign equity, but we still have the regulations in place, we still have reciprocity clauses in some agreements, we still have the anti-competition. The PCC is still there, we still have the administrative agencies to regulate any franchise, authority to operate in any kind of public service. The rules are still in place, but at the same time, we will be able to improve the services that each and every Filipino deserves. So, I do not believe that this is a violation of any provision of the Constitution because the Constitution, in fact, even Commissioner Monsod said that the intent is not to protect the market, it is to protect the Filipino consumer.

Sana po maintindihan din natin ang sitwasyon ng mga ordinaryong Pilipino na naghihirap dahil po ang serbisyo ng mga public services natin are very bad, are very poor and are costing them more money than they are supposed to pay for, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, totoo po iyong sinasabi ninyo na very bad talaga iyong condition, and I agree with that. Very bad ang condition na mayroon ngayon, pero hindi po ito iyong puno't dulo o dahilan kung bakit ganoon, kung bakit ang sitwasyon natin ay ganito sa ating mga kababayan at ang ibinibigay nating solusyon ay ganito rin.

Babalikan ko po ang sinabi ni Commissioner Villegas sa 1986 Constitutional Commission:

Section 1 opens with the statement that “The State shall develop a self-reliant and independent national economy.” Economic self-reliance is a primary objective of a developing country that is keenly aware of over dependence on external assistance for even its most basic needs. It does not mean autarky or economic reclusion; rather, it means avoiding mendicancy in the international economic community. Independence refers to freedom from undue foreign control of the national economy, especially in such strategic industries as in the development of natural resources and public utilities.

So, Mr. Speaker, honorable Sponsor, sinasabi dito kung gaano kahalaga ang pagprotekta natin sa development natin ng natural resources and public utilities natin. Mr. Speaker, honorable Sponsor, kaya, ...

REP. GARIN (S.). Mr. Speaker, even Father Bernas said that there is no intention to protect Filipino industries from foreign competition at the expense of consumers. In citing, Mr. Villegas, he said, and I quote:

I regret that we will not be able to accept that amendment because it is constitutionalizing a specific situation that may not last forever. I think it is also unjust to think that Filipino enterprises, even assuming that temporarily they are infant and they have to be protected, which is the constitutional horizon, will forever and ever be needing protection. For example, I mentioned beer on another occasion. It would be ridiculous to say that San Miguel beer needs protection from other industries abroad. So, although, we admit that there are legitimate infants that should be protected and that can continue because new infants will arise in the local industry, I do not think we should include in the Constitution a statement that all imports would constitute unfair competition to local industries.

REP. BROSAS. Mr. Speaker, honorable Sponsor, iyong usapin po ng private corporations, iba po iyon. Hindi naman talaga iyon included doon. Plus, linawin po natin na itong usaping ito kaya naglagay ng ganoong limit sa Constitution kasi nga pagprotekta ito sa public utilities natin iyong mayroon tayo, iyong pagprotekta sa publiko natin.

Kung ngayon nga po na mayroon nga tayong ipinapasok na foreign direct investors, hindi pa natin maprotektahan dahil hindi ganoon kaepisyente iyong ating pamamaraan na ginagawa para matulungan ang

ating mga kababayan, iyon siguro dapat ang pagtuunan natin ng pansin.

Mr. Speaker, honorable Sponsor, gusto ko ring sabihin na halimbawa sa usapin ng Filipino ownership, as aimed by the Constitution, it means greater and more effective regulation over these agencies. Redefining public utilities to attract more foreign direct investments and to increase the role of the market rather than state regulation violates the constitutional objective. Iyong objective po natin na ang tunguhin talaga natin ay mas magsilbi ito sa mga Pilipino at hindi magbukas ng sobra-sobra sa foreign control, iyon po iyong gusto nating sabihin, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Mr. Speaker, to the distinguished interpellator, precisely, why we are doing this amendment to the Public Service Act? What are we talking about when we talk about public utility, which is supposed to be protected and which is supposed to be bound by the 60-40 rule?

The Constitution is unclear; hence, we are defining it as the legislative authority, in which we are the authority to define it because it is lacking in the Constitution. That is why we are proposing this Bill so that we will have a clear definition of “public utility,” in which it has to be protected by the Constitution based on the 60-40 equity limitation, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ito po iyong dahilan kung bakit nga dapat ay nagli-limit pa lalo doon sa mga usapin na ganyan, dahil hindi na nga episyente, hindi pa nakakatulong sa ating mga kababayan.

Nais ko sanang sabihin din iyong isang article pa rin sa Constitution, iyong Article XII, Section 10:

Sa tagubilin ng sangay sa ekonomiya at pagpapalano, dapat ilaan ng Kongreso sa mga mamamayan ng Pilipinas o sa mga korporasyon o mga asosasyon na ang animnapung porsyento man lamang ng puhunan ay ari ng gayong mamamayan, o ang mas mataas na porsyento na maaaring itakda ng Kongreso, ang ilang mga larangan ng pamumuhunan kailan man at ganito ang iniaatas ng pambansang kapakanan. Dapat magsabatas ang Kongreso ng mga hakbanging magpapasigla sa pagbubuo at pagpapalakad ng mga negosyo na ang puhunan ay aring ganap ng mga Pilipino.

Sa pagkakaloob ng mga karapatan, mga pribilehiyo at mga konsesyon na sumasaklaw sa pambansang ekonomiya at patrimonya, dapat unahin ng estado ang mga kuwalipikadong Pilipino.

Kaya hindi man ibinabawal ang sinasabi, dapat umuunlad ang mga Pilipino, hindi umaatras. Hindi po ba, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). Mr. Speaker

REP. BROSAS. Kung over the years na mayroon na ngang ganito ay hindi umuunlad at umaatras ang kalagayan ng mga Pilipino, talagang dapat tingnan natin saan ba nanggagaling ang mga pag-atras na ito, at kung ang natatanging solusyon ba na nakikita natin, Mr. Speaker, honorable Sponsor, ay ang higit na pagbubukas pa sa foreign direct investment, sa tingin po natin hindi iyon ang tamang solusyon sa kasalukuyan, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Mr. Speaker, by classifying an industry as a public service and not as public utility, it does not mean it will not be regulated anymore. All public services, whether it be transportation or telecommunications, it will still be subject to regulation like the CAB, the CAAP or the LTFRB. The regulation is still in place.

In fact, with the amendments of the PSA, the regulations will be tighter because we will increase the fines and penalties as well. So, it is not correct to assume that we are liberalizing and allowing them without any regulation. If ever there are foreign investors in public service, maybe the foreign investments, as the good interpellator said, might not be one of the solutions but we have gone through decades and decades, allowing these Philippine investors to invest in telecommunications, in land transport, in marine transport, as well as in air transport, and up to today, since 1987 up to 2019, we still have poor service in our public service.

The solution is to have more companies to invest in these industries. One of the solutions that has been cited by NEDA is to allow foreign investors in some industries, but still maintain the regulation. This has been studied by NEDA and it has been recommended by NEDA, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, mayroon po ba kayong example ng Constitutional caps on foreign participation sa kasalukuyan? For example, Mr. Speaker, ...

REP. GARIN (S.). On public utility, there is a constitutional limitation that only Filipinos or Filipino companies can own 60-40, like—I am not sure what the good interpellator was asking for.

REP. BROSAS. Do you have any example of foreign participation or foreign direct investment dito sa Pilipinas, na nag-cap tayo ng foreign participation?

REP. GARIN (S.). For example, there is the exploitation of natural resources.

REP. BROSAS. For example, CNN media. Yes.

REP. GARIN (S.). For example, that is 60-40.

REP. BROSAS. For example, CNN media.

REP. GARIN (S.). Mass media ...

REP. BROSAS. Yes.

REP. GARIN (S.). ... 100 percent. Yes.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ano po ang naging garantiya na kapag tinanggal natin ito, competition will follow? Kung 100 percent iyong ...

REP. GARIN (S.). But we are not removing the limitations on mass media and exploitation of natural resources. We are only focusing on public utilities.

REP. BROSAS. Okay. On public utilities, for example, kung sa iba pong mga utilities, ...

REP. GARIN (S.). We have not removed it yet, hence, for the proposal on the amendment of the PSA, which is being deliberated today.

REP. BROSAS. So, we can guarantee na kapag ni-lift po natin, competition will follow, for example, sa water?

REP. GARIN (S.). We are not removing the limitations on water, Mme. Interpellator.

REP. BROSAS. What are the public utilities po?

REP. GARIN (S.). Public utilities that will maintain at 60-40 will be water and sewerage, as well as electricity, on distribution and transmission that will be 60-40.

REP. BROSAS. Sa telecommunications, for example, ...

REP. GARIN (S.). Telecommunications has been excluded as a public utility, so it can be opened to 100 percent ownership of foreigners.

REP. BROSAS. So, halimbawa, sa pagpasok ng Dito Telecommunity dito sa ating bansa, Mr. Speaker, honorable Sponsor, makakagarantiya ba ito na competition will follow?

REP. GARIN (S.). If there are investors, foreign investors, that are willing to invest in the Philippines, yes, it will increase the number of players. Today, in telecommunications, on mobile phones, for example, we have Globe, Smart, Sun, I am not sure what else, but

there are probably three or maximum of five operators for 100 million population.

REP. BROSAS. So, Mr. Speaker, honorable Sponsor, walang guarantee na ...

REP. GARIN (S.). What kind of guarantee do you need, Mme. Interpellator?

REP. BROSAS. ... competition will follow after?

REP. GARIN (S.). That will depend on the attractiveness of the Philippines as an investment destination in terms of telecommunications, because it is not only the opening of the foreign direct investments limitations, but also there are more variables that have been considered by the investors, depending on the kind of investors that are interested. It could be the infrastructure in the country, the labor force in the country, so many other variables. But, if you want an assurance that somebody will be interested in the Philippines, generally, I would say so because it is a very big market and it is one of the market that is good to participate in the industry of telecommunications.

At this juncture, Deputy Speaker Puno relinquished the Chair to Deputy Speaker Deogracias Victor "DV" B. Savellano.

REP. BROSAS. My point is, Mr. Speaker, honorable Sponsor, iyong nais ng mamamayan actually—magbibigay po ako ng mga example ng mga bills na mas gusto ng mamamayan for more state regulation and not deregulation. For example, ang bill ni Honorable Zarate, entitled: AN ACT EXPANDING THE POWERS OF NATIONAL TELECOMMUNICATIONS COMMISSION CLASSIFYING SHORT MESSAGING SERVICE AND INTERNET SERVICES AS UTILITIES IMBUE WITH PUBLIC INTEREST AND PROVIDING PENALTIES THEREOF, AMENDING REPUBLIC ACT NO. 7925 OTHERWISE KNOWN AS THE 'PUBLIC TELECOMMUNICATIONS POLICY ACT OF THE PHILIPPINES' FOR ITS PURPOSE'—so, it is for regulation, not deregulation.

Si Honorable Batocabe, ang bill niya, entitled: AN ACT REQUIRING ...

REP. GARIN (S.). Mr. Speaker, it is just that classifying it as a public service, not as a public utility, does not mean deregulation. That does not mean that all our laws will not apply in that industry and it is only the equity limitation that will be affected, Mr. Speaker.

REP. BROSAS. So, Mr. Speaker, honorable Sponsor, are there certain parts that will be affected?

REP. GARIN (S.). Only the equity limitation and not the regulation in terms of getting a franchise, getting permit for whatever operations that you may have. In acquiring assets, the regulations of the SEC or any other administrative agency will still be in place, Mr. Speaker.

REP. BROSAS. Okay. For example, Mr. Speaker, honorable Sponsor, sa bill ni Honorable Batocabe, entitled: AN ACT REQUIRING THE DISCLOSURE OF ALL CHARGES IN BILLING STATEMENTS ISSUED BY WATER, POWER AND ELECTRIC LIGHT, WIRE OR WIRELESS COMMUNICATIONS, AND WIRE OR WIRELESS BROADCASTING UTILITIES AND PROVIDING PENALTIES FOR VIOLATIONS THEREFOR, how would this affect iyong ano, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). That will still stay, Mr. Speaker, that will still be effective.

REP. BROSAS. Okay. Here is another, AN ACT MANDATING REGULAR REGULATORY AUDIT OF MERALCO BY THE COMMISSION ON AUDIT AS PRINCIPAL BASIS FOR VALIDATION OF RATES AS MAY BE GRANTED BY THE ENERGY REGULATORY COMMISSION ON SUCH POWER UTILITIES AND DISTRIBUTORS AND FOR OTHER PURPOSES—how will that affect it?

REP. GARIN (S.). That will still stay as how it is right now and even after the Bill is passed. It will still stay as effective as it is right now.

REP. BROSAS. Another one, the Bill of Honorable Rodriguez, entitled: AN ACT PROHIBITING PRIVATE ELECTRIC UTILITIES FROM COLLECTING SYSTEM LOSSES FROM THE CONSUMERS AND REDUCING THE CAP OF RECOVERABLE SYSTEM LOSSES OF RURAL ELECTRIC COOPERATIVES TO A MAXIMUM OF FIVE PERCENT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7832, AS AMENDED AND FOR OTHER PURPOSES.

REP. GARIN (S.). The same, Mr. Speaker, it would not be affected by the passage of this Bill.

REP. BROSAS. Okay. Mr. Speaker, honorable Sponsor, the assumption being put forward under this

measure seeking to amend the Public Services Act is that by lifting restrictions on the entry of foreign investments to local public services and supposedly encouraging competition, the government would improve the quality of basic services. Tama po ba ito, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Now, with that assumption, can the good Sponsor provide empirical proof in other settings that the entry of foreign and private players into public services has generated gains and has improved the quality of basic services. Saan po nakatungtong ang ganitong assumption, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). Mr. Speaker, I can get the data and submit these to the good interpellator but, in a general sense also, among the countries in the region which include Indonesia, Vietnam, Malaysia and Thailand, the Philippines is one of the most restrictive countries in terms of foreign direct investments. In fact, we are one—in effect, we are the least recipient of foreign direct investments. One of the countries that we were at par with before was Vietnam and once the entry of foreign direct investments came in, their economy increased, their growth rate improved way better than that of the Philippines. So, as it has been seen in other countries, by lifting some of the restrictions, it allows more investments into our country as well as it allows improvement in the lives of our constituents, Mr. Speaker.

REP. BROSAS. Now, Mr. Speaker, honorable Sponsor, we are talking here of the entry of foreign and private players in our public services, but you cannot provide me with examples here in the Philippines where nag-generate sila ng gains o nag-improve ng quality ng ating basic services. So, Mr. Speaker, honorable Sponsor, bakit natin ito gagawin kung wala tayong maibigay na example, Mr. Speaker?

REP. GARIN (S.). Mr. Speaker, I will just read through the list because it is quite lengthy. For example, the Philippine telecommunications or telecoms industry provides an instructive example on the impact of liberalization, but for more than six decades, a private monopoly operated our telecoms industry, generating substantial profit despite underinvestment and poor quality of services as measured by huge telephone backlog and long waiting time to own a phone.

The following are the impacts when the government liberalized the industry in the 1990s:

1. Increased competition. Nine new firms, all of which are joint ventures with foreign telecom

companies entered the industry and these firms are owned by prominent Filipino business leaders who tied up with big overseas telecom companies such as Deutsche Telekom, Singapore Telecom, Nippon Telegraph and Telephone Corporation.

2. Foreign equity ranged from 15 percent to 40 percent. A higher foreign direct investment grew from less than a million dollars in 1990 to US\$300 million in 1997.

3. Improved consumer welfare. More consumers became owners of landline phones, teledensity increased from less than one in 1990 to eight in 1997, and more municipalities were covered by telephone services. This is one example in telecom, Mr. Speaker. Further, the price of making international calls using mobile and paging services fell. Consumers also benefited from the diversified telecommunications services such as the mobile phone.

Another example would be the airline industry. When we only had the Philippine Airlines ...

REP. BROSAS. Again, Mr. Speaker, the ...

REP. GARIN (S.). ...the service was limited and the prices were very high, but when Cebu Pacific, Air Asia and Tiger Air came in, the services improved because of more competition. The prices also went down, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, we are sure that the World Bank and other multilateral bodies have enough of those best practices and examples of liberalized, deregulated and privatized services under public sector reforms. There is, however, evidence in many countries in Asia and in the West that the privatization and entry of transnational firms into public services had resulted in far worse quality of services, onerous rate hikes, huge job cuts, massive debts and state-funded profit guarantees.

Hindi na siguro natin kailangan lumayo. Power and water privatization in the Philippines have resulted into onerous rate hikes at ang taas po ng presyo ng tubig at kuryente, we have unreliable and poor service, halimbawa, dilaw po iyong tubig natin mula sa gripo ngayon saka may iba pa, ano. Hindi naman po iyon gumanda, hindi ba? Iyong batayang serbisyo na dapat ay abot-kaya ng ordinaryong Pilipino ay ginawang negosyo ng pribadong sektor, Mr. Speaker, honorable Sponsor.

Now, na binanggit na po natin iyong water and power services and we understand that the proposed amendments retain transmission and distribution of electricity as well as water distribution and sewerage system under the ambit of public utility. Tama po ba ito, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). Mr. Speaker, we are not removing the equity limitation on water and electricity. If the good interpellator wants to have international examples, we can cite that there were also success stories in liberalization in other countries—for example, in Indonesia, they were successful in the liberalization of transportation, electricity, gas and water sector. In Myanmar, telecommunications was also liberalized and they were very successful in that. In New Zealand, in their coastal shipping market, in fact, there are studies in the World Bank on the trade-inducing effects of restrictions in liner shipping. They have also found that liberalization in shipping industry was advantageous to the consumers. So, it can go both ways—the assessment and the examples given by the good interpellator are based only on water and electricity which are not, actually, being liberalized or we are not removing their limitations here in the proposal under the amendment on the Public Service Act, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, paano po maaapektuhan itong water and kuryente na services natin?

REP. GARIN (S.). We are specifically saying that it will stay as a public utility, hence, the constitutional limitations on foreign equity will remain and it is specifically listed or enumerated in the amendment that electricity distribution and transmission and water and sewerage services will stay as public utilities. Hence, the application of the Constitution on the limitations on foreign equity will stay, Mr. Speaker.

REP. BROSAS. Now, Mr. Speaker, honorable Sponsor, under this definition of public utility, all other public services including railways, mass transport, mass media, petroleum extraction, telecommunication systems and ports and shipping, will now be exempt from the constitutional restriction on 100 percent foreign ownership? Tanong ko po iyon, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Yes, Mr. Speaker,

REP. BROSAS. They are not part of the agenda of the ...

REP. GARIN (S.). I am sorry. Did you say mass media?

REP. BROSAS. Yes.

REP. GARIN (S.). Mass media, no, because it is not classified under the public utility.

REP. BROSAS. Railways?

REP. GARIN (S.). I am sorry.

REP. BROSAS. Railways.

REP. GARIN (S.). Railways is land transport, yes, it will be opened for ...

REP. BROSAS. Mass transport, it will be included in the foreign ownership ...

REP. GARIN (S.). Land transportation will be opened, will be liberalized.

REP. BROSAS. Mass media?

REP. GARIN (S.). No because there is a constitutional limitation on that.

REP. BROSAS. Petroleum extraction?

REP. GARIN (S.). Petroleum is only not considered a public utility based on jurisprudence as well as in the EPIRA, so ...

REP. BROSAS. So, it will be included?

REP. GARIN (S.). ... it has always been open to foreign investment without any limitation.

REP. BROSAS. It will be included. Telecommunications systems?

REP. GARIN (S.). Telecommunications will be opened to foreign direct investment up to 100 percent.

REP. BROSAS. Ports and shipping?

REP. GARIN (S.). Ports and shipping, that will be open to foreign direct investment as well.

REP. BROSAS. So, marami-rami po ito na ...

REP. GARIN (S.). Yes, Mr. Speaker, especially those industries that deliver poor services at a very expensive cost to our constituents.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ito po iyong...

REP. GARIN (S.). We need to improve those industries.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ito po iyong talagang iniisip natin, ano? Ito ay parte ng agenda for economic charter change, ano? Ang House Bill No. 78, sa tingin po ng Kinatawan na ito,

ay circumvention of the Constitution to allow entry of foreign players into the local public service. Iyong ating railways, mass transport, petroleum extraction, telecommunications, ports and shipping—lahat po iyan ay ibubukas ng 100 porsiyento sa pagmamay-ari ng mga dayuhan sa ating bansa. Iyon po iyong sinasabi natin kanina at kaya naglalagay tayo ng 60-40 ay para protektahan nga ang mga mamamayang Pilipino na hindi sila makapasok at para tayo ang mas higit na ang umunlad. Hindi dapat makapasok ang foreign control dito sa mga utilities o services na ito dahil, sa tingin namin, ito ay dapat i-retain at paunlarin ng mga Pilipino patungo sa pagiging Pilipino, at hindi po iyong patungo sa pagbubukas pa lalo ng higit na profit ng ibang mga bansa.

Now, Mr. Speaker, honorable Sponsor, we would not be surprised that under this measure, if enacted, iyong third telco po na Mislattel—Dito Telecommunity would unravel itself as a full-blown Chinese company operating in the Philippines. Ibig sabihin ba nito we are expecting more Chinese and other foreign firms taking over our public transport and telecoms sector once this measure is signed into law?

REP. GARIN (S.). Yes, it is possible, Mr. Speaker.

REP. BROSAS. So, Mr. Speaker, honorable Sponsor, hindi lang po usapin ito talaga ng public utility. Katulad po ng mga tanong ko sa Department of National Defense nitong nakaraan sa budget briefing at sa kung saan-saan pa, usapin din po dito na it will pose a national security sa ating bansa dahil paano ka magpapapasok ng 100 porsiyentong pagpapapasok ng foreign control sa ating bansa? Mr. Speaker, honorable Sponsor, ito po ay tantamount sa pagbibigay na or pagpaparaya sa kanila, at alam naman natin na—kailan pa naging Chinese ang Filipino? Ang Filipino po ay Filipino, hindi naman Chinese. So, kapag iyan po ay ibinigay na natin sa kanila, hindi ba natin naiisip kung anong consequences mayroon ito sa ating bansa, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). I am not sure what the interpellator meant—if we use a Chinese telecoms, we become Chinese?

REP. BROSAS. No, iyong ...

REP. GARIN (S.). I am trying to understand the argument, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, iyon po ay isang...

REP. GARIN (S.). Using another company that is not Filipino, we become non-Filipinized?

REP. BROSAS. Mr. Speaker, honorable Sponsor, ang sinasabi lang natin dito ay kapag ibinukas natin ng 100 percent sa Chinese company ang ating telecommunications, hindi nga sila Filipino, Chinese sila and so, ang ibig sabihin, nagbubukas ka na ng 100 porsiyento nga sa kanila dito sa ating bansa and it will pose a risk sa atin. Hindi naman sila Filipino, sila ay Chinese.

REP. GARIN (S.). So, it is because of national security concerns, Mr. Speaker, that we are

REP. BROSAS. Yes, Mr. Speaker.

REP. GARIN (S.). Hence, due to the various interpellations that we have had on this floor and also with the Committee Members, the substitute Bill will include a clause where the President can intervene in any transaction, merger or investment that will involve any risk in terms of national security. The President can intervene and he can actually stop any transaction that will be of national interest/ concerns. So, that is why we have provided that in the substitute Bill. It is not because of any variance in the definition, but it is a consideration that concerns our national security, Mr. Speaker.

REP. BROSAS. Yes, Mr. Speaker, honorable Sponsor, I was about to ask about that kasi iyon nga ang nasa Section 14 noong substitute Bill. Inilagay ninyo, “Number two, in the interest of national security, the President after review, evaluation and recommendation of the relevant government department or administrative agency may suspend or prohibit any merger or acquisition, transaction or any investment in a public service that effectively results in the grant of control, whether direct or indirect to a foreigner or a foreign corporation.” Iyan po ang nakalagay doon. Ang ibig sabihin ay binibigyan natin ng buong-buong kontrol ang ating Presidente para dito, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Yes, Mr. Speaker.

REP. BROSAS. Paano kung papayag siya, halimbawa, na 100 percent ownership ng Chinese ang telecommunications dito sa ating bansa, ang ibig sabihin po ay pupuwede na mag-espiya, pupuwede na direktang sila makuha ng data, iyong mga transmissions et cetera, ng ating mga pakikipag-usap, lalong-lalo na kung itatayo ang mga towers sa loob mismo ng mga base ng AFP at ng ating sandatahan, Mr. Speaker, honorable Sponsor. So, we would not have any protection kung ganoon, Mr. Speaker, honorable Sponsor, kapag ito ay pumasa bilang batas?

REP. GARIN (S.). Mr. Speaker, I just want to repeat

that the regulations will still be in place. The Privacy Act, the regulations or the charter of the administrative agency, the franchise itself or the concession agreement will still be in place. They are still subject to regulations of our country

In fact, for unfair competition, we have the PCC. We still have many regulations in place to protect the interests of the Filipinos. The foreign company can be from China, Brazil or Germany, it can be any foreign company, but any foreign company that will invest here is still subject to regulations, to our domestic laws. That does not exempt them, and just because they are foreigners does not mean that they are exempted from the limitations provided by our domestic laws as these are still in place.

Now, if the President thinks that there are concerns on national security, then, he can intervene, subject to the recommendation of whichever administrative agency or the PCC or the NEDA, so that he can stop the transaction. That is one clause that we have considered for the protection as regards national security concerns that had been expressed by many of our colleagues, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, kapag pinayagan po natin ang ganoon, ibig sabihin ay napakalaki talaga ng powers ng Presidente para gawin iyon.

REP. GARIN (S.). If the good interpellator has any recommendations on how to craft the provision, then we would consider them.

REP. BROSAS. Mr. Speaker, honorable Sponsor, my point here is, hindi po dapat natin binubukas sa foreign entities, especially, kung alam natin na magpo-pose ito ng security risk. It is a no-no sa ating kapakanan na rin, sa ating soberaniya na rin, sa usapin ng pagiging bansa natin. Huwag po natin hayaan ito, kahit pa nga sabi ninyo na kahit pa Australian, kahit ano pa iyan, kahit na anong bansa pa, they have no right na manghimasok sa ating bansa at kaya po importante ang definition. Katulad ng sinasabi nating telecommunications, it will involve a lot of implications, lalung-lalo na, sabi ko nga kanina, sa soberaniya ng bansa natin. Kapag pinapasok natin iyong Dito Telecommunity, ang sabi ay hindi natin alam kung ano iyong kanilang mga kukunin dito sa ating bansa, at eventually ay maapektuhan tayo kung ano man iyon. So, lalo pa ngayon na ang international situation sa usapin ng trade war ng China at ng US ay nagaganap.

Mr. Speaker, honorable Sponsor, I think ang clause na ito ay hindi po natin dapat basta-basta na lang tanggapin. Even if it is the President na nagsasabi ng ganyan, the President will have to be accountable to the people, sa mamamayang Pilipino, at dahil po ang

soberaniya natin ang nakataya, so, it is not just the President himself, Mr. Speaker, honorable Sponsor. Salamat po sa sinabi ng honorable Sponsor na kung mayroong suggestions kami regarding this kasi this is really problematic for us, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Yes, we will consider them. I did not say that we will accept, but we will consider, Mr. Speaker. *(Laughter)*

REP. BROSAS. Yes, Mr. Speaker, honorable Sponsor. *(Laughter)* You will consider, that is okay.

Mr. Speaker, honorable Sponsor, on the implications of the amendments to the Public Service Act, we noticed in the new definition of “public services” that “public market” is included. Does this mean that our public markets can now be fully-owned by foreign investors under the proposed measure? Paano na po ang mga maliliit na negosyanteng Pilipino, Mr. Speaker, honorable Sponsor?

REP. GARIN (S.). Mr. Speaker, public markets are subject to the regulations of the local government in which it is under. In fact, the inclusion of public market in the list of public services restricts it more because it will be subject to the provisions of the Public Service Act. Right now, the regulations would depend on the Local Government Code or the local government ordinances concerning public markets. In fact, right now, PSA or no PSA, there are no foreign direct investment limitations on public markets. Wala pong batas sa ngayon ang nagsasabi na kailangan lahat ng public markets ay 60-40 ang hatian. Even putting it here does not make a difference.

REP. BROSAS. Mr. Speaker, honorable Sponsor, gusto ko lang pong ipaalala kaya tayo may mga pampublikong pamilihan ay para sa kapakanan ng ating mamamayan, hindi po para sa ngalan ng tubo at negosyo. Iyong mga pamilihing bayan po sa mga lugar natin, doon pumupunta ang mga mamamayan natin at bumibili ng basic commodities, ng mga batayang pangangailangan po natin. Kapag ang mga iyan ay binuksan natin sa foreign control or foreign ownership, hindi po ba ito ay malaki namang pagsalaula sa ating mga pamayanan? Kaya nga public market, hindi po ba? Kung mapapansin ninyo, sa lahat po ng mga probinsiya natin, mayroon tayong mga public market at kung ibubukas po natin ito sa foreign ownership, ano na lang ang mangyayari diyan? Kahit nga po iyong mga tinapatan o nilagyan ng katapat na supermarket ay namamatay iyong ilang public markets natin pero mas malala ito kasi bubuksan pa natin sila sa foreign control and ownership, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). I agree but we are not touching the FDI limitations. I do not know if there are any limitations. I do not think there are any limitations, Mr. Speaker. That is something that should concern the LGU if they want to limit it, that only the residents therein should own. The PSA will not affect, maybe it will restrict the regulations as well as the fines and penalties that are provided but in terms of foreign direct investments, public markets will not make a difference in terms of equity limitations, Mr. Speaker.

REP. BROSAS. Next question, Mr. Speaker, honorable Sponsor. There is also a section in the proposed measure on the recovery of just and reasonable costs and the reasonable rate of return of investments. How will the good Sponsor interpret and measure the reasonable rate of return? Ano po ang regulatory safeguards natin sa aspetong ito?

REP. GARIN (S.). Mr. Speaker, there are different studies and findings, as well as jurisprudence on the reasonable rate of return. In the end, we have observed that there are different kinds of reasonable rate of returns in different industries. In the Meralco case, it was ruled at 12 percent. In fact, the different kinds of how you do the rate setting will depend on the industry.

We have decided in the Committee not to include in the calculation of the reasonable rate of return, the corporate income tax as well as, after the interpellation with Congresswoman Quimbo, remove the word “maximum” in the provision, Mr. Speaker.

REP. BROSAS. Yes, Mr. Speaker, honorable Sponsor. This is a concern on how the government will regulate fare hikes, for example, under the proposed measure if the foreign contractor or investor argues that he needs to ensure reasonable rate of return on his investments. Halimbawa, tataas lang po o baka tumaas nang tumaas lang ang pamasaha kapag ganoon.

REP. GARIN (S.). Mr. Speaker, I do not understand the logic that if it is a foreigner, then that foreigner will ask for an increase, then another increase and our administrative agency will just allow such increase. I mean, they will treat any public service or any public utility the same way as they are treating it now. Whatever is there in the regulation will still stay in the regulation. Whatever rate setting will still stay as long as they follow the general guidelines in the Public Service Act. They are not exempted from the limitations of the administrative agency, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, the reasonable rate of return na nakalagay doon, hindi po ba ito magbabago? Mr. Speaker, honorable Sponsor, sinasabi po ninyo na dahil may regulation naman et

cetera, it will be administered as ganyan pero ang nakalagay na reasonable rate of return—halimbawa, hindi natin tataasan pero sinabi ng foreign contractor na kailangan talaga na taasan na for these reasons.

REP. GARIN (S.). I think Filipino investors will also ask for that. Any investor would ask for that but we have the ERC, we have the LTFRB, we have all these agencies that will protect the consumers. In fact, the reasonable rate of return is just a general basis in the international and domestic market and we should allow a reasonable rate of return among our investors. It would be unfair to have them invest and oblige them but for them not to have any returns on their investment. That is tantamount to unfair treatment to our investors.

At the same time, we have to balance what is a reasonable rate for our consumers. Diyan po papasok, and as always, we have the CAAP, the LTFRB and the ERC which have always regulated these fares as long as the investors are given reasonable rate of return. That is how the international market treats us as well, that it is reasonable for both the investors as well as the consumers. It is not giving them a free ticket to increase everytime, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, ito nga po iyong tanong talaga namin—hindi ba mapanganib ang probisyong ito? We see this as an institutional guarantee for maximized profits out of the basic services.

REP. GARIN (S.). Mr. Speaker, we are not revising the PSA so that we can deprive the Filipinos of good services and good pricing. It is unfair to claim that we are doing this so that the investors will have more profits while the Filipinos suffer. That is exactly the opposite of the purpose of this amendment, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, iyan po ang sinasabi ninyo. The intent is good pero sa mga nakaraan po pagdating sa water services, sa sektor ng kuryente, hindi naman po ganoon ang nangyari, kaya nga ang sinasabi natin dito ay bigyan natin sila ng proteksiyon.

REP. GARIN (S.). If the good interpellator has a suggestion ...

REP. BROSAS. Kaya nga sinasabi natin dito ay paano tayo makakatiyak? In the first place, ang probisyong ito, Mr. Speaker, honorable Sponsor, ay hindi magre-resulta sa walang patumanggang pagtataas ng pamasaha at pagsingil sa batayang serbisyo, lalo pa kung dayuhan ang mamumuhunan sa mga sektor na ito, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). If the good interpellator has a suggestion on the amendment, then we will consider.

REP. BROSAS. Okay.

Anyway, Mr. Speaker, honorable Sponsor, on to my last point. In the case of the telecoms industry, we are worried na iyong transnational firms and foreign entities will have a free pass and access to critical and personal information of Filipino consumers. How will the government address this potential security risk brought about by the entry of foreign players? What will be the regulatory safeguards and cyber security measures for Mislattel, for instance?

REP. GARIN (S.). There is the Privacy Act, there is the PCC. There are regulations of the administrative agency as well as the conditions in the franchise or the authority or the certificates that are issued to them, Mr. Speaker.

REP. BROSAS. Mr. Speaker, honorable Sponsor, like for example the PCC, noong tinanong ko po ang PCC kung ano na ang mga kasong nakasampa and everything, mga ganyang tanong po, napakahirap din ng kalagayan nila dahil hindi nga nila ma-divulge iyong ibang cases, lalo na kung malalaki ang mga kumpanya at talagang matitindi ang interes nila dito sa ating bansa. Hindi ganoon kadali ang mag-regulate, at hindi rin ganoon kadali na asahan ang gobyerno natin na talagang mase-safeguard nito ang kapakanan ng mga Pilipino sa kasalukuyang kalagayan.

Ang worry po ng Kinatawang ito, baka magdulot ng mas lalong kapahamakan sa mga Pilipino iyong sinasabi natin na mga probisyon na pagbubukas o mala-Charter change nga at ang sabi nga namin dito, ito ay mga probisyon na sino-short cut ang Constitution, Mr. Speaker, honorable Sponsor. Kaya po ang measure na ito ay hindi namin talaga papayagan dahil ng provisions, sa tingin namin, ay hindi talaga makatitiyak ng pagtulong para sa kapakanan ng ating mamamayang Pilipino.

Maraming salamat, Mr. Speaker, honorable Sponsor.

REP. GARIN (S.). Thank you, Mr. Speaker.

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

REP. BOLILIA. Mr. Speaker, I move that we recognize the Gentleman from the First District of Samar, Rep. Edgar Mary S. Sarmiento, for his interpellation.

THE DEPUTY SPEAKER (Rep. Savellano). Rep. Edgar Sarmiento from Samar is recognized.

REP. SARMIENTO. Maraming salamat, Majority Leader. Magandang gabi po, Mr. Speaker, distinguished Sponsor. Nakikita ko po si distinguished Sponsor ay medyo pagod na po yata.

REP. GARIN (S.). Okay lang, Mr. Speaker, para sa bayan.

REP. SARMIENTO. Maiba po tayo, Mr. Speaker. Marami ang hindi nakakakuha sa pangalawang pangalan ko, Mary po talaga, paminsan Marie, kasi ang Mama ko ay devotee po ni Mama Mary.

REP. GARIN (S.). Yet, you do not look like a Mary, honorable colleague.

REP. SARMIENTO. Mr. Speaker, ako po ay hindi na masyadong magtatanong kasi marami na ang tinanong kay distinguished Sponsor, Mr. Speaker. Gusto ko lang maliwanagan, Mr. Speaker, tungkol po sa House Bill No. 78—ulitin po natin, to recapitulate, this is Commonwealth Act No. 146 which covers several public utilities including, among others, water, electricity, telecommunications and transportation. However, in the current House Bill No. 78, Mr. Speaker, distinguished Sponsor, it retains only the following public utilities--the distribution of electricity, the transmission of electricity, water pipeline distribution system or sewerage system and some others as recommended by the NEDA. Kapag sinabi po nating transportasyon, I am very specific, Mr. Speaker, distinguished Sponsor, nawawala po rito ang dalawang dynamics ng transportasyon, ang aviation and maritime, specifically the airport and the seaport.

REP. GARIN (S.). That is correct, Mr. Speaker.

REP. SARMIENTO. I am in agreement, Mr. Speaker, with opening some public utilities, distinguished Sponsor, to foreign direct investment; however, distinguished Sponsor, Mr. Speaker, the reality is that we do not have the specific government entity that will closely supervise foreign direct investments. Mr. Speaker, distinguished Sponsor, unlike in the United States, specifically, they have what you call the CFIUS or the Committee on Foreign Investment in the United States. The CFIUS, Mr. Speaker, Mme. Sponsor, is an interagency committee authorized to review certain transactions involving foreign investments in the United States, the purpose of which is to determine the effect of such transactions on the national security of the United States.

However, in the Philippines, sad to say, we do not have a central government agency that is specifically tasked to review all foreign investments or sabihin natin, sa mga implikasyon po sa ating national security.

Saan po pupunta ang direksiyon ko, Mr. Speaker, Mme. Sponsor? Since we do not have that central agency, prior to opening up foreign direct investment to foreigners, hindi po ba tama na higpitan natin ang ahensiya over and above sa NEDA, and the government agencies concerned that oversee foreign direct investment ay dapat maging interagency. Hindi po ba tama na unahin po muna natin ang ahensiya bago natin buksan ang mga industriya sa iba't ibang dayuhan, distinguished Sponsor, Mr. Speaker?

REP. GARIN (S.). Mr. Speaker, the CFIUS is an interagency committee in the US that reviews financial transactions on anything that will involve foreign investments.

We have actually considered incorporating that in the Bill and there have been suggestions on the format, but the CFIUS that we have to design should fit the Philippine business environment. In some cases, the CFIUS can *motu proprio* investigate, and in some cases, the foreign company or the domestic company can ask for clearance on any transaction that will increase the stake of the foreigners in the domestic company. We found it more appropriate to provide a general statement in which the President, together with the recommendation of the concerned agencies wherein we will likely also add the NEDA and PCC, that in case the President, in the interest of national security and after review, evaluation and recommendation of the relevant government department or administrative agency, may suspend or prohibit any merger or acquisition transaction or any investment in public service, not only public utilities but both public service and public utilities that effectively result in the grant of control, whether direct or indirect, to a foreigner or foreign corporation.

The additional phrase that we have added there where we found it fitting for NEDA to lead, that the NEDA shall promulgate the rules and regulations to implement the provisions of this section. We have decided to craft it like this not because we do not want a CFIUS in the Philippines, but we want our own version of the CFIUS in which the NEDA would be a better and more appropriate agency to formulate how the procedure will be done, Mr. Speaker.

REP. SARMIENTO. Salamat po diyan, Mr. Speaker, distinguished Sponsor. Ako ay natatakot kasi there are developments right now, hindi ko na lang po iisa-isahin at siguro nalalaman ninyo na ito, distinguished Sponsor, Mr. Speaker, na parang hindi po nagtutugma ang iba-ibang ahensiya. Sa totoo lang, nagiging rason pa po ito na sila pang nanggugulo sa bansa natin, parang natatalo pa yata ang mga Pilipino sa totoo lang. Ang isa naman nakikita natin, Mr. Speaker, distinguished Sponsor, iyong implikasyon po sa dalawang ahensiya

that handle foreign direct investments, specifically the PEZA and the Department of Finance po. Sana doon po sa sinabi ninyo, I do believe that the distinguished Sponsor—I look at her as a shining armor, in fact, in the House of Representatives—is really protecting the interests of the Filipino.

REP. GARIN (S.). Mr. Speaker, just one comment on the CFIUS. From what we have read on the procedures of CFIUS—and we have tried to adopt these here—the problem that we have seen is it might be another layer of red tape where before even contemplating to purchase or to do a merger or invest in the Philippines, the companies have to get clearance from another agency which, like in any agency, this could be abused or not well implemented in that case. That is why we have left it to the NEDA for it not to be a hindrance in accepting foreign investment but also to find balance in getting more investments while protecting the national interest of the country as well.

REP. SARMIENTO. I am with the distinguished Sponsor, Mr. Speaker, that even with the NEDA itself, they can create such an office within NEDA, puwede nilang gawin interagency po at hawakan na lang ito parang one-stop shop, na makikita na po na lahat—the Bureau of Internal Revenue, sabihin natin nandoon iyong representation ng Labor Department—kung saan na naa-address na po sa isang lugar lang po. Dito naman po, ang concern of this Representation, Mr. Speaker, distinguished Sponsor, ng Kinatawag po na ito—right now, I am the concurrent Chairman of the Committee on Transportation—ang nakikita ko po lang ay dalawang critical infrastructure and these are, again, the airports and the seaports. Bakit po? I still do believe that in these critical infrastructure of the land, dapat ang may-ari po ng mga ito ay ang gobyerno. Ang kinatatakutan ko po, Mr. Speaker, distinguished Sponsor, because sa ngayon po, as part of the procurement process of government, we are already now accepting what we call the “unsolicited proposals” as an acceptable mode of procurement by the NEDA.

REP. GARIN (S.). Yes.

REP. SARMIENTO. Ang kinatatakutan ko po—one specific example po ay ang Bulacan Airport, binuksan na po natin ito. I am hoping that I will not question because I believe—I think it is a fact or it is a knowledge to everyone that San Miguel is really a Filipino-owned entity, wala pong kuwestiyon diyan. Ang kinatatakutan ko po rito, ano pong mangyayari kung, halimbawa, we will not set a policy through NEDA at ibubukas po natin ang airport at ang seaport. These are international gateways to our land at parang hindi po yata maganda,

Mr. Speaker, Mme. Sponsor, na itong dalawang, sabihin nating imprastruktura, ay ibubukas po natin sa mga dayuhan na lamang. I still do believe that airports and seaports, Mr. Speaker, distinguished Sponsor, should be retained by our government, if not by Filipino nationalities, on a 60-40 sharing.

Dati naman ay hindi pupuwede silang pumasok pero ngayon, binubuksan natin. Kailangan po natin—sabihin natin ang kapitalista diyan ay dayuhan pero sana naman, bigyan po natin ng pagkakataon ang sinasabi natin na “Filipino first.” Sana naman itong mga imprastruktura will include, sabihin natin, ang railway terminals, maybe not transportation itself kagaya po ng eroplano o barko lang but the infrastructure like the hub, the transportation lands or docks, dapat po ay maliwanag po rito na ang may hawak po dapat dito ay Filipino, Mr. Speaker, Mme. Sponsor.

REP. GARIN (S.). Yes, Mr. Speaker. I understand the concern of the good interpellator. First of all, based on the definition that we have crafted of “public utility”, it is basically: number one, for a business to be a public utility, it should regularly supply, directly transmit and distribute to the public through a network, a commodity or service of public consequence; number two, it is a natural monopoly; number three, it is necessary for the maintenance of life and appreciation of the public; and number four, the person is obligated to provide adequate service to the public on demand. The seaports and airports are not natural monopolies because, for example, we have an airport in Iloilo, in Bacolod, in Roxas and in Kalibo, and these four are competing against each other, so, there is no monopoly.

In New York, I think there are two, or in Tokyo, there are two airports as well, so, these are not natural monopolies and hence, it cannot be considered under this—how we drafted the PSA, by definition, airports and seaports are not public utilities. I understand the concern of the good interpellator that it could be a national security issue and that is why we have made a provision on national security. Just to emphasize the importance of this topic as well as the CFIUS, in the US, they actually have different ways of assessing levels of national security threats. The primary characteristics would be scope or spatial distribution, the geographic area that could be affected by the loss or the invariability of the critical infrastructure which is, I think, what you are referring to, the severity or intensity or magnitude, the consequences of the disruption or destruction of a particular critical infrastructure and the effects of the time or temporal distribution, and the point that the loss of an element could have a serious impact. These are different ways of evaluating national security or national interest concerns.

The CFIUS even has more public effect, economic effect, political effect, environmental effect. It could vary

and these considerations can be formulated by the NEDA when they are crafting the IRR for this very important provision. Several countries have different laws and we can still gather all these data and craft something that is more fitting to our country. So, yes, I do understand the concern when it comes to airports and seaports as these are entry points to our country and in some ways, whether public utility or not, it is vital that we have control in case of emergencies as well, Mr. Speaker.

REP. SARMIENTO. Thank you so much, distinguished Sponsor, Mr. Speaker, for that clarification. The fear again of this Representation really is that a gateway to the land, either through aviation or maritime, really should be owned by the government, if not by a Filipino entity, because clearly that is a reflection of the host country. Thank you po, Mr. Speaker.

Ngayon po, hindi ko na lang tatanungin kasi nasagot na niya po ito. Sinasabi natin na we do not want to violate what is in the Constitution and you have really responded to it. Na-cite ninyo ang articles, andito na po, kumpleto na, at sinabi ninyo rin po na hindi lang naman ang Pilipinas ang nag-qualify po ng sinabi ng distinguished Sponsor, relevant, Mr. Speaker, sa airport at sa seaport. To cite a few within the region, sa Singapore, though Singapore has corporate ties, a lot of its entities are really government owned. Germany practices the same, as their airports and seaports are owned by government. Japan’s airport and seaport, for the record, Mr. Speaker, distinguished Sponsor, they are owned by its government as well.

Mr. Speaker, hindi ko na lang po pahahabain kasi I am hoping that with that and really hearing it from no less than the distinguished Sponsor, I will just wait for such a time kung sakali magkakaroon man ng amendment.

REP. GARIN (S.). Yes.

REP. SARMIENTO. I am hoping that the distinguished Sponsor, Mr. Speaker, will allow me to come out with my own amendments and as what you said, whatever you are doing right now, Mr. Speaker, distinguished Sponsor, you said something about the love of country and so, I have to end my interpellation or manifestation with the same. The reason I have to stand up in Plenary is that I want to make sure that the interests really of the Filipinos, whatever the legislative branch of government will do, should be clearly for the interests of the Filipino First policy, and the interest as well, which is the most vital thing, of the national security.

Thank you so much, Mr. Speaker. Thank you so much, distinguished Sponsor.

REP. GARIN (S.). Thank you.

REP. SARMIENTO. Maraming salamat po.

REP. GARIN (S.). We will seriously consider if there is any proposal from the good interpellator especially on the section that we have proposed on the national security. If he has a better version or better proposal, then, we will seriously consider such.

Thank you.

REP. SARMIENTO. Maraming, maraming salamat po.

REP. GARIN (S.). Thank you, Mr. Speaker.

REP. SARMIENTO. Good night, Mr. Speaker. Thank you po, distinguished Sponsor.

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

REP. SINGSON-MEEHAN. Mr. Speaker, I move to recognize Rep. Sergio C. Dagooc from the APEC Party-List for his manifestation.

THE DEPUTY SPEAKER (Rep. Savellano). Hon. Sergio Dagooc is recognized.

REP. DAGOOC. Thank you, Mr. Speaker. Good evening to everyone.

I would like to manifest the following:

First, I am in full agreement with Hon. Edgar Mary Sarmiento as far as national security issues are concerned, particularly on the entry points like air and sea ports.

Second, I would like to call the attention of the honorable Sponsor that under Section 2(e) on the definition of distribution of electricity, the year that was stated here, in the enactment of EPIRA is 1991 and the correct year is 2001. The EPIRA was enacted in 2001.

Third, I would like to manifest that we will be submitting to the Committee, particularly to the office of the honorable Sponsor, some proposed amendments because there are existing laws governing electric cooperatives, particularly Republic Act No. 9136, Section 45 (c), paragraph 3, and Section 10 of Republic Act No. 10531, wherein electric cooperatives are allowed to generate its embedded generator within its franchise area directly connected to its distribution line in order to maintain lower electricity rates.

Under House Bill No. 78, since generation is already subject to competition, we would like to ensure that embedded generation facilities allowed by existing laws governing our operation, RA Nos. 9136 and 10531, should be effective as far as embedded generation is concerned.

I hope that will be seriously considered by the honorable Sponsor, Mr. Speaker.

REP. GARIN (S.). Just to comment on the manifestation of the good interpellator—we will maintain the electric industry as it is right now. Under the EPIRA, only transmission and distribution are public utilities and generation is not anymore a public utility. If the proposal of the good Sponsor is in line with what is in the EPIRA, we will seriously consider the proposal, Mr. Speaker, just to protect the industry, especially the electric coop sector, Mr. Speaker.

REP. DAGOOC. Thank you for that assurance, Mme. Sponsor, Mr. Speaker. That is all.

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

SUSPENSION OF CONSIDERATION OF H.B. NO. 78

REP. SINGSON-MEEHAN. Mr. Speaker, I move that we suspend the consideration of House Bill No. 78.

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

The consideration of House Bill No. 78 is hereby suspended.

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 4464 *Continuation*

PERIOD OF SPONSORSHIP AND DEBATE

REP. SINGSON-MEEHAN. Mr. Speaker, I move that we resume the consideration of House Bill No. 4464, and that the Secretary General be directed to read only the title of the measure.

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

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

THE SECRETARY GENERAL. House Bill No. 4664, entitled: AN ACT INSTITUTING REFORMS IN REAL PROPERTY VALUATION AND ASSESSMENT IN THE PHILIPPINES, REORGANIZING THE BUREAU OF LOCAL GOVERNMENT FINANCE, AND APPROPRIATING FUNDS THEREFOR.

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

REP. BOLILIA. Mr. Speaker, the parliamentary status of the measure is that it is in the period of sponsorship and debate. I move that we recognize the Chairperson of the Committee on Government Reorganization, Hon. Mario Vittorio “Marvey” A. Mariño from the Lone District of Batangas City.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Savellano). Hon. Marvey Mariño is recognized.

REP. MARIÑO. Thank you, Mr. Speaker. Thank you, Majority Leader.

I am ready to accept questions regarding House Bill No. 4664, Mr. Speaker.

REP. BOLILIA. Mr. Speaker.

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

REP. BOLILIA. Mr. Speaker, I move that we recognize Party-List Representative of ACT TEACHERS, Hon. France L. Castro, to interpellate the Sponsor.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Savellano). Hon. France Castro of ACT TEACHERS Party-List is recognized.

REP. CASTRO (F.L.). Thank you, Mr. Speaker.

Would the distinguished Sponsor yield to some clarificatory questions, Mr. Speaker?

REP. MARIÑO. Yes, Mr. Speaker.

REP. CASTRO (F.L.). Okay. The Bill is entitled: AN ACT INSTITUTING REFORMS IN REAL PROPERTY VALUATION AND ASSESSMENT IN THE PHILIPPINES, REORGANIZING THE BUREAU OF LOCAL GOVERNMENT FINANCE, AND APPROPRIATING FUNDS THEREFOR. Ito po ba iyong title ng ating Bill, Mr. Speaker?

REP. MARIÑO. That is correct, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Thank you.

According to Article I, Section 2, on the Declaration of Policy and Objectives:

It is the policy of the State to promote the development and maintenance of a just, equitable, impartial, and nationally consistent real property valuation based on internationally accepted valuation standards, concepts, principles, and practices.

Ang tanong ko po, Mr. Speaker, distinguished Sponsor, could you give us a brief description of our problems on the current system of real property valuation?

REP. MARIÑO. Mr. Speaker, the current valuation is done by various LGUs as far as the LGUs are concerned. Also, we have valuation coming from the different agencies such as the BIR, the Department of Public Works and Highways, the Department of Environment and Natural Resources, the Department of Trade and Industry, and the Department of Justice in case there is litigation concerning market values. We also have the National Housing Authority in cases of mortgage lending, and you also have the Land Bank of the Philippines, also expropriation rights as far as acquisition is concerned. Sa madaling salita po, ang layunin po ng pagse-set ng market values ay para ma-consolidate ang isang valuation standard at ang Bureau of Local Government Finance po ang magha-handle ng database na ito para po maiwasan iyong mga conflict among the market values of different agencies.

REP. CASTRO (F.L.). Okay. At nabanggit din po dito, to “maintain standards to govern the valuation of real property” at ang atin pong standard ay iyong international standard. Tama po ba, Mr. Speaker, G. Isponsor? At ano po ba itong sinasabi nating international standard”? Wala ba tayong sariling standard on valuation of our property? Kung iba-iba nga po talaga iyong standards ng valuation ng iba’t ibang LGU, bangko, et cetera, tayo po ba ay walang sariling standards na mailalagay dito sa Bill? Ano iyong international standards po na sinasabi natin dito sa Bill?

REP. MARIÑO. Mr. Speaker, wala naman pong sinasabing specific international standards. Ang sinasabi lang po dito ay magkakaroon ng consultation, mag-establish po ng Central Consultative Committee and also a Regional Consultative Committee para mabuo iyong market values of the different agencies. Ang sinasabi po dito ay wala naman po tayong standard na sinusunod. Ang gagawin lang po ay we will consolidate the market values at isa na lang po ang market value na masusunod sa lahat ng government agencies including local government units.

REP. CASTRO (F.L.). Okay. Malinaw po, Mr. Speaker, G. Isponsor, na hindi naman international standard ang susundin natin.

Sa pag-valuate ng ating mga lupain or real properties, what is our attitude regarding—halimbawa po iyong agricultural lands, industrial lands, residential lands, forestlands, other kind of lands or even ancestral domain?

Paano po ito maa-apply doon sa Bill natin ng valuation?

REP. MARIÑO. Mr. Speaker, lahat po ay dadaan sa isang consultation within the region kung ano po iyong tunay na value ng properties na ito at ito po ay isa-submit sa BILGF Executive Director, at dito po ay pagkakasunduan kung ano talaga ang value at kung papaano nagkaroon ng valuation iyong nasabing real properties, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Susundan ko lang po iyong tanong ko nito. Halimbawa po ay mayroon pong sinasabi ang ating Pangulo, maging iyong ancestral domains ay siya na iyong bahala na maghanap ng businessman na magde-develop doon. Ang ibig sabihin po ba nito, Mr. Speaker, G. Isponsor, na iyong mga ganitong mga lupain katulad ng agricultural ay magiging ang valuation niya—sabi ninyo kasi magkakaroon ng standard. Kaparehas ba siya noong sa residential or sa industrial, halimbawa, iyong agricultural, iyong valuation po ba niya ay katulad noong sa industrial lands?

REP. MARIÑO. Mr. Speaker, ...

REP. CASTRO (F.L.). Depende lang din po iyan sa klase o sa gamit ng lupa?

REP. MARIÑO. Mr. Speaker, kung ano po iyong gamit ng lupa at kung ano po iyong appraisal na gagawin at pagkakasunduan ng mga appraiser within the area, iyon din po ang magiging presyo ng lupa. If it is agricultural, then it will be classified as agriculture. If it is a residential, then it will be classified as residential. Wala pong magiging isang market value. There will be a schedule of market values, meaning lahat po ng ito ay magkakaroon ng kanya-kanyang market value.

REP. CASTRO (F.L.). Medyo i-educate ninyo lang po ako, Mr. Speaker, G. Isponsor, halimbawa sa Batangas, paano natin pag-iibahin iyong agricultural land sa Batangas na magiging kaparehas ng value ng agricultural land sa Ilocos? O kaya iyong residential land dito sa Maynila magiging kaparehas ng residential land po doon sa Laoag or Ilocos. Ganoon po ba iyon? O magkakaiba pa rin sila depende sa mapapagkasunduan doon sa area, Mr. Speaker, G. Isponsor?

REP. MARIÑO. Thank you. Mr. Speaker, in every LGU or in every area, magkakaroon po ng Regional Consultative Committee. Kung sino po iyong appraisers doon sa area na iyon at kasama, lalong-lalo na doon sa mga LGU, iyong mga assessor po, sila rin po ang kokonsultahin kung ano ang tunay na market value sa

area nila at iyon din po ang masusunod. Iyon din po ang isa-submit sa BILGF for the valuation. Hindi po magkakaroon ng pare-parehong presyo ang Manila at Batangas. Kung ano po iyong market value sa Batangas, for example, ay iyon din po ay based doon sa mga assessor or appraiser na nagkasundo-sundo doon sa area na iyon, Mr. Speaker.

REP. CASTRO (F.L.). Okay. So, ang sinasabi natin dito, “(b) Adopt market value as the single real property valuation base for the assessment of real property related taxes in the country x x x.” Nakalagay po kasi dito, “in the country”, hindi po nakalagay dito na depende po doon sa lugar. “x x x and for the valuation of real property for various transactions by all government agencies”.

Mr. Speaker, G. Isponsor, iyong sinasabi nating valuation, kanina ninyo pa po binabanggit iyong market value. Ano po ba ang ibig sabihin ng market value? Can you educate this Representation about market value and assessed value? Kasi po, hindi ba kapag nag-value tayo ng lupa ang tinitingnan, halimbawa, sa pagsa-submit ng SALN natin, ang kinukuha ay iyong market value. Could you educate this Representation, Mr. Speaker, G. Isponsor?

REP. MARIÑO. Ang market value po ay iyon po iyong estimated amount na willing to buy ang buyer and the seller is also willing to sell within a certain amount. Iyon po iyong takbuan, kung sa Tagalog, iyon po ang bilihan doon sa area na iyon. The market value represents the actual value of seller and the buyer getting together, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Kapag in-assess po natin iyong valuation ng lupa, we will be using the market value ...

REP. MARIÑO. Tama po ...

REP. CASTRO (F.L.). ... and not the assessed value? Hindi ba mayroon po tayong assessed value from the BIR? So, hindi na po ito gagamitin?

REP. MARIÑO. Tama po, Mr. Speaker, ang gagamitin na lang po natin ay iisang market value for the BIR and also for the LGUs and the other agencies that I mentioned earlier, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Thank you, distinguished Sponsor.

Another objective pa po is to promote the fiscal autonomy of local government units to provide basic services to their constituency by enhancing their capacity to generate local revenues from the real property. Dito po sa valuation, alam natin na iyong isa

po sa pinagkukuhanan ng pondo ng Special Education Fund ay iyong real property. At ngayon po, alam ninyo po, Mr. Speaker, G. Isponsor, iyong real property po, iyong 1 percent noong real property tax na kinukuha doon sa isang lugar ay napupunta po iyan sa Special Education.

Puwede ninyo po bang maipaliwanag iyong sinasabi natin dito na ma-enhance iyong capacity to generate local revenues from the real property? Ano po iyong magiging epekto nito sa magiging SEF natin?

REP. MARIÑO. Thank you, Mr. Speaker. Obviously, the new market value ng isa pong LGU, kapag po iyan ay nabago, which is karamihan po ng mga LGU ay hindi nag-a-update ng kanilang market values at ang kanila ding sanggunian ay hindi rin nag-a-update dahil ang assessed value po ay, aside from the market value, kasama rin po diyan iyong assessment level at saka iyong percentage. Kapag na-multiply mo po iyong tatlo, tataas. Puwedeng tumaas ang income ng isang LGU dahil mataas iyong market value or mataas din iyong assessment or mataas din iyong fixed rate. Habang tumataas po iyong income ng isang LGU, the 1 percent SEF is based on the actual real property tax collected, but the LGU still has the power to adjust the assessment value because sila po ang may kontrol noong fixed rate and also the assessment level. Ang binabago lang po natin dito ay iyong market value ng property.

Kapag na-update po iyong lahat ng market values ng property sa isang lugar, malaki po ang itataas ng income ng isang LGU, isang municipality, isang city, at isang province. At kapag lumaki po ang income ng, palagay natin isang probinsya o isang munisipyo, based on the computation of SEF, that automatically goes to the Special Education Fund, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Wala po bang provision dito, Mr. Speaker, G. Isponsor, iyong pagtataas naman, halimbawa, ng allocation natin sa SEF? Kasi sabi natin, tataas iyong market value, so lalaki iyong makukuha nating tax from that. Paano naman ito magta-translate, Mr. Speaker, G. Isponsor, doon naman sa benefit natin sa mga educational institution like sa mga public school? Kasi doon umaasa iyong ating Department of Education, iyon ang isa sa mga inaasahan na pondo. Wala po bang ganoong provision dito?

REP. MARIÑO. Well, that provision is in the Local Government Code, so, naka-automatic naman po. If you collect real property taxes, the 1 percent SEF goes to the LGU and that is decided by the local school board. Iyong local school board po ang nagde-decide kung saan gagastusin iyong SEF fund, which is for the repair and maintenance of the public schools. So, automatically po mataas iyong makukuha na mga benepisyong. Aside from that, most of the local governments will have an increase

in revenue. Isa po iyong real property tax na inaasahan o source of revenue ng isang LGU para gumanda ang kanilang revenue generation. Sa revenue generation po, doon po nila napapaganda ang kanilang city or municipality based on how they spend their revenues. For example, for services, for infrastructure, kapag ginawa natin ito, malaki po ang contribution ng revenue na makukuha ng local governments. In fact, the estimate is around P30 billion and that is just an estimate, if we update the market values. Dahil sa ngayon po, matagal nang hindi naa-update iyong market values.

REP. CASTRO (F.L.). Okay. Isa pa pong tanong ko, Mr. Speaker, G. Isponsor, medyo gusto ko ng inquiry about the right-of-way. Kanina binanggit ninyo iyong isa sa purpose din nitong Valuation Bill ay para doon sa right-of-way. Marami akong alam na situation kung saan mayroong mga proyekto ang government pero hindi natutuloy dahil nga doon sa problema doon sa right-of-way. Paano naman po maia-apply itong Bill na ito sa right-of-way and at the same time mapangalagaan po ang interes ng ating mga mamamayan?

REP. MARIÑO. That is a good question, Mr. Speaker. Kung ano po iyong market value na nag-a-apply doon sa property ay iyon din po ang pagbabasehan na bayaran. For example, sa Department of Public Works and Highways o DPWH, kung ano po iyong market value noong property—ng dadaanan, ay iyon din po ang ibabayad doon sa may-ari ng lupa. It will eliminate the disputes. Tumatagal po ang isang transaction kapag may dispute. For example, the property owner will go to the BIR for zonal value to make a case that it is of a higher amount, tapos siyempre po iyong DPWH or the LGU will base on the market value or the assessed value. So, doon po tumatagal at nagkakaroon po ng court cases. But in this case, kung iisa lang ang sinusunod natin, that will eliminate disputes as far as kung magkano iyong dapat bayaran doon po sa mga dinaanan na lupa ng gobyerno.

REP. CASTRO (F.L.). Isa pa pong tanong, Mr. Speaker, G. Isponsor. Ano po iyong magiging pagkakaiba ngayon noong market value as compared doon sa—may nabasa kasi akong just compensation doon sa right-of-way. Saan po mas may advantage iyong ating mga mamamayan dito?

REP. MARIÑO. Siyempre po, Mr. Speaker, doon sa market value.

REP. CASTRO (F.L.). Okay.

REP. MARIÑO. Because there is a set amount na puwede nang pagbasehan noong ating mga mamamayan. Hindi na po iyan magkakaroon ng dispute or conflict.

REP. CASTRO (F.L.). Okay, kasi may mga ilan akong nalalaman na cases, Mr. Speaker, G. Isponsor, na talagang nagkakatalo sila doon sa tinatawag na “just compensation.” Pero itong Bill na ito, iyon ang magko-correct ba doon sa sinasabi nating pag-a-avail o pagbibigay ng tamang pagpresyo noong lupa ng mamamayan?

Okay, next, “Provide a comprehensive and up-to-date electronic database of all real property transactions.” Ang tanong po, Mr. Speaker, mayroon na po ba kayong estimate na magiging budget kaugnay nito? Kasi mag-e-entail ito ng mga tao, personnel at saka machineries at computer, kasi magme-maintain ng electronic database. Paano po ito naging concrete dito sa Bill na ito, Mr. Speaker, G. Isponsor?

REP. MARIÑO. Thank you, Mr. Speaker. I have estimates for the PS, MOOE and Capital Outlay in the amount of P57.6 million with a total of 79 plantilla positions dahil iyong BLGF po ang magha-handle po noong data at ito po ay tutulong ng DICT para doon po sa proper equipment para po mapangalagaan iyong mga data na isa-submit ng mga LGUs and the other agencies na mapagkasunduan sa schedule of market values, Mr. Speaker.

REP. CASTRO (F.L.). Okay. So, in other words, Mr. Speaker, G. Isponsor, magke-create tayo ng isa pang parang attached agency ng DOF? Ganoon po ba iyon, Mr. Speaker, G. Isponsor?

REP. MARIÑO. No, Mr. Speaker. The Bureau of Local Government Finance is already an agency within the DOF, so dadagdagan lang po natin sila ng plantilla positions and budget para po mag-handle noong valuation. Hindi naman po ito nagdagdag, we just reorganized the Bureau of Local Government Finance para po sila iyong mag-handle ng nasasabi sa batas, nasasaad sa batas.

REP. CASTRO (F.L.). Okay. So magdadagdag lang po tayo dito ng personnel at sinabi ninyo po P57 billion or 59 billion ang kailangan?

REP. MARIÑO. No, no, Mr. Speaker, it is around 50 million, more or less, P57.6 million.

REP. CASTRO (F.L.). Ang P57.6 million, saan po ito puwedeng kuhanin?

REP. MARIÑO. Within the budget of the Department of Finance. Napakaliit po ng amount na ito kumpara sa benepisyo na maibibigay. For example, as I mentioned earlier, Mr. Speaker, the LGUs can gain as much as P30 billion in additional revenues. So, the amount I mentioned is very miniscule compared to the benefits that it will give in case we pass this Bill, Mr. Speaker.

REP. CASTRO (F.L.). So, kukuhanin po ito sa mga local government o sa GAA?

At this juncture Deputy Speaker Savellano relinquished the Chair to Rep. Juan Pablo “Rimpy” P. Bondoc

REP. MARIÑO. Sa national, sa DBM po, Bureau of Local Government Finance under the DOF, so it is a national budget. Sa GAA po ito kukuhanin, Mr. Speaker.

REP. CASTRO (F.L.). Okay. So, ang huling tanong po, Mr. Speaker, paano masasabi ng ating G. Isponsor na ang batas na ito ng valuation ay hindi siya magiging regressive law or regressive taxation?

REP. MARIÑO. Well, this is not really considered taxation since we are just updating, itinatama lang po natin iyong market values na dapat ay matagal ng naitama. We are not really proposing additional taxes; we are just correcting the market values, in which case, the market value is only one component of the assessment of properties, Mr. Speaker.

REP. CASTRO (F.L.). Okay. Thank you, Mr. Speaker, G. Isponsor.

Sinasabi dito, iyong Real Property Valuation System could not follow the international standards. Pero tingin ko po dito, mayroong new liberal trend wherein the market dictates almost everything in public transactions, hands off iyong gobyerno sa market at private parties na katransaksyon nila. Kung sa totoo lang, over valuation standards and—institutions have significantly adopted international valuation standards. In fact, the Bureau of Local Government Finance of the Department of Finance is one of this, as it is an institutional member of the International Valuation Standards Council. Tama po ba ito, Mr. Speaker, G. Isponsor?

REP. MARIÑO. Well, ang ibig pong sabihin ng sinasabing “international standards,” ibig sabihin ay katanggap-tanggap sa international community, when we have one schedule of market values at ito ay sinusunod ng lahat ng ahensya. Iyon po ang ibig sabihin, na ito ay katanggap-tanggap sa international community. If they invest here in our country, gusto rin nila na merong tamang basehan kung sila ay mag-i-invest based on the assessment, hindi po iyong iba-iba ang assessed o ang market values na tinitingnan. It is, like I said, to prevent conflicts among so different agencies. This is also for investors.

REP. CASTRO (F.L.). Opo.

REP. MARIÑO. So, ibig lang sabihin po ng

international standard ay katanggap-tanggap po sa mga international communities.

REP. CASTRO (F.L.). Okay. So, malinaw, Mr. Speaker, another measure na naman ito ng pagbibigay ng pabor doon sa mga foreign investment or foreign direct investment. Tama po ba? Sinasabi ninyo kanina na iyong foreign direct investments ay mayroon na silang masusundan na standards. So, ito po ba ay mas kiling doon sa mga batas natin na pinag-uusapan, mas kiling doon sa foreign investments?

REP. MARIÑO. Mr. Speaker, wala naman po itong kinikilingan, whether foreign or local. It is mainly for the benefit of our LGUs and different agencies. Ang sinasabi ko lang pong foreign investments ay kapag alam nila na maayos ang ating pagbuo ng market values ng ating mga properties, sila ay mas ma-eengganyong mag-invest sa atin but it does not mean na pinapaburan natin iyong mga foreigners over the locals. Ang locals naman po ang talagang makikinabang nito dahil dito naman po sa atin, ang may-ari po ng lupa ay local. Wala naman pong foreign properties na pinagbabasehan tayo, so ang may-ari po ay puro Pilipino.

At this juncture, Representative Bondoc relinquished the Chair to Deputy Speaker Deogracias Victor "DV" B. Savellano.

REP. CASTRO (F.L.). Okay. So, ano po iyong precautions natin laban sa overpricing ng mga lupa o lote for public projects? Mayroon po bang nakalagay dito na provision sa ating batas?

REP. MARIÑO. Gaya po nang nasabi ko kanina, may binubuo po iyan na committee, consultative committee, na ang mga miyembro ay ang Bureau of Internal Revenue, Department of Environment and Natural Resources, Bangko Sentral ng Pilipinas, national organization of appraisers in national government agencies, and private appraisal sector. So, iyan po iyong creation of a Central Consultative Committee.

So bago naman po magkaroon ng schedule of market values, kinu-konsulta naman po iyan doon sa lokal at sa region, saka po iyan aakyat sa BLGF ...

REP. CASTRO (F.L.). Okay.

REP. MARIÑO. ... for final decision.

REP. CASTRO (F.L.). Sige po, Mr. Speaker, G. Isponsor.

So, sinasabi ninyo po, by setting the prevailing market price as the basis for the appraisal or valuation, the Bill wants to lessen or totally take out—sinasabi ninyo nga kanina doon sa right-of-way, halimbawa—the

participation of the courts in expropriation, gagawin nang negotiated sale ang halos lahat ng transaction. Pero alam naman natin, Mr. Speaker, G. Isponsor, the courts are the guards against underpricing in public land acquisition, to ensure iyong just compensation na ibabayad sa mga property owner ay just talaga. So, ang ibig sabihin nito, ang value po ng real property ay magbabase doon sa sinasabi ninyong bubuuin na committee o bubuuin na body para mag-assess noong value ng market?

REP. MARIÑO. Para sa lahat po iyon, Mr. Speaker.

REP. CASTRO (F.L.). So, ang ibig sabihin, parang nile-lessen natin iyong karapatan dito ng mamamayan para mag-complain or gamitin ang korte para sa kanilang mga reklamo, halimbawa, kung tingin nila ay hindi just iyong compensation.

REP. MARIÑO. Hindi po inaalis iyong karapatan, Mr. Speaker. Mayroon pa rin pong proseso na dadaanan kung sa tingin nila ay hindi tama iyong market value na ibinibigay ng isang government agency.

Ang kagandahan nga po nito ay maiiwasan na iyong mga hindi pagkakasunduan dahil mayroon na nga pong na-set na market value. So, wala na pong basis iyong magko-complain kasi usually, kaya po iyan nagkakaroon ng dispute kasi iyong iba nagbabase po sa zonal value ng BIR, iyong iba naman po ay doon sa assessment value ng isang local government kung wala po silang ibang basis. Ito naman po ay basis na para sa lahat, so iisa lang po iyong basehan. Mami-minimize po iyong mga problema na pupunta pa sa korte para malaman kung ano talaga ang market value kasi na-set na nga po natin ang market value, so hindi po made-delay. Iyong maraming projects ng DPWH, for example, kaya po nade-delay ang malalaking proyekto ngayon ay dahil isa o dalawa doon sa dinaanan na right-of-way ay nagkakaroon ng problema. Kapag po iyan ay dumaan sa korte, magkakaroon po ng TRO, magkakaroon ng litigation, nade-delay po iyong isang malaking proyekto na dapat ay napakinabangan at nagawa iyong kalsada. One of the goals of this Bill is to minimize, if not eradicate such problem, Mr. Speaker.

REP. CASTRO (F.L.). Okay, on to my next question, Mr. Speaker, G. Isponsor.

So, how exactly will the Bill amend, accordingly, Section 41? Ito po iyong sa revised Administrative Code, saka iyong Local Government Code, particularly Section 19 on the power of eminent domain, iyong pag-expropriate o taking property—private property for public use. Iyong amount o percentage lang ba ang mababago o iyong fair market value o iyong prerequisites bago mag-expropriate?

REP. MARIÑO. Mr. Speaker, ang mababago lang naman po doon ay iyong market value. Wala naman pong iba, it is the same process. Tataas nga po kung anuman po iyong market value ng isang property. Iyon din naman ang basehan, whether it is the government, whether it is the LGU or whether it is iyong mga babayaran doon sa right-of-way. Wala naman pong magbabago doon sa proseso.

REP. CASTRO (F.L.). Okay, panghuli po, Mr. Speaker.

Sana itong batas na ito ay talagang magiging kapakinabangan sa ating mga mamamayan, lalung-lalo na po iyong mga nagsikap na mga kababayan natin na magkaroon sila ng private property. Ngayon, kapag kukuhanin po ng gobyerno for a project or whatever public use, dapat ay hindi naman magiging agrabyado iyong ating mga mamamayan pagdating doon sa valuation ng lupa o pag-aari ng ating mga mamamayan.

So, iyon lang po, Mr. Speaker, G. Isponsor. Salamat po.

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

REP. BOLILIA. Mr. Speaker, I move that we recognize Hon. Vic Yap of Tarlac for his interpellation.

THE DEPUTY SPEAKER (Rep. Savellano). Hon. Vic Yap of Tarlac is recognized.

REP. YAP (V). Mr. Speaker, would the Sponsor yield to a few questions?

REP. MARIÑO. Yes, Mr. Speaker. Thank you.

REP. YAP (V). Thank you.

Mr. Sponsor, in your own personal opinion, having gone through this proposal very extensively and proposing it now as a law, in your own opinion, relatedly, transaction costs when we sell properties, capital gains and documentary stamps, both for corporate and personal—sa tingin ninyo po ba ay mataas ito o mababa or tama lang? Kung sakali, papaano natin nasabing ganoon nga?

REP. MARIÑO. Mr. Speaker, ang sine-set naman po ng Bill na ito ay market value, so kung gagamitin po ito ng BIR for tax purposes, isa lang po iyong market value na susundin. Hindi na po iyon magkakaroon ng difference between the zonal value at saka iyong value doon sa local government. Iisa na lang po iyong susundin. It will be based on the market value kung magkano po iyong mga taxes to be generated.

REP. YAP (V). Mr. Speaker, gusto ko lang ulitin ho iyong aking tanong. Relatedly, iyong valuation, mamaya ko na ho pupuntahan. Ang aking gusto munang malaman sa panukala ng ating G. Isponsor, siya po ba ay naniniwala na iyong kasalukuyang transaction cost sa paglipat ng lupa sa pag-aari, tulad ng capital gains at documentary stamps, ito po ba, sa kaniyang palagay, ay mataas, tama lang o mababa? Kung maaari, bakit nasabing ganoon nga?

REP. MARIÑO. Mr. Speaker, sa tingin ko po ay tama lang kasi ang pinagbabasehan po natin ay iyong tunay na market value. Madami po kasing nangyayaring transaction na puwedeng pababain o pataasin, for that matter, iyong bases for the taxes. So, kapag mayroon pong naka-set na market value, hindi na po iyan subject to argument as far as kung puwedeng pababain. It also eliminates the discretion of the other agencies kung ito ay pabababain at bababa iyong koleksyon.

So, ako po ay naniniwala na ito ay tama. Whether it will be low or high, iyan po ay, siyempre, depende po iyan doon sa magiging market value.

REP. YAP (V.). Ang akin pong punto rito ay nagkakaroon po talaga ng behavior or reason kung bakit ang karamihan ay nagde-declare siguro ng mababa. Malamang ho, katulad ho ng corporate taxes ng mga real companies na naipapataw din sa mga bumibili—at ito, karamihan ay Pilipino—ay napapamahal.

Ito po ang punto kung bakit tinatanong ko na personal opinyon lamang ng ating Sponsor, kung ang capital gains rate at ang documentary stamps ay naaayon sapagkat kung talagang mataas iyan, ang tendency po talaga ay ibaba ang valuation.

Ngayon, iyon ho ang sa aking palagay ay malaking bagay sapagkat hindi rin natin makukuha ang talagang tamang valuation or dadayain or iibahin ang assessment kung sakaling masyadong mataas ito, Mr. Speaker.

REP. MARIÑO. Thank you.

Mr. Speaker, by the way, the capital gains tax and doc. stamps tax have already been reduced by TRAIN 1. Also, alam ko po iyong sinasabi ng Ginoong Interpellator, na kaya po pinapababa ay masyadong mataas iyong nakaset na market value. But for the purposes also of selling the property, it is also using the same value. So, ang in-eliminate po natin dito ay iyong possible na discrepancy o dayaan. Sabihin na natin sa Tagalog na pinapababa ang market value para lang mas mabababa iyong bayaran na mga documentary stamps, and that is subject to abuse, Mr. Speaker. Ito po ay mayroon naman tayong kaukulang batas na nagbababa na ng capital gains tax for corporations and documentary stamps. So, iyan po ay nakapaloob sa TRAIN 1.

REP. YAP (V.). Maraming salamat po sa katanungan.

Maaari ko po bang matanong, Mr. Speaker, ang ating Sponsor relative doon sa kompetisyon dito sa ASEAN nation states. Ang atin po bang capital gains, both for corporate and individuals, masasabi po ba natin kung nasa anong rate po ba iyong kanila para lang malaman po ng Representasyong ito?

REP. MARIÑO. Just a moment, Mr. Speaker, I will get the data.

Ang sinasabi po ba ng Ginoong Interpellator ay ang rates as compared to other ASEAN countries?

Mr. Speaker, sa ngayon po ay wala pa po akong datos na makuha relative to the question, but I will get the data as soon as we find out the answer to the question.

REP. YAP (V.). Mr. Speaker, if I may, habang naghahanap po ang ating Sponsor, mayroon po kaming data on some of the references available in Google kung magiging katanggap-tanggap ito, ang global property guide which basically checks on the capital gains tax rates among countries not only in ASEAN, but all over the world at dito nakatalaga, Mr. Speaker, Mr. Sponsor, na isa tayo sa pinakamataas in terms of CGT. So, kung papatawan pa natin ng mataas na valuation at hindi natin makikita at malalaman iyan, at ang gusto lang natin ay revenues, mag-isip-isip naman ho tayo na, talagang ilagay naman natin sana na hindi maalis din iyong competitiveness. Mataas na nga ang presyo ng kuryente sa bansa natin, mataas pati ang sa tubig, mataas pa rin ang sa lupa, papaano natin maaasahan na magiging competitive tayo sa investment? In TRAIN 1, nilagay na nga natin na i-disregard iyong PEZA na iyan at baka naman imbis na makabuti ito, sa sumang total ito ay makasama kaya sana ho ilagay lang sa balanse.

At the end of the day, actually, iyong pagkakasulat naman ng inyong law, iyong valuation, sine-separate iyon pero sa pagpasa nito, kapag na-consider natin iyong CGT as a given, sa overall context ay tatamaan din tayo kung imo-move natin iyong valuation. In this regard, kapag sinabi nating international standards, doon na rin ikukumpara ang ating tax rate sa ibang bansa na kung saan tayo ay nakalagay sa top tier na mataas ang CGT.

REP. MARIÑO. Well, Mr. Speaker, the market value will go through a process, the estimate and valuation will go through a process. There is a consultative committee which includes the BIR. So, as one of the members of the consultative body, the BIR will, more or less, know iyong tamang amount so far as hindi naman ganoon kalaki ang impact when we do the new market values.

Just the same in the local government units, ganoon din po sa local government units, na kapag binago ninyo iyong market value at malaki ang itinaas, magreklamo naman po iyong mga mamamayan. But, again, the local government units can also adjust the impact of the new set of market values based, at doon po nila iyon i-adjust, sa assessment level at sa fixed rate. So, I am not familiar as to how they estimate the capital gains tax, but I think the impact will be studied doon sa committee na maki-create.

Ang layunin lamang po ng Bill na ito ay magkaroon ng standard market value. As to the impact, each agency will have to determine the real impact on the taxes. For example, the BIR and the DOF are also in charge of the rates, so, dadaan naman po sa kanila ito. I have the information that the capital gains tax is used to be 20 percent, now, it is a flat six percent under the TRAIN Law and with this, malaki na po iyong naibaba ng capital gains tax. So, siguro iyong adjustment doon sa market values will not really set a burden for other corporations and other investors.

REP. YAP (V.). Nabanggit ninyo na may remedy ang ating mga kababayan sapagkat sa pamamagitan ng mga local government units, puwedeng arbitrarily i-set nila ng mas mababa kaysa sa ibang mga LGUs, ganoon po ba?

REP. MARIÑO. No, Mr. Speaker. Ang isi-set po ng LGUs ay iyong assessment level and the fixed rate. Ang market value po ay hindi magbabago as proposed by the Bill.

REP. YAP (V.). Opo, tama po. Iyong assessment level ang puwede nilang galawin, hindi po ba?

REP. MARIÑO. Opo.

REP. YAP (V.). So, arbitrary ba ito sa mga local governments o i-fixed din ng ating batas na pinapasa?

REP. MARIÑO. The local government, Mr. Speaker, has the power to set the fixed rate and the assessment level. That is still within the power of the local sanggunian as set by the Local Government Code.

REP. YAP (V.). In harmonizing the laws, would the committee that will be created in this Bill recommend na i-impose o i-set ito na uniform once nagawa na ang mga valuation para hindi maging magulo? Sino ba talaga ang may last say sa batas na ito in terms of setting the local tax rates?

REP. MARIÑO. Mr. Speaker, the local tax rates are

still compiled and assessed by the local assessor and the local assessor will submit these to the Bureau of Local Government Finance in consultation with the regional consultative committee. So, kung ano naman po ang assessment na iyon, iyon din po ang ipapasa doon sa BLGF. The BLGF is only the holder of the data and so, kung anuman po iyong napagkasunduan doon sa, for example, local government, sila rin po ang mag-submit noon, at iyon namang assessment ay sa LGU pa rin as the LGU still has the power, as I said, to adjust the assessment level on the type of property and also the rate as to the taxes. The local sanggunian, like I said, has the sole authority to fix the assessment rate. So in a city, for example, and the market values therein increased significantly, the LGU can still adjust it within a level that is acceptable to its constituents by adjusting the fixed rate and the assessment level, to assess a residential as compared to a commercial or industrial area. So, that is still within the power of the LGU, Mr. Speaker.

REP. YAP (V.). Maraming salamat po sa kasagutan. So, malinaw na puwede tayong magkaroon ng mataas na valuation sa isang lugar, ngunit kung ang mga local officials ay nais ibaba ang taxes para sa mga kababayan nila o ang mga may-ari ng lupa sa kanilang lugar, maaari nila pong magawa ito sa bawat parcel, bawat property at bawat schedule?

REP. MARIÑO. Mr. Speaker, the assessor will have to make a tax impact study. So, siyempre po ang study na iyon ay ipinapasa din doon sa local chief executive. The local chief executive or the local sanggunian can adjust the assessment. For instance, if they intend to use it as an incentive for investors, puwede nilang babaan iyong assessment ng isang property as compared to another area, but only based on the adjustment of the assessment level and the tax rate but not the market value because the market value will be a set market value for everybody.

REP. YAP (V.). I am in agreement, Mr. Speaker, that we have to have a good equitable system of valuation kaya lang napapaisip pa rin ako kapag sinabi ng ating Sponsor ang mga panukala na nag-udyok sa kanya para ipasok ito sa ating Plenary ay ang magkakaroon ng P30 billion in one year. Kung ang pagkukunan talaga nito ay mula sa mga malalaking kumpanya, mabuti siguro, pero kung karamihan naman nito ay manggagaling sa mga personal na tao, sa palagay ko ay hindi naman na kinakailangan pang pahirapan pa kaya bumabalik tayo doon sa tax rate.

Panghuli na lamang po dahil gusto kong malaman doon sa sources ninyo, Mr. Sponsor, noong sinabi ninyong 20 percent ang tax rate ng capital gains, gusto kong malaman sa anong taon nagkaroon ng 20 percent tax rate ang capital gains sa bansang ito na binanggit ninyo?

REP. MARIÑO. Anyway, to answer the other concern of the Gentleman, iyon pong pangamba na ang tatamaan ay iyong mga property owners, again, the assessment level is within the power of the local sanggunian. So, it is up to them kung sino po iyong lalagyan nila ng taxes, for example, sa commercial, industrial lang at hindi naman nila gagalawin iyong agricultural or residential, that is still within the power of the local sanggunian.

So, it is still the same power kaya lang nabanggit ninyo po, G. Interpellator, iyong gain na P30 billion, that is an estimate. Karamihan po ng LGUs ay hindi talaga nag-a-update ng kanilang schedule of market values, whether it is because of political consequences or whether they are inefficient or whether they cannot make the proper assessments on time. Napakahirap po talaga na dumaa sa proseso ng pag-a-assess o pagbabago ng market values as we all know, and we went to the local governments, it is sometimes politicized kaya po karamihan ng LGUs ay hindi nagkakaroon ng magandang revenue generation is because of those instances.

Now, kapag po mayroon talagang set na market values, the market values will be adjusted almost consistently every three years, if not, then these will be updated and so, depende naman po iyon doon sa local government kung ano iyong impact because the assessor will have to study the impact. In fact, they will prepare three proposals as to the impact to the local government or to their taxpayers.

REP. YAP (V.). Mr. Sponsor, tanggap ko na po iyan at mabuti naman puwede maging leveraging ang local government, depende doon sa kanilang pagtakbo o panukala, kung gusto nila para sa mga investor na mas mababa ang assessment rate noong mga industrial lands nila, and so forth.

Ang binabalikan ko lang po, doon sa kabuuan na may P30 billion, sana naman hindi patawan ang mahihirap o iyong maliliit na nagmamay-ari. Otherwise, we will find more Filipinos in the future having no more lands at iyan ang hindi natin gustong mangyari sana. Kaya binabalikan ko, baka naitanim sa ating Sponsor na ang capital gains rate natin ay naging 20 percent at ngayon ibinaba sa six percent. Kaya ang tanong ko po, Mr. Speaker, doon sa mga nag-abot na nasa likod ng ating Sponsor, kailan po ang panahon na naging 20 percent ang capital gains rate?

REP. MARIÑO. Mr. Speaker, I apologize. Earlier, I gave the wrong data. The 20 percent was for the estate tax, it was not the capital gains tax. So, the estate tax was reduced from 20 percent to six percent, and the capital gains tax is at six percent, Mr. Speaker. I apologize.

REP. YAP (V.). Mr. Speaker, I emphasized the point that, for persons who are supporting our colleague here, they should not be giving documents dito mismo sa Plenary na erroneous. It was not the error of the Sponsor, Mr. Speaker.

Thank you.

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

SUSPENSION OF CONSIDERATION
OF H.B. NO. 4664

REP. BOLILIA. Mr. Speaker, I move that we suspend the consideration of House Bill No. 4664.

I so move, Mr. Speaker.

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

The consideration of House Bill No. 4664 is hereby suspended.

The Majority Leader is recognized.

RECONSIDERATION OF THE APPROVAL
OF JOURNAL NO. 18

REP. BOLILIA. Mr. Speaker, with leave of the House, I move that we reconsider the approval of Journal No. 18 dated September 10 to 13 and 16 to 20, 2019 to allow for perfecting amendments.

I so move, Mr. Speaker.

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

REP. BOLILIA. Mr. Speaker, on page 122 of the said Journal, under the Election of Members of the Committee on Micro, Small and Medium Enterprise Development, I move to delete the name of Rep. Ferdinand L. Hernandez and in lieu thereof, insert the name of Rep. Ruth Mariano-Hernandez.

I so move, Mr. Speaker.

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

APPROVAL OF JOURNAL NO. 18,
AS AMENDED

REP. BOLILIA. Mr. Speaker, I move that we approve Journal No. 18, as amended.

THE DEPUTY SPEAKER (Rep. Savellano). Is there any objection to the motion to approve Journal No. 18, as amended? (*Silence*) The Chair hears none; the motion is approved.

SUSPENSION OF SESSION

REP. BOLILIA. Mr. Speaker, I move that we suspend the session until tomorrow at three o'clock in the afternoon of Wednesday, October 2, 2019.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Savellano). Is there any objection? (*Silence*) The Chair hears none; the session is suspended until tomorrow, Wednesday, October 2, 2019, at three o'clock in the afternoon.

It was 8:56 p.m.