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**JOURNAL NO. 35**  
**Tuesday, October 11, 2016**

Prepared by the  
**JOURNAL SERVICE**  
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**JOURNAL NO. 35**  
**Tuesday, October 11, 2016**

**CALL TO ORDER**

At 4:00 p.m., Deputy Speaker Gloria Macapagal-Arroyo called the session to order.

**NATIONAL ANTHEM AND PRAYER**

Pursuant to Section 73, Rule XI of the amended Provisional Rules of the House, the Members sang the National Anthem and thereafter, observed a minute of silent prayer.

**DEFERMENT OF THE ROLL CALL  
AND APPROVAL OF THE JOURNAL**

On successive motions of Representative Vincent “Bingbong” P. Crisologo, there being no objection, the Body deferred the calling of the Roll as well as the approval of the Journal of the previous session.

**REFERENCE OF BUSINESS**

Thereupon, on motion of Rep. Benhur B. Lopez Jr., there being no objection, the Body proceeded to the Reference of Business.

Upon direction of the Chair, the Secretary General read on First Reading the titles of the following Bills and Resolutions, including the Communications, which were referred to the appropriate Committees as hereunder indicated:

**BILLS ON FIRST READING**

House Bill No. 3929, entitled:

“AN ACT CONVERTING THE ZAMBOANGA CITY STATE POLYTECHNIC COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS ZAMBOANGA PENINSULA POLYTECHNIC STATE UNIVERSITY AND FOR OTHER PURPOSES”

By Representative Lobregat

TO THE COMMITTEE ON HIGHER AND  
TECHNICAL EDUCATION

House Bill No. 3930, entitled:

“AN ACT ESTABLISHING A DRUG REHABILITATION CENTER IN THE MUNICIPALITY OF AMLAN, PROVINCE OF NEGROS ORIENTAL, TO BE KNOWN AS THE NEGROS ORIENTAL REHABILITATION CENTER AND APPROPRIATING FUNDS THEREFOR”

By Representative Sagarbarria

TO THE COMMITTEE ON DANGEROUS  
DRUGS

House Bill No. 3931, entitled:

“AN ACT CREATING THE HUMAN RESOURCE MANAGEMENT OFFICE IN THE LOCAL GOVERNMENT UNITS, AND DEFINING ITS FUNCTIONS”

By Representative Sagarbarria

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 3932, entitled:

“AN ACT DECLARING CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN, LOCATED IN BARANGAYS BUNOG, IRAAN, PUNTA BAJA, CAMPONG ULAY AND RANSANG OF THE MUNICIPALITY OF JOSE P. RIZAL, PROVINCE OF PALAWAN, AS AGRICULTURAL LAND OPEN TO DISPOSITION FOR AGRICULTURAL, COMMERCIAL, RESIDENTIAL, INDUSTRIAL AND OTHER PRODUCTIVE PURPOSES”

By Representative Abueg

TO THE COMMITTEE ON NATURAL RESOURCES

House Bill No. 3933, entitled:

“AN ACT REQUIRING DEVELOPERS OF PROPOSED CONDOMINIUM PROJECTS TO DEVELOP AN AREA FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4726 ENTITLED 'THE CONDOMINIUM ACT' ”

By Representative Herrera-Dy

TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

House Bill No. 3934, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 9994 OR THE EXPANDED SENIOR CITIZENS ACT OF 2010”

By Representative Zarate

TO THE COMMITTEE ON POPULATION AND FAMILY RELATIONS

House Bill No. 3935, entitled:

“AN ACT CONVERTING THE BALUNTAY - DOMOLOK - TAMBAN - NAGPAN ROAD IN THE MUNICIPALITIES OF ALABEL AND MALUNGON, PROVINCE OF SARAMANGANI INTO A NATIONAL SECONDARY ROAD AND APPROPRIATING FUNDS THEREFOR”

By Representative Pacquiao

TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3936, entitled:

“AN ACT ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES, AND IN CONNECTION THEREWITH, MANDATING THAT LOCAL GOVERNMENT UNITS PROVIDE LIVELIHOOD ASSISTANCE AND OTHER BASIC SERVICES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE 'URBAN DEVELOPMENT AND HOUSING ACT OF 1992' ”

By Representative Bag-ao

TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

House Bill No. 3937, entitled:

“AN ACT CREATING A SYSTEM OF FOOD DISTRIBUTION FOR ADDRESSING THE NUTRITIONAL NEEDS OF THE PEOPLE PROVIDING FOR ITS PROCUREMENT PROCESS AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Bag-ao

TO THE SPECIAL COMMITTEE ON FOOD SECURITY

House Bill No. 3938, entitled:

“AN ACT PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD, AND FOR OTHER PURPOSES”

By Representative Bag-ao

TO THE SPECIAL COMMITTEE ON FOOD SECURITY

House Bill No. 3939, entitled:

“AN ACT STRENGTHENING THE LEGAL STAFF OF THE DEPARTMENT OF JUSTICE, RENAMING IT AS THE OFFICE OF THE CHIEF STATE COUNSEL, REDEFINING, EXPANDING, RATIONALIZING AND FURTHER PROFESSIONALIZING ITS ORGANIZATION, AND APPROPRIATING FUNDS THEREFOR”

By Representative Fortun

TO THE COMMITTEE ON JUSTICE

House Bill No. 3940, entitled:

“AN ACT EXTENDING THE VALIDITY OF PHILIPPINE PASSPORT TO TEN (10) YEARS, AMENDING FOR THE PURPOSE SECTION 10 OF REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE 'PHILIPPINE PASSPORT ACT OF 1996' ”

By Representative Castelo

TO THE COMMITTEE ON FOREIGN AFFAIRS

House Bill No. 3941, entitled:

“AN ACT DEVOLVING THE REGULATORY AND FRANCHISING POWERS OVER THE OPERATION OF MOTORCYCLE-FOR-HIRE, OR HABAL-HABAL TO CITIES AND MUNICIPALITIES, AMENDING FOR THE PURPOSE SECTION 447 AND 458 OF REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991”

By Representative Durano

TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 3942, entitled:

“AN ACT PROVIDING FOR A REVISED APPRENTICESHIP PROGRAM, REPEALING FOR THE PURPOSE CHAPTERS I AND II OF TITLE II OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES”

By Representative Salon

TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 3943, entitled:

“AN ACT REGULATING THE IMPORTATION, MANUFACTURE, DISTRIBUTION AND SALE OF CHILDREN'S TOYS, SCHOOL SUPPLIES, CHILDCARE ARTICLES AND OTHER RELATED PRODUCTS CONTAINING HAZARDOUS CHEMICALS AND PROVIDING PENALTIES FOR VIOLATION THEREOF”

By Representative Salon

TO THE COMMITTEE ON WELFARE OF CHILDREN

House Bill No. 3944, entitled:

“AN ACT CONVERTING THE ILIGAN CITY NATIONAL SCHOOL OF FISHERIES (ICNSF) INTO THE ILIGAN CITY POLYTECHNIC STATE COLLEGE (ICPSC) DEFINING ITS POWERS, FUNCTIONS AND DUTIES, AND APPROPRIATING FUNDS THEREFOR”

By Representative Siao

TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 3945, entitled:

“AN ACT CREATING THE HUMAN RESOURCE MANAGEMENT OFFICE IN THE LOCAL GOVERNMENT UNITS, AND DEFINING ITS FUNCTIONS”

By Representative Go (M.)

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 3946, entitled:

“AN ACT RENEWING THE FRANCHISE GRANTED TO GMA NETWORK, INC. (FORMERLY REPUBLIC BROADCASTING SYSTEM, INC.) UNDER REPUBLIC ACT NO. 7252 ENTITLED 'AN ACT GRANTING THE REPUBLIC BROADCASTING SYSTEM, INC. A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES' FOR TWENTY-FIVE (25) YEARS FROM THE EFFECTIVITY OF THIS ACT”

By Representative Enverga

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

House Bill No. 3947, entitled:

“AN ACT ESTABLISHING THE COCONUT RESEARCH, DEVELOPMENT AND EXTENSION CENTER IN THE SOUTHERN LUZON STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR”

By Representative Enverga

TO THE COMMITTEE ON AGRICULTURE  
AND FOOD

House Bill No. 3948, entitled:

“AN ACT PROVIDING ADDITIONAL RE-  
TIREMENT BENEFITS TO ALL BARAN-  
GAY OFFICIALS AND FOR OTHER PUR-  
POSES”

By Representative Enverga

TO THE COMMITTEE ON LOCAL GOVERN-  
MENT

House Bill No. 3949, entitled:

“AN ACT STRENGTHENING LOCAL  
HEALTH BOARDS, AMENDING FOR  
THE PURPOSE SECTION 102 OF REPUB-  
LIC ACT NO. 7160, OTHERWISE KNOWN  
AS THE LOCAL GOVERNMENT CODE  
OF 1991, AS AMENDED, AND FOR  
OTHER PURPOSES”

By Representative Enverga

TO THE COMMITTEE ON LOCAL GOVERN-  
MENT

House Bill No. 3950, entitled:

“AN ACT IMPLEMENTING THE RIGHT OF  
THE PEOPLE TO INFORMATION ON  
MATTERS OF PUBLIC CONCERN GUAR-  
ANTEED UNDER SECTION SEVEN, AR-  
TICLE THREE OF THE 1987 CONSTITU-  
TION AND THE STATE POLICY OF FULL  
PUBLIC DISCLOSURE OF ALL ITS  
TRANSACTIONS INVOLVING PUBLIC  
INTEREST UNDER SECTION TWENTY-  
EIGHT, ARTICLE TWO OF THE 1987  
CONSTITUTION, AND FOR OTHER PUR-  
POSES”

By Representative Escudero

TO THE COMMITTEE ON PUBLIC INFOR-  
MATION

House Bill No. 3951, entitled:

“AN ACT ENSURING THE FUNDAMENTAL  
EQUALITY OF MEN AND WOMEN RE-  
LATING TO MARRIAGE AND FAMILY  
RELATIONS, AMENDING FOR THE PUR-  
POSE ARTICLES 14, 96, 124, 211 AND 255  
OF EXECUTIVE ORDER NO. 209 OTHER-  
WISE KNOWN AS THE FAMILY CODE OF  
THE PHILIPPINES”

By Representative Aglipay-Villar

TO THE COMMITTEE ON WOMEN AND  
GENDER EQUALITY

House Bill No. 3952, entitled:

“AN ACT PROHIBITING THE DISPLAY OR  
ADVERTISEMENT OF GOVERNMENT  
OFFICIALS' NAMES AND PHOTOS IN  
ALL GOVERNMENT PROJECTS, SER-  
VICES AND VEHICLES”

By Representative Barbers

TO THE COMMITTEE ON CIVIL SERVICE  
AND PROFESSIONAL REGULATION

#### RESOLUTIONS

House Resolution No. 436, entitled:

“RESOLUTION CONGRATULATING AND  
COMMENDING FILIPINA JIU-JITSU  
GOLD MEDALISTS MARGARITA  
OCHOA AND ANNIE RAMIREZ FOR  
CAPTURING GOLD MEDALS ON THE  
ON-GOING 2016 ASIAN BEACH GAMES  
(ABG) IN DANANG, VIETNAM”

By Representatives Sambar, Nograles (J.) and  
Nograles (K.)

TO THE COMMITTEE ON YOUTH AND  
SPORTS DEVELOPMENT

House Resolution No. 437, entitled:

“A RESOLUTION DIRECTING THE DEPART-  
MENT OF PUBLIC WORKS AND HIGH-  
WAYS TO LAY DOWN THE GENERAL  
GROUND WORK FOR A NATIONAL TEN-  
YEAR FLOOD CONTROL PROGRAM”

By Representative Castelo

TO THE COMMITTEE ON PUBLIC WORKS  
AND HIGHWAYS

House Resolution No. 438, entitled:

“A RESOLUTION DIRECTING THE COMMITTEES ON BASIC EDUCATION AND CULTURE AND HIGHER AND TECHNICAL EDUCATION TO MAP OUT INSTITUTIONALIZED ALTERNATIVE ACADEMIC AND ENRICHMENT PROGRAMS FOR OUT-OF-SCHOOL YOUTH”

By Representative Castelo

TO THE COMMITTEE ON RULES

House Resolution No. 439, entitled:

“A RESOLUTION DIRECTING THE NDRRMC, PAGASA AND PHIVOLCS TO SUBMIT TO THE HOUSE OF REPRESENTATIVES A JOINT COMPREHENSIVE REPORT ON THE NATION'S PREPAREDNESS FOR NATURAL CALAMITIES BEFORE AND AFTER THEIR OCCURRENCES WITH THE END IN VIEW OF FORMULATING AN EFFICIENT AND SYSTEMATIC NATIONAL SCHEME OF REDUCING RISKS TO LIVES AND PROPERTIES”

By Representative Castelo

TO THE COMMITTEE ON RULES

House Resolution No. 440, entitled:

“RESOLUTION EXTENDING THE PROFOUND SYMPATHY AND CONDOLENCE OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF ATTY. SANTIAGO P. RESPICIO, FORMER VICE-GOVERNOR OF ISABELA PROVINCE AND THIRD DISTRICT REPRESENTATIVE”

By Representatives Albano and Garcia-Albano

TO THE COMMITTEE ON RULES

House Resolution No. 441, entitled:

“RESOLUTION DIRECTING THE APPROPRIATE HOUSE COMMITTEE TO CONDUCT AN INQUIRY AND INVESTIGATION, IN AID OF LEGISLATION, ON THE PROPER IMPLEMENTATION OF REPUBLIC ACT NO. 10586, OTHERWISE KNOWN AS THE ANTI-DRUNK AND DRUGGED DRIVING ACT OF 2013, WITH THE END IN VIEW OF PURSUING ITS FULL AND EFFECTIVE IMPLEMENTATION”

By Representatives Suansing (H.) and Suansing (E.)

TO THE COMMITTEE ON RULES

House Resolution No. 442, entitled:

“RESOLUTION DIRECTING THE PROPER HOUSE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED NEED TO SUPPORT THE LIFTING OF QUANTITATIVE IMPORT RESTRICTIONS ON RICE TO BETTER ATTAIN NATIONAL FOOD SECURITY AND TO REVIEW FOR THIS PURPOSE REPUBLIC ACT NO. 8178, OTHERWISE KNOWN AS THE AGRICULTURAL TARIFFICATION ACT OF 1996”

By Representatives Suansing (H.) and Suansing (E.)

TO THE COMMITTEE ON RULES

House Resolution No. 443, entitled:

“A RESOLUTION URGING SPEAKER PANTALEON D. ALVAREZ THROUGH APPROPRIATIONS COMMITTEE CHAIRMAN KARLO B. NOGRALES TO RESTORE THE BUDGET OF THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA) TO THE 2016 LEVEL WITH AUGMENTATION FOR ADDITIONAL THIRTY-ONE (31) PERMANENT POSITIONS”

By Representatives De Venecia, Singson (E.), Castro (F.L.), Quimbo, Cayetano, Garcia (G.), Garin (S.), Macapagal-Arroyo, Sema, Andaya, Suarez, Marcos, Atienza, Relampagos, Lagman, Ocampo, Limkaichong, Escudero, Alonte-Naguiat, Salo, Vergara, Ortega (V.), Elago, Bagatsing, Martinez, Garcia (J.), Herrera-Dy, Lazatin, Violago, Aggabao, Abad, Arcillas, Chavez, Romero, Bondoc, Roa-Puno, Abayon, Palma, Acharon, Tiangco, Lopez (M.), Bataoil, De Vera, Pichay, Sacdalan, Pacquiao, Suansing (H.), Dimaporo (M.), Teves, Deloso-Montalla, Gonzales (A.D.), Del Mar, Salceda, Lopez (B.), Savellano, Ty, Defensor, Ferrer J., Yu, Labadlabad, Nava, Dalipe, Garbin, Campos, Bautista-Bandigan, Ungab, Acosta-Alba, Antonio, Ferriol-Pascual, Ong (H.), Roque (H.), Gullas, Eriguel, Ortega (P.), Go (M.), Belmonte (J.), Malapitan, Maceda, Belaro, Ermita-Buhain, Noel, Castelo, Fernando, Sagarbarria, Gonzales (A.P.), Hofer, Crisologo, Mercado, Bordado, Suansing (E.), Bolilia, Bag-ao, Sarmiento (E.), Romualdez, Casilao, Tinio, Velasco, Erice, Cagas, Lopez (C.), Zubiri, Calixto-Rubiano, Acop, Nieto, Mangaoang, Cortuna, Dimaporo (A.), Tugna, Vargas-Alfonso, Cua, Roman, Santos-Recto, Bertiz, Sy-Alvarado, Estrella, Robes, Rodriguez (I.), Ramirez-Sato, Baguilat, Biazon and Romualdo

TO THE COMMITTEE ON APPROPRIATIONS

House Resolution No. 444, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON HEALTH TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SCHOOL-BASED IMMUNIZATION OF TETRAVALENT DENGUE VACCINE OF THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROTECTING THE HEALTH AND WELFARE OF THE PUBLIC”

By Representative Tan (A.)

TO THE COMMITTEE ON RULES

House Resolution No. 445, entitled:

“A RESOLUTION URGING HOUSE COMMITTEE ON TRADE AND INDUSTRY TO IMMEDIATELY DIRECT MANILA WATER COMPANY AND MAYNILAD WATER TO

SPECIFY WATER CONSUMPTION CORRESPONDING TO THE AMOUNT OF BASIC CHARGE AS A PROTECTION FOR THEIR CUSTOMERS/CLIENTS/END-USERS AND FOR OTHER PURPOSES”

By Representative Castelo

TO THE COMMITTEE ON RULES

House Resolution No. 446, entitled:

“A RESOLUTION URGING THE COMMITTEE ON BASIC EDUCATION AND CULTURE, IN AID OF LEGISLATION, TO DIRECT THE DEPARTMENT OF EDUCATION TO SUBMIT ITS FINAL PROPOSAL ON PUBLIC SCHOOLS' PROBLEM OVER LAND TITLES AND FOR OTHER PURPOSES”

By Representative Castelo

TO THE COMMITTEE ON RULES

House Resolution No. 447, entitled:

“A RESOLUTION URGING HOUSE COMMITTEES ON TRANSPORTATION AND GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY TO JOINTLY, IN AID OF LEGISLATION, DIRECT THE LAND TRANSPORTATION OFFICE AND LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD TO DRAW UP AND SUBMIT URGENT AND ULTIMATE PLAN OF ACTION ON THE PERENNIAL GRIDLOCK AT EDSA AND ILLEGAL PRACTICES BY BUS OWNERS OR COMPANIES INIMICAL TO PUBLIC INTEREST AND FOR OTHER PURPOSES”

By Representative Castelo

TO THE COMMITTEE ON RULES

House Resolution No. 448, entitled:

“RESOLUTION URGING THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO ISSUE AN APOLOGY FOR THE ATROCITIES COMMITTED BY ITS

MILITARY FORCES AGAINST THE FILIPINO PEOPLE DURING THE PHILIPPINE-AMERICAN WAR OF 1899-1901 AND THE IMPOSITION OF U.S. COLONIAL RULE”

By Representatives Tinio, Castro (F.L.), De Jesus, Brosas, Casilao and Elago

TO THE COMMITTEE ON FOREIGN AFFAIRS

House Resolution No. 449, entitled:

“A RESOLUTION CREATING A COMMITTEE ON PERSONS WITH DISABILITIES AND PROVIDING FUNDS THEREFOR”

By Representative Abueg

TO THE COMMITTEE ON RULES

House Resolution No. 450, entitled:

“A RESOLUTION URGING THE DEPARTMENT OF TOURISM TO INSTITUTIONALIZE THE KALAPATI FESTIVAL OF BARRANGAY HOLY SPIRIT, QUEZON CITY”

By Representative Castelo

TO THE COMMITTEE ON TOURISM

House Resolution No. 451, entitled:

“A RESOLUTION URGING THE METRO MANILA DEVELOPMENT AUTHORITY (MMDA) TO BARE MASTERPLAN TO RENDER THE METROPOLITAN PREPARED FOR THE IMMINENT MEGAQUAKE AS FORECASTED BY PHIVOLCS DECLARING THAT THE WEST VALLEY FAULT TRAVERSING ACROSS METRO MANILA IS RIPE FOR A POSSIBLE STRONG EARTHQUAKE”

By Representative Castelo

TO THE COMMITTEE ON METRO MANILA DEVELOPMENT

House Resolution No. 452, entitled:

“A RESOLUTION URGING THE HOUSE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN ONSITE INVESTIGATION,

IN AID OF LEGISLATION, REGARDING THE MULTIPLE HUMAN RIGHTS VIOLATIONS AND SEXUAL HARASSMENT RESULTING FROM THE ENCAMPMENT OF THE ELEMENTS OF 50<sup>TH</sup> INFANTRY BATTALION-PHILIPPINE ARMY IN THE ANCESTRAL DOMAIN OF THE INDIGENOUS COMMUNITY IN AG-AGAMA, WESTERN LUBUAGAN, KALINGA”

By Representatives Brosas, De Jesus, Tinio, Castro (F.L.), Casilao and Elago

TO THE COMMITTEE ON RULES

House Resolution No. 454, entitled:

“A RESOLUTION URGING LOCAL GOVERNMENTS TO RATIONALIZE, STREAMLINE AND EXPEDITE THE REQUIREMENTS AND FEES FOR INTERNET SERVICE PROVIDERS”

By Representative Castelo

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Resolution No. 455, entitled:

“RESOLUTION CALLING FOR AN INVESTIGATION IN AID OF LEGISLATION BY THE APPROPRIATE COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO PROBE INTO POSSIBLE MASSIVE ECONOMIC EMPLOYMENT IN THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO) SMALL TOWN LOTTERY PROGRAM FOR SURRENDERED DRUG USERS”

By Representatives Suarez, Atienza, Arcillas, Bertiz, Bravo (A.), Campos, Cortuna, Del Rosario, De Vera, Eusebio, Lee, Ferriol-Pascual, Roque (H.) and Salon

TO THE COMMITTEE ON RULES

House Resolution No. 456, entitled:

“A RESOLUTION CALLING FOR AN URGENT INVESTIGATION IN AID OF LEGISLATION ON THE ILLEGAL DRUG TRADING ACTIVITIES IN THE PROVINCE OF ZAMBOANGA DEL NORTE”



By Representative Jalosjos

TO THE COMMITTEE ON RULES

House Resolution No. 457, entitled:

“RESOLUTION DIRECTING THE LTFRB TO CONDUCT THE IMMEDIATE RECALIBRATION AND RESEALING OF TAXIMETERS NATIONWIDE PURSUANT TO ITS CONSOLIDATED DECISION DATED MARCH 08, 2016”

By Representative Laogan

TO THE COMMITTEE ON TRANSPORTATION

House Resolution No. 458, entitled:

“RESOLUTION CONDEMNING THE senseless murder of ENGR. MAXIMO S. ROXAS, JR., GENERAL MANAGER OF DAVAO DEL NORTE ELECTRIC COOPERATIVE, INC., AND DIRECTING THE PHILIPPINE NATIONAL POLICE AND THE NATIONAL BUREAU OF INVESTIGATION TO CONDUCT A THOROUGH INVESTIGATION THEREON”

By Representatives Velasco and Uybarreta

TO THE COMMITTEE ON PUBLIC ORDER AND SAFETY

House Resolution No. 459, entitled:

“RESOLUTION EXPRESSING THE PROFOUND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE VICTORIA HERNANDEZ REYES, REPRESENTATIVE OF THE THIRD DISTRICT OF BATANGAS DURING THE TWELFTH, THIRTEENTH AND FOURTEENTH CONGRESSES”

By Representatives Alvarez (P.), Fariñas, Suarez and Collantes

TO THE COMMITTEE ON RULES

House Resolution No. 460, entitled:

“RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE SANTIAGO P. RESPICIO, REPRESENTATIVE OF THE THIRD DISTRICT OF THE PROVINCE OF ISABELA DURING THE EIGHT, NINTH AND TENTH CONGRESSES”

By Representatives Alvarez (P.), Fariñas, Suarez and Dy

TO THE COMMITTEE ON RULES

#### ADDITIONAL COAUTHORS

With the permission of the Body, the following Members were made coauthors of the Bills and Resolutions hereunder indicated:

Reps. Salvio B. Fortuno, Ronald M. Cosalan, Angelina "Helen" D.L. Tan, M.D., Eric D. Singson, Francisco Jose F. Matugas II, Maria Vida Espinosa Bravo, Baby Aline Vargas-Alfonso, Milagrosa "Mila" T. Tan, Danilo E. Suarez, Isidro S. Rodriguez Jr., Benjamin C. Agarao Jr., Gil "Kabarangay" P. Acosta, Jesus "Boying" F. Celeste and Johnny Ty Pimentel for House Joint Resolution No. 4;

Rep. Juliette T. Uy for House Bills No. 142, 143, 144, 145, 146, 1159, 1161, 1163, 1165 and 1166;

Rep. Joaquin M. Chipeco Jr. for House Bill No. 3112;

Rep. Makmod D. Mending Jr. for House Bills No. 3556, 3557 and 3632;

Rep. Manuel Jose "Mannix" M. Dalipe for House Bills No. 153, 583, 1171 and 1520;

Reps. Rodolfo C. Fariñas and Lucy T. Gomez for House Bill No. 1894;

Rep. Teodoro "Ted" G. Montoro for House Bills No. 3392 and 3655;

Rep. Ronaldo B. Zamora for House Bills No. 516 and 1859;

Rep. Benjamin C. Agarao Jr. for House Bills No. 475 and 1208 and House Resolutions No. 16 and 17;

Reps. Christopher "Toff" Vera Perez De Venecia, Len B. Alonte-Naguiat, Victoria Isabel G. Noel, Jose Christopher Y. Belmonte, Deogracias Victor "DV" B. Savellano, Sandra Y. Eriguel, M.D., Pablo C. Ortega, Anna Katrina M. Enverga, Lianda B. Bolilia, Rosanna "Ria" Vergara, Ron P. Salo, Mark O. Go, Cecilia Leonila V. Chavez, Luisa Lloren Cuaresma, Divina Grace C. Yu and Ana Cristina Siquian Go for House Bill No. 139;

Reps. Jose Christopher Y. Belmonte, Deogracias Victor "DV" B. Savellano, Sandra Y. Eriguel, M.D., Pablo C. Ortega, Mark O. Go, Ron P. Salo, Anna Katrina M. Enverga, Lianda B. Bolilia, Len B. Alonte-Naguiat, Vilma Santos-Recto, Glona G. Labadlabad, Ana Cristina Siquian Go, Luisa Lloren Cuaresma and Cecilia Leonila V. Chavez for House Bill No. 2576;

Rep. Pablo C. Ortega for House Bills No. 533, 534, 535, 2774, 2775 and 2926;

Rep. Edgar Mary S. Sarmiento for House Bills No. 533, 534, 535, 2775 and 2926;

Reps. Arlene B. Arcillas, Gil "Kabarangay" P. Acosta, Elisa "Olga" T. Kho and Emmanuel A. Billones for House Bill No. 1859;

Rep. Jericho Jonas B. Nograles for House Bills No. 3351 and 3353;

Rep. Ruwel Peter S. Gonzaga for House Bills No. 3518, 3519 and 3520;

Rep. Teddy Brawner Baguilat Jr. for House Bills No. 1859 and 3420 and House Resolution No. 328;

Rep. Bernadette "BH" Herrera-Dy for House Bill No. 3317 and House Resolution No. 393;

Reps. Deogracias Victor "DV" B. Savellano, Juliette T. Uy and Orestes T. Salon for House Bill No. 555;

Reps. Antonio R. Floirendo Jr., Johnny Ty Pimentel, Robert Ace S. Barbers, Manuel F. Zubiri, Corazon T. Nuñez-Malanyaon, Roger G. Mercado, Mauyag "Jun" B. Papandayan Jr. and Jericho Jonas B. Nograles for House Bills No. 2691, 2692, 2693, 2694, 2695 and 2696;

Rep. Luis Raymund F. Villafuerte Jr for House Bills No. 2691, 2692, 2694 and 2695;

Rep. Mario Vittorio "Marvey" A. Mariño for House Bill No. 1859 and House Resolution No. 393;

Rep. Micaela S. Violago for House Bill No. 3218;

Reps. Francis Gerald A. Abaya and Alex "AA" L. Advincula for House Bills No. 3419 and 3420;

Rep. Kaka J. Bag-ao for House Bill No. 3420;

Rep. Roger G. Mercado for House Bills No. 4, 5, 6, 8 and 9;

Rep. Jose Antonio "Kuya Jonathan" R. Sy-Alvarado for House Bill No. 3815;

Rep. Arnel U. Ty for House Resolution No. 393;

Rep. Richard C. Eusebio for House Bills No. 208, 209 and 1916;

Rep. Roy M. Loyola for House Bill No. 3185;

Rep. Marlyn L. Primicias-Agabas for House Bill No. 3955;

Rep. Napoleon S. Dy for House Bills No. 1859, 3457, 3458, 3459 and 3509 and House Joint Resolution No. 4;

Reps. Dale "Along" R. Malapitan, John Marvin "Yul Servo" C. Nieto and Ramon C. Nolasco for House Bill No. 3777;

Reps. Roger G. Mercado, Ann K. Hofer, Vincent "Bingbong" P. Crisolago, Aurelio "Dong" D. Gonzales Jr., Victoria Isabel G. Noel, Gerald Anthony "Samsam" V. Gullas Jr., Arnel U. Ty, Alexandria P. Gonzales, Johnny Ty Pimentel, Francisco Jose F. Matugas II, Len B. Alonte-Naguiat, Deogracias Victor "DV" B. Savellano, Christopher "Toff" Vera Perez De Venecia, Benhur B. Lopez Jr., Michael L. Romero, Ph.D., Jose Enrique "Joet" S. Garcia III, Jericho Jonas B. Nograles, Ron P. Salo, Salvador B. Belaro Jr., Bernadette "BH" Herrera-Dy, Cristina "Chiqui" Roa-Puno, Marlyn L. Primicias-Agabas, Eugene Michael B. De Vera, Anthony M. Bravo, Ph.D., H. Harry L. Roque Jr. and Luis Jose Angel N. Campos Jr. for House Bill No. 3955;

Rep. Delphine Gan Lee for House Bill No. 3312; and

Rep. Jerry P. Treñas for House Bill No. 51.

## COMMUNICATIONS

Letters dated September 16, 20 and 23 and October 5, 2016 of Roger E. Dino, Deputy Director, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas, furnishing the House of Representatives with duly certified and authenticated Bangko Sentral ng Pilipinas issuances, to wit:

1. Circular No. 924 dated 7 September 2016;
2. Circular Letter No. CL-2016-075 dated 5 September 2016;
3. Circular No. 925 dated 13 September 2016;
4. Circular Letter No. CL-2016-076 dated 8 September 2016;
5. Memorandum No. M-2016-012 dated 8 September 2016;
6. Circular No. 926 dated 13 September 2016;
7. Circular Letter No. CL-2016-077 dated 14 September 2016;
8. Circular Letter No. CL-2016-078 dated 22 September 2016;
9. Circular Letter No. CL-2016-079 dated 22 September 2016;
10. Circular Letter No. CL-2016-080 dated 23 September 2016; and
11. Memorandum No. M-2016-013 dated 27 September 2016.

## TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

Letter dated September 26, 2016 of Michael G. Aguinaldo, Chairperson, Commission on Audit, transmitting copies of the 2015 Annual Audit Reports (AARs) and Managements Letters (MLs) on the following government agencies:

## A. Consolidated AARs:

1. Department of Public Works and Highways;
2. Road Board (MVUC Funds);

3. Department of Transportation and Communications; and
4. Department of Tourism.

## B. Individual AARs:

1. Energy Regulatory Commission;
2. Intramuros Administration;
3. National Parks Development Committee;
4. Toll Regulatory Board;
5. Philippine Coast Guard;
6. Civil Aeronautics Board;
7. Office of Transportation Cooperatives; and
8. Office of Transportation Security.

## C. Management Letters:

1. Maritime Industry Authority; and
2. Department of Energy.

## TO THE COMMITTEE ON APPROPRIATIONS

Letter dated September 28, 2016 of Michael G. Aguinaldo, Chairperson, Commission on Audit, transmitting a copy of the 2015 Annual Financial Report for the Government-Owned and/or Controlled Corporations (Volumes I and II).

## TO THE COMMITTEE ON APPROPRIATIONS

Letter dated September 29, 2016 of Michael G. Aguinaldo, Chairperson, Commission on Audit, transmitting a copy of the 2015 Annual Financial Report for the National Government (Volumes I and II).

## TO THE COMMITTEE ON APPROPRIATIONS

**ACKNOWLEDGMENT OF GUESTS**

At this point, Rep. Alexandria P. Gonzales acknowledged the presence in the Session Hall of the guests from the municipality of Diadi, Nueva Vizcaya and guests of Rep. Anthony M. Bravo, Ph.D.

**THE PRIVILEGE HOUR**

With the unanimous consent of the House, on motion of Rep. Gonzales (A.P.), there being no objection, the Chair declared the Privilege Hour.

On further motion of Rep. Gonzales, the Chair recognized Rep. Bravo who delivered the following privilege speech:

#### **PRIVILEGE SPEECH OF REP. BRAVO (A.)**

Thank you, Madam Speaker. Thank you, Majority Leader.

Madam Speaker, distinguished colleague, I rise today to honor the men and women of the Philippine Cooperative Movement as we commemorate the National Cooperative Month with the theme “Cooperatives: The Catalyst of Change Through Poverty Eradication and Social Transformation.”

Cooperatives have always been a partner of the government in fighting poverty and inequality. For more than 100 years now, since the first cooperative law was enacted, cooperatives are operating in every corner of the archipelago, Madam Speaker.

Promotion of cooperatives may not have been a top priority of the past administrations, but the cooperative sector autonomously worked towards the growth and development of cooperatives through the years.

Madam Speaker, distinguished colleagues, we acknowledge and appreciate the new administration for recognizing the role and potentials of the cooperative sector. On June 30, 2016, right after assuming office, President Rodrigo Roa Duterte issued his first Executive Order No. 1 which placed 12 agencies including the Cooperative Development Authority under the Office of the President to enhance programs aimed at reducing poverty in the country.

The Cooperative Movement is elated by this action of the President as we believe that the government sees the relevance of our cooperatives as a significant driver of the 10-point Socio-Economic Agenda of the Duterte Administration.

Hence, this humble Representation believes that the cooperative sector must be strengthened through infusion of various government support mechanisms including legislative policies conducive to cooperative growth and development.

Madam Speaker, a cooperative as defined in Article 3 of Republic Act No. 9520, otherwise known as the Philippine Cooperative Code of 2008, is an autonomous and duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve their social, economic, and cultural needs and aspirations by making equitable contributions

to the capital required, patronizing their products and services and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.

In other words, Madam Speaker, distinguished colleagues, our cooperatives are member-owned enterprises that are not after maximizing profits but rather operating to address the social, economic and cultural needs of the members.

Cooperatives offer a business model that contributes to the socioeconomic development of every member-owner and the community.

The success and sustainability of a cooperative depends on a strong and abiding relationship with its member-owners; thus, cooperatives are underpinned by the values of democracy, honesty, equality and solidarity.

As of June 2016, there are about 26,243 cooperatives registered with the Cooperative Development Authority, with massive membership of 13.7 million, Madam Speaker. These cooperatives are spread in all 18 regions.

I believe, Madam Speaker, that some of our colleagues in this honorable assembly are members of cooperatives. Many of our employees in the House of Representatives are members of the House of Representatives Multi-Purpose Cooperative or HRMC.

The HRMC has a very good financial standing, Madam Speaker, with total assets of ₱200 million and loan portfolio of ₱116 million. It plans to put up a business center inside the Batasan Complex and I firmly hope that the Congress leadership will be supportive of this endeavor.

The HRMC is just one of the thousands of cooperatives enjoying tax privilege, Madam Speaker. That's why loan interests offered by cooperatives are way lower compared to loan interest rates in commercial banks and of course, those loan sharks that sipped the money of our poor people.

The CDA reported that total assets of reporting cooperatives as of December 2015, Madam Speaker, amounts to ₱278.3 billion. This amount only represents the assets of 9,926 reporting cooperatives as of December 2015.

Madam Speaker, cooperatives that transact only to its members and those with accumulated reserves and undivided net savings of not more than ₱10 million may be tax-exempt but cooperatives help the government in its tax collection efforts. In fact, cooperatives withheld taxes amounting to ₱3.9 billion in 2015 and this went to the Bureau of Internal Revenue.

Cooperatives promote economic activity and contribute to the food security of Filipinos. We are present in different sectors. In agriculture, cooperatives operate as producers' cooperatives, dairy cooperatives, agrarian cooperatives, farmers' cooperatives, fishermen's cooperatives, and marketing cooperatives.

This type of cooperation helps individual farmers, fisherfolk and small entrepreneurs in addressing economies of scale thus, reducing their production costs and enhancing value chain participation.

The Cooperative Development Authority or CDA, reported out that there are 7,421 agricultural cooperatives in the country. Most of their members are farmers and fisherfolks who are deprived of livelihood and economic opportunities. These are the sectors who belong to the poorest of the poor, Madam Speaker.

Cooperatives are also present in the service and utility sectors. We have housing cooperatives, water service, labor service, transport service, electric cooperatives, and health service cooperatives providing cheaper alternative but quality services to our countrymen, most especially in the rural areas.

While majority of our cooperatives provide credit and other financial services to their members, we have 6,770 multi-purpose cooperatives that offer a wide range of products and services. As they say, cooperative service ranges from womb to tomb. Cooperatives run hospitals, schools, cooperative banks, pharmacies and even funeral care services as such, from womb to tomb.

Guided with the cooperative values and principles, the cooperative movement builds communities, develops skills and expertise, provides employment, and develops local leadership in rural and urban areas.

According to CDA data for 2015, cooperatives directly employed 520,758 Filipinos and generated indirect employment of 1,923,047 individuals.

Cooperatives support and empower the most vulnerable sectors of our society such as women, youth and persons-with-disabilities to participate in economic activities, Madam Speaker.

To sum the significance of cooperative enterprises, Madam Speaker, I am proud to say that our cooperatives serve as catalysts for local and national development, and as instruments for people empowerment.

The cooperative movement continues to work together to promote cooperativism in the country. Convergence efforts are done to address the pressing issues faced by the sector. Every year, a National Cooperative Congress is initiated by CDA. This is a government-led coop congress. The cooperative movement led by the Philippine Cooperative Center also initiates a National Cooperative Summit every three years. Meanwhile, Philippine Cooperative Teamshop is conducted by the Cooperative Development Councils every two years.

These cooperative convergences, Madam Speaker, provide venues for cooperatives, government, and other stakeholders to collectively address the various concerns and challenges faced by the sector as well as to celebrate milestones.

While vital factors in cooperative success such as access to capital, networking and linkages, and improvement of cooperative governance are addressed in these forums, Madam Speaker, several challenges still confront the sector and this humble voice of the cooperative movement believes that this is because of the lack of supportive legal frameworks for cooperative growth and viability.

One glaring problem is the fact that majority of our cooperatives remain in the category of "micro and small." In the CDA Vision 2020, an integrated and comprehensive plan for cooperatives, it states that there is unbalanced cooperative development. While 91 percent of our cooperatives are micro and small, they only own 13 percent of the aggregate assets of the cooperative sector; while the nine percent medium and large cooperatives, control the 87 percent of cooperative assets.

To simply illustrate, Madam Speaker, billionaire and millionaire cooperatives are only few but they control the biggest chunks of cooperative resources. This is no different with the socio-economic structure in the country.

While this august Body already amended the implementing rules and regulations of Republic Act 9520 in the previous Congress and allowed the streamlining of reportorial requirements for cooperatives and streamlining of training requirements for cooperative officers for micro and small coops, I still believe that we need a comprehensive policy reform that will promote upscaling of micro and small cooperatives.

Another challenge faced by cooperatives, Madam Speaker, is the difficulty in securing certificates of tax exemption (CTE) from the BIR since the passage of the law. My office has been receiving several complaints from the cooperatives that their applications for CTE remain

pending with the agency because of numerous requirements being asked by the BIR when, in fact, these cooperatives have already complied with the requirements set forth in the Joint Implementing Rules and Regulations implementing Article 60, 61 and 144 of Republic Act No. 9520 or the Philippine Cooperative Code of 2008 in relation to Republic Act No. 8424, otherwise known as National Internal Revenue Code, such as:

- a) a certified true copy of the certificate of registration issued by the CDA under the new Cooperative Code;
- b) a certified true copy of the articles of incorporation and by-laws of the cooperative;
- c) a certified true copy of the current certificate of good standing from the CDA; and
- d) a copy of the BIR registration of the cooperative.

There are only four being required documentary requirements as defined by the implementing rules and regulations but unfortunately, Madam Speaker, the BIR required some more in addition to this.

Madam Speaker, the BIR regional offices have different interpretations of the tax provisions of the law and its implementing rules and regulations.

The BIR is making it difficult for our cooperatives and I would like to believe that some opportunistic employees of the agency purposely impede the issuance of the CTE so they could engage in red tape and corrupt practices and we have documents to attest to this claim, Madam Speaker.

Madam Speaker, we in the cooperatives sector believe that the Duterte Administration is serious in its anti-corruption stance in government. We hope that the red tape in the BIR will stop so our cooperatives could do their business well.

Another threat to cooperatives is the imminent plan of the government to repeal the tax exemptions of cooperatives, Madam Speaker. The rationalization of fiscal incentives is one of the priorities of the government according to Finance Secretary Carlos Dominguez. The Fiscal Incentive Bill is in fact re-filed both in the Senate and in this assembly.

While this proposed measure, Madam Speaker, honorable colleagues, has good intentions, the specific provision that seeks to repeal Article 60 and 61 of the Philippine Cooperative Code

or Republic Act No. 9520 will affect the well-being of the cooperatives and threatens their sustainability.

We oppose such provision as we believe that tax treatment on cooperatives should not be the same with usual businesses. I reiterate, Madam Speaker, cooperatives are people-based enterprises. Cooperatives are not profit-driven. Whatever earnings obtained by the cooperative are given back to the members, who are the owners, in the form of dividends.

Cooperatives deserve to be exempted from government-imposed tax to level the playing field to ensure sustainability and to contribute to inclusive growth.

Madam Speaker, the full development of the cooperative sector is hindered by the lack of budgetary support for the CDA through the years. CDA is the sole government agency mandated to regulate cooperatives, Madam Speaker.

Since the passage of the new Cooperative Code of 2008, wherein the agency was mandated to re-register all cooperatives and perform enhanced regulatory and supervisory functions, the appropriations for the CDA remain dismal.

In 2010, the agency was appropriated ₱267.5 million. It was decreased to ₱257 million in the following year. CDA budget from 2012-2016 increased a bit: ₱321 million in 2012; ₱332 million in 2013; ₱320 million in 2014 and 2015; and ₱329 million in 2016.

This amount, Madam Speaker, is so meager given the volume of functions they have to perform to make sure that the operations of cooperatives are sound and they remain financially stable and socially responsive.

For fiscal year 2017, Madam Speaker, the CDA originally proposed an ₱838-million budget but the DBCC only approved ₱429 million.

While the CDA is very passionate to perform not only its regulatory services but also its developmental services, this amount, Madam Speaker, is not enough to meet the targets of the agency. That is why this Representation proposed during the deliberations for the CDA budget that it should be increased by at least ₱200 million.

These are the challenges the sector currently face, Madam Speaker.

May I, therefore, appeal to this august Body, Madam Speaker, distinguished colleagues: the cooperative sector has huge potentials to uplift the quality of life of Filipinos and to contribute to the social transformation and nation-building, but as long as there is minimal support from the government, these problems will persist.

The ASEAN economic integration brings opportunities as well as challenges for the cooperative sector. It brings fresh opportunities for the sector to play a major role in the supply and value chain not only in the Philippines but also in ASEAN countries, Madam Speaker. However, the challenge is how can our cooperatives, majority of them micro and small, compete with large businesses?

Recently, President Duterte was elected chairman of the ASEAN 2017 in Laos. In his acceptance speech, he said that the Philippines' chairmanship would highlight the association as a model of regionalism and a global player with the interest of the people at its core.

Next year, our country will host the ASEAN Summit. We are hopeful that supportive policies to make growth inclusive for micro, small and medium enterprises including cooperatives will be tackled in the summit.

At this point, Madam Speaker, I urge the government to implement a comprehensive policy framework towards the viability and sustainability of our cooperatives. Toward this end, I strongly recommend the following:

First, I call on President Rodrigo Roa Duterte to strengthen the Cooperative Development Authority. Since it is already under the direct supervision of the President, I hope that the flow of budgetary support will impact the cooperative movement. The sector would be happy if the President appoints a presidential adviser for cooperatives who would come from the cooperative sector itself.

Second, I appeal to this august Chamber to support the inclusion in the General Appropriations Bill for Fiscal Year 2017 our proposed amendments to the General Provisions and Special Provisions for the Department of Environment and Natural Resources, Department of Agriculture, Philippine Coconut Authority, National Irrigation Administration, Department of Social Welfare and Development, and Department of Trade and Industry, on the preferential treatment of cooperatives as enshrined in Article 62 of Republic Act No. 9520,

which only one agency, the Department of Education, was able to comply with. I commend the Department of Education for giving cooperatives the preferential treatment in the procurement of basic educational facilities.

Third, I encourage Congress to pass a legislation that will warrant the creation of a cooperative apex body which will serve as a unifying force for the cooperative sector. The cooperative apex body will be similar to the Philippine Chamber of Commerce and Industry and will be the official body recognized by the government with matters of policy and support programs of the government.

Fourth, I likewise encourage Congress to pass the proposed legislation such as, the Cooperative Development Charter Act, mandatory appointment of cooperative officers in every local government unit, cooperative representation in the board of the Land Bank of the Philippines, and the Cooperative Banking Act.

Fifth, we need to strengthen our agricultural cooperatives as much as we want our farmers and fisherfolks to be taken out of subsistence poverty. Madam Speaker, honorable colleagues, I encourage you to support the proposed measures that seeks to provide free irrigation services to farmers and higher indemnity rates for crop insurance.

Sixth, Congress should investigate the non-compliance of BIR to the provisions of Republic Act No. 9520 and its Implementing Rules and Regulations.

Lastly, Madam Speaker, for and in behalf of the cooperative movement, I would like to register our strong opposition to repeal the cooperative tax exemption and other privileges stipulated in Articles 60 and 61 of the Cooperative Code. Such provision should be scrapped from the proposed Fiscal Incentives Bill.

This administration wants to take nine million Filipinos out of poverty after six years. Cooperatives as a partner in poverty alleviation would gladly participate in this thrust of the government, Madam Speaker, honorable Members of this Chamber.

Thank you very much and good afternoon to everyone.

#### **REFERRAL OF REP. BRAVO'S (A.) PRIVILEGE SPEECH**

On motion of Rep. Gonzales (A.P.), there being no objection, the Body referred Rep. Bravo's privilege speech to the Committee on Rules.

Thereafter, on motion of Rep. Gonzales, the Chair recognized Rep. Rolando G. Andaya Jr. to deliver his privilege speech.

### PRIVILEGE SPEECH OF REP. ANDAYA

Thank you very much, Madam Speaker, Presiding Officer.

Allow this Representation, my dear colleagues, to deliver a short reminder to everyone on this very dark and dreary afternoon.

This Representation took the floor a week ago when an executive order was signed by the President increasing the combat allowance of our police and military to ₱3,000. A little math would translate that to ₱12 billion next year. Much to the dismay of this Representation, after checking with the DBM, I found out that the ₱12 billion for next year is not part of the NEP. So, wala ho doon. We signed the executive order to give ₱12 billion to our soldiers and policemen but it is actually not there in the 2017 proposal. But, okay lang ho iyon. What is ₱12 billion amongst coequal bodies. Maybe you can scrounge it, find for it somewhere, ₱12 billion. But it happened again.

Yesterday, I read the news and I heard our President saying that in his trip to China, he will be seeking funding, which I agree he should do, from the Chinese government, for educational or infrastructure projects and school buildings from China. That is good. The problem is, if our President is successful, and he brings home the goodies, he will not be able to spend the money because I have checked again our NEP, it is not there. And I have been calling the DBM the whole day to ask them if it is there; what I got was a deafening silence. Kapag ganoon ho iyong sagot, ibig sabihin noon wala iyon doon.

Ang problema ho rito, it is becoming a practice that a lot of projects -- two now, in my count -- have been announced or will be implemented without even as much as a notification to Congress, na akala ko ba tayo ho iyong nag-aaprub ng badyet. Nakadalawa na ho. Sabagay, okay naman lang ho iyon, walang problema ho iyon. But if there is something we could learn from recent history, ganito rin ho iyong nangyari noong nakaraan e, mga five years ago. May project na i-implement dito, walang may alam. May project na i-implement doon, walang may alam, until suddenly, it got so big and somebody brought that case to the Supreme Court and it was declared as unconstitutional.

The same thing is happening now, nangyari ngayon. Ang hinihingi ko lamang naman ho, Madam Speaker, ay bigyan naman ho ng kaunting pagtingin iyong Kongreso. Nasa atin pa naman ho iyong budget, hindi pa natin naaaprubahan. But twice it had happened that major programs are to be implemented next year, which were not planned, which were not even thought of when the budget was being crafted. Maybe, a simple letter or a notification, through the Committee on Appropriations, on how these projects will be implemented.

Let me now jump, Madam Speaker -- force of habit ho kasi to jump to the other side of the fence --- allow me to express my support to my other former boss, our present Secretary of Foreign Affairs Perfecto Yasay. He was my former boss, and I agree with him fully when he stated that alliances cannot be carried out to the perpetual dependence on another country.

Madam Speaker, my dear colleagues, I have a chance to deal with the different funding agencies, international funding agencies. And let me share with you where our foreign affairs secretary is coming from. There are different kinds of aid that we receive, one is a program loan. Lahat ho iyan, incidentally, dumadaan sa budget, wala ho diyan hindi dadaan sa budget. Everything that comes in, whether foreign or local goes through the budget.

The perfect example of a foreign or a program loan is the Conditional Cash Transfer (CCT). Originally, iyong CCT ho ang tawag diyan, Ahon Pamilyang Pilipino. That was, if I am not mistaken, implemented on a very small scale, as compared to its present funding. Its initial funding was around ₱50 million which, if I am not mistaken, covered only two provinces and a few municipalities.

We were given by the World Bank an ADB funding for the CCT. But what is not known to everyone was at the same time when we were experimenting with the CCT as a noble idea, the most developed country in the world and our ally, United States of America, was also experimenting with the very same concept on CCT. And that was New York City, under the stewardship of Mayor Bloomberg. The only difference was, he refused to use public funds.

New York's version of the CCT or Ahon Pamilya was called Opportunities NYC. And they experimented with the same system that we adopted. And while we are experimenting, here comes our good friend, the World Bank, whose biggest donor is the United States of America, offering us "x" amount of millions or billions of pesos to fund the



CCT while New York City refused to even fund it using public funds. They wanted to experiment using private funds, which they did. And after three years, they stopped. And to quote Mayor Bloomberg at that time, his assessment of Opportunities NYC, in very general terms, he said, "It was a failure." They had so many post studies on it, recommendations but until now they have not revived the conditional cash transfer in New York City.

Anong koneksyon ho sa atin niyon? Iyon palang panahon na alam na ng World Bank na palpak iyong sistema sa NYC, ay bakit pa ho pinalaki ng pinalaki pa iyong utang para sa atin. Ba't hindi man lang tayo sinabihan na, "Hoy, dito sa bansa mismo namin, kung nasaan iyong headquarters namin, palpak pala ang CCT. May mga challenges pala na kailangang malampasan." And what were the challenges? The first one that Mayor Bloomberg said was, it was just too complicated. And that is the very same reason that the Commission on Audit is saying now. There are so many unliquidated funds.

Hindi ko ho sinasabing nawala o ninakaw iyong pondo, sinasabi ko lang mahirap iyong sistema. At kung alam mo na palang mahirap, ba't hindi mo sabihan iyong taong pinapautang mo na mayroon palang problema. Hindi eh, alam naman ho natin, and when it is called program loan, sa Tagalog ang tawag sa program loan – utang. At pag may utang, may kumikita so, iyon ho ang sistema roon - that is the perfect example of CCT. Saan naman ho kayo ngayon nakakita na utang iyan at babayaran natin ho ng napakatagal na, hindi pa ho bayad iyong utang ha, babayaran pa natin iyan sa mga darating na taon.

Pero ngayon, iba naman ang sinasabi ng World Bank na, "Uy para makabayad kayo ng utang kailangan ayusin ninyo iyong tax system ninyo. Kailangan taasan ninyo iyong buwis ninyo. Sa gasolina kailangan taasan ninyo ang VAT at kailangan tanggalin ninyo ang exemption sa mga senior citizen at sa mga taong may kapansanan – mga PWD."

Bakit ganoon? Parang baliktad ata. Kapag utang na galing sa pagkakakitaan nila okay lang na ipamigay mo iyong pera sa naghihirap ke matanda siya, ke bata – bigyan mo ng pera, utang iyan eh. Babayaran naman tayo niyan.

Pero kapag usapin ng - babayaran ninyo kami at kukuha kayo ng pambayad para sa amin - ay wala, walang mahirap dito; walang senior citizen dito. Lahat kayo magbayad ng buwis dahil babayaran ninyo kami sa pagkakautang ninyo sa amin. Tama ba iyon, Madam Speaker?

That is an example of how one country perpetuates dependence on another. Isa pa hong ehemplo - project loans. Project loans are loans which are supposed to be for the construction of major infrastructure projects na hindi ho sana, or, daw, kaya maimplementa ng mga local contractor.

Alam ninyo ba, Madam Speaker, these are loans na babayaran ng Pilipino pero ang puwede lang mag-participate sa mga proyekto na ito ay mga banyagang kumpanya. In these loan agreements, only foreign companies are allowed to participate. Hindi puwede Pilipino. Bakit? Ang sabi ho nila, dahil iyon daw mga Pilipino contractors, iyong mga engineers daw na mga Pilipino, mga arkitekto na mga Pilipino mahinang klase raw. Eh bakit ho me mga BPO na ngayon dito? Bakit ho iyong mga arkitekto't inhinyero na mga Pilipino, iyon po ang ginagamit ngayon ng mga foreign companies? Kinikilala iyong galing ng ating mga arkitekto, mga engineer.

Pero pagdating ho sa pagimplementa ng mga utang eh, wala kayo, mahina kayo. At papaano naman ho lalaban iyong mga local contractor eh pag-import lang ho ng mga makinarya ang laking buwis binabayaran natin. Pero iyong mga foreign contractor, ayon po sa kasunduan ay VAT-exempt or tax-exempt ang kanilang mga equipment. Hindi talaga ho magiging pantay at hindi po talaga ho kahit kailanman magiging kapantay ng mga Pilipino ang mga banyagang korporasyon kung ganiyan ang papairalin na patakaran.

At pangalawa pa, malamang kaunti lang sa inyo ang mga may alam. Alam ninyo ba ang sistema ng pag-bid ng project pagdating sa foreign-assisted projects? Ang alam natin at pinakapraktikal na pamamaraan ng pagbi-bid, siyempre iyong pinakamababang presyo at pinakamagandang kalidad. Iyon ang nananalo. Natural hindi ba? Pero sa kanila, baliktad. Kahit pinakamataas ka, puwede kang manalo.

Now, in my almost 50 years, hindi, 45 years lang pala of existence hindi ko pa rin makuha iyong logic noon. Till now, I do not see the logic on how you can award the contract to the highest bidder. Mahirap ho iyon, I still cannot, at this point in time, hindi ko pa ho makuha.

And lastly, the other kind of aid we receive is called G-to-G contract which is a government-to-government contract. An example would be ito pong nakukuha natin na mga surplus, ukay-ukay na mga military equipment galing po sa ating big brother – the United States of America. Okay ho iyon, hindi ko lang maintindihan bakit binibigay sa atin lagi iyong luma at karag-karag na. Kung

talagang, kayo ho, magkapatid tayo, kuya ka, iyong mas nakakabata mong kapatid, kapag ibinigay mo naman siguro iyong lumang t-shirt mo sa kaniya dahil napaglumaan mo na, hindi mo naman siguro pinapabayad pa iyong kapatid mo.

Ganoon ho ang nangyayari rito, e. This military hardware in accounting parlance, nag-depreciate na ho many times over. Ang value nito sa libro, zero, na-depreciate na. Year in and year out, na-depreciate na ho iyan. Wala na hong balor iyan sa libro nila, bakit pagkakakitaan pa? Kung talagang magkakampi tayo, bakit pagkakakitaan mo pa kung talagang gusto mong tulungan ang iyong nakakaliit na kapatid? At saka kung tutulungan mo sila, bakit iyong luma ang bigay mo? Bigyan mo na lang ng armalite na bago. Tingnan mo iyong mga baril ng ating sundalo at pulis—luma, kulang. Bakit ba pinipilit ninyo iyong mga tangke at barkong luma na hindi naman kailangan iyon? So, maybe, from that point of view, I agree with the sentiments of our President and I agree with the statement of our Foreign Affairs Secretary Perfecto Yasay.

Thank you very much, Madam Speaker.

#### **INTERPELLATION OF REP. ATIENZA**

Recognized by the Chair, Rep. Jose L. Atienza Jr., after discussing with Rep. Andaya the effect of the loan conditions imposed by the World Bank and anomalies surrounding the bidding process, concurred with the latter that the imposition of the loan conditions was against the national interest.

Rep. Andaya cited that the administration of former President Gloria Macapagal-Arroyo had insisted on and had reached a compromise with the World Bank to implement the Procurement Reform Law; but that succeeding administrations adopted the old bidding process. He urged Congress to push the Executive Department for a reversal and to adopt the law of the recipient country with regard to government spending.

Rep. Atienza joined Rep. Andaya in his advocacy to not allow the country to be subservient to the agenda of other countries because of their insidious conditionalities on granting loans. The former informed the Body that the United States even wanted to control the growth of the Philippine population, referring to a document entitled “National Security Study Memorandum.” Both agreed that the Philippines should look at other funding sources; economic progress will not come from the World Bank but from

national efforts; and that what was needed was the proper management, proper programs, and honest officials.

#### **INTERPELLATION OF REP. MARCOLETA**

Recognized by the Chair, Rep. Rodante D. Marcoleta and the Sponsor discussed the World Bank’s conditions regarding the Conditional Cash Transfer (CCT) program. He said that it had only two conditions, namely, the achievement of primary education and the assistance for maternal health; and population control was not a condition.

#### **SUSPENSION OF SESSION**

On motion of Rep. Gonzales (A.P.), the Chair suspended the session at 5:15 p.m.

#### **RESUMPTION OF SESSION**

The session resumed at 5:18 p.m.

#### **REFERRAL OF REP. ANDAYA’S PRIVILEGE SPEECH**

On motion of Rep. Gonzales (A.P.), there being no objection, the Body referred the privilege speech of Rep. Andaya to the Committee on Rules.

#### **SUSPENSION OF THE PRIVILEGE HOUR**

Likewise, on motion of Rep. Gonzales (A.P.), there being no objection, the Body suspended the Privilege Hour.

#### **ACKNOWLEDGMENT OF GUESTS**

At this point, Rep. Gonzales (A.P.) acknowledged the presence in the Session Hall of the guests of Reps. Lianda B. Bolilia and Julieta R. Cortuna as well as the staff of former Congressman Elpidio F. Barzaga.

#### **ROLL CALL**

On motion of Rep. Gonzales (A.P.), there being no objection, the Chair directed the Secretary General to call the Roll and the following Members were present:

Abaya  
Abayon  
Abellanosa  
Abu  
Abueg  
Acharon

Acop  
Acosta  
Acosta-Alba  
Adiong  
Advincula  
Aggabao  
Aglipay-Villar  
Akbar  
Albano  
Alejano  
Almario  
Almonte  
Alonte-Naguiat  
Alvarez (F.)  
Alvarez (P.)  
Amante  
Amatong  
Andaya  
Angara-Castillo  
Antonino  
Antonio  
Aragones  
Arbison  
Arenas  
Atienza  
Aumentado  
Bag-ao  
Bagatsing  
Baguilat  
Banal  
Barbers  
Barzaga  
Belaro  
Belmonte (F.)  
Belmonte (J.C.)  
Belmonte (R.)  
Benitez  
Bernos  
Bertiz  
Billones  
Bolilia  
Bondoc  
Bordado  
Bravo (A.)  
Bravo (M.V.)  
Brosas  
Bulut-Begtang  
Cagas  
Calixto-Rubiano  
Campos  
Canama  
Cari  
Castelo  
Castro (F.L.)  
Castro (F.H.)  
Celeste  
Cerilles  
Chavez  
Chipeco  
Co  
Cojuangco  
Cortes  
Cortuna  
Cosalan  
Crisologo  
Cua  
Cuaresma  
Cueva  
Dalipe  
Dalog  
Daza  
De Jesus  
De Vera  
Del Mar  
Del Rosario  
Deloso-Montalla  
Dimaporo (A.)  
Dimaporo (M.K.)  
Dy  
Elago  
Enverga  
Eriguel  
Ermita-Buhain  
Escudero  
Espina  
Espino  
Estrella  
Eusebio  
Fariñas  
Fernando  
Ferrer (J.)  
Ferrer (L.)  
Ferriol-Pascual  
Floirendo  
Fortun  
Fortuno  
Fuentebella  
Garcia (G.)  
Garcia (J.E.)  
Garcia-Albano  
Garin (R.)  
Garin (S.)  
Gasataya  
Geron  
Go (A.C.)  
Go (M.)  
Gomez  
Gonzaga  
Gonzales (A.P.)  
Gonzales (A.D.)  
Gonzalez  
Gorriceta

Gullas  
Hernandez  
Herrera-Dy  
Hofer  
Javier  
Kho  
Khonghun  
Labadlabad  
Lacson  
Lagman  
Lanete  
Laogan  
Lazatin  
Lee  
Limkaichong  
Lobregat  
Lopez (B.)  
Lopez (C.)  
Lopez (M.L.)  
Loyola  
Macapagal-Arroyo  
Maceda  
Madrona  
Malapitan  
Manalo  
Mangaoang  
Mangudadatu (S.)  
Mangudadatu (Z.)  
Marcoleta  
Marcos  
Mariño  
Marquez  
Martinez  
Matugas  
Mellana  
Mercado  
Mirasol  
Montoro  
Nava  
Nieto  
Noel  
Nogralas (J.J.)  
Nogralas (K.A.)  
Nolasco  
Nuñez-Malanyaon  
Oaminal  
Ocampo  
Olivarez  
Ong (E.)  
Ong (H.)  
Ortega (P.)  
Ortega (V.N.)  
Pacquiao  
Paduano  
Palma  
Pancho  
Panganiban  
Panotes  
Papandayan  
Pichay  
Pimentel  
Pineda  
Plaza  
Primicias-Agabas  
Quimbo  
Radaza  
Ramos  
Relampagos  
Revilla  
Roa-Puno  
Robes  
Rocamora  
Rodriguez (I.)  
Rodriguez (M.)  
Roman  
Romero  
Romualdez  
Romualdo  
Roque (H.)  
Roque (R.)  
Sagarbarria  
Salceda  
Salimbangon  
Salo  
Salon  
Sambar  
Sandoval  
Santos-Recto  
Sarmiento (C.)  
Sarmiento (E.M.)  
Savellano  
Siao  
Silverio  
Singson  
Suansing (E.)  
Suansing (H.)  
Suarez  
Sy-Alvarado  
Tambunting  
Tan (A.)  
Tan (M.)  
Tejada  
Teves  
Tiangco  
Ting  
Tinio  
Tolentino  
Treñas  
Tugna  
Turabin-Hataman  
Ty  
Umali

Unabia  
 Ungab  
 Unico  
 Uy (J.)  
 Uy (R.)  
 Uybarreta  
 Vargas  
 Vargas-Alfonso  
 Velarde  
 Velasco  
 Velasco-Catera  
 Veloso  
 Vergara  
 Villafuerte  
 Villanueva  
 Villaraza-Suarez  
 Villarica  
 Villarín  
 Violago  
 Yap (M.)  
 Yap (V.)  
 Yu  
 Zamora (M.C.)  
 Zamora (R.)  
 Zubiri

With 255 Members responding to the Call, the Chair declared the presence of a quorum. (See also Appendix 1)

#### **MOTION OF REP. LOPEZ (B.)**

Rep. Lopez moved for the consideration on Second Reading of House Bill No. 3955 as contained in Committee Report No. 3 and reported out by the Committee on Ways and Means.

#### **SUSPENSION OF SESSION**

The Chair *motu proprio* suspended the session at 5:29 p.m.

#### **RESUMPTION OF SESSION**

The session resumed at 5:30 p.m.

#### **BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 3 ON HOUSE BILL NO. 3955**

There being no objection to the previous motion, the Body considered on Second Reading House Bill No. 3955, as contained in Committee Report No. 3 and reported out by the Committee on Ways and Means.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT MANDATING THE GOVERNMENT TO PAY THE CAPITAL GAINS TAX AND THE DOCUMENTARY STAMP TAX DUE IN ADDITION TO THE JUST COMPENSATION FOR THE SALE OF REAL PROPERTY IN THE EXERCISE OF THE STATE’S POWER OF EMINENT DOMAIN, AMENDING FOR THE PURPOSE SECTIONS 24 (D) AND 196 OF REPUBLIC ACT NO. 8424, AS AMENDED, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997.”

As copies of the Bill had been distributed to the Members, on motion of Rep. Lopez (B.), there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

Thereafter, on motion of Rep. Lopez, the Chair recognized Rep. Dakila Carlo E. Cua, chairperson of the Committee on Ways and Means, who delivered the following sponsorship speech:

#### **SPONSORSHIP SPEECH OF REP. CUA**

Honorable Speaker, fellow legislators, esteemed guests, esteemed government officials, ladies and gentlemen.

The issue of equity in the implementation of infrastructure projects has long posed an obstacle to development and it is time that we join the effort to solve it. This bill that we sponsor today will allow us to deal squarely with the matter, while creating as well an enabling environment that will facilitate the work of the czars in concerned government instrumentalities such as the transportation and public works and highways departments, among others.

Allow me to make use of the subject of right-of-way in road works to drive the point. It is one of the bottlenecks in the construction of additional and alternative routes to ease traffic congestion that, in many instances, severely hinders implementation of infrastructure projects. We, in the Committee on Ways and Means, believe that an innovation in tax administration can aid those whose properties will be affected by road works, or the so-called “compulsory sellers”, in swallowing the hard pill of eminent domain. To do this, we propose that they not be encumbered by paying the capital gains tax and the documentary stamp tax.

If persons who sell their real property to the government are not unduly burdened by these taxes, this will make less unwelcome the sale of private properties identified as essential to national development and will facilitate the government's acquisition of private property. Further, the bill seeks to make government pay the compulsory sellers these capital gains and documentary stamp taxes on top of the just compensation for real property. Once enacted into law, the bill will amend Sections 24 (d) and 196 of Republic Act (RA) No. 8424 or the National Internal Revenue Code (NIRC) of 1997.

The capital gains tax (CGT) is a tax imposed on the gains presumed to have been realized by the seller for the disposition of its assets. However, we all know that in the exercise of eminent domain, the seller is compelled to sell his property and the least that the government can do is to pay for the capital gains tax of similar transactions.

Following the same logic, the government will include the documentary stamp tax (DST), a tax on documents, instruments, loan agreements and papers evidencing the transfer of an obligation, right, or property, in its payments to compulsory sellers, once the bill is enacted into law. It strengthens pertinent provisions of RA Nos. 10752 and 8974 which provide that the documentary stamp tax, transfer tax, and the registration fee due on the transfer of land, in the name of the government, shall be shouldered by the agency concerned. The bill is superior in that it clearly asks the government to pay for the DST on top of the just price of the property, simplifying its implementation.

Untangling this taxation knot will contribute to efforts to enhance connectivity to boost trade, security, and tourism. While the primordial motivation in implementing infrastructure projects is encouraging an investment-driven economy, we propose that it be skewed in favor of the people with the least negative impact on affected real estate owners. As these compulsory sellers help us by providing their land for public projects, we aim to indemnify them by lessening the encumbrances on these transactions.

Indeed, this measure is for the protection by the government of the people's proprietary rights in instances of expropriation by providing compensation that is more equitable, one that is in keeping with the government's promotion of social justice.

Accordingly, I seek your support to approve on Second Reading House Bill No. 3955 under Committee Report No. 3.

Good afternoon and thank you for this opportunity, Madam Speaker.

### **APPROVAL ON SECOND READING OF HOUSE BILL NO. 3955**

Thereafter, on successive motions of Rep. Lopez (B.), there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches against the measure; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 3955 on Second Reading through *viva voce* voting.

### **BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 4 ON HOUSE BILL NO. 3988**

Thereupon, on motion of Rep. Lopez (B.), there being no objection, the Body considered on Second Reading House Bill No. 3988, as contained in Committee Report No. 4 and reported out by the Committee on Revision of Laws.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT PROVIDING FOR THE CONJUGAL PARTNERSHIP OF GAINS AS THE GOVERNING REGIME IN THE ABSENCE OF A MARRIAGE SETTLEMENT OR WHEN THE REGIME AGREED UPON IS VOID, AMENDING FOR THE PURPOSE ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES.”

As copies of the Bill had been distributed to the Members, on motion of Rep. Lopez, there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

Thereafter, on motion of Rep. Lopez, the Chair recognized Rep. Marlyn L. Primicias-Agabas, chairperson of the Committee on Revision of Laws, who delivered the following sponsorship speech:

## SPONSORSHIP SPEECH OF REP. PRIMICIAS-AGABAS

Madam Speaker, honorable Members of the House, friends, ladies and gentlemen, good evening.

House Bill No. 3988 is a refiled bill. It had reached Third and final Reading, and said Bill seeks to reinstate the system of conjugal property of gains as the regime of property relations between husband and wife.

Madam Speaker, as a backgrounder, the provisions of the new Civil Code concerning marriage and family relations had remained relatively constant if not firmly established for almost six decades since its adoption in 1950, and for more than 100 years before that under the old Civil Code. However, in view of the effectivity and adoption of Executive Order No. 209, as amended by Executive Order 227, the Family Code of the Philippines, a radical change has been made with respect to the aforementioned provisions on property relations in marriage. Changes which, if analyzed with careful scrutiny, would have far-reaching ramifications leading one to question the very wisdom for the change.

A case in point is Article 75 of Title IV of the Family Code of the Philippines which states that, by virtue of a legal mandate, the property relations between husband and wife shall be under the system of absolute community, which is a far departure from the long accepted system of conjugal partnership of gains.

The system of absolute community as contemplated under the law, under the new Family Code, partakes of a kind of property relations whereby both spouses upon entering marriage shall become owners in common of all properties they had previously owned individually prior to their marriage. Put simply, the prior separate and personal ownership of each individual spouse's property ceases to exist but shall henceforth become common property of the marriage regardless of the size of the contribution or value of property brought into the marriage per respective spouses.

Undoubtedly, from a theoretical standpoint, the system of absolute community would appear to be the most ideal type or mode of property relations between spouses because it impresses and projects an image of an all-for-one, one-for-all attitude for the marital partnership. It however fails to consider the idiosyncrasies of people and that spouses as human beings are only too prone to human weaknesses and errors.

There are matters worthy of consideration, Madam Speaker. For one thing, the system of conjugal partnership has been adopted and practiced for over four decades now, has been generally accepted practiced, and, yes, firmly established in our marital institutions and recognized in other institutions as well.

It may also be safe to say that no recent trend or current event or development has transpired in our jurisdiction which raises the moral legal jurisdiction to warrant the change from the very established system of conjugal partnership of gains to the untried system of absolute community in our marital institution. To effect the change just for the sake of change despite the absence of an overriding ground suits no purpose and becomes a needless exercise. The system of conjugal partnership of gains stands on a firm foundation and has switched to the rigors of time, tested and proven.

Under the aforesaid premises, it is therefore proposed, Madam Speaker, that the provisions of the Family Code on the system of absolute community be revised, and that the system of conjugal partnership of gains herein stated, as the basis of the property relations of our marital institutions.

Madam Speaker, it is in this light that passage of this Bill on Second Reading is earnestly sought.

## APPROVAL ON SECOND READING OF HOUSE BILL NO. 3988

Thereafter, on successive motions of Rep. Lopez (B.), there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches *en contra*; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 3988 on Second Reading through *viva voce* voting.

## BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 5 ON HOUSE BILL NO. 477

On motion of Rep. Lopez (B.), there being no objection, the Body considered on Second Reading House Bill No. 477, as embodied in Committee Report No. 5 and reported out by the Committee on Revision of Laws.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT DECLARING JANUARY 23 OF  
EVERY YEAR A SPECIAL WORKING

HOLIDAY IN THE ENTIRE COUNTRY TO COMMEMORATE THE DECLARATION OF THE FIRST PHILIPPINE REPUBLIC.”

As copies of the Bill had been distributed to the Members, on motion of Rep. Lopez, there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

On motion of Rep. Lopez, the Chair recognized Rep. Primicias-Agabas to deliver her sponsorship speech on the measure, to wit:

#### **SPONSORSHIP SPEECH OF REP. PRIMICIAS-AGABAS**

Thank you very much, Madam Speaker House Bill No. 477 is a refiled bill, and did not reach Third and final Reading in the 16th Congress. This Bill seeks to declare January 23 of every year as a special working holiday to commemorate the first Philippine Republic Day.

The significance of January 23, 1898 is that the First Philippine Republic came into being as the sovereign choice of the people. It is a conscious choice to reject dictatorial and revolutionary government and establish for all the future Filipino generations the groundwork for democracy. It is therefore of much importance that we need to commemorate January 23 of every year as the beginning of Filipino democracy and self-government, as it magnifies the political maturity and readiness of our forefathers at the turn of the century

Our beliefs and aspirations as a nation, united in pursuit for life, liberty and enjoyment of the benefits of our democracy is encapsulated by our rich and noble history. I hope that we can give due recognition with this great feat and achievement of our forefathers in commemorating January 23 as a special working holiday. For this reason, Madam Speaker, we seek for the approval of the said Bill on Second Reading.

#### **APPROVAL ON SECOND READING OF HOUSE BILL NO. 477**

Thereafter, on successive motions of Rep. Lopez (B.), there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches *en contra*; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 477 on Second Reading through *viva voce* voting.

#### **BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 6 ON HOUSE BILL NO. 335**

On motion of Rep. Lopez (B.), there being no objection, the Body considered on Second Reading House Bill No. 335, as embodied in Committee Report No. 6 and reported out by the Committee on Revision of Laws.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTY OF ARRESTO MENOR, AMENDING FOR THE PURPOSE CHAPTER 5, TITLE 3, BOOK 1 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE.”

As copies of the Bill had been distributed to the Members, on motion of Rep. Lopez, there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

On motion of Rep. Lopez, the Chair recognized Rep. Primicias-Agabas to deliver her sponsorship speech on the measure, to wit:

#### **SPONSORSHIP SPEECH OF REP. PRIMICIAS-AGABAS**

Thank you very much, Madam Speaker.

House Bill No. 335 is a refiled bill. It has reached Third and final Reading in the 16th Congress and this Bill seeks to authorize courts to adjust the penalty of community service in lieu of penalty of imprisonment for offenses punishable by *arresto menor*. *Arresto Menor* is a penalty with the duration of one to 30 days. A new Article 88-A is introduced in the said Bill to provide community service as a form of penalty. *Arresto Menor* is imposed on less crimes such as alarm and scandal under Article 155; slight physical injury under Article 266; and malicious mischief if the value is less than ₱200, to name a few.

This measure will greatly decongest our jails and penitentiaries and conserve the much-needed resources that could be diverted to more practical endeavors, as well as this Representation believes that by rendering community service, we will



strengthen the sense of belongingness of the offender to the community and will help the accused reform and become a rehabilitated member of the community.

Madam Speaker, it is in this light that the passage of this Bill on Second Reading is earnestly sought.

#### **APPROVAL ON SECOND READING OF HOUSE BILL NO. 335**

Thereafter, on successive motions of Majority Leader Rodolfo C. Fariñas, there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches *en contra*; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 335 on Second Reading through *viva voce* voting.

On motion of Rep. Lopez (B.), there being no objection, the Body proceeded to the Additional Reference of Business.

#### **ADDITIONAL REFERENCE OF BUSINESS**

Upon direction of the Chair, the Secretary General read the following Committee Reports which were referred to the Committee on Rules:

##### **COMMITTEE REPORTS**

Report by the Committee on Revision of Laws (Committee Report No. 7), re H.B. No. 336, entitled:

“AN ACT EXCLUDING FROM THE APPLICATION OF THE INDETERMINATE SENTENCE LAW THOSE CONVICTED OF CRIMINAL OFFENSES AGAINST A MINOR, AMENDING FOR THE PURPOSE ACT NO. 4103 OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW”

recommending its approval without amendment in consolidation with House Bill No. 2212

Sponsors: Representatives Primicias-Agabas and Macapagal-Arroyo

TO THE COMMITTEE ON RULES

Report by the Committee on Revision of Laws (Committee Report No. 8), re H.B. No. 1344, entitled:

“AN ACT PRESCRIBING STRICTER PENALTIES ON THE CRIME OF DELIVERING PRISONERS FROM JAIL AND INFIDELITY IN THE CUSTODY OF PRISONERS, AMENDING FOR THE PURPOSE ARTICLES 156, 223 AND 224 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE 'REVISED PENAL CODE OF THE PHILIPPINES' ”

recommending its approval without amendment

Sponsors: Representatives Primicias-Agabas and Acop

TO THE COMMITTEE ON RULES

Report by the Committee on Revision of Laws (Committee Report No. 9), re H.B. No. 2916, entitled:

“AN ACT INCREASING THE PENALTIES FOR THE CRIME OF SLANDER BY DEED AND INCLUDING THE INTENTIONAL FILING OF A FALSE COMPLAINT IN COURT OR WITH ANY GOVERNMENT AGENCY EXERCISING QUASI-JUDICIAL OR ADMINISTRATIVE POWERS AS ONE OF ITS FORM, AMENDING FOR THE PURPOSE ARTICLE 359 OF ACT NO. 3815, OTHERWISE KNOWN AS THE 'REVISED PENAL CODE' ”

recommending its approval without amendment

Sponsors: Representatives Primicias-Agabas and Escudero

TO THE COMMITTEE ON RULES

Report by the Committee on Revision of Laws (Committee Report No. 10), re H.B. No. 3177, entitled:

“AN ACT PENALIZING INFLUENCE PEDDLING AND FOR OTHER PURPOSES”

recommending its approval without amendment

Sponsors: Representatives Primicias-Agabas and Escudero

TO THE COMMITTEE ON RULES

**BUSINESS FOR THE DAY:  
COMMITTEE REPORT NO. 7  
ON HOUSE BILL NO. 336**

On motion of Rep. Juan Pablo “Rimpy” P. Bondoc, there being no objection, the Body considered on Second Reading House Bill No. 336, as embodied in Committee Report No. 7 and reported out by the Committee on Revision of Laws.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT EXCLUDING FROM THE APPLICATION OF THE INDETERMINATE SENTENCE LAW THOSE CONVICTED OF CRIMINAL OFFENSES AGAINST A MINOR, AMENDING FOR THE PURPOSE ACT NO. 4103 OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW”

As copies of the Bill had been distributed to the Members, on motion of Rep. Bondoc, there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

On motion of Rep. Bondoc, the Chair recognized Rep. Primicias-Agabas to deliver her sponsorship speech on the measure, to wit:

**SPONSORSHIP SPEECH  
OF REP. PRIMICIAS-AGABAS**

House Bill No. 336 is again, a refiled bill. And it has reached Third and final Reading in the 16th Congress. The Bill seeks to include from the application of the Indeterminate Sentence Law those convicted of criminal offenses against a minor, amending for the purpose Republic Act No. 4103, otherwise known as the Indeterminate Sentence Law.

It is paramount for a society to protect those who are helpless and the Bill focuses on children. Those that are subject to abuse and ill-treatment must be protected in order to deter individuals from perpetuating abuse and taking advantage of their vulnerability.

The application of this law is mandatory except to cases expressly excluded by the law.

This proposal intends to add several instances to the list of excluded cases in the application of the Indeterminate Sentence Law.

The nature of seriousness of the offense committed against a minor justifies its inclusion on the enumeration in Section 2 of RA No. 4103.

In this regard, the Indeterminate Sentence Law shall not apply to those who have been convicted of offenses against minors which is comparable to or analogous to cases like kidnapping of a minor, except by a parent; and false imprisonment of a minor or sexual conduct to the same, among others.

In view thereof, Madam Speaker, passage of this Bill on Second Reading is earnestly sought.

**APPROVAL ON SECOND READING  
OF HOUSE BILL NO. 336**

Thereafter, on successive motions of Rep. Bondoc, there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches *en contra*; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 336 on Second Reading through *viva voce* voting.

**BUSINESS FOR THE DAY:  
COMMITTEE REPORT NO. 8  
ON HOUSE BILL NO. 1344**

On motion of Rep. Bondoc, there being no objection, the Body considered on Second Reading House Bill No. 1344, as embodied in Committee Report No. 8 and reported out by the Committee on Revision of Laws.

Upon direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT PRESCRIBING STRICTER PENALTIES ON THE CRIME OF DELIVERING PRISONERS FROM JAIL AND INFIDELITY IN THE CUSTODY OF PRISONERS, AMENDING FOR THE PURPOSE ARTICLES 156, 223 AND 224 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE ‘REVISED PENAL CODE OF THE PHILIPPINES.’”

As copies of the Bill had been distributed to the Members, on motion of Rep. Bondoc, there being no objection, the Body dispensed with the reading of

the text of the measure without prejudice to its insertion into the Record of the House.

On motion of Rep. Bondoc, the Chair recognized Rep. Primicias-Agabas to deliver her sponsorship speech on the measure, to wit:

#### **SPONSORSHIP REMARKS OF REP. PRIMICIAS-AGABAS**

The many incidents of prisoners and detainees escaping from the custody of their prison guards and law enforcement officers are a glaring example of how ineptitude and the enticement of bribe money can combine into an effective means for these jail wards to break lose from the clutches of the law.

As a deterrent, therefore, higher penalties must be imposed on those public officers entrusted with the custody of convicts and detention prisoners, as well as private persons who conspire with or facilitate their escape. This will hopefully discourage such public officers from betraying the trust bestowed upon them by the public in the faithful discharge of their sworn duties.

Specifically, this bill proposes to increase the penalties for the following crimes prescribed in the revised Penal Code as amended: delivering prisoners from jail, infidelity in the custody of prisoners, and evasion through negligence.

Madam Speaker, again, this is a refiled bill and it had reached Third and Final Reading in the 16th Congress.

For these reasons, it is, therefore, earnestly requested that the proposed measure be approved on Second Reading.

#### **APPROVAL ON SECOND READING OF HOUSE BILL NO. 1344**

Thereafter, on successive motions of Rep. Bondoc, there being no objection, the Body terminated the period of sponsorship and debate in the absence of interpellations and speeches *en contra*; terminated the period of amendments in the absence of Committee and individual amendments; and approved House Bill No. 1344 on Second Reading through *viva voce* voting.

#### **BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 9 ON HOUSE BILL NO. 2916**

Thereupon, on motion of Rep. Bondoc, there being no objection, the Body considered on Second Reading House Bill No. 2916, as embodied in Committee Report No. 9 and reported out by the Committee on Revision of Laws.

Upon the direction of the Chair, the Secretary General read the title of the Bill, to wit:

“AN ACT INCREASING THE PENALTIES FOR THE CRIME OF SLANDER BY DEED AND INCLUDING THE INTENTIONAL FILING OF A FALSE COMPLAINT IN COURT OR WITH ANY GOVERNMENT AGENCY EXERCISING QUASI-JUDICIAL OR ADMINISTRATIVE POWERS AS ONE OF ITS FORMS, AMENDING FOR THE PURPOSE ARTICLE 359 OF ACT 3815, OTHERWISE KNOWN AS THE ‘REVISED PENAL CODE’”

As copies of the Bill had been distributed to the Members, on motion of Rep. Bondoc, there being no objection, the Body dispensed with the reading of the text of the measure without prejudice to its insertion into the Record of the House.

Rep. Bondoc then moved for the recognition of Rep. Primicias-Agabas for her sponsorship speech.

#### **REMARKS OF REP. LAGMAN**

Upon recognition by the Chair, Rep. Edcel C. Lagman asked for more time to study House Bill No. 2916 before being taken up for approval on Second Reading because it was only at that time that he had seen a copy of the measure.

#### **SUSPENSION OF SESSION**

On motion of Rep. Bondoc, the session was suspended at 6:02 p.m.

#### **RESUMPTION OF SESSION**

At 6:05p.m., the session resumed.

#### **SUSPENSION OF CONSIDERATION ON SECOND READING OF HOUSE BILL NO. 2916**

On motion of Rep. Bondoc, there being no objection, the Body suspended the consideration on Second Reading of House Bill No. 2916.

## RESUMPTION AND EXTENSION OF THE PRIVILEGE HOUR

On motion of Rep. Bondoc, there being no objection, the Body resumed the Privilege Hour and extended it for another hour.

On further motion of Rep. Bondoc, the Chair recognized Rep. Joel Mayo Z. Almario who delivered the following privilege speech:

### PRIVILEGE SPEECH OF REP. ALMARIO

I rise on a question of personal and collective privilege. This concerns the education sector and its stakeholders in the province of Davao Oriental, specifically, the Davao Oriental Schools Division and the City Schools Division, both under the Department of Education.

Davao Oriental, with two legislative districts, has 10 municipalities and one city, which is the city of Mati, the province's capital. Six of these municipalities, namely, Tarragona, Manay, Caraga, Baganga, Cateel, and Boston comprise the first legislative district; while the other four municipalities, namely, Lupon, Banaybanay, San Isidro, and Governor Generoso, plus the city of Mati, make up the second legislative district.

Prior to the creation of the city of Mati under Republic Act No. 9408, otherwise known as "An Act Converting the Municipality of Mati in the Province of Davao Oriental into a Component City to be known as the City of Mati", which this Representation so authored, there was only one DepEd Davao Oriental Schools Division comprising of all the schools in the province with the following number of schools, teachers and pupils. Under the Davao Oriental Schools Division, there were a total of 370 schools, 4,236 teachers, and 131,265 pupils.

When the City of Mati started to exist, Madam Speaker, then Department of Education Secretary Bro. Armin Luistro issued a memorandum establishing the City Schools Division of the City of Mati pursuant to Section 50 of R.A. No. 9408. As a result, what was once a single schools division became two schools division within the province, namely, (1) Davao Oriental Schools Division with 67 plantilla division personnel and with jurisdiction over 303 elementary and secondary schools located in all the 10 municipalities of the province; and (2) the City Schools Division with 67 plantilla

division personnel and with jurisdiction over 67 elementary and secondary schools located in the city of Mati.

Data on relevant figures gathered then under this set-up were as follows: the Davao Oriental Schools Division had a total of 303 schools, 3,023 teachers, 99,856 pupils; while the City Schools Division had a total of 67 schools, 1,213 teachers and 31,409 pupils.

Under the Department of Education's system of categorizing division offices in terms of numbers of schools under its jurisdiction, and for purposes of allocating resources to the office, both the Davao Oriental Schools Division and the City Schools Division are medium category, with both having the same number of workforce -- 67 plantilla division personnel each.

Based on the data provided, Madam Speaker, the City Schools Division workforce and resources were more than sufficient for its needs as a new division with just 67 elementary and secondary schools under its supervision or a measly 18.1 percent of the total schools in the province. On the other hand, the Davao Oriental Schools Division with a total of 303 elementary and secondary schools was regularly beset and hampered by limited manpower and financial difficulties in its delivery of educational services and programs to all the schools in the 10 municipalities under it then.

Recognizing the lop-sidedness of relevant figures, with the surplus of resources of the City Schools Division on one hand and the obvious strain on the Davao Oriental Schools Division that affected the quality of services rendered on the other, the Department of Education through then Secretary Luistro issued another memorandum on May 14, 2012 for the inclusion of the elementary and secondary Schools in the municipalities of Banaybanay, Lupon, San Isidro and Governor Generoso, all in the second legislative district, in the administrative and supervisory jurisdiction of the Office of the Schools Division Superintendent of the City Schools Division of the City of Mati; while retaining the schools in the municipalities of Tarragona, Manay, Caraga, Baganga, Cateel and Boston, all in the first legislative district, still under the administrative and supervisory jurisdiction of the Davao Oriental Schools Division.

As succinctly stated in Secretary Luistro's memorandum, the following can be said of the new structure of jurisdictions: (1) it is consistent with the mandate of the Department of Education to ensure the access to and improve the quality of basic education; (2) it effectively equalizes the ju-

jurisdiction of the Schools Division of Davao Oriental and the City Schools Division in terms of number of schools, students and teachers; and (3) it created a more or less equitable number of personnel, teachers and schools that strengthened coordination and ensured a more effective and efficient administration and supervision by the superintendents of the mother division of Davao Oriental and the City Schools Division of the City of Mati.

The memorandum was issued upon the endorsement letter of then DepEd Regional Director Susana Teresa B. Estigoy, excerpts of which are as follows:

“Let it be mentioned that Davao Oriental Schools Division belongs to the top FORTY PRIORITY schools divisions of the country in view of its low achievement of targets in the performance indicators for basic education under EFA 2015.

Including schools in the four municipalities of Banaybanay, Lupon, San Isidro, and Governor Generoso all in District II under the administrative and supervisory jurisdiction of the City of Mati Schools Divisions strengthens the capacity of the Schools Division Superintendent of Davao Oriental in providing development and the technical support to the school heads and teachers, given the reduced number of schools to be given such support.

While it appears that the new Schools Division of Mati City will have more schools, teachers and students than the Mother Division of Davao Oriental under this proposal, let it be mentioned that the schools in the municipalities under Congressional District I are situated in the coastal and remote areas of the province while the schools in the four municipalities of Congressional District II proposed to be attached to the Schools Division of Mati City are located in very accessible localities, except for a few schools in the area of Governor Generoso.

Further, this proposal will provide ease and convenience, geographically and politically. Planning and allocation of resources will be more equitable, supervision of schools will no longer require crisscrossing of geographical boundaries.”

Regional Director Estigoy’s endorsement was the output of the DepEd Task Force which was commissioned to conduct a study on the implications of Section 50 of Republic Act No. 9408 in reference to the constitutional provision mandating the education sector to undertake appropriate measures to ensure access to quality education.

The task force, Madam Speaker, conducted a series of deliberations, discussions, studies, and several consultations with the officials of the City

Schools Division, Davao Oriental Schools Division, the officials of the provincial government of Davao Oriental, and the local executives of the City of Mati and the municipalities of Banaybanay, Lupon, San Isidro and Governor Generoso, including their respective local school boards as well as the teachers therein. Invitations were sent to the office of the governor, but no one from said office came to attend.

The following were derived in these consultations, Madam Speaker: (1) there is an imbalance in the composition of schools under each schools division, and it would be prejudicial to the Davao Oriental Schools Division considering that it would have more schools, teachers and enrollment. Yet, like the City Schools Division, it was categorized as “medium” and entitled to the same number of plantilla positions which is 67 personnel; and (2) the Davao Oriental Schools Division is among the Top 40 priority schools divisions in the country for its low achievement of targets in the performance indicators for basic education under EFA 2015.

Madam Speaker, Secretary Luistro’s memorandum was in accordance with the provisions of Republic Act No. 9155 also known as the Governance of Basic Education Act of 2001. In its implementing rules and regulations, the Department of Education shall (1) protect and promote the right of all citizens to qualify for basic education and shall take appropriate steps to make education accessible to all; (2) serve the students and the teachers, its primary constituents; (3) define the roles and responsibilities of, and provide resources to the regions, schools divisions and schools which shall implement educational programs, projects and services in communities they serve; (4) to ensure that schools and learning centers receive the kind of focused attention they deserve; and lastly, (5) direct the conduct of review and evaluation of the present organizational structure and staffing pattern at all levels.

Madam Speaker, in the implementation of then Secretary Luistro’s memorandum, the consequent effect in terms of number of schools, teachers and pupils, were as follows: the Davao Oriental Schools Division had a total of 186 schools, 1,520 teachers, and 54,356 pupils while the City Schools Division had a total of 184 schools, 2,716 teachers, and 76,909 pupils.

Based on the said data, Madam Speaker, the number of schools administered and supervised by the Davao Oriental Schools Division was reduced while that of the City Schools Division was significantly increased. The City Schools Division was more than able to share its financial and manpower resources to help out the Davao Oriental Schools

Division which, on the other hand, enjoyed a reduction in number of schools to supervise, enabling it to better manage its limited financial and manpower resources.

The inclusion of the four municipalities in the second district to the City Schools Division successfully rationalized and equally distributed available financial and manpower resources of the Department of Education. With the new division structure, delivery of programs and educational services to all the schools in all the 10 municipalities and the City of Mati was greatly improved and enhanced.

Madam Speaker, this has been the scheme from 2012 up to 2016, and even in the Department of Education's proposed budget for 2017 as reflected in the National Expenditures Program for fiscal year 2017.

However, Madam Speaker, and this is the reason why I am delivering this privilege speech, after four years of the successful implementation of the said memorandum and rationalized scheme, an attempt now is being made to disturb the status quo in the Davao Oriental Schools Division and the City Schools Division. An attempt is being made to revert to the old set up and return the four municipalities from the second legislative district to the administrative and supervisory jurisdiction of Davao Oriental Division Office.

Madam Speaker, it baffles this Representation why such move is being sought, as there is absolutely no valid and practical reason for the reversion as:

(1) The issuance of the memorandum of Secretary Luistro, as discussed earlier, was based on Republic Act No. 9155. Verily, it is cloaked with the validity and legality of a binding law. A presumption of regularity and good faith in his actions in behalf of the Department of Education must be accorded him. There is simply no legal ground and the validity of his memorandum may even come into question.

(2) Due process was given to all the stakeholders. Before the issuance of the memorandum, a series of consultations were conducted. It is unfortunate that the then governor ignored the invitations, but her deliberate inaction should not affect the soundness of the memorandum. Had there been negative concerns regarding the thoroughness and effectiveness of the new division scheme, it should have been raised during the consultation process. But none was ever raised, until now, when political motivations are starting to come out.

(3) The implementation of the scheme resulted in the rationalized use of limited financial and manpower resources. In the simplest of terms, Madam Speaker, the inequality in the distribution of means was solved by the new jurisdictional division. What was once an overburdened Davao Oriental Schools Division due to financial and manpower limitation was remedied by transferring schools in the second legislative district to the very much capable hands of the City Schools Division. It is akin to someone extending a helping hand to an obviously suffering brother.

(4) And lastly and most importantly, better and more equitable benefits were received by schools, teachers and students. It cannot be emphasized more than enough, how much positive impact the new scheme brought about. It has benefited those who are struggling the most because the new scheme enabled a better distribution and management of resources. With the new scheme, all those who matter started enjoying better services, better educational programs, and better facilities.

Based on the above, Madam Speaker, there can be no other reason or motivation for the attempt to revert to the old scheme but local politics. Local government units, which were consulted prior to the issuance of Secretary Luistro's memorandum and which agreed to the present scheme, are now being used to justify the reversion. Allegedly, they are the ones clamoring for it. A closer look at the proponent's claim that the leagues of local government in Davao Oriental are clamoring for the reversion will actually reveal that political pressure was put on them by the proponent's political group.

The scheme as devised by the Department of Education was, is, and shall always be beyond and devoid of politics. The act of the Department was legal in consonance with its constitutional mandate, having its legal and moral obligation that every child of school-age has the right to quality education. It was a policy decision which should be respected as the same benefitted greatly the schools, students, and teachers of the whole province. The scheme was devised to solve a problem before. The reversion to its old form which was problematic should not be allowed, Madam Speaker.

And finally, Madam Speaker, in closing, I say that let not political ends question the wisdom, intelligence, integrity and sound judgment of the Department of Education nor stifle it from performing its constitutional mandate of providing access to an improving quality of education.

Thank you very much, Madam Speaker.

## INTERPELLATION OF REP. VILLARIN

On motion of Rep. Lopez (B.), the Chair recognized Rep. Tom S. Villarín who lamented the fact that the quality of education in Rep. Almarío's constituency was being affected by politics. They discussed why it was necessary to separate the schools in the first and second legislative districts and place them under two DepEd schools divisions.

Reps. Almarío and Villarín then agreed that under the set-up brought about by the aforementioned memorandum of former Education Secretary Luistro, the criteria of objectivity, fairness, and justice were being observed. Saying that politics and education had been separated as a result thereof, Rep. Almarío placed it on record that his teacher-recommendees were not accepted if they did not qualify.

## REFERRAL OF REP. ALMARIO'S PRIVILEGE SPEECH

On motion of Rep. Lopez (B.), there being no objection, the Body referred the privilege speech of Rep. Almarío to the Committee on Rules for its appropriate action.

## TERMINATION OF THE PRIVILEGE HOUR

On motion of Rep. Lopez (B.), there being no objection, the Body terminated the Privilege Hour.

## ADDITIONAL REFERENCE OF BUSINESS

On motion of Rep. Bondoc, there being no objection, the Body proceeded to the Additional Reference of Business.

Upon direction of the Chair, the Secretary General read the titles of the following Resolutions, which were referred to the Committee on Rules:

### RESOLUTIONS

House Resolution No. 466, entitled:

“RESOLUTION COMMENDING AND CONFERRING THE GOLDEN MACE AWARD TO HIS EXCELLENCY PHILIP S. GOLDBERG, AMBASSADOR OF THE UNITED STATES OF AMERICA TO THE PHILIPPINES, FOR HIS EFFORTS IN FURTHER

ENRICHING THE TIES BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES OF AMERICA”

By Representatives Alvarez (P.), Fariñas and Suarez

House Resolution No. 467, entitled:

“RESOLUTION INSTITUTING THE GOLDEN MACE AWARD TO RECOGNIZE INDIVIDUALS WHO HAVE RENDERED EXCEPTIONAL AND MERITORIOUS SERVICE TO THE REPUBLIC OF THE PHILIPPINES”

By Representatives Alvarez (P.), Fariñas and Suarez

## RECONSIDERATION OF THE APPROVAL ON SECOND READING OF HOUSE BILL NO. 3988

Whereupon, on motion of Rep. Bondoc, there being no objection, the Body reconsidered the approval on Second Reading of House Bill No. 3988, entitled:

“AN ACT PROVIDING FOR THE CONJUGAL PARTNERSHIP OF GAINS AS THE GOVERNING REGIME IN THE ABSENCE OF A MARRIAGE SETTLEMENT OR WHEN THE REGIME AGREED UPON IS VOID, AMENDING FOR THE PURPOSE ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES.”

## ADOPTION OF CERTAIN HOUSE RESOLUTIONS

On successive motions of Rep. Bondoc, there being no objection, the Body considered the following House Resolutions; dispensed with the reading of the texts thereof without prejudice to their insertion into the Record of the House; and unanimously adopted the same by *viva voce* voting:

1. House Resolution No. 467, entitled: “RESOLUTION INSTITUTING THE GOLDEN MACE AWARD TO RECOGNIZE INDIVIDUALS WHO HAVE RENDERED EXCEPTIONAL AND MERITORIOUS SERVICE TO THE REPUBLIC OF THE PHILIPPINES”;

2. House Resolution No. 466, entitled: "RESOLUTION COMMENDING AND CONFERRING THE GOLDEN MACE AWARD TO HIS EXCELLENCY PHILIP S. GOLDBERG, AMBASSADOR OF THE UNITED STATES OF AMERICA TO THE PHILIPPINES, FOR HIS EFFORTS IN FURTHER ENRICHING THE TIES BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES OF AMERICA";
3. House Resolution No. 460, entitled: "RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE SANTIAGO P. RESPICIO, REPRESENTATIVE OF THE THIRD DISTRICT OF THE PROVINCE OF ISABELA DURING THE EIGHTH, NINTH AND TENTH CONGRESSES, " in consolidation with House Resolution No. 440; and
4. House Resolution No. 459, entitled: "RESOLUTION EXPRESSING THE PROFOUND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF HONORABLE VICTORIA HERNANDEZ REYES, REPRESENTATIVE OF THE THIRD DISTRICT OF BATANGAS DURING THE TWELFTH, THIRTEENTH

AND FOURTEENTH CONGRESSES," in consolidation with House Resolution No. 424.

#### APPROVAL OF THE JOURNAL

On motion of Rep. Bondoc, there being no objection, the Body approved Journal No. 34, dated October 10, 2016.

#### ADJOURNMENT OF SESSION

Whereupon, on motion of Rep. Bondoc, there being no objection, the Chair declared the session adjourned until four o'clock in the afternoon of Wednesday, October 12, 2016.

It was 6:43 p.m.

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I hereby certify to the correctness of the foregoing.

(Sgd.) **ATTY. CESAR S. PAREJA**  
Secretary General

Approved on October 17, 2016.



Congress of the Philippines  
House of Representatives  
Quezon City, Philippines

**MEMBERS' ATTENDANCE****Date: October 11, 2016**

**** ABAD	BELMONTE (J.C.)	DE VERA
ABAYA	BELMONTE (R.)	**** DEFENSOR
ABAYON	BENITEZ	DEL MAR
ABELLANOSA	BERNOS	DEL ROSARIO
ABU	BERTIZ	DELOSO-MONTALLA
ABUEG	**** BIAZON	DIMAPORO (A.)
ACHARON	BILLONES	DIMAPORO (M.K.)
ACOP	**** BIRON	**** DUAVIT
ACOSTA	BOLILIA	**** DURANO
ACOSTA-ALBA	BONDOC	DY
ADIONG	BORDADO	ELAGO
ADVINCULA	BRAVO (A.)	ENVERGA
**** AGARAO	BRAVO (M.V.)	**** ERICE
AGGABAO	BROSAS	ERIGUEL
AGLIPAY-VILLAR	BULUT-BEGTANG	ERMITA-BUHAIN
AKBAR	CAGAS	ESCUDERO
ALBANO	** CALDERON	ESPINA
**** ALCALA	CALIXTO-RUBIANO	ESPINO
ALEJANO	** CAMINERO	ESTRELLA
ALMARIO	CAMPOS	EUSEBIO
ALMONTE	CANAMA	** EVARDONE
ALONTE	CARI	FARIÑAS
ALVAREZ (F.)	**** CASILAO	FERNANDO
**** ALVAREZ (M.)	CASTELO	FERRER (J.)
ALVAREZ (P.)	CASTRO (F.L.)	FERRER (L.)
AMANTE	CASTRO (F.H.)	FERRIOL-PASCUAL
AMATONG	** CATAMCO	FLOIRENDO
ANDAYA	** CAYETANO	**** FLORES
ANGARA-CASTILLO	CELESTE	FORTUN
ANTONINO	** CERAFICA	FORTUNO
ANTONIO	CERILLES	FUENTEBELLA
ARAGONES	CHAVEZ	** GARBIN
ARBISON	CHIPECO	GARCIA (G.)
**** ARCILLAS	CO	GARCIA (J.E.)
ARENAS	COJUANGCO	GARCIA-ALBANO
ATIENZA	** COLLANTES	GARIN (R.)
AUMENTADO	CORTES	GARIN (S.)
BAG-AO	CORTUNA	GASATAYA
BAGATSING	COSALAN	**** GATCHALIAN
BAGUILAT	CRISOLOGO	GERON
BANAL	CUA	GO (A.C.)
BARBERS	CUARESMA	GO (M.)
BARZAGA	CUEVA	GOMEZ
** BATAOIL	DALIPE	GONZAGA
**** BATOCABE	DALOG	GONZALES (A.P.)
* BAUTISTA-BANDIGAN	DAZA	GONZALES (A.D.)
BELARO	DE JESUS	GONZALEZ
BELMONTE (F.)	* DE VENECIA	GORRICETA

GULLAS	OLIVAREZ	SINGSON
HERNANDEZ	ONG (E.)	SUANSING (E.)
HERRERA-DY	ONG (H.)	SUANSING (H.)
HOFER	ORTEGA (P.)	SUAREZ
***** JALOSJOS	ORTEGA (V.N.)	SY-ALVARADO
JAVIER	PACQUIAO	TAMBUNTING
KHO	PADUANO	TAN (A.)
KHONGHUN	PALMA	TAN (M.)
LABADLABAD	PANCHO	**** TAN (S.)
LACSON	PANGANIBAN	TEJADA
LAGMAN	PANOTES	TEVES
LANETE	PAPANDAYAN	TIANGCO
LAOGAN	PICHAY	TING
LAZATIN	PIMENTEL	TINIO
***** LEACHON	PINEDA	TOLENTINO
LEE	PLAZA	TREÑAS
LIMKAICHONG	PRIMICIAS-AGABAS	TUGNA
LOBREGAT	QUIMBO	***** TUPAS
LOPEZ (B.)	RADAZA	TURABIN-HATAMAN
LOPEZ (C.)	** RAMIREZ-SATO	TY
LOPEZ (M.L.)	RAMOS	UMALI
LOYOLA	RELAMPAGOS	UNABIA
MACAPAGAL-ARROYO	REVILLA	UNGAB
MACEDA	ROA-PUNO	UNICO
MADRONA	ROBES	UY (J.)
MALAPITAN	ROCAMORA	UY (R.)
MANALO	RODRIGUEZ (I.)	UYBARRETA
MANGAOANG	RODRIGUEZ (M.)	VARGAS
MANGUDADATU (S.)	ROMAN	VARGAS-ALFONSO
MANGUDADATU (Z.)	ROMERO	VELARDE
MARCOLETA	ROMUALDEZ	VELASCO
MARCOS	ROMUALDO	VELASCO-CATERA
MARIÑO	ROQUE (H.)	VELOSO
MARQUEZ	ROQUE (R.)	VERGARA
MARTINEZ	** SACDALAN	VILLAFUERTE
MATUGAS	SAGARBARRIA	VILLANUEVA
MELLANA	** SAHALI	VILLARAZA-SUAREZ
***** MENDING	SALCEDA	VILLARICA
MERCADO	SALIMBANGON	VILLARIN
MIRASOL	SALO	VIOLAGO
MONTORO	SALON	***** YAP (A.)
NAVA	SAMBAR	YAP (M.)
NIETO	SANDOVAL	YAP (V.)
NOEL	SANTOS-RECTO	YU
NOGRALES (J.J.)	SARMIENTO (C.)	ZAMORA (M.C.)
NOGRALES (K.A.)	SARMIENTO (E.M.)	ZAMORA (R.)
NOLASCO	SAVELLANO	** ZARATE
NUÑEZ-MALANYAON	** SEMA	ZUBIRI
OAMINAL	SIAO	
OCAMPO	SILVERIO	

\* Appeared before/after Roll Call

\*\* On official mission

\*\*\* Attended meetings of CA/HRET/Conference Committee/Committee meetings authorized by Committee on Rules

\*\*\*\* Officially notified the House, through the Secretariat, of their absence

\*\*\*\*\* Absent without notice

(Subject to correction/s that may appear in the Annual Journal)