



# Congressional Record

PLENARY PROCEEDINGS OF THE 18<sup>th</sup> CONGRESS, FIRST REGULAR SESSION

## House of Representatives

Vol. 4

Monday, May 18, 2020

No. 57

### CALL TO ORDER

*At 3:00 p.m., Deputy Speaker Raneó “Ranie” E. Abu called the session to order.*

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

Please rise for a minute of prayer and meditation. May we hear from our Rep. Stella Luz Quimbo from the Second District of Marikina City to lead us in the Invocation.

*Everybody rose for the Invocation.*

### INVOCATION

REP. QUIMBO. *Heavenly Father, as we begin another week of debate and deliberations, we ask for protection and guidance as we offer two haikus of hope:*

*In this time of fear,  
Heal us, Lord, carry us through  
Our faith is in You.*

*May Congress bring light  
Face life post-COVID eyes bright  
Let's begin anew.*

*May we be instruments in bringing Your good and holy will to our people today and every day.  
Amen.*

### NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Abu). Please remain standing for the singing of the Philippine National Anthem.

*Everybody remained standing for the singing of the Philippine National Anthem.*

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

### ROLL CALL

REP. MACAPAGAL ARROYO. Mr. Speaker, I move that we call the roll of House Members.  
I so move, Mr. Speaker.

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

The Secretary General is hereby directed to call the roll of Members.

*The Secretary General called the roll, and the result is reflected in Journal No. 57, dated May 18, 2020.\**

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 302 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Abu). With 302 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

REP. MACAPAGAL ARROYO. Mr. Speaker, the Journal of the previous sessions had been given out to the Members of the Lower House, giving them enough time to read this. With this, Mr. Speaker, I move that we dispense with the reading of the Journal.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; the reading of the Journal is dispensed with.

The Majority Leader is recognized.

### APPROVAL OF THE JOURNAL

REP. MACAPAGAL ARROYO. Mr. Speaker, I move that we approve Journal No. 56 dated May 11, 12 and 13, 2020.

\* See ANNEX (printed separately)

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; Journal No. 56 dated May 11 to 13, 2020 is approved.

The Majority Leader is recognized.

REP. CRISOLOGO. Mr. Speaker, I move that we proceed to the Reference of Business and request that the Secretary General be directed to read the same.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; the Secretary General is hereby directed to read the Reference of Business.

#### REFERENCE OF BUSINESS

*Upon direction of the Chair, the Secretary General read the following House Bills and Resolutions on First Reading and Committee Reports, which were referred to the appropriate Committees hereunder indicated:*

#### BILLS ON FIRST READING

House Bill No. 6733, entitled:

“AN ACT INSTITUTIONALIZING AN INSTALLMENT PAYMENT SCHEME ON BASIC UTILITY BILLS DURING CALAMITIES, AND FOR OTHER PURPOSES, TO BE KNOWN AS THE ‘THREE-GIVES LAW’ ”

By Representatives Yu, Labadlabad and Nava  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Bill No. 6734, entitled:

“AN ACT INSTITUTIONALIZING THE ADOPT A POOR HOUSEHOLD PROGRAM”

By Representative Zubiri  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Bill No. 6735, entitled:

“AN ACT ESTABLISHING THE PHILIPPINE MARINE CORPS, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

By Representatives Fariñas (Ria) and Fariñas (Rudys Caesar)  
TO THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY

House Bill No. 6736, entitled:

“AN ACT ESTABLISHING A TECHNICAL EDUCATION AND SKILLS DEVELOPMENT

AUTHORITY (TESDA) TRAINING AND ASSESSMENT CENTER IN THE MUNICIPALITY OF PIDDIG, PROVINCE OF ILOCOS NORTE, TO BE KNOWN AS ILOCOS NORTE TESDA TRAINING AND ASSESSMENT CENTER, AND APPROPRIATING FUNDS THEREFOR”

By Representatives Fariñas (Ria) and Fariñas (Rudys Caesar)  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 6737, entitled:

“AN ACT DESIGNATING SECURITY GUARDS OF DULY ACCREDITED AGENCIES AS AGENTS OF PERSONS IN AUTHORITY WHILE ENGAGED IN THE PERFORMANCE OF OFFICIAL DUTIES, AMENDING FOR THE PURPOSE ARTICLE 152 OF ACT NO. 3815 OTHERWISE KNOWN AS THE REVISED PENAL CODE”

By Representative Cabochan  
TO THE COMMITTEE ON PUBLIC ORDER AND SAFETY

House Bill No. 6738, entitled:

“AN ACT STRENGTHENING THE PHILIPPINE SPORTS COMMISSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6847, OTHERWISE KNOWN AS THE PHILIPPINE SPORTS COMMISSION ACT”

By Representative Cabochan  
TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

House Bill No. 6739, entitled:

“AN ACT INCREASING THE PENALTY IMPOSED AGAINST POLLUTERS OF NAVIGABLE WATERS BY AMENDING SECTION 7 OF PRESIDENTIAL DECREE NO. 979 PROVIDING FOR THE REVISION OF PRESIDENTIAL DECREE NO. 600 GOVERNING MARINE POLLUTION”

By Representative Cabochan  
TO THE COMMITTEE ON ECOLOGY

House Bill No. 6740, entitled:

“AN ACT REGULATING THE PRACTICE OF THE AGRICULTURE PROFESSION IN THE PHILIPPINES, CREATING FOR THE PURPOSE A PROFESSIONAL REGULATORY BOARD FOR AGRICULTURISTS, AND APPROPRIATING FUNDS THEREFOR”

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

House Bill No. 6741, entitled:

“AN ACT MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A RAINWATER HARVESTING FACILITY IN ALL NEW INSTITUTIONAL, COMMERCIAL AND RESIDENTIAL DEVELOPMENT PROJECTS IN METRO MANILA”

By Representative Cabochan  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 6742, entitled:

“AN ACT ESTABLISHING A REWARDS FOR INFORMATION CONCERNING TERRORISM PROGRAM AND APPROPRIATING FUNDS THEREFOR”

By Representative Cabochan  
TO THE COMMITTEE ON PUBLIC ORDER AND SAFETY

House Bill No. 6743, entitled:

“AN ACT INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING MECHANISMS FOR ITS INSTITUTIONALIZATION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Cabochan  
TO THE COMMITTEE ON TOURISM

House Bill No. 6744, entitled:

“AN ACT MANDATING THE USE OF RECYCLABLE OR BIODEGRADABLE MATERIALS FOR THE PACKAGING OF CONSUMER PRODUCTS”

By Representative Cabochan  
TO THE COMMITTEE ON ECOLOGY

House Bill No. 6745, entitled:

“AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO REGULATE FARM GATE PRICES FOR AGRICULTURAL AND FISHERIES PRODUCTS AND FOR OTHER PURPOSES”

By Representative Barba  
TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 6746, entitled:

“AN ACT STRENGTHENING THE NATIONAL PREPAREDNESS AND RESPONSE TO PUBLIC HEALTH EMERGENCIES”

By Representatives Suansing (Estrellita) and Suansing (Horacio)  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Bill No. 6747, entitled:

“AN ACT AMENDING SECTION 386 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991”

By Representative Salo  
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 6748, entitled:

“AN ACT RENEWING THE FRANCHISE GRANTED TO PALAWAN BROADCASTING CORPORATION UNDER REPUBLIC ACT NO. 8060 ENTITLED ‘AN ACT GRANTING THE PALAWAN BROADCASTING CORPORATION A FRANCHISE TO INSTALL, CONSTRUCT, OPERATE AND MAINTAIN COMMERCIAL RADIO AND TELEVISION BROADCASTING STATIONS THROUGHOUT THE PHILIPPINES’ FOR TWENTY-FIVE (25) YEARS FROM THE EFFECTIVITY OF THIS ACT”

By Representative Acosta  
TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

#### RESOLUTIONS

House Resolution No. 862, entitled:

“RESOLUTION APPEALING TO HIS EXCELLENCY RODRIGO RODRIGUEZ, PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES, AND THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH) TO SUSPEND THE IMPLEMENTATION OF PHILHEALTH CIRCULAR NO. 2019-0009 WHICH TOOK EFFECT 7 DECEMBER 2019 INCREASING THE PHILHEALTH CONTRIBUTION PREMIUM OF MEMBERS, INCLUDING DOCTORS AND HEALTH WORKERS, IN VIEW OF THE ECONOMIC CHALLENGES CREATED BY THE COVID-19 PANDEMIC”

By Representative Robes  
TO THE COMMITTEE ON HEALTH

House Resolution No. 863, entitled:

“A RESOLUTION URGING THE HOUSE OF REPRESENTATIVES, THROUGH THE COMMITTEE ON LEGISLATIVE FRANCHISES, TO ADMONISH THE NATIONAL TELECOMMUNICATIONS COMMISSION ON ITS FAILURE TO COMPLY WITH THEIR COMMITMENT UNDER OATH AND TO CONDUCT AN

INQUIRY, IN AID OF LEGISLATION, ON THE SAME AND ON POSSIBLE MEASURES TO BE TAKEN ON THE MATTER”

By Representative Sarmiento  
TO THE COMMITTEE ON RULES

SECOND TRANCHE OF THE EMERGENCY SUBSIDY PROGRAM”

By Representative Abellanosa  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Resolution No. 864, entitled:

“A RESOLUTION URGING THE DEPARTMENT OF HEALTH (DOH) TO PRIORITIZE, HASTEN AND FACILITATE THE ACCREDITATION OF THE CAGAYAN VALLEY MEDICAL CENTER (CVMC) AS LICENSED COVID-19 TESTING CENTER AND ALL GOVERNMENT TERTIARY HOSPITALS IN THE COUNTRY INCLUDING OTHER PUBLIC HEALTH FACILITIES THAT ARE CAPABLE AND/OR QUALIFIED TO ADMINISTER COVID-19 TESTING”

By Representative Lara  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Resolution No. 868, entitled:

“RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE NATIONAL GOVERNMENT PRIORITIZE THE FUNDING OF ECONOMIC RECOVERY, HEALTH MEASURES TO PROTECT THE PEOPLE FROM COVID-19, AND SOCIAL SERVICES PROGRAMS INSTEAD OF PUSHING THROUGH WITH THE DEAL TO PURCHASE ATTACK HELICOPTERS AND OTHER MILITARY EQUIPMENT IN THE MIDST OF THE PANDEMIC”

By Representatives Brosas, Zarate, Cullamat, Gaité, Castro (France) and Elago  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Resolution No. 865, entitled:

“A RESOLUTION EXPRESSING PROFOUND SYMPATHY AND SINCERE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEMISE OF FILMMAKER PEQUE GALLAGA”

By Representative Olivarez  
TO THE COMMITTEE ON RULES

House Resolution No. 869, entitled:

“RESOLUTION EXPRESSING PROFOUND SYMPATHY AND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF VETERAN FILMMAKER AND PHILIPPINE FILM INDUSTRY ICON MAURICE RUIZ DE LUZURIAGA GALLAGA, OTHERWISE KNOWN AS PEQUE GALLAGA AND HONORING HIS LEGACY”

By Representative Gasataya  
TO THE COMMITTEE ON RULES

House Resolution No. 866, entitled:

“RESOLUTION DIRECTING THE HOUSE COMMITTEE ON WOMEN AND GENDER EQUALITY AND THE HOUSE COMMITTEE ON THE WELFARE OF CHILDREN TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE RISING CASES OF STATE-SPONSORED VIOLENCE AND ABUSE AGAINST WOMEN, CHILDREN AND THE LGBTQ+ SINCE THE IMPLEMENTATION OF THE ENHANCED COMMUNITY QUARANTINE, AND TO RECOMMEND MEASURES TO ENSURE THEIR PROTECTION ESPECIALLY DURING THE PERIOD OF THE COVID-19 PANDEMIC”

By Representatives Brosas, Zarate, Cullamat, Gaité, Castro (France) and Elago  
TO THE COMMITTEE ON RULES

House Resolution No. 870, entitled:

“RESOLUTION SEEKING FOR AN INVESTIGATION, IN AID OF LEGISLATION, ON THE ALLEGED MISHANDLING IN THE IMPLEMENTATION OF THE SOCIAL AMELIORATION PROGRAM PROVIDED FOR UNDER REPUBLIC ACT NO. 11469, OTHERWISE KNOWN AS THE ‘BAYANIHAN TO HEAL AS ONE ACT’ ”

By Representative Aumentado  
TO THE COMMITTEE ON RULES

House Resolution No. 867, entitled:

“RESOLUTION URGING THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT TO ENSURE THE TRANSPARENT AND EQUITABLE IMPLEMENTATION OF THE

House Resolution No. 871, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON HUMAN RIGHTS AND AGRARIAN REFORM TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON THE ILLEGAL MASS ARREST OF SIX FARMERS UNDER THE SAMAHAN NG MGA MAGSASAKA

SA CORAL NI LOPEZ (SAMACOLO) ON MAY 9, 2020 IN BRGY. CORAL NI LOPEZ, CALACA, BATANGAS BY THE COMBINED ELEMENTS OF PHILIPPINE NATIONAL POLICE, PHILIPPINE AIR FORCE AND PHILIPPINE ARMY”

By Representatives Cullamat, Zarate, Gaité, Brosas, Castro (France) and Elago  
TO THE COMMITTEE ON RULES

House Resolution No. 872, entitled:

“A RESOLUTION URGING THE HOUSE OF REPRESENTATIVES, THROUGH THE DEFEAT COVID-19 AD-HOC COMMITTEE, TO EMPOWER BARANGAYS THROUGH IMPROVED GRASSROOTS MAPPING FOR MORE EFFICIENT SOCIAL AMELIORATION PROGRAMS IMPLEMENTATION AND ACCOUNTABILITY”

By Representative Sarmiento  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Resolution No. 873, entitled:

“RESOLUTION URGING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION (DOTr), SEC. ARTHUR P. TUGADE, TO ESTABLISH RULES STRICTLY REQUIRING ALL COMMON CARRIERS INVOLVED IN INTER-ISLAND TRANSPORT OF PASSENGERS BY LAND, WATER, OR AIR, TO PREPARE AND RECORD DETAILED SEAT PLANS OF THEIR PASSENGERS DURING THE ENTIRE COURSE OF TRANSIT”

By Representative Gasataya  
TO THE COMMITTEE ON TRANSPORTATION

House Resolution No. 874, entitled:

“RESOLUTION URGING THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AS THE VICE CHAIRMAN FOR PREPAREDNESS OF THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL, TO DIRECT ALL LOCAL GOVERNMENT UNITS TO PREPARE THEIR EVACUATION CENTERS CONSISTENT WITH THE PERTINENT DEPARTMENT OF HEALTH COVID-19 GUIDELINES”

By Representative Salo  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

## COMMITTEE REPORTS

Report of the Committee on Health and the Committee on Appropriations (Committee Report No. 303), re H.B. No. 6727, entitled:

“AN ACT INCREASING THE BED CAPACITY OF THE SINAIT DISTRICT HOSPITAL IN SINAIT, ILOCOS SUR FROM TWENTY-FIVE (25) BEDS TO ONE HUNDRED (100) BEDS AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 1804

Sponsors: Representatives Tan (Angelina), Yap (Eric) and Savellano  
TO THE COMMITTEE ON RULES

Report of the Committee on Health and the Committee on Appropriations (Committee Report No. 304), re H.B. No. 6728, entitled:

“AN ACT INCREASING THE BED CAPACITY OF EAST AVENUE MEDICAL CENTER IN BARANGAY DILIMAN, QUEZON CITY FROM SIX HUNDRED (600) TO ONE THOUSAND (1,000) BEDS, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bills Numbered 3633 and 5210

Sponsors: Representatives Tan (Angelina), Yap (Eric), Suntay, Crisologo and Vargas  
TO THE COMMITTEE ON RULES

Report of the Committee on Health and the Committee on Appropriations (Committee Report No. 305), re H.B. No. 6729, entitled:

“AN ACT INCREASING THE BED CAPACITY OF THE ROSARIO DISTRICT HOSPITAL IN THE MUNICIPALITY OF ROSARIO, PROVINCE OF LA UNION FROM TWENTY-FIVE (25) TO FIFTY (50) BEDS AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 1776

Sponsors: Representatives Tan (Angelina), Yap (Eric) and Eriguel  
TO THE COMMITTEE ON RULES

Report of the Committee on Health and the Committee on Appropriations (Committee Report No. 306), re H.B. No. 6730, entitled:

“AN ACT INCREASING THE BED CAPACITY OF THE MAYOR HILARION A. RAMIRO SR. MEDICAL CENTER IN THE PROVINCE OF MISAMIS OCCIDENTAL FROM FIVE HUNDRED (500) TO ONE THOUSAND (1,000) BEDS, UPGRADING ITS PROFESSIONAL

HEALTHCARE SERVICES AND FACILITIES,  
AUTHORIZING THE INCREASE  
OF ITS MEDICAL PERSONNEL, AND  
APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House  
Bill No. 4744

Sponsors: Representatives Tan (Angelina), Yap  
(Eric) and Oaminal

TO THE COMMITTEE ON RULES

Report of the Committee on Health and the Committee  
on Appropriations (Committee Report No. 307), re  
H.B. No. 6731, entitled:

“AN ACT ESTABLISHING A GENERAL  
HOSPITAL IN THE CITY OF BACOLOD,  
PROVINCE OF NEGROS OCCIDENTAL,  
TO BE KNOWN AS THE BACOLOD  
CITY GENERAL HOSPITAL, AND  
APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House  
Bill No. 570

Sponsors: Representatives Tan (Angelina), Yap  
(Eric) and Gasataya

TO THE COMMITTEE ON RULES

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

RECONSIDERATION OF THE APPROVAL OF H.B.  
NO. 6732, AS AMENDED, ON SECOND READING

REP. PALMA. Mr. Speaker, last Wednesday, May  
13, 2020, House Bill No. 6732 was reported out by  
the Committee on Rules on First Reading and was  
subsequently approved on Second Reading on the same  
day. Records showed that the House had in the past,  
made use of the same procedure and that in fact, one  
of the bills in the Tenth Congress was actually enacted  
into law. However, due to the request of our Members  
who wish to make additional interpellations on possible  
amendments to the Bill—let me make this of record,  
Mr. Speaker, that at any time the House can approve this  
House Bill No. 6732 on Third Reading—but because of  
the insistence of our colleagues to interpellate further  
on the matter, I move that we reconsider the approval  
on Second Reading of House Bill No. 6732.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there  
any objection? (*Silence*) The Chair hears none; the  
reconsideration of the approval on Second Reading of  
House Bill No. 6732 is hereby approved.

The Majority Leader is recognized.

REP. PALMA. Mr. Speaker, I also move that we  
reconsider the termination of the period of amendments.

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

The Majority Leader is recognized.

REP. PALMA. Likewise, Mr. Speaker, I move  
that we reconsider the termination of the period of  
sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Abu). Is there  
any objection? (*Silence*) The Chair hears none; the  
termination of the period of sponsorship and debate is  
hereby reconsidered.

CONSIDERATION OF H.B. NO. 6732, AS AMENDED  
*Continuation*

PERIOD OF SPONSORSHIP AND DEBATE

REP. PALMA. Mr. Speaker, I move that we  
reconsider House Bill No. 6732, reopen the period  
of sponsorship and debate and proceed to the  
interpellation.

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

The Secretary General is hereby directed to read  
the title of House Bill No. 6732 for reconsideration  
on Second Reading and thus, we reopen the period of  
sponsorship and debate.

THE SECRETARY GENERAL. House Bill No.  
6732, entitled: AN ACT GRANTING THE ABS-CBN  
CORPORATION A FRANCHISE TO CONSTRUCT,  
INSTALL, OPERATE AND MAINTAIN RADIO AND  
TELEVISION BROADCASTING STATIONS IN THE  
PHILIPPINES, AND FOR OTHER PURPOSES.

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

REP. PALMA. Mr. Speaker, to sponsor our Bill, I  
move that we recognize the honorable Deputy Speaker  
Luis Raymund “LRay” F. Villafuerte Jr.

REP. VILLAFUERTE. Sponsorship pa ba ito  
ulit?

THE DEPUTY SPEAKER (Rep. Abu). The  
honorable Deputy Speaker LRay Villafuerte from the  
province of Camarines Sur is recognized to sponsor  
House Bill No. 6732.

REP. PALMA. Mr. Speaker, the first to interpellate

on House Bill No. 6732, I move that we recognize Hon. Edcel C. Lagman from the First District of Albay.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Hon. Edcel C. Lagman from the First District of Albay is recognized to interpellate the Sponsor.

Honorable Lagman, you may proceed.

REP. LAGMAN. Thank you, Mr. Speaker. Will the distinguished Sponsor yield to a few questions?

REP. VILLAFUERTE. Yes, Your Honor. Yes, Mr. Speaker.

REP. LAGMAN. Before I proceed with my interpellation, I would like to make this manifestation. I truly welcome the decision of the House leadership to reconsider the approval on Second Reading of House Bill No. 6732 in order to afford the Members of the House or the House itself to cleanse it from some constitutional infirmity. Now that there is finally a positive action by the House on the ABS-CBN franchise, we must make sure that the passage of House Bill No. 6732, granting the network an interim or provisional franchise, must be free of any constitutional defect. Exigency or even good motives cannot excuse or validate the repetition of an unconstitutional act or procedure.

In the book of *Ecclesiastes* which Speaker Alan Peter Cayetano is wont to invoke, it is said, and I quote, "What is crooked cannot be straightened and what is lacking cannot be counted." Consequently, no amount of purported or actual passage of some bills in the past on First and Second Readings on the same day will constitute an unassailable precedence in violation of the Constitution. The Constitution under Section 26, paragraph 2 of Article VI unequivocally provides and I quote, "no bill x x x shall become a law unless it has passed three readings on separate days, unless the President certifies to the necessity of its immediate enactment to meet a public calamity or emergency." This provision is restated almost verbatim in Section 58 of Rule X of the Rules of the House.

House Bill No. 6732, whose enactment was not certified as urgent by President Rodrigo Duterte, was passed on First and Second Readings on the same day, May 13, 2020, in violation of the said constitutional requirement. The only timely and viable solution to save House Bill No. 6732 from constitutional infirmity is to reconsider its approval last May 13, 2020, so that it could be passed validly today, May 18, 2020, or on a subsequent day which is a separate session day, consistent with the requirement of the Constitution. Presidential Spokesperson Harry Roque previously announced that the President is inclined to sign or approve a bill on the extension of the ABS

franchise or even a provision or a temporary or interim franchise provided that it has no constitutional defects. Consequently, Mr. Speaker, distinguished colleagues, there is a need to remove any cloud of doubt on the constitutionality of the passage of House Bill No. 6732 to foreclose any reason for a presidential veto act.

Another ground for reconsideration is to enable the Plenary to reopen the period of amendments to accommodate a longer effectivity of the provisional franchise for at least one year or some time up to July 2021 as suggested by some Senators. This compromise will preclude a lengthy and contentious bicameral conference which may derail the enactment of the provisional franchise and prolong the closure of ABS-CBN.

Mr. Speaker, may we know from the distinguished Sponsor, Hon. LRay Villafuerte, whether he agrees that the constitutional provision which is Section 26, paragraph 2, Article VI is unequivocal when it says that "no bill x x x shall become a law unless it has passed three readings on separate days."

REP. VILLAFUERTE. Thank you, Mr. Speaker. Thank you, distinguished Gentleman from Albay. While I totally respect the legal opinion of one of our most senior Members of the House, I feel and my stand is that the procedure that happened in its passage on First and Second Readings is constitutional. It is not defective for the following reasons:

First, it has due precedents during the Tenth Congress: House Joint Resolution No. 11, APPROVING THE TRANSFER OF THE CONTROLLING INTEREST IN THE STOCKHOLDINGS OF THE MULTI-MEDIA TELEPHONY, INCORPORATED, was taken up on First and Second Readings on the same day. Likewise, in the Tenth Congress, House Joint Resolution No. 15, CREATING A CONGRESSIONAL COMMISSION TO REVIEW AND ASSESS THE STATE OF PHILIPPINE LABOR IN THE LIGHT OF THE IMPLEMENTATION OF THE MANILA ACTION PLAN, was taken up on First and Second Readings on December 2, 1996, on the same day, Your Honor. Another precedent in the Tenth Congress: House Joint Resolution No. 21, FOREGOING THE IMMEDIATE REQUIREMENT OF PUBLICATION OF INFRASTRUCTURE AND OTHER PROJECTS, PROGRAMS AND ACTIVITIES BEFORE FUNDS CAN BE RELEASED FOR THEIR IMPLEMENTATION, was taken up on First and Second Readings on the same day, which was on May 22, 1997.

House Joint Resolution No. 47, during the Fourteenth Congress, was taken up and approved on First and Second Readings on September 30, 2009 which was on the same day.

It is my view that these are all constitutional, we complied with the Constitution. The Constitution

clearly says “three readings on separate days” and not “three separate days.” So, Your Honor, basically, my justification is, really, aside from the precedents, is that the Constitution really basically requires three readings on separate days basically first, to inform the Members of Congress of what they must vote on and we have complied with this because the First Reading was done last Wednesday and the House was convened as a Committee of the Whole, meaning, all Members were informed on the same day. So, the requirement of the Constitution of informing Members from First to Second Reading was duly complied with. However, another requirement of the Constitution is to give the Members of Congress notice that a measure is progressing to a legislative process, allowing them and other interested in the measure to prepare their positions on the matter. This requirement was met when after the Second Reading, we complied with the constitutional requirement of the three-day notice as copies of the Bill were printed and sent to the Members. So, it is my opinion, it is my stand that this Eighteenth Congress passed House Bill No. 6732 on First and Second Readings on the same day, and it is constitutionally sound, Your Honor, Mr. Speaker.

REP. LAGMAN. Well, Mr. Speaker, if the distinguished Sponsor has that opinion that there is no constitutional infirmity in the passage of this Bill on the same day on the First and Second Readings, then why are we moving and approving to reconsider the approval of this Bill last Wednesday?

REP. VILLAFUERTE. We are doing that simply because it is also the prerogative of this Body to do so—to revert. We have done that in the past, it has precedence. Secondly, this Congress is transparent, responsive and consensual. We listen to the voice of our senior Member, Cong. Edcel Lagman, who is a legal luminary. We listen to other Members. It does not mean that in reverting to the Second Reading, we are of the belief that there is a constitutional defect. It is the prerogative of this House to revert to the Second Reading which we are doing right now, Your Honor, Mr. Speaker.

REP. LAGMAN. After we have reconsidered House Bill No. 6732 on Second Reading and we proceed to some amendments and other processes, are we going to approve this Bill on Second Reading today or subsequently?

REP. VILLAFUERTE. Your Honor, Mr. Speaker, this Body is a deliberative Body. I cannot decide on that by myself. I think if ever we decide to approve it or not, it is the decision of this Body, the Majority. Being a Committee of the Whole, we can revert, we can open up. Right now it is in the stage of interpellation and not

yet on the amendments, so I cannot safely say that we will open the period of amendments today. It depends on the Majority’s decision, Your Honor, Mr. Speaker.

REP. LAGMAN. Well, I am asking the distinguished Sponsor for his personal opinion. After reconsidering the approval on Second Reading of House Bill No. 6732, are we going to approve the same on Second Reading anytime today or on subsequent days after amendments have already been effected?

REP. VILLAFUERTE. Mr. Speaker, Your Honor, it is my personal opinion, my vote, and I am only one—since we voted on this on Second Reading in the session last Wednesday, that what we did was constitutionally sound. However, opening it, reverting it to the Second Reading is not really up to me, Your Honor, Mr. Speaker. The Majority has decided to do that. I have only one vote, as member of the Majority, so, I can only speak for my own vote, my own personal opinion. My opinion, while it can influence others, is not necessarily the position of the Majority, Your Honor, Mr. Speaker.

REP. LAGMAN. May I know from the distinguished Sponsor, with respect to his solitary vote, will he vote again on Second Reading once it is called today or in subsequent days?

REP. VILLAFUERTE. Definitely, any action moving forward has to be voted upon, Your Honor, Mr. Speaker. Since this Plenary has already decided to revert to discussing this Bill on Second Reading which was approved last Wednesday, it is moot and academic at this point. So, moving forward, this Body will decide how to move forward, Your Honor, Mr. Speaker.

We reopened the period for additional interpellation and reverted to the Second Reading. So, it is up to the Body, the Majority, to decide how to move forward, Your Honor, Mr. Speaker.

REP. LAGMAN. Thank you so much, distinguished Sponsor, for impliedly admitting that there will be a second and valid vote on Second Reading on House Bill No. 6732.

Now, let me proceed. With respect to previous resolutions which were approved on First and Second Readings on the same day, were these bills or joint resolutions in the nature of a bill?

REP. VILLAFUERTE. Mr. Speaker, may we request the distinguished Gentleman from Albay to kindly repeat the question.

REP. LAGMAN. The distinguished Sponsor recited or enumerated or cited a number of measures which



were approved on First and Second Readings on the same day. May I know whether these measures were bills presented to the Plenary?

REP. VILLAFUERTE. As far as I know, they were presented in Plenary, Your Honor. One of the precedents I mentioned was during the Fourteenth Congress—if I am not mistaken, the honorable Cong. Edcel Lagman was a Congressman during the Fourteenth Congress—if I may refresh, House Joint Resolution No. 47, MANDATING ALL GOVERNMENT FINANCIAL INSTITUTIONS TO SUSPEND LOAN PAYMENTS AND CONDONE PENALTIES AND INTERESTS OF BORROWERS WHO ARE VICTIMS OF TYPHOON ONDOY, was taken up, Mr. Speaker, on First and Second Readings on September 30, 2009. The distinguished Gentleman from Albay, if I am not mistaken, was a Member of the Fourteenth Congress, Your Honor, Mr. Speaker.

REP. LAGMAN. Mr. Speaker, what I was asking is whether there were measures in the past which were bills and passed on First and Second Readings on the same day, because what is being mentioned by the distinguished Sponsor are resolutions.

REP. VILLAFUERTE. Yes, Your Honor.

REP. LAGMAN. The Constitution talks about bills, not resolutions.

REP. VILLAFUERTE. Yes, Your Honor, because these joint resolutions were deliberated on and passed by the House of Representatives prior to the decision of the Supreme Court in the case of *Ang Nars vs. Executive Secretary*, it benefits from the doctrine of operative law, and these resolutions were eventually approved by the President and continue to be treated as laws. So, prior to the decision of the Supreme Court, House resolutions were actually amending laws and were treated as bills. In this case, due to the recent decision of the Supreme Court, it was changed but the precedence was still there. Meaning, the resolution was approved, became a law, it went through First and Second Readings on the same day, Your Honor, Mr. Speaker; and the House rules continue to accord the same treatment to bills and resolutions and continue to refer to bills and joint resolutions interchangeably.

REP. LAGMAN. My question is very simple and very clear, distinguished Sponsor: In the measures which you mentioned which were approved on the same day on First and Second Readings, was there any bill included in these measures?

REP. VILLAFUERTE. Your Honor, Mr. Speaker, all of them, the three precedents mentioned in the

Tenth Congress were House joint resolutions. In the Fourteenth Congress, it was also a House joint resolution, Mr. Speaker, Your Honor.

REP. LAGMAN. Thank you so much for that candid answer because under the Constitution, what the Constitution says would be bills, not resolutions, and before they are made into laws, these should pass three readings on separate days.

Now, let me go to another point. Granting for the sake of argument that there were measures passed on First and Second Reading in the past, these would not constitute an unassailable precedence because they violate the Constitution as far as bills are concerned and no violation of the Constitution can ripen into a precedent.

Let me go to the decision of the Supreme Court in *Chavez vs. Judicial and Bar Council*, G.R. No. 202242, July 17, 2012. The Supreme Court very clearly ruled that “any circumvention of the Constitutional mandate should not be countenanced for the Constitution is the supreme law of the land.” Consequently, no prior infraction or violation can validate a subsequent infraction or violation.

Now, there is another case which I think we should be able to take note and this is the case of *Lagman vs. Executive Secretary Ochoa*, G.R. No. 193036, December 7, 2010 and the Supreme Court clearly pronounced, and I quote:

No matter how noble and worthy of admiration the purpose of an act, but if the means to be employed in accomplishing it is simply irreconcilable with constitutional parameters, then it cannot still be allowed.

So, the previous passage on First and on Second Reading on the same day cannot be allowed to constitute a valid precedent. Now, in this reopening or reconsideration about the approval on Second Reading of House Bill No. 6732...

THE DEPUTY SPEAKER (Rep. Abu). Honorable Lagman, with due respect to the honorable Representative from the First District of Albay, I think we should now proceed to your questions on the Bill itself, on House Bill No. 6732. Moot and academic na po tayo doon sa pinag-uusapan natin tungkol ho sa constitutionality ng approval on First and Second Reading on the same day dahil narito na ho tayo ngayon e, bumalik na ho tayo, ni-reconsider na ho natin iyong approval na iyon on Second Reading. Pumunta na ho tayo sa mismong subject matter at iyon na ho ang pag-usapan natin. Well, hindi na ho germane ang mga iyon, with due respect ho, sa kung ano iyong pinag-uusapan nating House Bill.

REP. LAGMAN. Well, that is precisely the point. That is why I am belaboring this because no less than the Sponsor is saying that there has been no violation of the three readings on separate days rule under the Constitution. But in any event,...

REP. VILLAFUERTE. Mr. Speaker...

REP. LAGMAN. ... his answers would impliedly say that there was such a violation, that is why we are proceeding with the reconsideration of the measure and we will be voting again on Second Reading to validly vote on a separate day.

THE DEPUTY SPEAKER (Rep. Abu). With due respect to the...

REP. LAGMAN. Thank you for that reminder.

REP. VILLAFUERTE. Mr. Speaker, may I be allowed to say something, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). You may proceed, Mr. Sponsor.

REP. VILLAFUERTE. Alam mo, Mr. Speaker, isang honor sa akin na makipagbalikan ng kaisipan sa ating distinguished Gentleman from Albay. Being only a second-termer, ang kasama po natin dito ay a highly respected senior Congressman but, Mr. Speaker, aabutin po tayo ng ilang oras dito with regard to the position of our honorable Gentleman from Albay. He is of the view that what we did last week is defective constitutionally. While it is my position that it is legally firm and sound, and in line with the Constitution, I would be honored to cite jurisprudence, precedents and legal opinions. However, Mr. Speaker, that is considered moot and academic at this point. We can discuss that at a separate venue.

Again, gusto ko lang pong sabihin that in order to move forward, we already reverted to the Second Reading and I think we should just move forward. To say that it is constitutionally defective, I highly respect that but again, our stand is, it is constitutionally sound. We cannot resolve this issue now. This issue can drag on for weeks, months until it reaches the Supreme Court but as of now, mag-focus po tayo dito po sa House Bill No. 6732 so we can move forward, Mr. Speaker, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). My appeal to Honorable Lagman is to please focus his questions on House Bill No. 6732, please.

REP. LAGMAN. Well, the issue on constitutionality with respect to the Second Reading has been resolved

by the reconsideration of the approval of House Bill No. 6732. What is academic, I am sorry to say, are the answers of the distinguished Sponsor.

So, let me proceed. What possible amendments would the distinguished Sponsor accept with respect to this pending Bill, Your Honor?

REP. VILLAFUERTE. Mr. Speaker, Your Honor, the reason why we are reverting to the Second Reading is not just because of questions on constitutionality. What we want to do, this Congress, is to be relevant, responsible, transparent and open. Since marami pang amendments, maraming gustong mag-interpellate na hindi po nakapag-interpellate, naka-propose ng amendments during the last hearing, these are also some of the reasons why we are reverting. So, transparency po, due process and fairness are the main reasons, not because there is a question of constitutionality.

With regard to the question of the distinguished Gentleman from Albay kung ano ang possible amendments, all amendments are free to be heard, all amendments will be heard at this point in time. However, with regard to approving them, again, it is for the Body to decide. Ako po, as the Sponsor of House Bill No. 6732, I am willing to listen to whatever amendment any Member of Congress in this august hall is willing to throw at us.

Thank you, Mr. Speaker, Your Honor.

REP. LAGMAN. I will leave to the Members of the House their respective amendments, but as a parting message, let me quote the Supreme Court in *Tolentino vs. Secretary of Finance and the Commissioner of Internal Revenue* because it is the reason for this decision that we are now reconsidering House Bill No. 6732 on Second Reading. The decision said that this constitutional requirement of "three readings on separate days" has a twofold purpose: "(1) to inform the members of what they must vote on; and (2) to give them notice that a measure is progressing through the enacting process, thus enabling them and others interested in the measure to prepare their positions with reference to it." I am really thankful to the House leadership for reopening the period of amendments, for reconsidering the approval on Second Reading to give efficacy to this two-fold purpose because there are some Members who would like to introduce their amendments.

Thank you for this opportunity, Mr. Speaker, distinguished colleague.

REP. VILLAFUERTE. Thank you, Mr. Speaker. Thank you, distinguished honorable Gentleman from Albay.

Just as a response, I would also like to quote a Supreme Court decision, *Danilo E. Paras vs.*

COMELEC, G.R. No. 123169, November 4, 1996. It stated:

We admonish against a too-literal reading of the law as this is apt to constrict rather than fulfill its purpose and defeat the intention of its authors. That intention is usually found not in “the letter that killeth but in the spirit that vivifieth.”

The spirit, rather than the letter of a law determines its construction; hence, a statute, as in this case, must be read according to its spirit and intent.

Thank you, Mr. Speaker. Thank you, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). Ah, Manong Edcel, naka-mute po kayo. Please unmute.

REP. LAGMAN. Unmute, i-unmute ko raw ito. Please bear with me.

THE DEPUTY SPEAKER (Rep. Abu). You may proceed now, Honorable Lagman.

REP. LAGMAN. Let me just make this point that it is axiomatic that when the language of the Constitution, of the law is plain and clear, it must be read literally and that is why we are reading the rule on “three readings on separate days.”

Thank you.

REP. VILLAFUERTE. Mr. Speaker, just to add. A simple and literal reading of the Constitutional provision shows that it can yield to a more liberal interpretation that respects the discretion and rule-making power of the House. The “three readings on separate days” can be subject to various interpretations.

THE DEPUTY SPEAKER (Rep. Abu). With due respect to the honorable Sponsor and to Honorable Lagman, the Chair will not recognize anymore questions not related to House Bill No. 6732. If we will not discuss matters related to House Bill No. 6732 and discuss only matters with respect to the constitutionality of our First or Second or Third Readings and not House Bill No. 6732, sorry, I will not recognize you anymore.

So, please, may I appeal to honorable Sponsor and to Honorable Lagman to engage on the subject matter on the floor.

REP. VILLAFUERTE. Mr. Speaker, I am ready to accept any more...

THE DEPUTY SPEAKER (Rep. Abu). Please proceed, Honorable Lagman, for questions related to House Bill No. 6732.

REP. LAGMAN. You know, I was called to interpellate and my interpellation is premised on some constitutional points. If the Deputy Speaker or the presiding officer does not want to acknowledge anymore interpellations related to the Constitution, then I am done.

THE DEPUTY SPEAKER (Rep. Abu). Thank you, Honorable Lagman.

Majority Leader, please proceed to another interpellator.

REP. CASTELO. Thank you, Mr. Speaker.

May we recognize Hon. Abraham “Bambol” N. Tolentino representing the Eighth District of Cavite to interpellate the honorable Sponsor of House Bill No. 6732, Deputy Speaker LRay Villafuerte.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The honorable Representative from the Eighth District of Cavite, the Chair of the Committee on Accounts, Rep. Bambol Tolentino, is recognized to interpellate Deputy Speaker LRay Villafuerte.

REP. TOLENTINO. Magandang hapon po, Mr. Speaker. Una po sa lahat, binabati ko po ang lahat ng naririto sa Plenary at iyon pong naka-online sa Zoom.

Mr. Speaker, tatanggap po ba ng maikasing katanungan ang Kinatawan ng lalawigan ng Camarines Sur?

REP. VILLAFUERTE. Opo, Mr. Speaker.

REP. TOLENTINO. Bago po ang lahat, nais ko po munang sabihin ang paghanga sa ibinigay na talumpati noong sponsorship speech ng atin pong mahal na Speaker Alan Peter Cayetano sa House Bill No. 6732.

Maiksi lang po ang aking katanungan. Nais ko lang pong tanungin kung bakit po napili ang October 31 kaysa sa 25-year na prangkisa na ibibigay sa ABS-CBN?

REP. VILLAFUERTE. Salamat po, kagalang-galang na Representante ng Tagaytay, ng Cavite. Napili po namin na hanggang October 31, 2020 lang to grant a provisional permit sa ABS ay para magkaroon ng impartial, comprehensive, extensive hearing na mayroon po tayong deadline. Ang deadline po na na-set po namin, among ourselves and with the other co-sponsors, co-authors, ay October 30. While we are tackling other more urgent and pressing issues na COVID-related, ang usaping ABS-CBN franchise ay minarapat na rin po namin o nagdesisyon kami na i-hear na rin po iyan. Again, the main purpose of filing this Bill ay para marinig ng lahat at magkaroon nang deadline.

Kaya iyon po ang napili namin, October 31, 2020 po, Your Honor, Mr. Speaker.

REP. TOLENTINO. Mr. Speaker, ang kasunod pong katanungan ay, sa history po ng ating Kongreso, mayroon na po bang pagkakataon noong mga nakaraang administrasyon na nagbigay po ng provisional franchise ang Kongreso, bilang prangkisa ng isang nag-a-apply, whether it is for renewal or a new franchise?

REP. VILLAFUERTE. Mr. Speaker, mayroon na pong precedents: June 14, 1950, Bolinao Electronics Corporation, the predecessor of ABS-CBN, was granted a temporary permit to construct, maintain and operate stations. Mayroon na pong precedent as mentioned—June 14, 1950, Republic Act No. 511, Bolinao Electronics Corporation, the predecessor of ABS-CBN, was granted a temporary permit that time, Mr. Speaker.

REP. TOLENTINO. Was it, Mr. Speaker, under the 1987 Constitution?

REP. VILLAFUERTE. Hindi po. It was granted June 14, 1950 po. Bago po nagkaroon ng Alto Broadcasting, iyong Bolinao Electronics Corporation was granted a franchise under Republic Act No. 511.

REP. TOLENTINO. Mr. Speaker, personally, marami po akong katanungan subalit lahat po ng aking mga saloobin at ipahahayag na mga katanungan ay ire-reserve ko na lang para sa formal hearing, if there will be a formal hearing on the 25-year franchise.

So, sa ngayon po hindi ko na po uubusin ang oras para lang po ilabas iyong mga katanungan na iyon at tulad po ng sinabi ko kanina, I will reserve it for the formal hearing, if there will be one, on the 25-year renewal or a new franchise for ABS-CBN.

Maraming salamat po, Mr. Speaker. Maraming salamat po, Kinatawan ng Camarines Sur, Deputy Speaker LRay.

REP. VILLAFUERTE. Maraming salamat din po.

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

The Majority Leader is recognized.

REP. SINGSON-MEEHAN. Mr. Speaker, from the long list of interpellators scheduled today, may I now recognize the Representative from the Second District of Cagayan de Oro, Rep. Rufus B. Rodriguez, for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). The Representative from the Second District of Cagayan de Oro, Hon. Rufus Rodriguez is recognized to interpellate the good Sponsor.

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

Would the distinguished Sponsor and the honorable Deputy Speaker accept some interventions from this Representation?

REP. VILLAFUERTE. Yes, Your Honor. Yes, Mr. Speaker.

REP. RODRIGUEZ. Thank you. First of all, let me thank the leadership, Speaker Alan Peter Cayetano, and our Majority Leader, Martin Romualdez, for reconsidering the approval of House Bill No. 6732 which was approved last Wednesday, and reconsidering it to go back to the floor for deliberations and the period of amendments. So, my thanks to our House leadership.

Distinguished Sponsor, Mr. Speaker, I want to take your attention to Section 4, Responsibility to the Public, the second paragraph which states:

Public service time referred herein [because this was referred to the first paragraph] shall be equivalent to 10 percent of the paid commercials or advertisements which shall be allocated based on need to the Executive, Legislative, Judiciary, Constitutional Commissions, and international humanitarian organizations x x x; Provided that the NTC shall increase the public service time in case of emergency or calamity.

The NTC shall issue rules and regulations for this purpose, the effectivity of which shall commence upon applicability with other similarly situated broadcast network franchise holders.

Would the distinguished Sponsor agree that this provision, may violate the constitutional provision in Section I of the Bill of Rights that no person shall be deprived of life, liberty or property nor be denied the equal protection of the laws? Why? Because while this is found in House Bill No. 6732, they are not found in some of the previous franchises issued by this Congress, Mr. Speaker.

#### SUSPENSION OF SESSION

REP. VILLAFUERTE. Mr. Speaker, I move to suspend the session for one minute, I am just looking for my files regarding that provision, Mr. Speaker.

REP. CRISOLOGO. Mr. Speaker, I move to suspend the proceedings.

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

*It was 4:01 p.m.*

## RESUMPTION OF SESSION

*At 4:01 p.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. CRISOLOGO. I move that we recognize one of the proponents of the House Bill, our honorable Speaker Alan Peter “Compañero” S. Cayetano.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Speaker of the House of Representatives is recognized to answer the query of Honorable Rodriguez.

REP. CAYETANO (A.). Thank you, Mr. Speaker, and it will be a privilege to discuss with a legal luminary, the Hon. Rufus Rodriguez, the said provision. May I just anchor the answer to his inquiry on the present COVID-19 or the new coronavirus crisis. Even before the said crisis, we have recognized that a franchise for a corporation that will be broadcasting will be using public airwaves. So, kapag ginamit ninyo iyong airwaves ng publiko at libre itong franchise na ito, hindi nagcharge ang gobyerno, ang Kongreso, para sa franchise pero ang permits sa frequency, sa NTC iyan.

So, since libre iyong airwaves pagka for public interest, kailangan po iyan mayroon naka-reserve din sa gobyerno. Kung hindi po ako nagkakamali, before the crisis, between P1 million to P1.4 million na ang ads sa Channel 2 at Channel 7 for a 30-second spot, kung hindi ako nagkakamali. Iyan ang going rate po at iyan po talaga ang sa advertising industry and even with those rates, maraming nag-a-advertise, napupuno nga po sila.

So, if you look at Republic Act No. 10925, which is AN ACT RENEWING FOR ANOTHER 25 YEARS THE FRANCHISE GRANTING THE REPUBLIC BROADCASTING SYSTEM INC. A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES, or otherwise po, ito po iyong sa Channel 7, makikita ninyo po sa Section 4:

Responsibility to the Public. – The grantee shall provide free of charge, adequate public service time which is reasonable and sufficient to enable the government, through broadcasting stations or facilities the grantee, to reach the pertinent population/s or portions thereof on important public issues and relay important public announcements and warnings as necessity, urgency or law may require; provided

at all times sound and balanced programming; promote public participation; assist in the functions of public information and education; conform to ethics of honest enterprise; promote audience sensibility and empowerment through, but not limited to, closed captioning; and not use its station or facilities for broadcasting obscene and indecent language, speech, act or scene, or for the dissemination of deliberately false information or willful misrepresentation, to the detriment of the public interest, or to incite, encourage, or assist in subversive or treasonable acts.

Ito po iyong importanteng portion, sa second paragraph:

Public service time required referred herein shall be equivalent to ten percent (10%) of the paid commercials or advertisements which shall be allocated based on need to the executive, legislative, judiciary, constitutional commissions and international humanitarian organizations duly recognized by statutes: *Provided*, That the NTC shall increase the public time in case of emergency or calamity. The NTC shall issue rules and regulation for this purpose, the effectivity of which shall commence upon applicability with other similarly situated broadcast network franchise holders.

I happened to be, Mr. Speaker, in the Senate during this time. So, iyong huling provision po, unfair kasi sa Channel 7 or sa other channels kung 10 percent of advertisements paid for will be free sa government, tapos sa iba hindi, and we knew that the ABS-CBN franchise was expiring in 2020. Kung ako tatanungin, mas gusto ko sanang i-amend noong 2017 iyong sa ABS-CBN para ang gobyerno ay mayroon nang 10 percent. But let me give you a concrete example. Hindi ito eksaktong example kasi mayroong regulations ang DOH about advertising, halimbawa, of milk products for infants, but for example, kung walang pagbabawal sa advertising at nag-a-advertise ang mga milk companies for infants, paano naman masasabi ng gobyerno o anong laban ng gobyerno kung on prime time, ang gaganda ng mga ads? Paano masasabi ng DOH na breastfeeding is still best for both the child and the mother, hindi ba? But if you give them a 10-percent allocation, the DOH can do that, hindi ba? So, if may advertising about moving to the city and so much build, build, build, and building condos, houses, et cetera at ngayon, may Balik Probinsiya Program pero hindi naman alam ng tao na kasama sa Balik Probinsiya Program iyong pondong ilalagay sa agriculture, iyong mga schools na gagawin, iyong mga ospital na gagawin sa kanilang probinsiya,

ang tingin pa rin ng tao, walang trabaho sa kanilang probinsiya. So, this is actually an equalizer provision. So, if we do not put this in the ABS-CBN franchise, whether it is for a temporary or a 25-year franchise, hindi ma-operationalize iyon sa ibang mga channels.

So, I am hoping that whatever our decision is—let me again reiterate, I am not making a stand at this point in time whether I am for or against ABS-CBN's 25-year-old franchise. I am for a hearing. Makinig muna tayo sa mga allegations against them but regardless whether we grant it or not, it is good law to have this provision that gives the government 10 percent of the advertising time that is sold kasi mahirap naman po na pagbabayaran pa natin ang gobyerno ng P1 million, P1.4 million for 30 seconds iyong airwaves naman niya ginagamit.

So, maybe, the other question, the opposite, why only 10 percent? Why not 20 percent? Why not 50, why not 90 percent? Because po, these private corporations pour in very big capital to be able to broadcast nationwide and there is so much corporate responsibility in everything they do. So, if we go beyond 10 percent, sa tingin po natin, maaapektuhan naman iyong kanilang pag-i-invest sa kumpanya nila para makapag-broadcast. So, I am hoping this explains why it is there.

I was told, but I do not have the research right now, that in the old franchises, nandiyan iyan but somehow after the 1987 Constitution, iyong mga bagong franchise, wala doon iyong provision na ito—I think this law is dated April 21, 2017, signed by President Duterte, and I remember I was in the Senate during this time, isinama na itong provision na ito. So, actually, nakaabang na talaga iyang provision na iyan para sa ABS-CBN at kahit anong ibang broadcast networks na mag-e-expire iyong kanilang franchise.

The last point I want to make is that if we do decide to give ABS-CBN a franchise for six months, one year or until 2022, dapat nandiyan na iyan, iyong provision na iyan, para both Channel 7 and Channel 2 management can work together with the government to come up with implementing rules and guidelines, para ang gobyerno can make announcements on the public health crisis during prime time broadcast. Having said that, I would like to thank all stations, Channels 5, CNN, 7, 2, 13, you know, all the other channels, that even without this provision, noong nagsimula iyong COVID, they have spent a lot, maybe even a majority of their time in broadcast updating the public about this crisis, pero I think it is still a good law to have this. So, please accept the intervention of this Sponsor, Mr. Speaker, and that is the reason why this is here.

REP. RODRIGUEZ. Thank you to Speaker. We thank the honorable Speaker for being the person who would answer my questions. I am privileged, Mr. Speaker. Thank you very much, Speaker.

I agree that there may be a basis for this inclusion of the second paragraph. My only concern is the constitutional provision that says “There should be no person to be denied the equal protection of the laws.”

You have cited GMA 7 having the second paragraph, but I can cite right now that in the Seventeenth Congress, even later than the GMA 7 franchise, there were franchises issued by Congress that do not have this second paragraph and these are, for example, Republic Act No. 11339, providing for franchise granted to the Cebu Broadcasting Company. It lapsed into law on April 27, 2019 and it has no second paragraph. The second one is Republic Act No. 11193, providing for the franchise granted to Malindang Broadcasting Network Corporation, January 18, 2019; and the third one, in the Seventeenth Congress, is the franchise granted under Republic Act No. 11205, to Deus Amor Est Broadcasting, Incorporated, signed February 14, 2019.

In other words, if some franchises granted by Congress have this particular provision and some do not have this provision on the public service time of 10 percent, then there is no equal protection of those who have not been demanded of this 10-percent free time. In other words, the issue here is the constitutionality for being unequal. As we have seen, we have three bills already in the Seventeenth Congress, no second paragraph. They are not required to give 10 percent for after all, really, this is the regular form of these franchises that we have and so many have been given.

In the Sixteenth Congress, we have another three which is Republic Act No. 10793, Radio Veritas-Global Broadcasting System, Incorporated, no second paragraph; Republic Act No. 10753, Interactive Broadcast Media, Inc., March 2016, no second paragraph; and Republic Act No. 10818, Radio Mindanao Network, Inc., there is no second paragraph. Why? Because Section 4, paragraph one, which is the *pro forma* part of the usual franchise given by Congress already requires it. It says, first paragraph:

The grantee shall provide free of charge, adequate public service time which is reasonable and sufficient to enable the government, through the broadcasting stations or facilities of the grantee, to reach the pertinent population/s or portions thereof on important public issues and relay important public announcements and warnings concerning public emergencies and calamities as necessity...

So, therefore, I am saying, my dear Speaker, that precisely we cannot have a situation where ABS-CBN to which we are about to grant a temporary franchise could have this and GMA-7 could have this, but at least six other broadcast stations do not have the second paragraph, so it will be questionable. The previous

ones that were given like for the GMA-7 there was no question about the fact that it does not comply with the equal protection of the laws. But now that we are into the ABS-CBN franchise, we have really studied this and we see that there will be an issue of unequal protection of the law because while ABS-CBN will have the second paragraph, many other franchises are not demanded, are not required to give the 10 percent public service time, Mr. Speaker, and our Sponsor.

REP. CAYETANO (A.). Well, Mr. Speaker, it is very hard to argue with a constitutional law expert but let me attempt at it, let me answer in two ways, the legal and the practical.

In the practical, tama po si Chairman Rufus that meron naman pong provision sa public service. Ang problema, Mr. Speaker, in coming up with guidelines, most of the giant networks will just say, “iyong public service doon natin ilagay sa news or babasahin na lang namin.”

But as we know, there is a different segment for the market during lunch time. Iba ang nanonood, mga ina ng tahanan ang nanonood doon. Sa teleserye, after the news, prime time, iba din ang nanonood noon at mas marami. Iba din po ang nanonood ng morning shows. So, if you have 10 percent of the advertising and you can tell them, “okay, you have 10 spots on this morning show, one out of 10 will be for public service.”

It will be easier and more pragmatic for the government to be able to reach the segments. As you see, nakalagay dito, executive, legislative, judiciary and also constitutional commissions. So, for example, the Judiciary wants to explain why justice delayed is justice denied, and it is easiest to come out with an anecdote or a commercial. Hindi natin puwedeng sabihin, “Sir, Mr. Chief Justice or Mr. Spokesman of the Supreme Court, magpa-interview ka na lang o sa news ka na lang.” So, that is the practical side.

On the legal side, I think the Gentleman from Cagayan de Oro will agree with me that the equal protection of the law, the concept says that the law has to be equally applied to those who are similarly situated. In the franchises that you have mentioned, they are either radio or if they are TV, they are regional or provincial. If you look at Channel 5 and Channel 7, the same provision is found there and I think it is worth arguing that Channel 2 and Channel 7, sa ratings po and then sa reach with Channel 5, they are the ones similarly situated. To the point of the Gentleman, I do not mind if our legal minds in this Congress, including our Legal, will take a second look at it but if he will ask me, rather than taking it out in case our legal minds say that “tama po si Congressman Rufus, dapat lahat ng franchise may ganyang provision,” I would rather that we amend the existing franchises and put it in rather than take this out because this is favorable to the government.

No one predicted COVID-19 per se but many people have said in the past, “dadating at dadating ang pandemic and dapat handa tayo.” Can you imagine if two, three, four, five years ago, all of our giant TV networks had this provision, we would have been much more prepared for COVID-19.

So, I do not want to prolong the argument, Mr. Speaker, because as I said, importante po na magdesisyon ang Kongreso for or against the franchise of ABS-CBN, but mas importante po na iyong lives and livelihood, iyon pong tinatawag po na adaptation, iyon pong innovation and management of the crisis in the new normal. So, with the permission of Congressman Rodriguez, the Gentleman from Cagayan de Oro, I am willing to submit this to our Legal but may I just stipulate my personal stand that all franchises should have this if the argument is equal protection.

The solution is not to take it out of this provision.

Lastly, if you look at the profits of our giant networks, the 10 percent will not affect their bottom line, it will not affect their stock market prices, it will not affect severely their income, but it will give a great advantage to the government to be able to communicate with our people directly.

Thank you, Mr. Speaker. I yield back to the Sponsor, the other Sponsor, Deputy Speaker LRay Villafuerte. Thank you, Mr. Speaker.

REP. RODRIGUEZ. Mr. Speaker, thank you very much to the distinguished Speaker and our Sponsor for this Bill.

Then I would like to say that, therefore, the way to go into this is to come up with a general law, a general law that will require everyone, all of the stations be required because if we do not require some of the broadcasts on TV stations, and we require some, then there will be unequal enforcement and that will breed unequal protection of the laws. So, if there is a general law, then this can be a 10 percent.

My next question, Mr. Speaker, if Deputy Speaker LRay Villafuerte will allow me, is now the issue of the second paragraph being an undue delegation of legislative power. And why is that so? Because, in this particular section, there are no standards that are set for the NTC to issue its implementing rules and regulations. The delegation of power to the NTC to be able to promulgate rules should have some standards.

First question is, it says here, “public service time at 10 percent of the paid commercials advertisement,” what does this mean? What is the policy? What is the policy of this particular Bill in relation to 10 percent?

Second, how will this be allocated? There is vagueness here because it will be allocated, the 10 percent, to five different institutions: the executive, the legislative, the judiciary, the constitutional commission, and international humanitarian

organizations. So, what is the standard for the NTC to allocate this to the different institutions mentioned in this Bill?

So, may we know from our Deputy Speaker if this will not violate the provision, the constitutional requirement of due delegation of legislative power?

Thank you.

REP. VILLAFUERTE. Thank you, Mr. Speaker. Thank you distinguished Gentleman from Cagayan. There is no violation because, you know, in all laws that were passed, the IRRs are mostly prepared by the implementing agencies and of course, Congress is represented but the implementing agencies normally are the ones doing the IRRs. In this case, we leave these to them to determine the details. However, it does not stop Congress from further detailing, so we are open to further amendments or suggestions. But in this case, I do not believe that there is undue delegation, Your Honor, Mr. Speaker.

Again, the issue on the 10 percent as mentioned by our honorable Speaker Alan Cayetano was already provided for in TV 5 and GMA franchises. So, in this case, there is no violation of the equal protection law, the intention really is for public interest.

With regard to your question on how this would be allocated, basically, it is on the sense of urgency, on the need. Right now, it is the Executive who is handling the pandemic, then they should be given priority in airtime once this law is passed. So, I think that can be determined in the IRR, Your Honor, Mr. Speaker.

REP. RODRIGUEZ. Thank you, Mr. Speaker, distinguished Sponsor. I believe that there has to be more standards to be given instead of having just the NTC issue the rules and regulations here, because we want to have these legal standards to be set in this particular Bill so that there will not be unequal protection that will arise, that will question this on the other issue of undue delegation of power and also, of course, the issue of unequal protection of the law. So, we thank our Sponsor for that answer and at the proper time, we will propose the proper individual amendments.

Now, I would like to go to the last proposed subject matter of my interpellation and this is in relation, Mr. Speaker, distinguished Sponsor, to what is lacking here, an Equality Clause. In other words, even those that have been given franchises, GMA 7 and TV5, and to all the others that were given franchises, there is always a provision on these franchises, what we call the Equality Clause. In fact, this provision, the Equality Clause, is found in the Bill that I filed last May 6 which is House Bill No. 6694, in Section 16, and this is also found in all of the previous franchises but not in House Bill No. 6732.

I will read the Equality Clause, it says:

Any advantage, favor, privilege, exemption, or immunity granted under existing franchises or which may hereafter be granted for radio and/or television broadcasting, upon prior review and approval of Congress, shall become part of this franchise and shall be accorded immediately and unconditionally to the herein grantee: *Provided*, That the foregoing shall neither apply to nor affect the provisions of the broadcasting franchises concerning territory covered by the franchise, the lifespan of the franchise or the type of service authorized by the franchise. *Provided further*, That the foregoing shall not apply to the sale, lease, transfer, or grant of usufruct of legislative franchise with prior congressional approval.

Would the Deputy Speaker, our Sponsor, Mr. Speaker, agree that we should include a provision here in House Bill No. 6732 for an Equality Clause which can be placed after Section 12 of House Bill No. 6732 in between Section 11 and Section 12 in the General Broadcast Law, and there will be a new section, that will be Section 12 on the Equality Clause, so that this particular franchise will have the same rights given to ABS-CBN and the same to those that we have granted exemptions and privileges in the previous franchises that we have granted in Congress, Mr. Speaker?

REP. VILLAFUERTE. Your Honor, Mr. Speaker, what we want to show the public in this Eighteenth Congress is to be transparent, open and fair. So, we will consider all these proposals at the proper time. The reason why we are conducting hearings is really for everyone to be heard. I am sure, in our 300-Member Congress, most of them would want to be heard. This is the reason why we opened up, reverted to the Second Reading so that the interpellation can proceed. We will open up and as part of the legislative process, there will be a period of amendments, Your Honor. So, right now, all your comments, distinguished Gentleman from Cagayan de Oro, are duly noted.

Again, we are open, we want to be fair and we want due process in this hearing especially with regard to ABS-CBN and other laws that we want to discuss.

Thank you, Your Honor. Thank you, Mr. Speaker.

REP. RODRIGUEZ. Thank you, Mr. Speaker, our distinguished Sponsor. My thanks to our Speaker Cayetano and Deputy Speaker LRay Villafuerte. At the proper time, during the period of amendments, I will be able to present these possible amendments and I thank them, of course, for their excellent elucidation on the need for the second paragraph and also the acceptance



and the comment of the Deputy Speaker that at the proper time they are going to consider.

So, with that, Mr. Speaker, I thank our Sponsors for their time and also our dear colleagues. I end this interpellation and I thank our honorable colleagues and the Speaker.

Thank you very much and good afternoon.

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

REP. MACAPAGAL ARROYO. Thank you, Hon. Rufus B. Rodriguez. Mr. Speaker, before we entertain the interpellation of the honorable Deputy Speaker Rodante Marcoleta, we would like first to entertain the honorable Chairman of the Committee on Appropriations, Chairman Eric Go Yap.

So, Mr. Speaker, I move that we recognize Honorable Yap (E.).

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Chairman of the Committee on Appropriations, Hon. Eric Yap is recognized to interpellate the good Sponsor.

REP. YAP (E.). Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). You may proceed.

REP. YAP (E.). Mr. Speaker, gusto ko lang sana mag-manifest na bakit hindi na lang natin i-diretso na i-hear iyong 25 years na franchise noong ABS-CBN? Kasi, ito rin naman iyong gusto ng lahat ng tao e, mapakinggan natin ang lahat ng panig—ang panig ng ABS-CBN, panig ng mga nagreklamo—para sa ganoon ay once and for all, matuldukan na natin itong franchise issue na ito. Kung tayo makapag-decide nating ibibigay, ibigay na po. Kung made-decide nating hindi po ibibigay, huwag pong ibigay. Ang punto ko lang po dito, Mr. Speaker, once and for all po, para matapos na ay diretsuhin na po natin sa punto. I-hear na po natin iyong 25 years na franchise at bigyan natin ng time para maibigay ang panig ng ABS-CBN, bigyan rin natin ng panahon iyong mga nagreklamo against ABS-CBN, lalong-lalo na iyong sa mga labor violations po, na marami pong lumalapit sa ating tanggapan na nagre-request po na sila ay mabayaran ng ABS-CBN.

Iyon lang po, Mr. Speaker.

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

Will the Sponsor respond to the statement?

REP. VILLAFUERTE. Thank you, Mr. Speaker. Maraming salamat, kagalang-galang na

Representante ng ACTS-CIS. Importante po ang inputs ng lahat, importante po ang input na inyong ipinahiwatig ngayong araw. Kaya nga po ibinalik po natin sa Second Reading, binuksan po natin uli ang interpellation at iyong amendments in due time. Gusto lang—kami lang, ako po—itulak po natin ang panukalang ito, ang objective talaga na sinabi ko na noong last sponsorship speech ko, ay magkaroon na talaga ng malawakan, komprehensibo at patas na pagdinig sa isyu ng ABS-CBN na napaka divisive at contentious.

Ang panukala ko po ay bigyan ng five months extension pero po, ako naman po at ang kasama kong mga ibang Sponsors ay bukas naman po for other amendments. We are willing to consider the proposal or manifestation at in due time, na puwede na ring ituloy at dinggin ang 25-year franchise para talagang magkaroon na ng malawakang pagdinig, at mapakinggan ang lahat. Sa tamang panahon, sa period of amendments siguro ay tatalakayin natin iyan but again, all proposals are open at this point. Ang manifestation po ng pro at against ay puwede pong magsalita. Iyong mga hindi pa decided, siguro ay pakinggan na lang natin po ang iba't ibang mga desisyon, mga comments, para magkaroon tayo ng open, objective at free decision-making process.

So, iyong manifestation po ng ating kagalang-galang na Representante ng ACTS-CIS ay well-noted, highly respected, and we will tackle that in due time. Again, I think it is for this Body to decide that proposal which I think is valid.

Thank you po.

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

REP. MACAPAGAL ARROYO. Mr. Speaker, the Majority concurs with the view of the honorable Chairman of the Committee on Appropriations. As a matter of fact, we in the Majority, in discussions with our distinguished Majority Leader and our Sr. Deputy Majority Leader, we are espousing a series of caucuses so that at least we can really get the consensus of the Members of the House. I do not want to speak for the Minority but I am sure if you allow the distinguished Minority Leader to say his piece, I am sure he would be more than willing to say something.

So, it is my honor to recognize the distinguished Minority Leader to comment on that manifestation, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Minority Floor Leader is recognized for his manifestation about the House Bill on board.

REP. ABANTE. Thank you, Mr. Speaker. So would the Sponsor allow me to make a manifestation, Mr. Speaker? I think he would.

THE DEPUTY SPEAKER (Rep. Abu). Please proceed, Minority Leader.

REP. ABANTE. I will go on. Well, at the outset, I will support House Bill No. 6732. I believe that this is a step in the right direction, Mr. Speaker, and this Representation will not propose questions to the Sponsor of the Bill simply because the over-arching issue as to why we have to act on this Bill is the contemptuous act of the NTC in misleading this institution and committing perjury when NTC Commissioner Gamaliel Cordoba told the House Committee on Legislative Franchises on March 10, 2020, under oath, that the NTC will issue a provisional authority to ABS-CBN. We have to do this because the NTC did not do its job. The questions should be propounded to them. In the midst of this public health crisis, the government needs all the help it can get to reach out to over 100 million Filipinos here and abroad. ABS-CBN has a wide reach, a loyal audience and an established track record. We need partners in providing information which the public needs.

In the middle of a contracting economy, we need to do everything in our power to prevent job losses. Extending the franchise of ABS-CBN ensures employment to 11,000 of our countrymen. We cannot be deaf to their cries. We must do what we can to secure their livelihoods. If the network has issues and if there are matters that need to be addressed, let us tackle this when the immediate threat posed by the COVID-19 outbreak has passed. There is a time for everything. There is a time for reckoning. Right now, the times demand that we immediately act on this matter to save jobs and ensure that we can communicate effectively with the public. If ABS-CBN is eventually allowed by this august body to operate, whether it be six months or two years or another 25 years, my humble request as a father, a Filipino and a preacher, is that their programs be more family-oriented where every Filipino will watch their shows without fear of questions about morality and degrading behavior.

Between now and the end of the effectivity of this franchise, if this provisional franchise is passed, and I believe it will be, I urge my colleagues to deliberate on the network's franchise so that we can avoid being in the same situation in October.

Thank you very much, Mr. Speaker, Mr. Sponsor.

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

REP. MACAPAGAL ARROYO. Thank you very much to the distinguished Minority Leader Benny Abante.

Mr. Speaker, I would like to recognize the honorable Deputy Speaker Rodante D. Marcoleta of Party-List SAGIP for his interpellation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Representative from SAGIP Party-List, the honorable Deputy Speaker Rodante Marcoleta is recognized to interpellate the good Sponsor.

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

May the honorable sponsor Deputy Speaker still accommodate a few questions by way of interpellation?

REP. VILLAFUERTE. Yes, Mr. Speaker. Yes, Your Honor.

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

Mr. Speaker, with the initial action taken by the House last week with regard to our resolve to grant a provisional franchise to ABS-CBN, may I please know whether we received a formal letter of appreciation from the officers of ABS-CBN Corporation?

REP. VILLAFUERTE. Mr. Speaker, I am not familiar with any letter being received from ABS-CBN or any other organization with regard to the House Bill we passed on Second Reading last week, Mr. Speaker, Your Honor.

REP. MARCOLETA. But you are certain, Mr. Speaker, Your Honor, that we have not formally received any letter of appreciation. I think the records will show that.

REP. VILLAFUERTE. Mr. Speaker, insofar as my office is concerned, I cannot answer—maybe if they addressed it to the House or the Speaker's Office, but in my case, as Sponsor, I have not received any letter from any organization, Your Honor, Mr. Speaker.

REP. MARCOLETA. Are you in a position, Mr. Speaker, Your Honor, to determine today whether the House of Representatives has received any such kind of letter today or in the past?

REP. VILLAFUERTE. Your Honor, Mr. Speaker, I am not in a position. I think the Secretary General or the Secretariat can affirm or confirm if there is such a letter and especially during this pandemic, most letters are sent through email, not through slow mail, so I am not in a position, Your Honor, Mr. Speaker, to confirm or deny the question of the honorable Deputy Speaker.

REP. MARCOLETA. I am asking this question, Mr. Speaker, Your Honor, because I believe this Bill is for their benefit and ordinarily, even ordinary people

would not hesitate to extend an appreciation for something that will benefit them. In the case of ABS-CBN, its silence probably would mean, Mr. Speaker, that they will be reluctant to even send a letter of appreciation to the initiative taken by the whole House of Representatives. This means, Mr. Speaker, to me, that ABS-CBN is not interested in the action initiated by the House despite the fact that the rules, as we know, have been relaxed to facilitate this provisional franchise. Would you feel that way, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. I cannot speak for ABS-CBN, Mr. Speaker, Your Honor, but you know, reading through the newspaper, the comments especially those in favor of ABS-CBN, some were happy, some were not because those happy were saying that at least they can operate for five months while the franchise is being heard. Iyong iba naman sinasabi, “Bakit five months lang? Bakit hindi 25 years?” So, I cannot speak for them, but mixed reactions—iyong ano naman, iyong mga kontra, mayroong sinasabing, “Maganda iyan.” Mayroong nagalit dahil sabi, “Ipasara na.”

So, at this point, importante talaga that we should judge whether to approve or deny based on the merits, based on the hearing, not because of what outside forces in the media are saying because it is our constitutional duty and mandate to hear all sides and to decide based on what we hear.

So, Your Honor, Deputy Speaker, alam ninyo po kahit na anong gawin ng Congress ngayon ay mayroong mag-o-oppose, may magkokontra, at napakahirap na i-satisfy both pro and against. So, my advice really is just hear this extensively and let us decide freely and objectively, Your Honor, Mr. Speaker.

REP. MARCOLETA. Mr. Speaker, Your Honor, the reason that I insist on this question referring specifically to ABS-CBN officials, because I will not be happy, Mr. Speaker, if ABS-CBN, despite the grant of a provisional franchise on a silver platter, we will still choose to lock down its operations on the ground that it did not ask for such temporary authority in the first place. I would not like to see the Congress placed in that situation, Mr. Speaker. That is why I feel that this question is very important.

REP. VILLAFUERTE. Thank you, Mr. Speaker. The objective of the temporary permit/provisional franchise is basically to give Congress ample time to have an impartial, extensive hearing. First, for ABS-CBN to operate while we are hearing, while we are deliberating, so that is just the intention. But, if they ask me and the Sponsors if we are for or against, we have to decide. Personally, I have not decided whether I am for or against. I just want to hear all sides first, and that

is the main rationale of the Bill that we have filed, Your Honor, Mr. Speaker.

REP. MARCOLETA. Mr. Speaker, this Representation believes that Speaker Alan Cayetano was correct in initiating this Bill. First, this will prove what he has been asserting from the beginning that Congress is not out to shut down ABS-CBN although it must bear with us for the moment due to the interference of the more pressing problems that we need to prioritize like the present pandemic. Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. I agree 100 percent with the stand of the Deputy Speaker, his statements that *napakarami pong nangyari sa ating bansa. Nagkaroon ng Taal, ng COVID-19 na hindi naman natin inaasahan. Nag-assure po ang NTC na magga-grant siya ng provisional permit, tumiwala tayo dahil under oath sinabi niya ito. Hindi po acceptable sa akin na isang opisyal ng gobyerno lolokohin po tayo in a public hearing, under oath, pati Senado. Kung sinabi lang niya po na hindi nila bibigyan iyan noong March 10, then this Congress, the Speaker, the leaders of the House could have decided what actions we should take para either hindi magsara or mag-schedule ng marathon hearings. But alam mo, iyong ginawa ng NTC talaga ay mali. So knowing that, nag-file tayo ng bill to have a provisional franchise. But then again, ibinalik po natin po sa Plenaryo, sa Second Reading, so that we can further discuss it. Marami pang gustong magsalita, mag-interpellate, mag-propose ng amendments, and it only shows that this leadership wants to ensure due process, fairness, impartiality.*

So, iyan lang po. Ako po ay saludo sa ating liderato, particularly kay Speaker Alan Cayetano.

REP. MARCOLETA. Thank you for that answer, Mr. Speaker, Your Honor. In fact, Speaker Cayetano intimated on the floor last week several fundamental issues surrounding the application for franchise renewal of ABS-CBN and these are allegations of tax frauds, violations of labor laws, election laws and even passing the ball, constitutional infringement, and the Speaker thought that these must be looked into seriously. Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. Tama po kasi ang daming issue e, alleged labor laws that have been violated. We should hear people alleging this and we should also hear ABS on their side; alleged constitutional laws violated like ownership and the Constitution is very clear that media particularly should be 100 percent Filipino-owned; election laws violated; tax laws violated.

Kailangan po lahat ng mga iyan ay mapakinggan sa isang malawakan na pagdinig at hearing para talagang marinig lahat. Then let ABS also defend themselves and counter whatever allegations that will come out during the hearings. Hindi talaga iyan mareresolba sa isa o dalawang araw.

Mayroon kasing ibang nagsasabi diyan na paspasan na natin na iyan. Alam ninyo, kapag paspasan natin iyan, hindi natin ginagampanan ang ating constitutional duty to ensure fairness and objectivity. At pag ipinasa natin ito ng mabilis na panahon, iyong sinasabing equal protection, paano naman iyong ibang nag-a-apply ng prangkisa na ordinaryong radio station na umaabot ng tatlong taon o limang taon, samantalang gusto nating pagbigyan dahil allegedly media giant? So, importante talaga ang malawakang hearing, impartial, at ang due process ibigay sa lahat, for or against, Your Honor, Mr. Speaker.

REP. MARCOLETA. As an example of these allegations, Mr. Speaker, Your Honor, based on the 2018 Audited Financial Statement of ABS-CBN Corporation, it has pending legal cases in courts. We need to know the nature of these cases whether these are criminal, civil or tax-related cases and their respective status.

Personally, Mr. Speaker, this Representation wants to know the status of the case appealed by ABS-CBN in the Supreme Court involving some 103 of its workers referred to as “talents” and who were terminated by this company without just cause. Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. Tama po iyan. Ako rin po, naka-receive sa aking opisina na naglalahad, nagsasabi, nagdedetalye na kapag nag-shooting raw ng teleserye sa ABS-CBN ay minsan lumalampas ng 24 hours, which is definitely against labor laws. Nang tinanong ko, bakit ganyan? Dahil ang bayad raw sa kanila is per day, so sinasagad talaga iyong 24 hours, so mayroon din na senior citizens, may mga extra, TV crew. So ito po ang mga bagay na dapat marinig ng tao.

Iyong issue ng press freedom, definitely, hindi naman totoo po iyan kahit debatihin natin iyan dahil as we speak, alam ninyo naman na expired na ang franchise ng ABS-CBN and yet they continue to operate through YouTube, through Facebook, napapanood mo pa rin ang ANC, napapanood mo pa rin ang ABS News Channel, so the issue on press freedom and freedom of expression definitely is not valid, and press freedom and freedom of expression is stronger now than ever.

So, tama po ang mga punto na sinasabi ng ating kagalang-galang na Deputy Speaker Marcoleta na dapat itong mga akusasyon ay marinig at pakinggan din natin ang ABS-CBN na sagutin.

REP. MARCOLETA. Records also showed that the BIR, Mr. Speaker, sued ABS-CBN and its two

subsidiaries: ABS-CBN Film Production, Inc. and ABS-CBN Publishing. In all the five cases lodged in the Court of Tax Appeals, ABS-CBN entered into compromise agreements with the BIR. In one case, Mr. Speaker, Your Honor, docketed as Case No. 9411, ABS-CBN entered into a judicial compromise with the BIR by paying the amount of P152,437,330.93. We need to know why ABS-CBN needed to be sued first by the BIR before it settles its fiscal obligations in apparent violation of Section 8 of its own franchise which it now seeks to renew. Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. I agree 100 percent that this is part of the hearings that we would want to conduct. Kailangan marinig po ito, iyong ipinunto po ng ating Deputy Speaker Marcoleta, iyong case sa Court of Tax Appeals involving P152 million, iyong kaso sa Supreme Court na involving 103 workers, iyong issue on citizenship and many more. I agree 100 percent na ito po ay dapat pakinggan, dapat marinig natin kung ano ba ang nature ng case, ano ang status ng case, anong laws ang na-violate. Iyan po ang mga importante at bigyan din po natin ang ABS-CBN ng oras para sagutin ito. Pero ulitin natin, mangyayari lamang po itong lahat ng mine-mention ng ating honorableng Deputy Speaker Marcoleta kung magkakaroon po ng isang extensive, comprehensive, impartial hearing.

Thank you, Mr. Speaker.

REP. MARCOLETA. Mr. Speaker, ABS-CBN does not deny that Lopez Inc., one of its major stockholders, transferred P132 million worth of ABS-CBN Corporation shares with its alter ego, the ABS-CBN Holdings Corporation, before the closing of its offering of P132 million Philippine Depositary Receipts or PDRs underlying these shares on September 29, 1999. I believe this is the reason why the Solicitor General commenced a *quo warranto* proceeding against ABS-CBN. Do you know, Mr. Speaker, that our Committee on Legislative Franchises sought sample copies of these PDRs from ABS-CBN Corporation?

REP. VILLAFUERTE. I do not have the information but definitely when we conduct hearings, dapat po ay i-subpoena po iyong mga documents na iyan, malaman ng mga Miyembro.

REP. MARCOLETA. Mr. Speaker, but do you know that instead of a representative from ABS-CBN, a representative from ABS Holding Corporation instead was the one who submitted a PDR form, not a sample PDR issued by the holding company? This is not only insulting, Mr. Speaker, they are bent on hiding something.

REP. VILLAFUERTE. Tama po iyan, dapat malaman talaga ng publiko po iyan.

REP. MARCOLETA. It was a request to able to see what a PDR looks like. Maybe because of curiosity, our Committee on Franchises asked them to present xerox copies of these PDRs. There are P132-million worth of PDRs issued, not even one were they able to present as a sample copy. What they did present was a sample form, Mr. Speaker.

REP. VILLAFUERTE. Tama po iyan, lahat po iyan dapat i-subpoena, i-present sa Committee, malaman ng publiko to help us decide freely and objectively. Napakarami pa po niyang mga tanong na iyan, may mga nagsasabi nga na nag-apply nga raw sila ng franchise noong Sixteenth Congress, 2014-16, pero noong hiningian rin sila ng mga dokumento, hindi rin po nag-submit. So, ito dapat nalalaman ng publiko but in this Eighteenth Congress, we will make sure that all sides will be heard, all documents requested should be submitted or else we will cite them for contempt, both for and against, Your Honor, Mr. Speaker.

REP. MARCOLETA. Thank you, Mr. Speaker, Your Honor.

Mr. Speaker, a Philippine Depositary Receipt or PDR is a security which grants the holder the right to delivery of the sale of the underlying share. It consists of a deposit price and an option price. An option price is considered as payment when the buyer opts to exercise his option of converting the PDRs to ABS-CBN corporate shares. Each PDR issued by ABS-CBN Holdings is the consideration of P46 consisting of a deposit of P45.90 and PDR option of 10 cents each.

The PDR, Mr. Speaker, has all the marks or attributes of ownership, possession, enjoyment and disposition. Mr. Speaker, it appears that the power to trigger the disposition of these P132 million ABS-CBN shares was already transferred to the holders of these PDRs. Many of these have fallen into the hands of foreigners. At the very least, Mr. Speaker, there is a need to pierce the veil of corporate fiction of ABS-CBN Holdings to expose this scheme. Would you agree to this thinking Mr. Speaker, Your Honor?

REP. VILLAFUERTE. Iyong mga punto po ng ating kagalang-galang na Deputy Speaker ay talagang dapat mailabas po iyan sa lahat sa hearing. Napakadetalado po ng inyong mga binibigay na impormasyon, so dapat po talaga ay ma-submit po iyan, ma-subpoena po ang ABS regarding that para masagot rin po natin ang mga katanungan na lumalabas po, partikular iyong mine-mention po ni Deputy Speaker Marcoleta.

REP. MARCOLETA. Mr. Speaker, there is a Latin maxim which reads "*Quando aliquid ex directo, prohibetur et per obliquum,*" which means that "What cannot be legally done directly cannot be done indirectly." Mr. Speaker, we need to assert then that these PDRs are not being utilized as legal subterfuge in order to make illusory the all-Filipino requirement of the Constitution on the ownership and management of mass media outfits. Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. So, Mr. Speaker, regarding iyong issues po na nire-raise ni Deputy Speaker Marcoleta, I think we should fully note all these information and this will help this Body decide kung tama ba talagang bigyan ng prangkisa o hindi. Nagpapasalamat kami kay Congressman Marcoleta dahil alam mo, sa media, puro pabor ang naririnig natin sa ABS samantalang marami naman palang mga issue, particularly labor, tax, if constitutional, which were all raised by the Deputy Speaker. So, I think, siguro lahat ng mga pro and against ay dapat lalong lumakas ang loob na magsalita, magpadala ng position paper sa Kongreso, mag-participate sa hearing. Iyan talaga ang main objective nitong discussion natin, na mabigyan lahat ng due process.

So, magaganda po ang mga puntong inilalabas po ni Deputy Speaker Marcoleta and we duly note all these information and cases filed against ABS-CBN that we will have to tackle at the proper time during committee deliberations.

Thank you, Mr. Speaker.

REP. MARCOLETA. Thank you, Mr. Speaker. Of the four stockholder corporations that own Lopez Inc., which is the majority stockholder of ABS-CBN Corporation, two of them admitted in their documents submitted to the Committee on Legislative Franchises that it is not fully Filipino-owned, including the dubious PCD Nominee Corporation, another major owner of ABS-CBN, which apparently represents the interest of PDR holders. Do you not think we need to scrutinize this issue more properly, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. Malinaw po iyan sa Constitution, Article XVI, Section 11, "the ownership and management of mass media shall be limited to citizens of the Philippines." So, we have to determine whether ABS-CBN violated this constitutional provision such that some of its owners are not Filipino citizens.

Thank you, Mr. Speaker.

REP. MARCOLETA. Salamat po, Mr. Speaker. Mr. Speaker, I also believe that the House needs to inquire on the issues revolving around the sequestration

of mass media outfits in April 1986, including BBC Channel 2, now ABS-CBN Corporation, and the eventual return of ABS-CBN to the Lopezes. One of the objectives of Executive Order No. 11 of then President Cory Aquino was to settle that question of the true ownership of these media outfits including that of ABS-CBN Channel 2. Surprisingly, Mr. Speaker, the PCGG has no records of the arbitration between the government and ABS-CBN before the Board of Arbitration and the events that transpired leading to or after the turnover of ABS-CBN.

Do you agree, Mr. Speaker, Your Honor?

REP. VILLAFUERTE. Tama po iyan. Mayroon rin po akong nabasang ganyan at marami rin po akong nakitang mga dokumento that ABS-CBN was already owned by the government and when then President Cory Aquino took over as President under a revolutionary government, for some reason, with no public bidding, no right process, it was awarded back to the Lopez family. So, we have to investigate, we have to know the truth on what transpired during those times and how it was returned to the Lopez family. These are questions that have arisen and have to be tackled with during committee deliberations.

Hindi po ito alam ng publiko kasi palaging sinasabi, it was sequestered, taken away during the administration of then President Marcos, but there were also reports that they were paid for. Binayaran po sila at nabayaran po sila and yet noong 1986, it was returned to them. So, these are questions that have to be answered. The public should know the truth about this. It is not commonly being discussed, that is why it is incumbent upon this Congress to have an open, transparent hearing so that people will hear this, even Members of Congress.

Thank you, Mr. Speaker.

REP. MARCOLETA. There are other persistent allegations, Mr. Speaker, of the fraudulent use of tax shields by ABS-CBN like deferred tax assets, especially the MCIT and the net operating loss carryover or NOLCO to arrive at a meager tax payment to the government. We need also to verify the claim of ABS-CBN that in 2018, it had a revenue loss of P22 billion together with these reported losses in production cost, P13.6 billion; cost of sales, P2.4 billion; cost of services, P29 million; and general and administration services, P7.1 billion, which allegedly resulted in an operating loss of P432 million. Do you agree, Mr. Speaker, that we need to look into these allegations more properly?

REP. VILLAFUERTE. Definitely, as these are revealing, blatant allegations that have to be discussed in an open hearing, Mr. Speaker, Your Honor.

REP. MARCOLETA. Finally, Mr. Speaker, we need to look into the allegation that Mr. Gabby Lopez III, the Chairman Emeritus of ABS-CBN Corporation, was an American citizen at the time he took over the reins of this mass media giant. Again, this is because of the strict provision of our Constitution on media ownership and management. Never mind, Mr. Speaker, that ABS-CBN persistently claims that this is a closed case. They argued that Mr. Gabby Lopez is both an American citizen and a Filipino citizen, having been born to Filipino parents and having been born in America under the *jus soli* principle.

Do you think, Mr. Speaker, that Mr. Gabby Lopez is a lucky guy, he being a Filipino citizen and at the same time an American citizen but we all know, Mr. Speaker, that when you reach the age of majority, it is up to you to select your own citizenship. And by the fact that he was using American passport, Mr. Speaker, I think Mr. Gabby Lopez chose to be an American citizen instead of being a Filipino. Do you believe, Mr. Speaker, that the United States will grant him a US passport without him renouncing his Filipino citizenship?

REP. VILLAFUERTE. Importante po talaga na masagot itong mga tanong na ito dahil as mentioned earlier, the Constitution clearly states that ownership and management of mass media shall be limited to the citizens of the Philippines. Mayroon po akong nabasa, tama po iyong sinabi ni DS Marcoleta na gumagamit po ng American passport si Mr. Gabby Lopez. In fact, naka-detail po doon iyong flight number, passport number when it was used, what country, when they entered. Ito naman sa kabilang panig, dini-deny naman po ng ABS-CBN, na hindi ito totoo. So kailangan talaga nating pakinggan and the best proof for this, Mr. Speaker, Your Honor, is iyong documentary evidence. So, kapag na-subpoena iyang Bureau of Immigration at US government at mapatunayan talaga na hindi siya Filipino citizen, then it will help the Members of Congress to decide na nag-violate siya ng constitutional law and it will help us decide whether to grant or deny the franchise. Ngayon, sa isang panig naman, kung napatunayan naman nilang hindi American citizen, then it would also help us decide whether to grant or deny.

So, again, we need an impartial, comprehensive hearing giving due process to all sides. Iyong mga impormasyon na sinasabi po ni DS Marcoleta ay dapat lang ilatag po iyan sa hearing.

Salamat po, Mr. Speaker.

REP. MARCOLETA. Mr. Speaker, you might have noticed that I am asking these questions for the simple reason of conveying to our Members and the public at large that there are very serious allegations surrounding the renewal of franchise of ABS-CBN and that Congress should not lessen or loosen its guard in being able to exercise its oversight powers before it grants a very

important permit to operate a mass media, subject to the limitations given to us by our Constitution.

I would like to thank you, Mr. Sponsor; thank you, Mr. Speaker, and thank you to our colleagues for your time and attention. Thank you very much.

REP. VILLAFUERTE. Thank you, Mr. Speaker. Thank you, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). Thank you, Deputy Speaker.

The Majority Leader is recognized.

REP. SUAREZ (D.). Thank you very much. Mr. Speaker, next to interpellate, I move that we recognize the Gentleman from the First District of Agusan del Norte, Cong. Lawrence “Law” H. Fortun.

THE DEPUTY SPEAKER (Rep. Abu). The Gentleman from the First District of Agusan del Norte, Hon. Lawrence Fortun, is recognized to interpellate the good Sponsor.

REP. FORTUN. Thank you, Mr. Speaker. Is the distinguished Sponsor willing to answer a few questions and interpellation?

REP. VILLAFUERTE. Yes, Your Honor. Yes, Mr. Speaker.

REP. FORTUN. Mr. Speaker, unang tanong lang po. The franchise of ABS-CBN had expired on May 4 this year. In other words, there is no more existing franchise to speak of. Now, we are trying to legislate a franchise for ABS-CBN. May I know, Mr. Speaker, the nature of the measure? Is this one a grant of a new franchise or is this a renewal of a franchise?

REP. VILLAFUERTE. It is basically, Mr. Speaker, Your Honor, a grant of a provisional franchise, meaning, a five-month franchise for ABS while we are hearing the issue of whether this is a renewal or a new franchise and again, it is subject to debate.

At this point, the rationale in filing this Bill is really for ABS to be able to operate while we are hearing the issue. Again, the distinguished Gentleman from Agusan, his point is very noteworthy, maganda po, merong school of thought na sinasabi na since expired na iyan, dapat new franchise na iyan, hindi na iyan renewal. But ang tanong nga, kung wala naman new bill na na-file ay hindi madidinig iyan. So, at this point, kami, we stand by what we filed. This is a bill that will grant a provisional franchise, temporary, for five months. The issue of whether it is a renewal or new franchise, I think that has to be resolved at a later time.

Thank you, Mr. Speaker, Your Honor.

REP. FORTUN. Thank you, Mr. Speaker. Thank you, distinguished Sponsor.

I asked the question, Mr. Speaker, because this is material to the issue of whether or not the frequency of ABS-CBN can be assigned already to another network. If this is a renewal, then in the meantime that the renewal bill is still being heard, there cannot be any assignment of the frequency to any other network. But if this is for a new franchise and pending the issuance of a new franchise in the meantime, the frequency can actually be assigned already to another network. So, may I ask, Mr. Speaker, what protection does ABS-CBN have from the possibility of its current frequency being assigned to another network in the meantime that its franchise bill, whether one of renewal or new franchise, is still being heard in the House of Representatives?

REP. VILLAFUERTE. Mr. Speaker, napakaganda po ng punto ng ating kagalang-galang na Congressman, si Law. Importante po iyan na marinig ng publiko because if I personally say that this is a new renewal, meaning, hindi dapat i-assign ang frequency. I cannot answer for the NTC because in an open hearing, under oath, sinabi nila na they will renew. At this point, even if Congress says this is a renewal and the NTC thinks it is a new franchise and they can give away the frequency, we are separate branches of government and this was already shown by the issuance by the NTC of the cease and desist order. So, at this point, if my stand is this is still a renewal, with regard to the question of the honorable distinguished Gentleman from Agusan on what protection, I cannot answer for the NTC definitely because even if I think that this is a renewal, it does not change the fact that the NTC can decide that it is a new franchise and give away the frequency, Your Honor, Mr. Speaker.

REP. FORTUN. Iyon lang po ang ikinakabahala ko because the NTC, at this point and as far as we are concerned, cannot really be trusted. They committed to us in a committee hearing under oath that they would issue a provisional permit to ABS-CBN and aside from that commitment, Mr. Speaker, they also committed that, leading to the issuance of the provisional authority, they would from time to time update the House of Representatives of any development relative to the provisional authority. And yet, from March 10 up to May 4, we never heard from the NTC and they surprised us on May 5 with the issuance of a cease and desist order.

Kaya parang nakakatakot, hindi natin mapagkakatiwalaan dahil bagamat under oath nilang binitawan ang kanilang commitment, they reneged on that commitment in wanton disregard of what they told us in that committee hearing of the Committee on Legislative Franchises. As in wanton disregard. Sana

naman if they had a change of heart midstream, they should have told us ahead of time that “Contrary to our earlier commitment, after consultation with our legal department, we could not anymore assure you of a provisional authority for ABS-CBN because the legal opinion of our lawyers are to the contrary.” Yet, ginulantang tayo ano. Kaya tinatanong ko ito, Mr. Speaker, because there might be a possibility that at the time that ABS-CBN is granted a franchise, the frequency that was assigned to them may no longer be available. And I will not belabor this, Mr. Speaker, because as you said, you cannot answer for the NTC.

Another question, Mr. Speaker, kailan po ba natin masasabing ang isang prangkisa ay provisional? For example, if we give ABS-CBN not the 25-year franchise that is usually given to all other networks that apply for franchises in the House of Representatives, but if we give them, for instance, a two-year franchise, is this provisional or a regular franchise already?

REP. VILLAFUERTE. A two-year franchise can be considered provisional franchise because as mentioned earlier, iyong Bolinao Electronics Corporation was granted a temporary permit to operate on June 14, 1950 na wala ngang time period that time. May condition lang that it will be given a permanent one if they meet certain conditions. So, it is the prerogative of Congress kung ano pong time frame as long as, you know, we follow the constitutional requirement. Congress has the prerogative to give three, five, six or up to 25 years, Your Honor, Mr. Speaker.

REP. FORTUN. Mr. Speaker, can we not simply call it a franchise with a shorter period?

REP. VILLAFUERTE. Magandang punto iyan. We are open for discussion as that can be discussed at the right time during the hearing or in the period of amendments, Mr. Speaker, Your Honor.

At this point, since we reverted to the Second Reading, everything is open at this point for discussion, for manifestation, for amendments in due time. At the end of the day, gusto nating ipakita sa publiko na habang gusto natin na bigyan ng priority o pabilisin ang pandinig at pagdesisyon, at ginawa nga natin on First and Second Readings, ay kailangan rin talagang marinig at lalong marinig pa ang iba’t ibang kasama natin dito sa Kongreso na nakiusap na pagbigyan silang magpa-interpellate, pagbigyan silang mag-propose ng further amendments kaya nga po ang leadership of the House, kami po na principal authors, ay pumayag na po na i-revert ito sa Second Reading and open the floor for further interpellations, Your Honor, Mr. Speaker.

REP. FORTUN. Thank you, Mr. Speaker, distinguished Sponsor. Since we are now on Second

Reading again, Mr. Speaker, and we would reach the point where we have to introduce amendments to the pending Bill, is the distinguished Sponsor open to an amendment of the period so that instead of October 31, 2020 this year, it will be up to 25 years as earlier brought up by our distinguished Chairman of the Committee on Appropriations, Cong. Eric Yap?

REP. VILLAFUERTE. Tama po kayo. Nag-manifest po si Congressman, Chairman Eric Yap and siguro, maybe we can hear from the distinguished Gentleman from Agusan if he wants to propose an amendment at the right time, na imbes na October 31, 2020 ay gawing October 31, 2045, thereby granting a 25-year franchise. Open po kami diyan. Importante talaga na tayo ay may due process, pinapakinggan lahat. Siguro the distinguished Gentleman from Agusan filed a bill, I think if I am not mistaken, for a 25-year franchise. We are open to suggestions, for amendments at the right time provided again that dapat talaga magkaroon ng malawakang hearing. Ito po ang gusto ko pong mangyari as the Sponsor of this Bill.

Thank you, Mr. Speaker.

REP. FORTUN. Mr. Speaker, practical question lang po kasi tinitingnan din natin iyong urgency ng resumption of operations of the network because of the 11,000 workers or so who have been displaced in the middle of a pandemic. We want to address that, Mr. Speaker, na sana naman makabalik sila sa trabaho dahil napakaraming pamilya po ito—11,000 breadwinners translated to 11,000 families affected by the displacement in the middle of a pandemic. So, ang gusto kong itanong, if ang magiging direksyon po natin ay 25-year franchise, will this entail a longer process, like referring back the measure to the Committee on Legislative Franchises for further hearings because this is already for a franchise of 25 years. Or will the 25-year franchise, after amendments, be approved by the Plenary already and will no longer undergo the same procedure in the Committee on Legislative Franchises? Kasi kung tatagal po, halimbawa tatagal pa ng ilang buwan hanggang October, napakatagal pong walang trabaho iyong 11,000 na iyon. It might be helpful to give a shorter franchise period instead and just consider that longer period of 25 years in the meantime that the shorter franchise is effective.

REP. VILLAFUERTE. Tama po iyan. In fact, ang intention ng pag-file namin nito ay mabigyan ng provisional franchise until October so that they can operate and hindi mawalan ng trabaho itong 11,000 habang dinidinig natin. However, since ibinalik na ito sa Second Reading, hindi naman po kami ang may gusto na ibalik ito, but some Members, may nag-question nga na may constitutional defect. We opened



the floor for further amendments. So, at this point, uulitin ko, iyong gusto namin ay makapag-operate sila habang hini-hear but ngayon, mukhang marami na pong schools of thought. Mayroong gustong bigyan ng provisional franchise hanggang October, mayroong gusto na hanggang 2021, mayroong may gusto ng 2022, mayroon ding nag-iisip na 2045 o 25 years na. At this point siguro, we can decide that during the period of amendments and we want to hear from the majority of our Members kung ano na talaga, on how we can move forward. What is important is pinapakinggan na, naririnig na ng taong-bayan ang both pro and against, ang mga issues to help us decide. I think at this point, iyan ang importante.

Maraming salamat, Mr. Speaker.

REP. FORTUN. Mr. Speaker, distinguished Sponsor, if we grant a shorter franchise period of until October 2020 or maybe a year or two, not the 25 years, are we looking at, this week, the approval on Second Reading of the measure and on Third Reading by next week, probably Monday?

REP. VILLAFUERTE. I cannot speak for the Majority. Basta ako, iyong nag Second Reading kami last week, akala namin uusad na ito, akala nga namin we are complying with the three-day ruling in the Constitution na ma-Third Reading na para ma-forward na sa Senado. Pero ngayon, makikita mo medyo nag-iba po ang desisyon ng ating mga Miyembro. Narinig mo naman si DS Marcoleta, gusto niya isang malawakang hearing. Si Chairman Eric Yap ng Appropriations, nag-file ng resolution ng malawakang imbestigasyon at gusto na rin niya iyong para sa 25 years ang dinggin. Mayroon naman na gustong 2021, 2022. So, at this point, Your Honor, I cannot answer for the Majority. I think we should have a Majority caucus and decide how to move forward starting today, after the changes and various interpellations and manifestations expressed by our Members, Mr. Speaker.

REP. FORTUN. Thank you, Mr. Speaker, distinguished Sponsor. At any rate, at the proper time, Mr. Speaker, this Representation considers proposing a 25-year franchise instead of one until October 31, 2020.

Just another manifestation, Mr. Speaker, on the issue of franchise. I tried to do a little research and came to a conclusion that the requirement of legislative action for the grant of franchises, especially in this case, the franchise for ABS-CBN, is not actually a constitutional requirement. There is no provision in the Constitution that requires that there should be a legislative grant of franchise. It is actually a power that is provided for by law. In other words, if we are asked, is there really a constitutional requirement? None. Unless, there is a

law, there is no need for a legislative franchise. And interestingly, Mr. Speaker, it appears that there is really no law that specifically grants Congress the power to grant legislative franchises to TV networks because the law that was applied by the Supreme Court was the law referring to the grant of franchises to radio networks and in one case, the Supreme Court said that the law also applies to television.

Mr. Speaker, I had contemplated on this even prior to the issue of the ABS-CBN's renewal of franchise. I contemplated filing a bill removing from Congress the power to grant legislative franchises to public utilities and public services simply because it is an added burden, it is an added layer in the bureaucratic requirements. But the experience, Mr. Speaker, that we had with the NTC gave me a change of heart because it appears that retaining the power to grant franchises in Congress, serves as a mechanism for check and balance. Kasi kung sa isang ahensya na lang tulad ng nangyari sa NTC, parang napaka powerful na nila and walang check and balance. I think it is appropriate that we retain that power in Congress by retaining legal requirements and in fact, strengthening the legal requirements for legislative franchises for public services and public utility.

Lastly, Mr. Speaker, distinguished Sponsor, sabi ni Mr. Speaker, kanina, moot and academic na pero gusto ko lang i-emphasize, just for a minute, that I beg to disagree that holding the First and the Second Readings on the same day is unconstitutional. The Constitution I think contemplates a situation where a bill is referred in the regular course to a regular committee like the Committee on Legislative Franchises because the rationale under the Constitution, as ruled by the Supreme Court in one case, *Kida vs Senate of the Philippines*, ang sabi ng Supreme Court, ang rationale po nito ay upang the rest of the Members of the House are duly informed of what transpired in the committee. So, if this was referred to the regular committee, only the members of the committee had prior notice or had notice of what transpired there, and the rest of the Members of the House do not have notice. But in our case, in the case of House Bill No. 6732, this was referred to and considered in the Committee of the Whole, in which case everybody participated or had the opportunity to participate in the deliberation on the Bill at the committee level, in which case, the First and the Second Readings were already conducted on the same day. What cannot be compromised, Mr. Speaker, is the Third Reading on a separate day because the requirement in the Constitution is that there should be a distribution of copies of the Bill in its final form to all Members three days before the passage.

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

REP. VILLAFUERTE. Thank you, Mr. Speaker. I share the view of the distinguished Gentleman from Agusan that there was no constitutional defect in the process that we have laid out in approving it on First and Second Readings. However, I also would like to answer the points made by the distinguished Gentleman from Agusan. Congress really is vested with the authority to grant a franchise based on a constitutional law. Malinaw naman po doon sa Article VI, Section 24 na sinasabi na “private bills shall originate exclusively in the House of Representatives.” Private bills, meaning, iyong origination clause provides that private bills must originate from the House of Representatives. A private bill in the legal dictionary is defined as any legislation that benefits an individual or locality. Anchoring on this, a legislative franchise is then under the exclusive jurisdiction or power of the Lower House of Congress.

And again, if I might cite jurisprudence, *Santiago C. Divinagracia vs Consolidated Broadcasting System, Inc. and People’s Broadcasting Service Inc.*, the decision cites clearly:

Any person or enterprise which wishes to operate a broadcast radio or television station in the Philippines has to secure a legislative franchise in the form of a law passed by Congress, and thereafter a license to operate from the NTC.

So, the power granted to Congress basically is constitutional and not statutory, Your Honor, Mr. Speaker.

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

The Majority Leader is recognized.

REP. TADURAN. Mr. Speaker, I move that we recognize Hon. Sol Aragonés of the Third District of Laguna to interpellate the Sponsor of House Bill No. 6732, Deputy Speaker LRay Villafuerte of the Second District of Camarines Sur.

THE DEPUTY SPEAKER (Rep. Abu). May I remind the Rules Committee that during interpellation, the interpellator can only be recognized once and not twice, unless otherwise by leave of the House. Cong. Sol Aragonés already interpellated the honorable Sponsors last Wednesday and without leave of the House, she cannot do so again.

REP. TADURAN. Mr. Speaker, I move that Hon. Sol Aragonés be recognized but instead of an interpellation, she will deliver her manifestation, Mr. Speaker.

REP. VILLAFUERTE. Mr. Speaker, just for reference, the honorable Cong. Sol Aragonés made a manifestation last week instead of conducting an interpellation, Your Honor, Mr. Speaker.

REP. PALMA. Mr. Speaker.

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

REP. PALMA. Mr. Speaker, with leave of the House, I move that we recognize Hon. Sol Aragonés.

THE DEPUTY SPEAKER (Rep. Abu). Hon. Sol Aragonés is hereby recognized, by leave of the House.

REP. ARAGONÉS. Thank you, Mr. Speaker. I would like to ask our Sponsor if you are willing to answer a few questions.

REP. VILLAFUERTE. Yes, Your Honor, with pleasure.

REP. ARAGONÉS. Maraming salamat. Pero bago ang tanong, kuwento muna.

Ang pagbubukas ho at ang pagbibigay ng prangkisa sa ABS-CBN ay katumbas ng pagbibigay ng ngiti sa 80 milyong Pilipinong tumututok sa istasyon sa araw-araw ng kanilang buhay dahil ang ABS-CBN po ang isa sa pangunahing pinagkukunan ng impormasyon, kasiyahan at inspirasyon sa panahon ng kalungkutan, lalo na sa panahon ng pandemya.

Mr. Speaker, Mr. Sponsor, nais ko pong ipaalam sa inyong lahat na ang inyong lingkod ay dating empleyado ng ABS-CBN. Labing-tatlong taon po na nagtrabaho ako sa istasyon. Marapat lamang siguro at hindi ko maialis na magmalasakit sa aking dating tahanan pero hindi ko na ho kuwento ito ngayon. Kuwento na ho ito ng libu-libong mga empleyado na umaasa na magpapatuloy ang kanilang hanapbuhay. Kuwento na ho ito ng pagkakataon na mapakinggan ang iba’t ibang panig sa isyung ito at kuwento na ito ng muling pagbalik sa himpapawid o sa ere ng istasyon na patuloy na magiging kaagapay ng gobyerno sa panahong ito ng pandemya. Kuwento na ho ito ngayon at hindi na ng kahapon.

On that note, Mr. Sponsor, tulad ninyo rin, tulad din ng milyun-milyong Pilipinong tumututok sa istasyon, kami rin ho ay naghihintay, pare-pareho tayong naghihintay ng happy ending. Kaya naman ho noong nakaraang weekend, marami hong nagtatanong, Mr. Sponsor, kung posible, bagamat ito ho ay naitanong na kanina para lang ho mapakinggan muli ng mga nanonood at nakikinig sa atin, posible ho ba ang tanong ng karamihan na sa halip na six months ay 25 years na ang ibigay? Ito ho ba ay isang bagay, Mr. Sponsor, na ikinokonsidera ninyo sa ngayon?

REP. VILLAFUERTE. Mr. Speaker, when I filed this Bill, the original intention was really five months in order for ABS to operate while we have an extensive hearing, but hearing suggestions, manifestations from our colleagues, Chairman Eric Yap, Cong. Law Fortun, open naman po tayo na pakinggan na lang natin po ang franchise application in order to decide whether to give them a 25-year franchise or not. So, open po ako sa ganyang klaseng amendment at this time po dahil bukas po ang aking pag-iisip. Naririnig ko naman po ang sentimyento ng ating mga kasama. Bukas ho ako diyan na ma-amend po iyan, na ideretso na lang, pakinggan natin, ng 25 years iyong term ng franchise application po ng ABS.

REP. ARAGONES. Para higit pa rin pong maipaliwanag, Mr. Sponsor, bagamat ito ay nabanggit din ni Congressman Fortun kanina, para sa kaalaman ng ating mga kababayan, kung ang tutunguhin ho ay six months, ano ang magiging proseso para sa mas malinaw na kaalaman ng mga simpleng mamamayan? Kung 25 years naman ho ang tutunguhin natin, ano naman ang magiging proseso?

REP. VILLAFUERTE. Well, iyong original Bill po na na-file, ang intention talaga is mag-operate muna until October habang pinapakinggan ito and we will decide on or before October whether to give a 25-year franchise. But with regard to your proposal or your manifestation, at this time hindi pa naman tayo nag-e-entertain ng amendment, we will consider a 25-year franchise.

The process by which it will happen, I think we have to hear other Members kung anong proposal nila kasi mayroon diyan ang gusto pabilisin pero sa akin personally kung pabilisin naman natin iyan ay para naman hindi natin ginagampanan ang ating constitutional duty na pakinggan ang lahat ng sektor. On the other hand, ang sinabi na since expired na iyan, e pakinggan na iyong 25 years pero they will remain to be closed.

So, these are options open at this point. Ang importante lang talaga ay magkaroon ng extensive, comprehensive, impartial at transparent na hearing. Can we do this in three months? Yes. Can we do this in six months? Yes. Siguro, masasagot ko po iyan nang malinaw kapag talagang mag-umpisa na tayo sa full-blown hearing at maimbitahan iyong mga pro at against, at malaman natin. Kasi kung konti lang naman ang gustong magsalita, e di maaaprubahan ng mabilis iyan. E kung marami naman ang gustong magsalita, tatagal po.

So, these are the questions that we have to address when we finally decide how to move forward, Mr. Speaker, Your Honor.

*At this juncture, Deputy Speaker Abu relinquished the Chair to Deputy Speaker Dan S. Fernandez.*

REP. ARAGONES. Maraming salamat. Malinaw po ang inyong kasagutan, Mr. Sponsor. Ako po ay pabor

at nagpapasalamat sa inihain ninyong panukalang batas kasama si Speaker Alan Peter “Compañero” S. Cayetano at iba pang authors nito sa pansamantala or provisional franchise na ibibigay sa ABS-CBN. Malaking bagay na po ito. Pero kung maikokonsidera ho ang 25 years, sabi nga ho ng millennial, Mr. Sponsor, “baka naman—baka naman kung may 25 years na ikokonsidera, baka ho mas happy ang ending.”

Maraming salamat ho, Mr. Sponsor. Maraming salamat ho, Mr. Speaker.

REP. VILLAFUERTE. Thank you. Thank you. Maraming salamat po sa mga puntos na ibinigay po ni Congresswoman Sol Aragonés.

THE DEPUTY SPEAKER (Rep. Fernandez). The Majority Leader is recognized, please.

REP. TADURAN. Thank you. Mr. Speaker, I move that we recognize Hon. Alfredo A. Garbin Jr. of AKO BICOL Party-List to interpellate the Sponsor.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fernandez). Representative Pido Garbin is recognized for his interpellation.

REP. GARBIN. Thank you, Mr. Speaker. Magandang hapon ho sa inyong lahat and to our distinguished Sponsor, our Deputy Speaker from Bicol, Congressman Luis Raymund “LRay” F. Villafuerte Jr. Sana ho pakinggan ninyo ako kahit konti. Salamat ho.

Distinguished Sponsor, Mr. Speaker, kanina ho napakinggan ko iyong interpellation, mga katanungan ni Congressman Fortun. He mentioned about the powers of Congress to grant franchises. Although I defer to his proposition that this Congress does not have any explicit power to issue franchises, especially for mass media, I agree with the elucidations made by Congressman Villafuerte that the same is constitutionally provided for. In fact, under Section 11 of Article 12 of the Constitution which states that:

No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines, at least sixty *per centum* of whose capital is owned by such citizens—except for mass media which is one-hundred percent Filipino-owned—nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by Congress when the common good so requires.

So, meaning, Mr. Speaker, distinguished Sponsor, that the right to amend, alter or repeal was given to Congress and this power emanates from the very power to grant franchise. Kasi kung wala ka ng power to grant, wala ka naman power to repeal, amend, alter the franchise that was given to any entity and therefore, Mr. Speaker, the power of Congress to grant franchise is constitutional.

Now, let me go now to my point, Mr. Speaker, on the issue of the term of the franchise which is Section 6. Marami ho akong naririnig kanina and even sa labas, na tayo daw dito sa Kongreso bawal mag-grant ng temporary or provisional franchise, to which I disagree. In fact, tatanungin ko ang distinguished Sponsor na nowhere in the final form of the Bill which was distributed to us five days ago, mentioned about temporary or provisional franchise. It speaks only of a franchise with a term “until October 31.” That was the Bill subject of this deliberation today. Do you agree, Mr. Speaker, distinguished Sponsor?

REP. VILLAFUERTE. Yes, the title of the Bill filed has no mention of “provisional.” The reason why we call it provisional/temporary is the short period, Your Honor but definitely, the title of the Bill has no mention of provisional. It specifically states AN ACT GRANTING THE ABS-CBN CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES, AND FOR OTHER PURPOSES, Mr. Speaker, Your Honor.

REP. GARBIN. So, meaning, under the powers granted by the Constitution to Congress, we can grant five months, one year, 25 years. The only limitation is that under Section 11 of Article XII of the Constitution, in no case it should exceed or for a longer period than 50 years. Tama ho ba, distinguished Speaker?

REP. VILLAFUERTE. Tama po iyan. Iyan po ang nakalahad sa Constitution po, Your Honor, Mr. Speaker.

REP. GARBIN. Ang nakasanayan lang, palaging 25 years iyong ating ina-approve but the Constitution does not limit us to approve a franchise with a term of six months, five months, 25 years or a period not longer than 50 years. So, sana ho malinawan iyong ating mga kababayan na palaging nagtatanong at iyong iba pang mga abogado na nagsasabi, nagpapa-interview sa ibang radio stations, that what we are doing here is unconstitutional because we can only approve a franchise with a term or a period of 25 years.

*At this juncture, Deputy Speaker Fernandez relinquished the Chair to Deputy Speaker Raneo “Ranie” E. Abu.*

Ang sinasabi ho ng ating Konstitusyon, ng ating Saligang Batas, ang limitasyon lang ho is that we cannot approve a franchise for a longer period than 50 years.

Dito na ho tayo, Mr. Speaker, distinguished Sponsor, doon sa mga alegasyon. Since we intend to approve this one with a term of six months, barring any amendments for that matter that will be approved by the Plenary and barring also the outcome of the conference committee, dahil kung kayo ho ay mag-a-agree sa akin, the private bill, which is the franchise, must exclusively emanate from the House of Representatives but it does not say that the outcome, which is the final form of the law, must exclusively emanate from the House of Representatives. Tama ho ba?

It is only the Bill and not the law that should exclusively emanate from the House. Tama po ba?

REP. VILLAFUERTE. Tama po. It should emanate here like tax laws, revenue laws, local bills, private bills ...

REP. GARBIN. Local bills, private bills, revenue and tariff bills.

REP. VILLAFUERTE. ... should emanate and originate from the House of Representatives, Your Honor, Mr. Speaker.

REP. GARBIN. But it only speaks of the Bill, Mr. Speaker, distinguished Sponsor. It does not speak of the final form of the law. So that, pagdating ho doon sa conference committee, we being a bicameral Congress, baka ho magkasundo iyong Kongreso, iyong House of Representatives and the Senate, to provide a longer term—it could be 25 years, 20 years, 10 years, five years or two years for that matter. Tama po ba, distinguished Sponsor?

REP. VILLAFUERTE. Tama po, malinaw naman po sa Konstitusyon that it should originate here but the Upper House or the Senate can institute amendments through the bicam, a part of legislative process. We can propose to them, until October, but it does not stop the Senate from proposing a longer or shorter term for that matter, Mr. Speaker.

REP. GARBIN. So, they can propose or concur with amendments and they can propose a longer term, but it does not also preclude us in the period of amendments to propose a longer term before we approve House Bill No. 6732. Tama po ba, Mr. Speaker?

REP. VILLAFUERTE. Tama po. Malinaw sa Article VI, Section 24, that all private bills shall originate exclusively in the House of Representatives but the Senate may propose or concur with amendments. So, they can accept the bill in its final form with no amendments or propose amendments, Your Honor, Mr. Speaker.

REP. GARBIN. So, malinaw po iyan, distinguished Sponsor, Mr. Speaker.

Now, let me go to the serious allegations against ABS-CBN which were already brought up by the great Deputy Speaker Congressman Rodante D. Marcoleta. You said earlier, Mr. Speaker, distinguished Sponsor, that the discussion on those allegations pertaining to the double subsidiary, citizenship, contractual obligations, violation of labor laws, should come at a proper time wherein, sabi mo nga po, distinguished Sponsor, dapat magkaroon ng impartial and comprehensive hearing para doon. Tama po ba, the distinguished Speaker?

REP. VILLAFUERTE. Tama po, the Body can decide to hear this in the Legislative Franchises Committee or this Body can declare this as a Committee of the Whole. In both cases, we can conduct an extensive hearing. We can invite resource persons via Zoom or actual public hearings, either to the Franchises Committee or as a Committee of the Whole, Your Honor, Mr. Speaker.

REP. GARBIN. So, it will come at a proper time but the circumstance that we are right now is that we are prohibited from having a mass gathering that was provided for under the guidelines and regulations of MECQ, Modified Enhanced Community Quarantine. So, Mr. Speaker, I propose that after we approve this franchise, we can avail of the mode of discovery, written interrogatories wherein we can send questions in the form of written interrogatories to agencies of the government and ABS-CBN, including the NTC, the BIR and the SEC, so that they can provide us written answers, under oath, about those allegations pertaining to violations of laws, contractual obligations and citizenship requirements, among others, of the applicant for the renewal of franchise of ABS-CBN.

Siguro, that is the way to go po, distinguished Sponsor, that while we are awaiting for the new normal and that impartial and comprehensive hearing, we should avail of the modes of discovery provided for under the Rules of Court because, in fact, our rules provide that the Rules of Court is supplementary in character. Those that we see in the House Rules can be supplemented by the Rules of Court and that is one way of having it, the modes of discovery. Kapag sila ho ay nagsumite na ng kanilang mga sworn declarations

under oath, iyong mga sagot nila mula sa mga ahensya ng gobyerno, including ABS-CBN, then we can be properly guided and then we can simplify the issues the moment we conduct a comprehensive and impartial committee hearing. Do you agree with me, distinguished Sponsor, Mr. Speaker?

REP. VILLAFUERTE. Well, several points first, for me, that mass gathering definitely is not allowed but despite that fact, we are still able to conduct hearings. Right now, there are less than 50 Members here but we are still in compliance with the protocols. With more than 200 of our Members participating through Zoom, we can still do hearings, a comprehensive, impartial hearing through this type of arrangement, so, submitting position papers, definitely, is a must.

REP. GARBIN. Yes.

REP. VILLAFUERTE. In fact, we urge already those for and against to submit at the soonest possible time why they are for the approval, why they are against and I think, the Franchise Committee has started this. But again, we would like to reiterate to the public, those for and against should submit their position papers, but I beg to disagree that we can simplify the issue because no matter what we do, this is a divisive, complicated issue. Kahit na ano pong sabihin natin, kahit no matter how we want to simplify and fast track, komplikado po ito and very divisive.

What we can assure, what we need to do therefore is to really have an impartial hearing, hear all sides, so that when we decide, we can all unite as a nation because all voices were heard. That is what is important kasi kapag nag-decide ka na “for,” galit iyong against; kapag nag-decide ka against, galit iyong “for.” So, ito ang sitwasyon na talagang you cannot satisfy everyone, but what we can guarantee is, dapat talagang magkaroon ng extensive hearing, extensive submissions and receipt of position papers at the soonest possible time. The manner and the mode of the hearing will be further determined by the leadership on how to proceed. Ang importante, dinidiskusyon na.

Nakakalungkot lang dahil nag-umpisa na tayo mag-hearing ng three o'clock, alas sais na, nakakalungkot lang na hindi natin nata-touch iyong mga issue on COVID-19 related tulad ng stimulus package, marami pong nagugutom, kailangan ng trabaho, kailangan ng ayuda. Ito na po iyong sinabi ni Speaker, na kapag nag-umpisa na po ang ABS-CBN hearing, kawawa naman iyong ibang mga panukala and this is what is happening. Isipin mo, nag-umpisa tayo ng three o'clock, alas sais na, hindi ko nga alam kung anong oras tayo matatapos. Ang nakakalungkot lang, 90 percent of our Members are focused on ABS-CBN and while I feel that there are more important and urgent issues that we have to

discuss, that is the reality. The reality is, kapag ABS-CBN ang issue, covered ng media pero kapag Balik Probinsiya, COVID-19 related, hindi nako-cover ng media. So, iyan lang po sana, pakiusap ko rin sa media na i-cover lahat ng nangyayari sa Kongreso para naman nalalaman ng tao kung ano ang tunay na nangyayari. I agree with the distinguished Gentleman from AKO BICOL Party-List, however, on most of the issues he has raised, but I beg to disagree that this is a simple issue. We can simplify the process but the issue definitely cannot be simplified.

Thank you, Mr. Speaker, Your Honor.

REP. GARBIN. Thank you, distinguished Sponsor. What I am trying to say is, upon submission of all those written declarations of government agencies and resource persons, where we cannot compel them to attend a physical hearing because of our present circumstance and at the same time, those allegations made against ABS-CBN, the applicant himself can submit a written declaration under oath, then, if we all receive those written declarations, sworn statement under the modes of discovery provided under the Rules of Court, ang sinasabi ko ho ay somehow we can now simplify the issues and be guided accordingly doon sa mga kasagutan ng mga ahensya ng gobyerno, pati na iyong mga nag-aalega, pati na iyong inaaakusahan para magtuloy-tuloy iyong ating pag-aaral dito sa prangkisa na ito.

REP. VILLAFUERTE. Magandang punto iyan but again, kasi, the reality is, papayag ba ang ABS-CBN na lahat ng akusasyon sa kanila ay sagutin na lang nila through documentary evidence or counter evidence under oath? Papayag ba sila? Papayag rin ba ang mga oppositor na huwag na lang magsalita under oath at mag-submit na lang ng dokumento?

So I think we have to balance and we have to determine what can be accepted as documentary evidence. We can just corroborate information through evidence and at the same time, kailangan rin talaga, sa palagay ko, na ang physical presence under oath ng mga resource persons, Your Honor, Mr. Speaker.

REP. GARBIN. Well, our aim here, distinguished Sponsor, Mr. Speaker, is just the same: to have an impartial hearing, comprehensive and to arrive at facts, truthful facts, and the law on which this franchise will be approved, truthful facts and the prevailing law so that we can arrive at a conclusive decision on whether this franchise should be granted or approved.

Panghuli na lamang po, distinguished Sponsor, Mr. Speaker.

We thank the leadership of Speaker Alan Peter Cayetano for this timely action, with the House acting as a Committee of the Whole, wherein we are

now deliberating on Second Reading and period of interpellation and debate. We expect the Bill to be passed on Third Reading probably on Monday and be sent immediately to the Senate next week for their deliberations also. Now, once this Bill becomes a law, the unnecessary distraction caused by the NTC would now be removed. Consequently, we can all properly shift back our attention to fight this pandemic which is our fight against the COVID-19.

Now, ABS-CBN would be able to continue its role in its fight by providing news and entertainment and in assisting the government through private sector initiatives. Also, once passed, the provisional franchise will not only give—or the franchise will not only give ABS-CBN a fair chance to prove its worth before the Committee on Legislative Franchises and the Congress as a whole, but this will also give its employees the much-needed employment security.

While this development is good news, we have to be reminded that this Bill only gives the applicant, the ABS-CBN, a provisional franchise until October 2020. Thus, it is imperative that the main renewal bills be acted upon without further delay upon resumption of Congress from *sine die* adjournment on July 20, 2020 so as to remove any doubt. In the same manner, Congress should not forget the NTC's treacherous and contemptuous conduct which adversely affected not only Congress and ABS-CBN but also the millions of Filipino viewers. We must also be reminded that it would take time before this Bill becomes a law.

Now, distinguished Sponsor, while it is the joint sentiment of both Houses of Congress, the earliest we think of is that, barring any problem, this could be signed into law by the President, but we do not know yet kung kailan, of course, dahil mayroon pang publication. So, thus, in the interim and to cover the gap in time from the Bill's passage until it becomes a law, we implore the Supreme Court to take judicial notice of this official act being made by Congress, to take judicial notice of the Congress' sentiment by extending the courtesy of the government by issuing—hindi ko naman pinapakialaman po pero by taking judicial notice of this official act of the House of Representatives and of the Senate, baka naman ho puwedeng basehan na ng kanilang TRO.

It is respectfully submitted that this is the proper course of action, considering the sentiment of both Houses of Congress as well as the palpable falsity of the NTC's Order. To rule a delayed ruling would not only deprive ABS-CBN of the much-needed allowance to broadcast, and for its employees the security of their livelihood, but it would also deprive the Filipino people of a source of information and entertainment and possibly deprive them of ABS-CBN's social involvement in the fight against COVID-19.

Salamat po, Mr. Speaker, and to our Deputy Speaker, distinguished Sponsor, Congressman LRay Villafuerte.

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

The Majority Leader is recognized.

REP. VILLAFUERTE. Dios mabalos man sa kababayan ko na taga AKO BICOL.

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

#### SUSPENSION OF SESSION

REP. CRISOLOGO. I move to suspend the session, Mr. Speaker.

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

*It was 6:05 p.m.*

#### RESUMPTION OF SESSION

*At 6:11 p.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. SINGSON-MEEHAN. Mr. Speaker, with leave of the House, I move to recognize Rep. Arlene D. Brosas from the GABRIELA Party-List.

THE DEPUTY SPEAKER (Rep. Abu). With leave of the House, Hon. Arlene Brosas is recognized to interpellate the good Sponsor.

REP. BROSAS. Thank you, Mr. Speaker. Mr. Speaker, distinguished Sponsor, will the distinguished Sponsor yield to a few questions, Mr. Speaker?

REP. VILLAFUERTE. Yes, Mr. Speaker, it would be an honor.

REP. BROSAS. Thank you. Mr. Speaker, GABRIELA Women's Party would like to be further clarified regarding Section 4 of House Bill No. 6732 on the 10-percent share of the government on the paid advertisements of ABS-CBN.

Pasimplehin po natin ito para maunawaan ng publiko. Bukod sa GMA 7 at TV5, may ibang mga current franchise holders at broadcasting networks ba ang nagre-remit ng 10 percent ng kanilang advertising

revenues sa gobyerno sa kasalukuyan, Mr. Speaker, distinguished Sponsor?

REP. VILLAFUERTE. Thank you, Mr. Speaker, for that. The Speaker has extensively answered that question but ang sa amin naman po, ang nire-refer po dito is public service time or 10 percent of paid commercials or advertisements. We are not asking for revenue. Secondly, this is really important as part of the reform. Importante po na ang gobyerno, lalo na kapag in times of calamity and other circumstances, should be given time sa mga networks similarly situated. When I say similarly situated, for example, sino ba ang may national franchise—GMA, ABS previously and TV5—na magkaroon ng ganitong provision at mayroon naman po itong provision na ito na nakalahad sa GMA franchise which was granted by Congress and also sa TV5 franchise. So, itong 10 percent na ito is actually a good provision. It will level the playing field. Hindi naman ito hinihingi doon sa mga maliliit na mga prangkisa. Ngayon lang po nire-require po natin mula sa may national franchise, similarly situated at nasaad, na-mention naman po ni Speaker ang justification po nito.

Maraming salamat po.

REP. BROSAS. Yes. So, Mr. Speaker, distinguished Sponsor, sinasabi ninyo po na GMA 7, TV5 at ang ire-request sa ABS-CBN ang mayroon nito?

REP. VILLAFUERTE. Doon sa franchise po, Mr. Speaker, ng GMA and TV5, nakalagay na po sa kanilang franchise po itong provision na ito.

REP. BROSAS. So, Mr. Speaker, Mr. Sponsor, kasi if this is about upholding the equal protection clause, bakit po hindi i-legislate ito in a separate bill so as to cover all franchise applicants, Mr. Speaker, distinguished Sponsor?

REP. VILLAFUERTE. Because, Mr. Speaker, I think maganda na ilagay na po—nailagay na po ito sa GMA at TV5, so guaranteeing the equal protection law, at kung mayroon niyan sa TV5 at GMA ay dapat mayroon na rin niyan sa ABS franchise. So, patas po na lahat po sila na may national franchise na equally situated na mayroon na rin po nitong ganito. Kasi kung mayroong public information drive ang gobyerno, isipin mo nationwide agad ang coverage, lalo na kung ilagay po ito doon sa tatlong network na ito.

Iyong suggestion po na puwede namang i-separate, puwede rin naman po pero bakit pa natin ide-delay itong reform na ito na maganda naman? Bakit? Public interest, general welfare is assured in this provision. Importante po naman na ang gobyerno ay mabigyan ng ganitong karapatan dahil the franchise is a privilege granted to

them. Iyong frequency is owned by the government. So, it is just right that they give back to the government, Mr. Speaker.

REP. BROSAS. Mr. Speaker, distinguished Sponsor, why subject this provision to a case-to-case basis as contained in individual franchise bills katulad nga ng GMA 7, TV5, ABS-CBN lang? Kaya po sinasabi natin na pupuwede namang separate, puwede naman kung gusto talaga ng gobyerno ay pupuwede naman na separate bill ang gawin dito—na i-include niya iyong iba pang mga franchise bills, Mr. Speaker, G. Isponsor. Or pupuwede rin na ipasok ito, in fact, sa pagtalakay sa 25-year franchise bill mismo ng ABS-CBN at hindi dito sa provisional franchise na pinag-uusapan natin, Mr. Speaker, G. Isponsor.

REP. VILLAFUERTE. Lahat naman pong iyan ay puwedeng talakayin at maganda po ang mga suggestions pero noong na-grant po iyong TV5 at ABS—sorry, TV5 at GMA franchise po, I think the distinguished Lady was already a member of the Seventeenth Congress, this was not discussed. So, I think if this provision present in the TV5 and GMA franchises, I think it is just right, as part of equal protection, that if ever we give ABS a franchise whether for six months or 25 years, maganda na isama na ito kasi ang tanong naman kasi kung hindi natin isama ngayon sa five-month franchise, sasabihin nila “bakit hindi mo pa isinama?”

So, I think let us—kumbaga, when you read books about quality and doing things right, it is always suggested that we do it right the first time. So, let us do it right, and whether five months or 10 years or 25 years, let us just do it dahil nangyari na rin po iyan sa GMA at TV5, Your Honor, Mr. Speaker.

REP. BROSAS. Mr. Speaker, G. Isponsor, if this will be a contention doon sa pagpapasa ng provisional franchise, we might as well po na pag-usapan natin ito sa iba ding forum. Sinasabi po natin na to be consistent with the administration, kung gusto nga po natin na iyong pag-a-administer nito ay maging maayos, why not put it in a separate bill? Iyon po iyong suggestion namin, Mr. Speaker, G. Isponsor. But I would not belabor that, ang gusto lang po nating sabihin ay ipahayag na puwede namang separate bill ito. Bakit natin ipipilit kung magiging contention, Mr. Speaker, G. Isponsor? And puwede din naman na sa 25 years natin ilagay—dahil sa 25 years na ABS-CBN franchise natin ilagay, sa pagtalakay dito, iyong pag-include ng 10 percent. Iyon po iyong gusto nating irehistro, Mr. Speaker, G. Isponsor.

REP. VILLAFUERTE. Mr. Speaker, alam ninyo itong issue na ito, not just this issue on Section 4, lahat ng pag-uusapan dito sa ABS ay divisive at contentious.

Kasi isipin ninyo po, kapag hindi natin ilagay ito sa franchise kahit five months, ang sasabihin na naman ng tao—iyong iba ha, bakit hindi ninyo inilagay ito? Dahil ABS-CBN ba iyan? Dahil media giant ba iyan? Nag-lobby ba sila diyan kaya ninyo hindi inilagay iyan?

So, what I am saying is, whatever we do at this point, ay may magku-question, so I think in line with that, para hindi rin tayo masita na may nag-lobby, may nakiusap, or we were influenced by outside forces dahil malaki ang ABS, siguro, iparehas na lang natin kung ano ang provision na ito na inilaad sa TV5 at GMA para patas—equal protection for all whether five months or 25 years because at the end of the day, whether you give five months or 25 years, they still have to comply with the 10 percent, because if you do not put this in the five months, sasabihin, “So five months lang pala, exempted na kami sa 10 percent” e baka may ibang matalino diyan sabihin na “Di bigyan ninyo na lang kami ng five months palagi para we can get away with the 10 percent.” So, that is just my logic based on the argument or recommendations as presented by the distinguished Lady.

REP. BROSAS. Yes.

Mr. Speaker, G. Speaker, I will not go into further discussion doon. Ang gusto lang po natin talagang irehistro dito ay puwede rin naman iyon. Kung sinasabi ninyo na puwede sa inyo na equal protection clause ito, na talaga naman—kung nakalagay sa TV5 at GMA 7, therefore ilagay sa ABS-CBN, okay. Pero ang sinasabi po, on the other hand, puwede din namang separate na legislation.

Mr. Speaker, now, I would like to go to my next—actually, this is not a question but this is a manifestation.

Mr. Speaker, with due respect to our colleague who have raised issues related to ABS-CBN and its request for franchise renewal, I suggest that we deliberate on the pros and cons once the House finally tackles the pending bills on the 25-year franchise bill. For now, let us take on the intent of the provisional franchise bill amidst the exigencies of the times. Ang kailangan ngayon ay mabigyan ng katiyakan ang sambayanan na eere muli ang ABS-CBN sa Channel 2, hindi sa You Tube or sa kung anupamang platform. Kailangan ang katiyakan para sa 11,000 na manggagawa at kanilang pamilya kung talagang seryoso tayo sa labor issues.

With this, we strongly support the position to approve the provisional franchise of ABS-CBN on Second Reading, Mr. Speaker, Mr. Sponsor.

REP. VILLAFUERTE. Thank you. Maraming magaganda pong punto na nasabi po ang ating kagalang-galang na Congresswoman, lalong-lalo na po doon sa punto niya na kapag didinggin ang 25-year franchise bill ay dapat malawakan, extensive. Maraming salamat.



Then, gusto ko rin kasing i-point out dahil while we want to protect the jobs of these 11,000, mayroon rin kasing mga isyu na sinasabi ng mga kasama ko dito, na doon sa 11,000 ba, ilan ba ang contractual doon, ‘di ba? Ilan ba ang permanente doon? Ilan ba ang “endo” na sinasabi doon na may end of contract? So, while we want to protect the 11,000 employees, we want to further protect them by knowing this—is ABS-CBN tele-rating iyong tinatawag na “endo,” iyong perpetual contractualization? Kasi when we discuss the 11,000, ilan ba talaga doon ang contractual at ilan ba doon ang no-work, no-pay? Ilan ba doon ang walang regular contract, iyong sinasabi na walang security of tenure? So, iyong intention po namin talaga, noong na-file ito, ay makaere sila habang hini-hear. However, since we opened this measure back to the Second Reading, marami pa ang gustong mag-interpellate at mas lalong marami pang mag-a-amend. So, right now, we are open for further amendments in due time that when the Body is already or when we are already in the period of amendments.

In this case, maraming salamat sa punto ninyo, at least nag-agree tayo na kailangan ng malawakang pagdinig if ever na 25 years po ang prangkisang ibibigay.

Salamat po, Mr. Speaker.

REP. BROSAS. Yes. Mr. Speaker, Mr. Sponsor, siguro final words na lang po doon sa sinabi kasi ang immediate po, may immediate effect for the 11,000 workers, wala silang trabaho. So, iyon po iyong malinaw.

Ngayon, sa usapin po o sinasabi nga kanina kaya we are calling for this—ang pagkakaroon ng hearing dahil doon natin makikita iyong pros and cons. Iyong sinasabi ninyo po na kailangan nila ng security of tenure when in fact, napakarami pong kumpanya ang walang security of tenure, alam po natin iyan at ang informal sector natin ay napakalaki sa kasalukuyan. So, hindi lang po ito usapin ng isa lang, ng ABS-CBN but actually, the entirety pa nga ang kailangan nating mapag-usapan na labor issues. But definitely po, iyong pros and cons ay puwedeng pag-usapan doon sa pagtalakay na noong franchise bill.

Meanwhile, mayroon po tayong kinakailangan ngayon na pag-usapan na provisional franchise para makaere, may trabaho pa rin, nandiyan pa rin ang mga tao, at lalo na sa panahon ng pandemya na ang nakakarating na balita doon sa mga liblib na lugar ay mula sa mga katulad ng ABS-CBN. So, maigi po sana, Mr. Sponsor, Mr. Speaker, na immediately ay maipasa itong provisional franchise.

Thank you, Mr. Speaker. Thank you, Mr. Sponsor.

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

The Majority Leader is recognized.

REP. CRISOLOGO. Mr. Speaker, next to interpellate is Cong. Teodorico T. Haresco Jr.

If we could recognize our honorable Congressman, Mr. Speaker, I so move.

THE DEPUTY SPEAKER (Rep. Abu). Hon. Ted Haresco is recognized to interpellate the good Sponsor.

REP. HARESCO. Thank you, Mr. Speaker.

Honorable Sponsor, DS LRay, I would like to manifest, Mr. Speaker, that in light of the urgency of this COVID and post-COVID scenario, this Bill be referred to the Committee, Mr. Speaker, for the following reasons:

First, there are so many allegations about the franchise of ABS-CBN and we cannot just make haste and approve this Bill, Mr. Speaker. I may be speaking on behalf of the silent majority when I say that ABS-CBN should make clear why their DBP loans were written-off. Also, ABS-CBN should make clear why they max out their balance sheet by borrowing a lot of money from private banks?

Second, why does ABS-CBN say that they have 11,000 when the DOLE’s figure is some 4,400 only? Also, one of their spokeswomen said over international TV, she claimed that—about four to five times already—they had 11 million workers; also, Mr. Speaker, one franchise gave birth to 65 subsidiaries. These are not minor allegations, these are real.

Third, there are also legal issues, Mr. Speaker. One is the word “provisional”; another is what is happening in the Supreme Court, the processes and procedures to go through the approval of 65 franchises. The donations given over several decades, have they been accounted for? I myself, Mr. Speaker, I do not know why I did not get any acknowledgement receipts during my donations during calamities?

Again, Mr. Speaker, the shaping of the national psyche cannot be dependent on one dominant player, particularly if this dominant player is in other fields of energy—formerly in water distribution and distribution of electricity. Again, Mr. Speaker, I do not have enough knowledge to make a sound judgment whether I will vote yes, no or abstain. Therefore, Mr. Speaker, I would rather that this Congress concentrate on the bills on health, education, livelihood and agriculture on the post-COVID scenario.

Thank you, Mr. Speaker. Thank you, Mr. Sponsor.

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

REP. CASTELO. Mr. Speaker, I move that we recognize Hon. “Kuya” Jose Antonio R. Sy-Alvarado of the First District of Bulacan for his interpellation.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Hon. Jonathan “Kuya” Alvarado from the province of Bulacan is recognized.

REP. SY-ALVARADO. Thank you, Mr. Speaker. Mr. Speaker, will the Sponsor yield to some questions?

REP. VILLAFUERTE. Yes, Mr. Speaker.

REP. SY-ALVARADO. Mr. Speaker, kanina po ay may mga mungkahi na gawin ng 25 years ang ibibigay na prangkisa sa ABS-CBN. Kung papayagan ng Sponsor na tanggapin ang 25 years extension to operate ay mawawala po ang pangunahing adhikain naming mga tagapag-akda o nag-akda na magkaroon ng patas at komprehensibong hearing na hindi dapat lumagpas sa October 31, 2020. Kung magkakaganoon, Mr. Speaker, hindi na natin mapapakinggan ang saloobin ng mga taong nagpahayag ng kanilang oposisyon sa ABS-CBN katulad ng mga empleyado na hindi naging regular, mga kandidato na hindi pinalabas ang political ads nila noong nakaraan election ngunit tinanggap ang bayad. Hindi rin masasagot ang mga isyu kagaya ng pagbebenta ng black box na marahil ay sakop ng House Resolution No. 853 na filed ni Congressman Eric Yap, Congressman Tolentino at Deputy Speaker Duterte.

Mr. Speaker, sa kabilang banda, mayroon din namang mga naghain ng pagiging pro-ABS-CBN, kasama na po sa suporta sa ABS-CBN si Congresswoman Violago, Congressman Jericho Nograles, Deputy Speaker Arenas, Congresswoman Tambunting, Congresswoman Aragonas, Congresswoman Santos-Recto, Deputy Speaker Dong Gonzales, Deputy Speaker Pimentel, Congressman Leachon, Congressman Rodriguez, Congresswoman Ramirez-Sato, Congresswoman Brosas, Zarate, Gaité, Cullamat, Castro, at Elago, Congressman Go, Congresswoman Legarda, Congressman Del Mar.

Mr. Speaker, kanina po ay paulit-ulit na binanggit ng ating distinguished Sponsor na sana ay maipahayag ang mga punto ni Deputy Speaker Marcoleta sa isang hearing. Tama po ba, Mr. Speaker, Mr. Sponsor?

REP. VILLAFUERTE. Mr. Speaker, Your Honor, ang intensyon talaga, palagi ko po itong sinasabi, na dapat magkaroon ng impartial, comprehensive, extensive, transparent hearing at kailangan marinig lahat. So, whether that is a provisional franchise up to October or 25 years ang idi-discuss natin, subject siyempre at the right time iyan, iyan ang gusto ko pong mangyari at sa palagay ko, iyon rin po ang gusto ng karamihan ng ating mga kasama.

So, at this point, we are now back to the interpellation, iyong amendments should be discussed at the right time but again, gusto ko lang i-reiterate, kasama ko si Cong.

Jonathan Sy-Alvarado as one of the principal authors ng House Bill No. 6732 granting a franchise up to October 31, 2020 sa ABS, kailangan we should all agree na dapat kung magkaroon ng hearing, whether up to October, before or beyond, dapat comprehensive, impartial. So, iyan lang po ang dapat maliwanagan ng lahat dahil kung hindi natin gagawin po iyan, hindi po natin ginagampanan ang constitutional mandate natin dito sa Kongreso.

Thank you, Mr. Speaker.

REP. SY-ALVARADO. Mr. Speaker, dear Sponsor, gaano katagal po kaya ang aabutin ng isang komprehensibo at patas na hearing para sa prangkisa ng ABS-CBN, Mr. Speaker?

REP. VILLAFUERTE. Well, hindi natin talagang masasagot iyan ng 100 percent but iyong intention ng Bill ko, natin, Mr. Speaker, is mag-set tayo ng timeline by October. So, it does not mean naman na may timeline tayo ng October, madesisyunan iyan but that is the deadline we have tried to set among ourselves dito sa mga coauthors na sana madesisyunan na iyan whether to deny or grant the franchise.

Ang gusto ko lamang pong linawin sa lahat, hindi po ibig sabihin na kung mabigyan ng provisional franchise iyan, na ako pabor at hindi rin ibig sabihin na ako kontra. Kailangan madesisyunan dahil sa tamang pagdinig. Ngayon, may nag-suggest nga bigyan na lang ng position paper, pasubmitin na lang lahat e ang tanong ko naman, payag ba ang ABS, payag ba ang for at against?

So, in relation to the timeline I cannot answer that. We can set a timeline that we want to follow but maraming factors po iyan. Unang-una, we are in the new normal. We cannot—dati puwedeng sampung resource persons sabay-sabay, e ngayon siguro hindi na puwede iyan. Puwede tayong mag-marathon hearing mula umaga hanggang gabi pero iyong iba naman kasi may curfew pa, so hindi mo naman puwedeng i-require na mag-hearing beyond the curfew.

So, maraming factors po iyan na dapat i-consider. At this point, I cannot answer that. All we can do is set a deadline among ourselves and we will try as much as possible to follow that, Mr. Speaker, Your Honor.

REP. SY-ALVARADO. Mr. Speaker, sa araw pong ito.

#### SUSPENSION OF SESSION

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

*It was 6:36 p.m.*

## RESUMPTION OF SESSION

*At 6:38 p.m., the session was resumed.*

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

REP. SY-ALVARADO. Mr. Speaker.

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

REP. SY-ALVARADO. I would like to manifest at gusto ko pong ipahayag sa lahat na sa kabila ng problema natin sa COVID-19, sa dami ng panukala na kailangan nating ayusin dito sa Kongreso kagaya ng mga panukalang CURES, Economic Stimulus Bill at ilan pang mga bills tungkol sa Social Amelioration na talaga namang kinakailangan natin sa panahong ito, ay kumukunsumo ang usapin ng ABS-CBN franchise ng napakalaking oras sa ating lahat, lalong-lalo na sa napakahalagang punto ng epidemya o ng pandemya dito sa ating bansa.

Mr. Speaker, sakali lamang po na maaamyendahan ng 25 years iyon pong amin pong unang na-file na Bill na hanggang October 31, 2020 lamang, sana po, ito ay maibalik muna sa Committee, o I move to re-refer House Bill No. 6732 to the Committee on Legislative Franchises para doon po magkaroon ng mas maayos na hearing sa bawat isa, patas at komprehensibo, pantay-pantay para sa lahat at walang minamadali na proseso para lamang sa prangkisa ng ABS-CBN, Mr. Speaker.

REP. VILLAFUERTE. The manifestation of the distinguished Gentleman from Bulacan is noted, Mr. Speaker, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). We will deal with that at the proper time.

The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION  
OF H.B. NO. 6732

REP. CRISOLOGO. Mr. Speaker, all the other interpellators have expressed their intention, so I move that we suspend the consideration of House Bill No. 6732.

THE DEPUTY SPEAKER (Rep. Abu). 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 that we proceed to the Additional Reference of Business.

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

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

## ADDITIONAL REFERENCE OF BUSINESS

*Upon direction of the Chair, the Secretary General read the following House Resolutions on First Reading which were referred to the appropriate Committees hereunder indicated:*

## RESOLUTIONS

House Resolution No. 875, entitled:

“RESOLUTION URGING THE HOUSE OF REPRESENTATIVES THROUGH THE DEFEAT COVID-19 *AD HOC* COMMITTEE AND COMMITTEE ON OVERSEAS WORKERS AFFAIRS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PLIGHT OF HEALTH WORKERS AFFECTED BY THE DEPLOYMENT BAN IN RELATION TO THE COVID-19 PANDEMIC”

By Representatives Gaité, Zarate and Cullamat  
TO THE COMMITTEE ON RULES

House Resolution No. 876, entitled:

“ARESOLUTIONDIRECTINGTHEDEPARTMENT OF EDUCATION, COMMISSION ON HIGHER EDUCATION, TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY, AND THE INTER-AGENCY TASK FORCE ON EMERGING INFECTIOUS DISEASES TO IMMEDIATELY SUSPEND IMPLEMENTATION OF DEPED DEPARTMENT ORDER NUMBER 007, SERIES OF 2020, HALT THE PHYSICAL OPENING OF CLASSES ON AUGUST 24, 2020 FOR THE SCHOOL YEAR 2020-2021, AND PROHIBIT FACE-TO-FACE CLASSES AND OTHER PHYSICAL SCHOOL EVENTS AND ACTIVITIES, INCLUDING TECHNICAL VOCATIONAL EDUCATION AND SKILLS TRAININGS IN SENIOR HIGH SCHOOLS, IN ALL PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS IN BASIC EDUCATION AND STATE/LOCAL UNIVERSITIES AND COLLEGES OFFERING BASIC EDUCATION DUE TO THE IMPACT OF THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC TO THE PHILIPPINES”

By Representative Gonzales (Aurelio)  
TO THE DEFEAT COVID-19 *AD HOC* COMMITTEE

House Resolution No. 877, entitled:

“RESOLUTION URGING THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AS THE VICE CHAIRMAN FOR PREPAREDNESS OF THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL, TO DIRECT ALL LOCAL GOVERNMENT UNITS TO PREPARE THEIR EVACUATION CENTERS IN VIEW OF COVID-19”

By Representative Pimentel  
TO THE DEFEAT COVID-19 *AD HOC*  
COMMITTEE

House Resolution No. 878, entitled:

“RESOLUTION EXPRESSING THE HIGHEST APPRECIATION AND PROFOUND GRATITUDE OF THE HOUSE OF REPRESENTATIVES TO ALL HEALTHCARE WORKERS AND FRONTLINERS WHO COURAGEOUSLY AND UNSELFISHLY RENDERED THEIR SERVICES TO THE FILIPINO NATION IN ITS FIGHT AGAINST COVID-19”

By Representative Tan (Angelina)  
TO THE DEFEAT COVID-19 *AD HOC*  
COMMITTEE

House Resolution No. 879, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON ENERGY TO INVESTIGATE, IN AID OF LEGISLATION, THE SUDDEN BIG SPIKE IN MERALCO ELECTRICITY RATES AND BILLS DESPITE THE OVERCAPACITY OF ELECTRICITY SUPPLY”

By Representatives Zarate, Gaité, Cullamat, Castro (France), Brosas and Elago  
TO THE COMMITTEE ON RULES

House Resolution No. 880, entitled:

“RESOLUTION EXPRESSING THE PROFOUND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE MARIA TERESA AQUINO-ORETA, FORMER SENATOR AND FORMER REPRESENTATIVE OF THE LONE DISTRICT OF MALABON-NAVOTAS”

By Representatives Cayetano (Alan Peter), Romualdez (Ferdinand) and Abante  
TO THE COMMITTEE ON RULES

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

CHANGE OF REFERRAL OF H.B. NO. 6703

REP. CRISOLOGO. Mr. Speaker, I move for the change of referral of the following measure: House Bill No. 6703, entitled: AN ACT PROVIDING FOR A BALIK PROBINSIYA PROGRAM AND APPROPRIATING FUNDS THEREFOR, from the Committee on Housing and Urban Development to the Committee on Agriculture and Food.

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

CONSIDERATION OF H. RES. NO. 880

REP. CRISOLOGO. Mr. Speaker, I move that we consider House Resolution No. 880.

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

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

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

THE SECRETARY GENERAL. House Resolution No. 880, entitled: RESOLUTION EXPRESSING THE PROFOUND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE MARIA TERESA AQUINO-ORETA, FORMER SENATOR AND FORMER REPRESENTATIVE OF THE LONE DISTRICT OF MALABON-NAVOTAS.

ADOPTION OF H. RES. NO. 880

REP. CRISOLOGO. Mr. Speaker, I move that we adopt the said Resolution.

I so move.

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

House Resolution No. 880 is adopted.

The Majority Leader is recognized.

SUSPENSION OF SESSION

REP. CRISOLOGO. Mr. Speaker, I move that we suspend the session until 3:00 p.m., tomorrow, Tuesday, May 19.

I so move, Mr. Speaker.

\* Copies of the bill were distributed to the members earlier. Section 53, Rule X of the Rules of the House of Representatives provides that “[a] bill or joint resolution on Second Reading shall be read in full unless copies thereof have been distributed to the Members.”

THE DEPUTY SPEAKER (Rep. Abu). The session is suspended until three o'clock in the afternoon, Tuesday, May 19, 2020.

*It was 6:44 p.m.*