



Journal  
of the  
House of Representatives

SEVENTEENTH CONGRESS  
SECOND REGULAR SESSION  
2017 - 2018

**JOURNAL NO. 48**  
**Wednesday, December 13, 2017**

Prepared by the  
**JOURNAL SERVICE**  
Plenary Affairs Bureau

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**CALL TO ORDER**

At 4:00 p.m., Deputy Speaker Raneo “Ranie” E. Abu 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, Rep. Ann K. Hofer delivered the invocation.

**ROLL CALL**

On motion of Rep. Arthur R. Defensor Jr., 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  
Advincula  
Aggabao  
Albano  
Alejano  
Almario  
Almonte  
Alvarez (F.)  
Alvarez (M.)  
Alvarez (P.)  
Amante  
Amatong  
Angara-Castillo  
Antonino  
Aquino-Magsaysay  
Aragones  
Arbison  
Arcillas  
Arenas  
Atienza  
Aumentado  
Bag-ao  
Banal  
Bataoil  
Bautista-Bandigan  
Belaro  
Belmonte (J.C.)  
Benitez

Bernos  
Bertiz  
Biazon  
Billones  
Biron  
Bolilia  
Bondoc  
Bordado  
Bravo (A.)  
Bravo (M.V.)  
Brosas  
Calderon  
Calixto-Rubiano  
Caminero  
Campos  
Canama  
Casilao  
Castelo  
Castro (F.L.)  
Castro (F.H.)  
Catamco  
Cayetano  
Cerafica  
Cerilles  
Chavez  
Chipeco  
Co  
Cojuangco  
Collantes  
Cortes  
Cortuna  
Crisologo  
Cuaresma  
Cueva  
Dalipe  
Datol  
Daza  
De Jesus  
de Venecia  
De Vera  
Defensor  
Del Mar  
Deloso-Montalla  
Dimaporo (A.)  
Dimaporo (M.K.)  
Durano  
Dy  
Elago  
Eriguel  
Ermita-Buhain  
Escudero  
Espina

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Espino	Mending
Estrella	Mercado
Evardone	Mirasol
Fariñas	Montoro
Ferrer (J.)	Nava
Ferrer (L.)	Nieto
Ferriol-Pascual	Noel
Flores	Nogralas (J.J.)
Fortun	Nogralas (K.A.)
Fortuno	Nolasco
Garbin	Nuñez-Malanyaon
Garcia (G.)	Oaminal
Garcia (J.E.)	Ocampo
Garcia-Albano	Olivarez
Garin (R.)	Ortega (P.)
Garin (S.)	Pacquiao
Gasataya	Paduano
Gatchalian	Palma
Geron	Pancho
Go (A.C.)	Panganiban
Go (M.)	Panotes
Gomez	Papandayan
Gonzaga	Pichay
Gonzales (A.P.)	Pimentel
Gonzalez	Pineda
Gullas	Plaza
Hernandez	Primicias-Agabas
Herrera-Dy	Radaza
Hofer	Ramirez-Sato
Jalosjos	Ramos
Kho	Relampagos
Khonghun	Revilla
Labadlabad	Roa-Puno
Lacson	Robes
Lagman	Rodriguez (I.)
Lanete	Rodriguez (M.)
Laogan	Roman
Lazatin	Romero
Leachon	Romualdo
Lee	Roque (R.)
Limkaichong	Sacdalan
Lobregat	Sagarbarria
Lopez (B.)	Salceda
Lopez (M.L.)	Salimbangon
Loyola	Salo
Maceda	Salon
Madrona	Sambar
Malapitan	Sandoval
Manalo	Santos-Recto
Mangaoang	Sarmiento (E.M.)
Mangudadatu (Z.)	Savellano
Marcoleta	Siao
Mariño	Singson
Marquez	Suansing (E.)
Martinez	Suansing (H.)
Matugas	Sy-Alvarado
Mellana	Tambunting

Tan (A.)  
Tan (M.)  
Tan (S.)  
Tejada  
Teves  
Ting  
Tinio  
Tolentino  
Treñas  
Tugna  
Ty  
Unabia  
Ungab  
Unico  
Uy (R.)  
Uybarreta  
Vargas  
Vargas-Alfonso  
Velarde  
Velo  
Vergara  
Villafuerte  
Villanueva  
Villaraza-Suarez  
Villarica  
Villarin  
Violago  
Yap (A.)  
Yap (M.)  
Yap (V.)  
Yu  
Zamora (R.)  
Zubiri

With 232 Members responding to the Call, the Chair declared the presence of a quorum. (See Appendix)

#### APPROVAL OF THE JOURNAL

On further motion of Representative Defensor, there being no objection, the Body approved Journal No. 47 dated December 12, 2017.

#### REFERENCE OF BUSINESS

On another motion of Representative Defensor, 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 Communication and Committee Reports, which were referred to the appropriate Committees as hereunder indicated:

#### BILLS ON FIRST READING

House Bill No. 6776, entitled:

“AN ACT CREATING THE LAND TRANSPORTATION AUTHORITY REPEALING FOR THE PURPOSE EXECUTIVE ORDER NO. 202 AND EXECUTIVE ORDER NO. 226, WHICH CREATED THE LAND TRANSPORTATION AND REGULATORY BOARD AND LAND TRANSPORTATION OFFICE RESPECTIVELY”

By Representatives Alvarez (P.), Sarmiento (C.), Bondoc, Fernando, Enverga, Unico, Castelo, Calixto-Rubiano and Vargas

TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 6777, entitled:

“AN ACT DECLARING MARCH 22 OF EVERY YEAR AS AGUINALDO DAY THROUGHOUT THE COUNTRY AND A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF CAVITE”

By Representatives Abaya, Revilla, Advincula, Barzaga, Loyola, Ferrer L. and Tolentino

TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 6778, entitled:

“AN ACT ESTABLISHING A TRAINING CENTER IN MAASIN CITY, SOUTHERN LEYTE UNDER THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA)”

By Representative Mercado

TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

#### RESOLUTIONS

House Resolution No. 1525, entitled:

“RESOLUTION URGING THE OMBUDSMAN TO EXPEDITE RESOLUTION ON THE CRIMINAL CASES INVOLVING

THE ALLEGED MISUSE OF GOVERNMENT FUNDS BY MAYOR RODERICK ALCALA AND OTHER LOCAL GOVERNMENT OFFICIALS OF LUCENA CITY”

By Representative Suarez

TO THE COMMITTEE ON JUSTICE

House Resolution No. 1546, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MASS EVACUATION OF FARMER-RESIDENTS IN THE PROVINCE OF BATANGAS, BROUGHT ABOUT BY MILITARIZATION AND AERIAL BOMBINGS OF RURAL COMMUNITIES IN BATANGAS CITY AND LOBO TOWN AROUND MT. BANOI BY THE ARMED FORCES OF THE PHILIPPINES AND PHILIPPINE NATIONAL POLICE”

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

TO THE COMMITTEE ON RULES

House Resolution No. 1547, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON HUMAN RIGHTS, AGRARIAN REFORM AND NATURAL RESOURCES, TO CONDUCT A JOINT INQUIRY, IN AID OF LEGISLATION, ON HUMAN RIGHTS ABUSES AND ILLEGAL ARREST OF FARMERS AND FISHERFOLK OPPOSING DISPLACEMENT BY ASTURIAS INDUSTRIES IN CALATAGAN, BATANGAS”

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

TO THE COMMITTEE ON RULES

House Resolution No. 1548, entitled:

“RESOLUTION DIRECTING THE COMMITTEES ON AGRICULTURE AND FOOD, AND POVERTY ALLEVIATION, TO CONDUCT A JOINT INQUIRY, IN

AID OF LEGISLATION, ON THE APPARENT GOVERNMENT NEGLECT OF ABACA FARMERS OF NORTHERN SAMAR, AFFECTED BY THE ABACA BUNCHY TOP VIRUS EPIDEMIC, AND PERSISTENT EXPLOITATIVE AND UNFAIR TRADE PRACTICES”

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

TO THE COMMITTEE ON RULES

House Resolution No. 1549, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE SPATE OF HUMAN RIGHTS ABUSES AGAINST FARMERS AND OTHER SECTORS IN NORTHERN SAMAR PERPETUATED BY THE ELEMENTS OF ARMED FORCES OF THE PHILIPPINES (AFP) IMPLEMENTING THE COUNTER-INSURGENCY PROGRAM OPLAN KAPAYAPAN”

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

TO THE COMMITTEE ON RULES

House Resolution No. 1550, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DECEMBER 3, 2017 - MASSACRE OF EIGHT (8) T'BOLI AND DULANGAN MANOBO FARMERS AND WOUNDING OF TWO (2) BY THE ELEMENTS OF THE 27<sup>TH</sup> AND 33<sup>RD</sup> INFANTRY BATTALION OF THE PHILIPPINE ARMY, AND PHILIPPINE MARINES IN LAKE SEBU, SOUTH CO-TABATO”

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

TO THE COMMITTEE ON RULES

## COMMUNICATION

Letters dated 28 November 2017 of Matthew M. David, Deputy Director, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas (BSP), furnishing the House of Representatives with duly certified and authenticated BSP issuances, to wit:

1. Circular No. 983 dated 23 November 2017;
2. Circular No. 983 (corrected copy) dated 23 November 2017; and
3. Circular Letter No. CL-2017-069 dated 17 November 2017.

### TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

#### COMMITTEE REPORTS

Report by the Committee on Revision of Laws (Committee Report No. 544), re H.B. No. 6820, entitled:

“AN ACT DECLARING JULY 23 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF BATANGAS, PROVINCE OF BATANGAS, IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY, TO BE KNOWN AS 'BATANGAS CITY FOUNDATION DAY' ”

recommending its approval in substitution of House Bill No. 6124

Sponsors: Representatives Primicias-Agabas and Mariño

### TO THE COMMITTEE ON RULES

Report by the Committee on People's Participation (Committee Report No. 545), re H.B. No. 6834, entitled:

“AN ACT STRENGTHENING THE RIGHT OF THE PEOPLE TO FREE EXPRESSION, TO PEACEABLY ASSEMBLE AND TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES, REPEALING FOR THE PURPOSE BATAS PAMBANSA BLG. 880 OR THE 'PUBLIC ASSEMBLY ACT OF 1985' ”

recommending its approval in substitution of House Bills Numbered 3023 and 3789

Sponsors: Representatives Plaza, Zarate, Mending, Bravo (M.V.) and Robes

### TO THE COMMITTEE ON RULES

#### MOTION OF REPRESENTATIVE DEFENSOR

Representative Defensor thereupon moved that the Body consider House Concurrent Resolution No. 9.

#### OBJECTION OF REPRESENTATIVE TINIO

Rep. Antonio L. Tinio objected to Representative Defensor's motion, noting that House Concurrent Resolution No. 9 was not included in the Order of Business.

#### REMARKS OF REPRESENTATIVE DEFENSOR

With the permission of the Chair, Representative Defensor clarified that House Concurrent Resolution No. 9 was on page 3 of the Business for the Day, and that it could be discussed on the floor because it had already been calendared by the Committee on Rules.

#### REMARKS OF REPRESENTATIVE TINIO

Representative Tinio maintained that in accordance with the amended Provisional Rules of the Houses, the Members should have been provided with copies of House Concurrent Resolution No. 9; otherwise, before any discussion can take place, its text should be read into the Record of the House.

Representative Defensor reiterated that House Concurrent Resolution No. 9 was already included in the Business for the Day and that copies thereof had already been distributed to the Members.

#### REMARKS OF THE CHAIR

The Chair stated that Representative Tinio's concern had already been properly responded to by Representative Defensor.

**BUSINESS FOR THE DAY:  
COMMITTEE REPORT NO. 110 ON  
HOUSE CONCURRENT RESOLUTION NO. 9**

Thereafter, on a previous motion of Representative Defensor, there being no objection, the Body considered on Second Reading House Concurrent Resolution No. 9, as contained in Committee Report No. 110 and reported out by the Committee on Constitutional Amendments.

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

“CONCURRENT RESOLUTION TO CONSTITUTE THE CONGRESS OF THE PHILIPPINES AS A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF PROPOSING AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION.”

As copies of the Concurrent Resolution had previously been distributed to the Members, on motion of Representative Defensor, there being no objection, the Body dispensed with the reading thereof without prejudice to its insertion into the Record of the House.

On successive motions of Representative Defensor, there being no objection, the Body proceeded to the period of sponsorship and debate; and the Chair thereafter recognized Rep. Roger G. Mercado, Chairperson of the Committee on Constitutional Amendments, to sponsor the measure.

**SUSPENSION OF SESSION**

The session was suspended at 4:16 p.m., on motion of Representative Defensor.

**RESUMPTION OF SESSION**

The session resumed at 4:21 p.m.

**SUSPENSION OF CONSIDERATION  
OF HOUSE CONCURRENT  
RESOLUTION NO. 9**

On motion of Rep. Juan Pablo “Rimpy” P. Bondoc, there being no objection, the Body suspended the consideration of House Concurrent Resolution No. 9.

**ADDITIONAL REFERENCE OF BUSINESS**

Thereupon, on motion of Representative Bondoc, there being no objection, the Body proceeded to the Additional Reference of Business.

Upon direction of the Chair, the Secretary General read the following House Concurrent Resolution which was referred to the Committee on Rules:

House Concurrent Resolution No. 13, entitled:

“CONCURRENT RESOLUTION REFLECTING THE CORRECT AMOUNT IN THE SPECIAL PROVISIONS UNDER THE OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS AND LOCAL GOVERNMENT SUPPORT FUND IN THE BICAMERAL CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6215, OTHERWISE KNOWN AS THE '2018 GENERAL APPROPRIATIONS BILL', AS APPROVED BY THE BICAMERAL CONFERENCE COMMITTEE AND RATIFIED BY BOTH HOUSES OF CONGRESS”

By Representatives Alvarez (P.) and Fariñas

**ADOPTION OF HOUSE  
CONCURRENT RESOLUTION NO. 13**

On motion of Representative Bondoc, there being no objection, the Body considered House Concurrent Resolution No. 13, entitled: “CONCURRENT RESOLUTION REFLECTING THE CORRECT AMOUNT IN THE SPECIAL PROVISIONS UNDER THE OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS AND LOCAL GOVERNMENT SUPPORT FUND IN THE BICAMERAL CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6215, OTHERWISE KNOWN AS THE '2018 GENERAL APPROPRIATIONS BILL', AS APPROVED BY THE BICAMERAL CONFERENCE COMMITTEE AND RATIFIED BY BOTH HOUSES OF CONGRESS”; and dispensed with the reading of the text thereof without prejudice to its insertion into the Record of the House.

**MOTION OF REPRESENTATIVE BONDOC**

Thereupon, Representative Bondoc moved for the adoption of House Concurrent Resolution No. 13.

## **OBJECTION OF REPRESENTATIVE TINIO**

Representative Tinio raised his objection to the said motion but subsequently withdrew the same.

## **ADOPTION OF HOUSE CONCURRENT RESOLUTION NO. 13**

(Continuation)

Thereafter, on motion of Representative Bondoc, there being no objection, the Body unanimously adopted House Concurrent Resolution No. 13.

## **TRANSMITTAL TO THE SENATE OF HOUSE CONCURRENT RESOLUTION NO. 13**

Subsequently, on motion of Representative Bondoc, there being no objection, the Chair directed the Secretary General to immediately transmit to the Senate copies of House Concurrent Resolution No. 13 which was earlier adopted by the Body.

## **RESUMPTION OF CONSIDERATION OF COMMITTEE REPORT NO. 110 ON HOUSE CONCURRENT RESOLUTION NO. 9**

On motion of Representative Bondoc, there being no objection, the Body resumed consideration of House Concurrent Resolution No. 9, as embodied in Committee Report No. 110 and reported out by the Committee on Constitutional Amendments, entitled: "CONCURRENT RESOLUTION TO CONSTITUTE THE CONGRESS OF THE PHILIPPINES AS A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF PROPOSING AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION."

Representative Bondoc stated that the parliamentary status was that the measure was in the period of sponsorship and debate and on his motion, the Chair recognized anew Representative Mercado, Chairperson of the sponsoring Committee, to sponsor the measure.

## **SPONSORSHIP SPEECH OF REPRESENTATIVE MERCADO**

At the outset, Representative Mercado read the provisions of House Concurrent Resolution No. 9 and stated that the Constitution has given Congress the mandate to decide on what mode to adopt in proposing amendments thereto. He informed the Body that House Concurrent Resolution No. 9 substituted

28 measures and that the Committee on Constitutional Amendments had successfully conducted hearings and public consultation all over the country attended to by business and multi-sectoral representatives, majority of whom were of the opinion that there is really a need to amend and revise the 1987 Constitution particularly the economic provisions and the implementation of a structural change from a unitary into a federal form of government. As time is of the essence, he stressed that the 1987 Constitution has been existing for 30 years already; and asked what better time would be now when the President, who is the principal proponent and campaigner of a shift to federalism, is enjoying a high trust rating.

Thereupon, Representative Mercado stated that the measure provides to constitute Congress as a constituent assembly (ConAss) as the Sponsors believe that it is the most practical, less expensive, and fastest mode of amending or revising the Constitution.

He also explained that the present unitary presidential system cannot provide the needed financial resources to local government units (LGUs) located in remote regions that translate to failure to provide public service that the community demands. He added that the ineffectiveness and instability thereof is highlighted by the uneven distribution of financial resources in the country.

Subsequently, he expressed his support for federalism that could address the issues that the country is facing. He said that it will decentralize power, wealth, and resources that would allow each state to cater to the needs of its constituents. He encouraged the Body to support federalism, adding that the Filipino people are resilient creatures, who can adapt and survive and are not afraid of change.

Thereafter, Representative Defensor moved for the recognition of Representative Tinio for his interpellation.

## **MOTION OF REPRESENTATIVE MERCADO**

Representative Mercado moved that the Body allow the other two Sponsors to deliver their sponsorship speeches first before the interpellation.

## **MOTION OF REPRESENTATIVE DEFENSOR**

On successive motions of Representative Defensor, the Body reconsidered the recognition of



Representative Tinio as interpellator; and thereafter, the Chair recognized Deputy Speaker Gwendolyn F. Garcia for her sponsorship speech.

#### **SPONSORSHIP SPEECH OF DEPUTY SPEAKER GARCIA (G.)**

Representative Garcia stated that the Constitution or some parts of it has outlived its purpose, usefulness or relevance, or that the realities of the present time were not considered upon its framing. She said that she initially filed a bill proposing a constitutional convention but has since reconsidered the same after conducting various consultations nationwide.

She then discussed the following advantages of a ConAss: 1) there was no need to elect delegates thus resulting in billions of pesos saved and the structure, framework, and set of rules by which proposals can be debated and resolved, were already in place ; 2) amendments could already be proposed and adopted therein; 3) it was limited in time and scope; 3) it would be more democratic and republican than the birth of the present Constitution which was written by appointed and not elected commissioners; and 4) it would have stronger safeguards because for proposed amendments, it would require a three-fourths vote compared to a constitutional convention's simple majority vote.

Concluding that a ConAss contains all the advantages and more safeguards than the constitutional convention that she formerly advocated, Representative Garcia then urged her colleagues to support and vote for the passage of House Concurrent Resolution No. 9.

On motion of Representative Defensor, the Chair recognized Rep. Vicente "Ching" S.E. Veloso for his sponsorship speech.

#### **SPONSORSHIP SPEECH OF REPRESENTATIVE VELOSO**

At the outset, Representative Veloso recalled that he had strongly opposed the ratification of the 1987 Constitution because it had a lot of infirmities such as the provisions on agrarian reform, the right to strike, and the right to education.

Subsequently, he explained that he was asking for the adoption of House Concurrent Resolution No. 9 because a federal form of government would resolve inequities experienced by small regions in terms of allocations for basic services. He pointed

out that under federalism, LGUs will have the freedom to identify and prioritize their needs and appropriate their own budgets.

Whereupon, the Chair recognized Rep. Edcel C. Lagman for a point of clarification.

#### **POINT OF CLARIFICATION OF REPRESENTATIVE LAGMAN**

Representative Lagman said that it was his impression the previous day that the discussions on House Concurrent Resolution No. 9 on that day will only be limited to sponsorship speeches after which subsequent consideration will have to be deferred to a subsequent date.

With the permission of the Chair, Representative Defensor said that there was no decision in the Committee on Rules and it was not the sense of the former and of Majority Leader Rodolfo C. Fariñas to make such a limitation; and pointed out that several Members wanted to interpellate the Sponsor.

Representative Lagman asked if the Body could wait for the result of the ongoing meeting between the Majority Leader and Representative Bondoc about the matter.

#### **SUSPENSION OF SESSION**

At 5:12 p.m., on motion of Representative Defensor, the Chair suspended the session to confer with Representative Bondoc on the position of the Committee on Rules.

#### **RESUMPTION OF SESSION**

The session resumed at 5:16 p.m.

Thereupon, on motion of Representative Defensor, the Chair recognized Representative Tinio for his interpellation.

#### **PARLIAMENTARY INQUIRY OF REPRESENTATIVE TINIO**

Speaking in Filipino, Representative Tinio first asked the Chair about the Rules of the House in approving House concurrent resolutions. The latter explained that after going through plenary deliberations, House concurrent resolutions would no longer undergo Third Reading and voting but would be adopted immediately.

## **INTERPELLATION OF REPRESENTATIVE TINIO**

Representative Tinio then inquired on the number of resolutions substituted by House Concurrent Resolution No. 9.

Representative Mercado discussed with him the fact that the instant measure is the substitute measure for the bills and resolutions filed by different Members to constitute Congress as a constituent assembly as well as to amend the Constitution by adopting a federal form of government. He assured his colleague that the Body will not discuss similar measures which, however, call for abolishing Congress and giving President Rodrigo Roa Duterte legislative powers. He explained that among the three modes of amending or revising the Constitution, the Committee opted for the first mode where Congress, upon a vote of three-fourths of all its Members, may amend or revise the Constitution; but that both Houses will tackle the matter of separate voting and agree on other rules only when they will convene as a constituent assembly.

Thereafter, the Members discussed the importance and the need to amend the Constitution in order to, among other reasons, be responsive to the exigencies of the times; provide a long-term solution to the decades-old conflict in Mindanao; and provide impetus to much needed socioeconomic and political reforms.

While Representative Tinio agreed that there was indeed inequitable distribution of economic wealth among regions, he pointed out that federalism or any shift in the form of government would not be a magic bullet that could solve problems of corruption, poverty, and inequality. He challenged the contention that the present Constitution is the obstacle to the country's economic development and that the economy will progress if it is thus amended.

At this point, the Chair recognized Representative Veloso to sponsor the measure, upon motion of Representative Defensor.

Representative Tinio thereupon contended that the Constitution does not need to be revised despite the Sponsors' claims of it being irrelevant to the present times; and that the initiative to change the Constitution through a constituent assembly would

mostly serve the interests of the few powerful foreign investors since House Concurrent Resolution No. 9 would specifically remove nationalist economic provisions.

Representative Veloso clarified that Representative Tinio's ideas will come into play when Congress passes the instant measure which simply calls for the convening of a constituent assembly. He added that even the issue of separate voting by both Houses of Congress on any proposed amendments to the Constitution, will also be discussed at that time.

Representatives Tinio and Veloso then discussed the economic agenda of the measure, with the former maintaining that the proposal to remove the nationalist economic provisions in the Constitution would not help improve the lives of most Filipinos, but instead allow foreigners and their local partners to enrich themselves more.

## **REMINDER FROM THE CHAIR**

The Chair stated in Filipino that Representatives Tinio and Veloso had only 10 more minutes on the floor.

## **INTERPELLATION OF REPRESENTATIVE TINIO** (Continuation)

Representative Tinio then asked about the proposal to allow the reentry of foreign troops and bases in the country. To his colleague's clarification that House Concurrent Resolution No. 9 merely seeks to convene Congress as a constituent assembly and that cases such as the one involving the West Philippine Sea should be presented before the courts, he underscored that the government's loss of jurisdiction over certain territories will be due to the decisions of the Executive.

Thereupon, Representative Tinio stressed several issues regarding the Bill of Rights and human rights; discussed the President's blatant disregard for due process in his fight against illegal drugs as well as his intention to abolish the Commission on Human Rights; and expressed his objection to any move to amend the Constitution.

On motion of Representative Ty, the Chair recognized Rep. Jose L. Atienza Jr. for his interpellation.

## INTERPELLATION OF REPRESENTATIVE ATIENZA

Upon the request of Representative Atienza, the Chair recognized Representative Mercado, the Chairman of the Committee on Constitutional Amendments, to respond to the former's interpellation.

To the queries of Representative Atienza, Representative Mercado explained why the Committee on Constitutional Amendments gave preference to a constituent assembly as the mode of introducing amendments to the Constitution. He cited the results of the voting at the Committee level as he said that such mode was supported by the majority of the Committee members and various individuals, organizations, the business and finance sectors, and other stakeholders who were consulted thereon.

*At this juncture, Deputy Speaker Abu relinquished the Chair to Representative Defensor.*

Representative Atienza countered that based on his consultations and surveys thereon, the people are overwhelmingly demanding a constitutional convention where they will participate directly, and not a constituent assembly where Congressmen and Senators will frame the Constitution. He pointed out that even the President had called for this mode in his campaign speeches and that in Congress, majority of the measures filed had proposed the constitutional convention mode.

*At this juncture, Representative Defensor relinquished the Chair to Deputy Speaker Abu.*

He stated that money and costs which are being used to justify the constituent assembly mode, should not be a major factor in drafting a new Constitution as it is the fundamental law of the land; and rued the fact that the government has wasted funds on projects deemed senseless and dangerous to the health and lives of the people. He added that the Constitution itself was not being properly valued or adhered to in various instances such as in the proclamation of martial law in Mindanao and concluded that it is no guarantee for major changes in the lives of the people.

He then emphasized the need for a constitutional convention that will enable the people to express their grievances versus a constituent assembly where only a few people will discuss and decide on

the issues facing the nation. He concluded that the drafting of the Constitution should not be fast-tracked and a constituent assembly is not the ideal way to change the Constitution.

Representative Mercado, for his part, said that he would have voted for a constitutional convention if he was able to vote during the Committee hearings. He pointed out that nobody knows at that moment whether Congress could convene into a constituent assembly as this would still need the concurrence of the Senate; and that he was just carrying out the decision of the Committee on Constitutional Amendments. He said that it would now be a challenge for Congress to decide on the matter, knowing the obstacles, pressures, and the demands of the different sectors that will be affected by Charter change. He then encouraged the Body to act on the opportunity to make the Filipino people proud by providing what is best for the people and the country.

Subsequently, Representative Atienza opined that the 1935 Constitution was crafted by a constitutional convention and was the best in protecting the interest of the people especially the downtrodden; the 1973 Constitution was framed by a constitutional convention but was changed by Malacañang and was not credibly approved in a plebiscite; and the 1987 Constitution was crafted by a constitutional commission whose members were appointed by the President and protected the interests of the oligarchy. While he agreed on the need to change the Constitution, he stressed that the process should be open to all through an election of delegates coming from all walks of life. He pointed out that he was one of the delegates elected to the 1973 constitutional convention and many of his co-delegates came from the poor sector.

In conclusion, Representative Atienza said that the best mode of amending the constitution was through a constitutional convention as he warned that in a constituent assembly, the final version of the Constitution would still go through Malacañang where it is doubtful that patriotism and the interest of the majority will prevail. Even as he thanked the Sponsor for listening to other views and being open-minded, he appealed to the Members to support a constitutional convention because it was what the people wanted, it was the correct way, and it would bring about real change.

Thereafter, upon motion of Rep. Arnel U. Ty, the Chair recognized Rep. Carlos Isagani T. Zarate for his interpellation.

## **INTERPELLATION OF REPRESENTATIVE ZARATE**

At the outset, Representative Mercado requested that the interpellation be limited to the coverage of the title of the measure which is the proposal to constitute Congress as a constituent assembly. Speaking in Filipino, Representative Zarate said that he could not help but mention the issues stated in the “whereas” clauses of the instant measure such as the need to provide a long-term solution to the decades-old conflict in Mindanao.

Representative Zarate then inquired on how the Sponsor deduced that President Rodrigo Roa Duterte’s victory in the last election was an affirmation of the people’s desire to amend the Constitution. Representative Mercado replied that the President had always been vocal in his desire to have a federal form of government throughout the campaign period; and that there was a need to revisit the Constitution so as to enable the LGUs to be financially independent and to determine their individual needs and practice good governance.

Representative Zarate contradicted the claim, however, that there was an overwhelming clamor from majority of the people to amend the 30-year old Constitution more so for a shift to federalism and that the 16 million people who voted for President Duterte constituted the actual majority.

Thereupon, Representative Zarate expressed concern about various economic provisions in the present Constitution that have not been faithfully implemented. After his colleague emphasized the need to amend said provisions in view of the prevalence of corruption, poverty, and inequity in the distribution of wealth among LGUs especially the third-class localities, he opined that changing the form of government would not guarantee a more progressive nation as workers and farmers would still not have control over the economy.

He also expressed concern about the justification to amend the Constitution via a constituent assembly because it is the least costly mode whereas the annual national budget continues to be squandered by allotting funds to questionable expenditures such as the Disbursement Acceleration Program (DAP). He remarked that such a mode could be a way to serve the political and economic interest of a select few.

*At this juncture, Deputy Speaker Abu relinquished the Chair to Deputy Speaker Romero “Miro” S. Quimbo.*

Representative Mercado expressed agreement with his colleague’s observations. However, he pointed out that the process of revisiting and amending the Constitution will provide an opportunity to find ways to solve the problems of the country such as the protection of Philippine sovereignty and territory and strengthening of the Armed Forces of the Philippines.

For his part, Representative Zarate opined that it was more important to find out if the provisions of the current Constitution were being implemented to promote and protect the interests of the majority of the people.

He then discussed with the Sponsor the high cost of electricity and oil; privatization of utilities; more taxes under the Tax Reform for Acceleration and Inclusion (TRAIN) Law; poor farm productivity due to lack of capital and farm equipment; the pending status of the Genuine Agrarian Reform Bill, Freedom of Information Bill, and Anti-Dynasty Bill; and lack of socioeconomic reforms to address the decades-old rebellion in Mindanao.

## **SUSPENSION OF SESSION**

On motion of Representative Ty, the Chair suspended the session at 7:44 p.m.

## **RESUMPTION OF SESSION**

The session resumed at 10:02 p.m., with Deputy Speaker Abu presiding.

## **SUSPENSION OF CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 9**

On motion of Representative Defensor, there being no objection, the Body suspended consideration of House Concurrent Resolution No. 9.

## **AUTHORITY TO CONDUCT COMMITTEE MEETINGS AND HEARINGS DURING THE RECESS**

In accordance with the amended provisional House Rules, on motion of Representative Defensor, there being no objection, the Body approved to authorize all Committees to conduct meetings or public hearings, if deemed necessary, during the House recess from December 16, 2017 to January 14, 2018.

**MOTION OF REPRESENTATIVE DEFENSOR**

Thereupon, Representative Defensor moved that the Body ratify the Conference Committee Report on the disagreeing provisions of House Bill No. 5636 and Senate Bill No. 1592, or the proposed Tax Reform for Acceleration and Inclusion (TRAIN).

**RATIFICATION OF THE CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 5636 AND SENATE BILL NO. 1592**

On motion of Representative Defensor, there being no objection, the Body considered and subsequently ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 5636, entitled:

“AN ACT AMENDING SECTIONS 5, 6, 22, 24, 25, 31, 32, 33, 34, 79, 84, 86, 99, 106, 107, 108, 109, 116, 148, 149, 155, 171, 232, 237, 254, 264, AND 288; CREATING NEW SECTIONS 148-A, 150-A, 237-A, 264-A, 264-B, AND 265-A; AND REPEALING SECTIONS 35 AND 62, ALL UNDER THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED”;

and Senate Bill No. 1592, entitled:

“AN ACT AMENDING SECTIONS 5, 6, 24, 25, 27, 28, 31, 33, 34, 35, 51, 52, 56, 57, 58, 74, 79, 84, 86, 89, 90, 91, 97, 99, 100, 101, 106, 107, 108, 109, 110, 112, 114, 116, 128,

148, 149, 150, 151, 155, 171, 174, 175, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 232, 236, 237, 249, AND 288; CREATING NEW SECTIONS 148-A, 150-A, 237-A, 264-A, 264-B, AND 265-A; ALL UNDER REPUBLIC ACT NO. 8424, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES.”

**ADJOURNMENT OF SESSION**

On motion of Representative Defensor, there being no objection, the Chair declared the session adjourned until four o’clock in the afternoon of Monday, January 15, 2018.

It was 10:05 p.m.

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I hereby certify to the correctness of the foregoing.

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

Approved on January 15, 2018.

Congress of the Philippines  
House of Representatives  
Quezon City, Philippines

**MEMBERS' ATTENDANCE**

*Journal No. 48*

**Wednesday, December 13, 2017**

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

	HERNANDEZ		OCAMPO	*	SILVERIO
	HERRERA-DY		OLIVAREZ		SINGSON
	HOFER	*	ONG (E.)		SUANSING (E.)
***	JALOSJOS	*	ONG (H.)		SUANSING (H.)
*	JAVIER		ORTEGA (P.)	*	SUAREZ
	KHO	*	ORTEGA (V.N.)		SY-ALVARADO
	KHONGHUN		PACQUIAO		TAMBUNTING
	LABADLABAD		PADUANO	***	TAN (A.)
	LACSON		PALMA		TAN (M.)
	LAGMAN		PANCHO		TAN (S.)
	LANETE		PANGANIBAN		TEJADA
	LAOGAN		PANOTES	***	TEVES
	LAZATIN		PAPANDAYAN	*	TIANGCO
***	LEACHON	***	PICHAY		TING
	LEE	***	PIMENTEL		TINIO
	LIMKAICHONG		PINEDA	***	TOLENTINO
	LOBREGAT		PLAZA	***	TREÑAS
	LOPEZ (B.)		PRIMICIAS-AGABAS		TUGNA
*	LOPEZ (C.)	*	QUIMBO	*****	TUPAS
	LOPEZ (M.L.)		RADAZA		TY
***	LOYOLA		RAMIREZ-SATO	*****	UMALI
****	MACAPAGAL-ARROYO		RAMOS		UNABIA
	MACEDA		RELAMPAGOS		UNGAB
	MADRONA	***	REVILLA		UNICO
	MALAPITAN		ROA-PUNO	*****	UY (J.)
	MANALO		ROBES		UY (R.)
	MANGAOANG	****	ROCAMORA		UYBARRETA
*****	MANGUDADATU (S.)		RODRIGUEZ (I.)		VARGAS
	MANGUDADATU (Z.)		RODRIGUEZ (M.)		VARGAS-ALFONSO
	MARCOLETA		ROMAN		VELARDE
*	MARCOS		ROMERO	*	VELASCO
	MARIÑO	*	ROMUALDEZ	*****	VELASCO-CATERA
	MARQUEZ		ROMUALDO		VELOSO
	MARTINEZ		ROQUE		VERGARA
	MATUGAS		SACDALAN		VILLAFUERTE
	MELLANA		SAGARBARRIA		VILLANUEVA
	MENDING	*	SAHALI	***	VILLARAZA-SUAREZ
****	MENDOZA	***	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		

\* Appeared after the Roll Call

\*\* On official mission

\*\*\* Attending 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 )