

House of Representatives

Congress of the Philippines

Journal No. 7
Monday, August 11, 2008

CALL TO ORDER

At 4:00 p.m., Deputy Speaker Eric D. Singson called the session to order.

NATIONAL ANTHEM AND PRAYER

Pursuant to Section 71, Rule XI of the Rules of the House, the Members sang the National Anthem and thereafter, Representative Ma. Victoria R. Sy-Alvarado delivered the invocation.

SUSPENSION OF SESSION

On motion of Rep. Jesus Crispin C. Remulla, the Chair suspended the session at 4:07 p.m.

RESUMPTION OF SESSION

At 4:37 p.m., the session was resumed.

ROLL CALL

Whereupon, on motion of Rep. Rene M. Velarde, the Chair directed the Secretary General to call the Roll and the following Members were present:

Abante
Ablan
Agbayani
Aggabao
Agyao
Alcala
Almario
Alvarez (A.)
Amatong
Angara
Angping
Antonino
Antonino-Custodio
Apostol
Aquino
Arago
Arenas
Arnaiz
Arroyo (D.)
Arroyo (I.)
Bagatsing
Barzaga
Bautista
Belmonte

Bichara
Binay
Biron
Bondoc
Bonoan-David
Briones
Cagas
Cajayon
Cajes
Casiño
Castro
Cayetano
Celeste
Cerilles
Chatto
Chavez
Chiongbian
Chipeco
Chong
Chungalao
Clarete
Climaco
Coquilla
Coscolluela
Crisologo
Cruz-Gonzales
Cua (G.)
Cua (J.)
Cuenco
Dangwa
Dayanghirang
Daza
De Guzman
Defensor (A.)
Defensor (M.)
Del Mar
Del Rosario
Diasnes
Diaz
Domogan
Duavit
Dumpit
Durano
Dy
Emano
Enverga
Escudero
Estrella (C.)
Estrella (R.)
Fernandez
Fuentebella
Garay
Garcia (A.)
Garcia, Pablo P.
Garcia, Pablo John F.
Gatchalian
Gatlabayan
Go
Golez

Gonzales (A.)
Gonzalez
Guingona
Gullas
Gunigundo
Hofer
Hontiveros-Baraquel
Ilagan
Javier
Joson
Kho
Lacson
Lagdameo
Lagman
Lapus
Lazatin
Limkaichong
Locsin
Lopez (C.)
Macapagal Arroyo (M.)
Madrona
Magsaysay
Malapitan
Mandanas
Mangudadatu
Marañon
Matugas
Maza
Mendoza
Miraflores
Mitra
Noel
Nogralles
Ocampo
Olaño
Ong
Ortega
Pancho
Pancrudo
Piamonte
Pichay
Pingoy
Piñol
Prieto-Teodoro
Puno
Ramiro
Remulla
Reyes (C.)
Reyes (V.)
Robes
Rodriguez
Roman
Romarate
Romualdez
Romualdo
Romulo
Roxas
Salimbangon
Salvacion

San Luis
Sandoval
Santiago (J.)
Santiago (N.)
Seachon-Lanete
Silverio
Singson (E.)
Singson (R.)
Suarez
Susano
Sy-Alvarado
Taliño-Mendoza
Teodoro
Teves
Tieng
Tupas
Umali (A.)
Umali (C.)
Ungab
Uy, Reynaldo
Uy, Rolando
Valdez
Valencia
Velarde
Villafuerte
Villanueva
Villar
Villarosa
Vinzons-Chato
Violago
Yu
Zamora (R.)
Zialcita
Zubiri

With 176 Members present, the Chair declared the presence of a quorum. (See Appendix 1).

The following Members appeared before and/or after the Roll Call:

Albano
Asilo
Bulut
Cojuangco (M.)
Dilangalen
Dueñas
Fabian
Garcia (V.)
Gonzales (N.)
Labadlabad
Ledesma
Mariano
Nava
Nicolas
Solis
Yap

ACKNOWLEDGMENT OF GUESTS

At this point, Rep. Anna York P. Bondoc recognized the presence in the Session Hall of guests of Reps.

Rene M. Velarde, Mar-Len Abigail S. Binay, Liza Largoza Maza, Luzviminda C. Ilagan and Maria Evita "Ivy" R. Arago.

APPROVAL OF THE JOURNAL

On motion of Rep. Bondoc, there being no objection, the Body approved Journal No. 5 dated August 5, 2008.

REFERENCE OF BUSINESS

On motion of Rep. Bondoc, 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 Committee Reports which were referred to the appropriate Committees hereunder indicated:

BILLS ON FIRST READING

House Bill No. 4886, entitled:

"AN ACT GRANTING THE CULTURAL FOUNDATION OF DAVAO DEL SUR INCORPORATED (CFDI) FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN DAVAO DEL SUR"

By Representative Cagas

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

House Bill No. 4887, entitled:

"AN ACT TO ENCOURAGE ENERGY CONSERVATION THROUGH BICYCLING"

By Representative Santiago (N.)

TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 4888, entitled:

"AN ACT GRANTING MENSTRUATION LEAVE OF ONE (1) DAY A MONTH WITH FIFTY PERCENT (50%) DAILY REMUNERATION TO ALL FEMALE EMPLOYEES IN THE PRIVATE AND PUBLIC SECTORS"

By Representative Santiago (N.)

TO THE COMMITTEE ON LABOR AND EMPLOYMENT AND THE COMMITTEE ON CIVIL SERVICE AND PROFESSIONAL REGULATION

House Bill No. 4889, entitled:

"AN ACT PROVIDING FOR THE MAGNA CARTA OF HOUSEHOLD HELPERS"

By Representative Santiago (N.)

TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 4890, entitled:

"AN ACT IMPOSING CIVIL PENALTIES ON UNREASONABLE PRICE INCREASES FOR CRUDE OIL, RESIDUAL FUEL OIL, OR REFINED PETROLEUM PRODUCTS"

By Representative Santiago (N.)

TO THE COMMITTEE ON ENERGY AND THE COMMITTEE ON TRADE AND INDUSTRY

House Bill No. 4891, entitled:

"AN ACT TO ESTABLISH A GRANT AND FEE PROGRAM TO ENCOURAGE AND PROMOTE THE RECYCLING OF USED COMPUTERS AND TO PROMOTE THE DEVELOPMENT OF A NATIONAL INFRASTRUCTURE FOR THE RECYCLING OF USED COMPUTERS"

By Representative Santiago (N.)

TO THE COMMITTEE ON ECOLOGY

House Bill No. 4892, entitled:

"AN ACT TO AMEND ARTICLE 39 OF REPUBLIC ACT NO. 3815, OTHERWISE KNOWN AS THE PENAL CODE, AS AMENDED"

By Representative Santiago (N.)

TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 4893, entitled:

"AN ACT INCREASING THE PENALTIES OF DRIVERS AND OPERATORS OF COMMON CARRIERS OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS"

By Representative Santiago (N.)

TO THE COMMITTEE ON JUSTICE

House Bill No. 4894, entitled:

"AN ACT TO SUPPORT BREASTFEEDING BY NURSING MOTHERS AND ENCOURAGE EMPLOYERS TO SUPPORT WORKPLACE LACTATION PROGRAMS"

By Representative Santiago (N.)

TO THE COMMITTEE ON HEALTH

House Bill No. 4895, entitled:

"AN ACT TO MANDATE A COMPREHENSIVE RESEARCH FOR THE PREVENTION, CONTROL, AND MEDICAL MANAGEMENT OF HEPATITIS C VIRUS INFECTION"

By Representative Santiago (N.)

TO THE COMMITTEE ON HEALTH

House Bill No. 4896, entitled:

"AN ACT TO REQUIRE THAT HEALTH PLANS PROVIDE COVERAGE FOR A MINIMUM HOSPITAL STAY FOR MASTECTOMIES, LUMPECTOMIES, AND LYMPH NODE DISSECTION FOR THE TREATMENT OF BREAST CANCER AND COVERAGE FOR SECONDARY CONSULTATIONS"

By Representative Santiago (N.)

TO THE COMMITTEE ON HEALTH

House Bill No. 4897, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF CATARMAN IN THE PROVINCE OF NORTHERN SAMAR INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CATARMAN"

By Representative Daza

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 4898, entitled:

"AN ACT PROVIDING FOR THE CREATION OF THE OVERSEAS FILIPINO WORKERS' PENSION FUND AND APPROPRIATING FUNDS THEREFOR"

By Representative Chatto

TO THE COMMITTEE ON OVERSEAS WORKERS AFFAIRS AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 4899, entitled:

"AN ACT CONVERTING THE SILAY TO LANTAWAN ROAD IN THE CITY OF SI-LAY, PROVINCE OF NEGROS OCCIDENTAL INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR"

By Representative Lacson

TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 4900, entitled:

"AN ACT EXEMPTING FROM DOCUMENTARY STAMP TAX ANY SALE, BARTER OR EXCHANGE OF SHARES OF STOCK LISTED AND TRADED THROUGH THE STOCK EXCHANGE, FURTHER AMENDING FOR THE PURPOSE SECTION 199 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED BY REPUBLIC ACT NO. 9243, AND FOR OTHER PURPOSES"

By Representative Angara

TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 4901, entitled:

"AN ACT CONVERTING THE SILAY TO PATAG ROAD IN THE CITY OF SILAY, PROVINCE OF NEGROS OCCIDENTAL INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR"

By Representative Lacson

TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 4902, entitled:

"AN ACT SUBJECTING TRANSACTIONS INVOLVING THE SALE OF ELECTRICITY AND PETROLEUM PRODUCTS TO ZERO-PERCENT (0%) VALUE-ADDED TAX (VAT), AMENDING FOR THE PURPOSE SECTION 108 (B) OF REPUBLIC ACT NO. 8424, AS AMENDED BY REPUBLIC ACT NO. 9337, OTHERWISE KNOWN AS THE TAX REFORM ACT OF 1997, AND FOR OTHER PURPOSES"

By Representative Tupas

TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 4903, entitled:

"AN ACT SEPARATING SITIOS OF BARANGAY LACNOG, CITY OF TABUK, PROVINCE OF KALINGA AND CONSTITUTING IT INTO A SEPARATE AND INDEPENDENT BARANGAY TO BE CALLED LACNOG WEST"

By Representative Agyao

TO THE COMMITTEE ON LOCAL GOV-ERNMENT

House Bill No. 4904, entitled:

"AN ACT AMENDING REPUBLIC ACT NUMBER 6876, ENTITLED: ESTABLISH-ING A MUNICIPAL HOSPITAL IN BARANGAY SI-IT, MUNICIPALITY OF TANUDAN, PROVINCE OF KALINGA, TO BE KNOWN AS THE TANUDAN MUNICIPAL HOSPITAL, AND APPRO-PRIATING FUNDS THEREOF"

By Representative Agyao

TO THE COMMITTEE ON HEALTH AND THE COMMITTEE ON APPROPRIA-TIONS

House Bill No. 4905, entitled:

"AN ACT PROVIDING FOR THE IPSO FACTO RECALL OF FREQUENCY AS-SIGNMENTS DUE TO NON-PAYMENT OF SPECTRUM USER'S FEE AND NON-USE OF ASSIGNED FREQUENCY, AMENDING FOR THE PURPOSE RE-PUBLIC ACT NO. 7925, OTHERWISE KNOWN AS 'PUBLIC TELECOMMUNI-CATIONS POLICY ACT OF 1995'; AND FOR OTHER PURPOSES"

By Representative Mandanas

TO THE COMMITTEE ON INFORMATION AND COMMUNICATIONS TECHNOL-OGY

RESOLUTIONS

House Resolution No. 707, entitled:

"RESOLUTION DIRECTING THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR AND EMPLOYMENT AND THE COMMITTEE ON WOMEN AND GEN-DER EQUALITY TO IMMEDIATELY CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE PREVA-LENCE OF CASES OF SEXUAL HAR-ASSMENT PERPETRATED AGAINST WOMEN WORKERS IN ESTABLISH-MENTS EMPLOYING MOSTLY WOMEN, AND INTO THE COMPLIANCE OF SUCH FIRMS TO THE PROVISIONS OF RA 7877 OR THE ANTI-SEXUAL HARASSMENT ACT OF 1995"

By Representatives Maza and Ilagan

TO THE COMMITTEE ON RULES

House Resolution No. 708, entitled:

"RESOLUTION TO DIRECT THE COMMIT-TEE ON OVERSIGHT OF THE HOUSE OF REPRESENTATIVES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE USE OF FLOOD CONTROL FUNDS IN METRO MANILA BY CHAIRMAN BAYANI FERNANDO OF THE METROPOLITAN MANILA DE-VELOPMENT AUTHORITY"

By Representatives Golez and Defensor (M.)

TO THE COMMITTEE ON RULES

House Resolution No. 709, entitled:

“RESOLUTION URGING THE DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST) TO DEVELOP, DESIGN, FORMULATE, AND DEVISE, THROUGH A COMPREHENSIVE RESEARCH AND DEVELOPMENT PROGRAM, A RELIABLE, EFFICIENT, AND ECONOMICAL 'RURAL MASS CARGO TRANSPORT SYSTEM', BY UTILIZING BEASTS OF BURDEN AND RECYCLABLE, DISCARDED AND SCRAP MATERIALS AS ITS PRIMARY MATERIAL TO BE USED IN FARM TO MARKET ROADS”

By Representative Bichara

TO THE COMMITTEE ON SCIENCE AND TECHNOLOGY

House Resolution No. 710, entitled:

“A RESOLUTION URGING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, THROUGH ITS SECRETARY, THE HONORABLE HERMOGENES E. EBDANE, JR., TO DECLARE AS A NATIONAL SECONDARY ROAD, THE DAHICANLAWIGAN ROAD IN THE CITY OF MATI, PROVINCE OF DAVAO ORIENTAL”

By Representative Almario

TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Resolution No. 711, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY AND THE SPECIAL COMMITTEE ON PEACE, RECONCILIATION AND UNITY OF THE HOUSE OF REPRESENTATIVES TO CONDUCT AN INQUIRY IN AID OF LEGISLATION INTO THE MEMORANDUM OF AGREEMENT ON ANCESTRAL DOMAIN BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE MORO ISLAMIC LIBERATION FRONT”

By Representative Biazon

TO THE COMMITTEE ON RULES

House Resolution No. 712, entitled:

“RESOLUTION EXPRESSING THE DEEP CONCERN OF THE HOUSE OF REPRESENTATIVES OVER THE CONTINUOUS HUMAN RIGHTS VIOLATIONS AGAINST THE FIVE CUBAN ANTI-TERRORIST ACTIVISTS, WHO ARE AT PRESENT DETAINED IN U.S. PRISONS, SERVING FOUR LIFE SENTENCES AND 75 YEARS COLLECTIVELY, AFTER BEING GIVEN WHAT THEIR FAMILIES, HUMAN RIGHTS ORGANIZATIONS, AND THE NATIONAL ASSEMBLY OF THE PEOPLE'S POWER OF CUBA ASSERT TO BE WRONG CONVICTION BY THE U.S. FEDERAL COURT IN MIAMI, AND THE EARNEST CALL TO BRING ABOUT JUSTICE FOR THE CUBAN FIVE”

By Representatives Maza, Ilagan, Mariano, Ocampo and Casiño

TO THE COMMITTEE ON HUMAN RIGHTS AND THE COMMITTEE ON FOREIGN AFFAIRS

House Resolution No. 713, entitled:

“RESOLUTION DIRECTING THE HOUSE COMMITTEES ON CIVIL SERVICE AND PROFESSIONAL REGULATION AND BASIC EDUCATION TO CONDUCT AN INQUIRY ON THE PROPRIETY AND LEGALITY OF THE ACTION TAKEN BY DEPED SECRETARY JESLI A. LAPUS AND DEPED – CARAGA ASSISTANT REGIONAL DIRECTOR ISABELITA BORRES IN ASSIGNING ASSISTANT DIVISION SUPERINTENDENT GLORIA GIMPARO AS 'CARETAKER' OF THE SURIGAO DEL NORTE NATIONAL HIGH SCHOOL WHILE

REASSIGNING DULY APPOINTED SCHOOL PRINCIPAL DULCISIMA CORBERA TO THE DIVISION OFFICE AND TO DEFINE AND FINALLY SETTLE THE EXTENT OF AUTHORITY OF THE DEPARTMENT SECRETARY AND THE REGIONAL DIRECTOR IN THE APPOINTMENT OF SCHOOL HEADS AND SCHOOL PRINCIPALS AND FOR OTHER PURPOSES"

By Representatives Matugas and Romarate

TO THE COMMITTEE ON RULES

House Resolution No. 714, entitled:

"RESOLUTION ENJOINING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO ABOLISH THE DRESS CODE ENFORCED INSIDE THE SESSION HALL DURING REGULAR AND SPECIAL SESSIONS"
By Representative Escudero

TO THE COMMITTEE ON RULES

House Resolution No. 715, entitled:

"RESOLUTION DIRECTING THE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE CAUSAL ISSUES BEHIND THE EXORBITANT PRICES OF FERTILIZERS IN ORDER TO SAFEGUARD THE SUGAR INDUSTRY FROM HIGH PRODUCTION COST"

By Representative Lacson

TO THE COMMITTEE ON RULES

House Resolution No. 716, entitled:

"RESOLUTION DIRECTING THE CONDUCT OF JOINT PUBLIC HEARINGS IN AID OF LEGISLATION BY THE COMMITTEES ON WAYS AND MEANS, SCIENCE AND TECHNOLOGY, AND TRADE AND INDUSTRY, THAT WILL IDENTIFY MEASURES TO PROMOTE THE DEVELOPMENT AND USE OF HYBRID AND SIMILAR FUEL-SAVING AND ENVIRONMENT-FRIENDLY VEHICLES AND EQUIPMENT IN THE COUNTRY, INCLUDING THE GRANT OF APPROPRIATE TAX EXEMPTIONS AND INCENTIVES FOR SUCH PURPOSE"

By Representatives Nograles and Plaza

TO THE COMMITTEE ON RULES

House Resolution No. 718, entitled:

"RESOLUTION DIRECTING THE COMMITTEE ON OVERSIGHT TO CONDUCT A REVIEW ON THE IMPLEMENTATION OF REPUBLIC ACT NO. 6978 OTHERWISE KNOWN AS 'AN ACT TO PROMOTE RURAL DEVELOPMENT BY PROVIDING FOR AN ACCELERATED PROGRAM WITHIN A TEN-YEAR PERIOD FOR THE CONSTRUCTION OF IRRIGATION PROJECTS' IN THE LIGHT OF REPORTS THAT THERE ARE AREAS IN THE COUNTRY WHICH ARE WITHOUT ANY IRRIGATION SYSTEM"

By Representative Mariano

TO THE COMMITTEE ON RULES

House Resolution No. 719, entitled:

"A RESOLUTION DIRECTING THE COMMITTEE ON GAMES AND AMUSEMENTS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE ALLEGED UNAUTHORIZED INTERNET GAMING OPERATIONS BEING CONDUCTED IN THE RCBC TOWER IN MAKATI CITY"

By Representative Seares-Luna

TO THE COMMITTEE ON RULES

ADDITIONAL COAUTHORS

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

Rep. Lorna C. Silverio for House Bills No. 09 and 3618;

Rep. Pedro "Loloy" P. Romualdo for House Bills 76 and 2345;

Rep. Marcelino "Marcy" R. Teodoro for House Bills No. 576, 2403 and 4105;
Rep. Jose Antonio F. Roxas for House Bill No. 615 and 1798;

Rep. Carmencita O. Reyes for House Bills No. 2627 and 2628;

Rep. Narciso D. Santiago III for House Bill No. 3856 and 4194;

Rep. Bienvenido M. Abante Jr. for House Bills No. 2962, 2858 and 263;

Rep. Raul T. Gonzalez Jr. for House Bill No. 4766; and

Rep. Thelma Z. Almario for House Bills No. 4838, 4839, 4887, 4893, 4894 and 4896.

COMMITTEE REPORTS

Report by the Committee Local Government (Committee Report No. 1087), re H. No. 4913, entitled: "AN ACT AMENDING SECTIONS 4 AND 20 OF PRESIDENTIAL DECREE NO. 1616 AS AMENDED" recommending its approval in substitution of House Bill No. 2571

Sponsors: Representatives Arnaiz and Bagatsing

TO THE COMMITTEE ON RULES

Report by the Committees on Oversight and Economic Affairs (Committee Report No. 1088), re H.R. No. 717, entitled:

"A RESOLUTION URGING THE BANGKO SENTRAL NG PILIPINAS TO RE-EXAMINE ITS CURRENT POLICY OF MAINTAINING MORE THAN 80% OF ITS FOREIGN EXCHANGE RESERVES IN US DOLLARS, RESULTING IN HUGE LOSSES IN 2007 FROM FOREIGN EXCHANGE FLUCTUATIONS; EXPLORE THE POSSIBILITY OF MITIGATING THESE LOSSES BY SHIFTING TO OTHER STABLE BUT STRONGER CURRENCIES; AND INSTITUTIONALIZE A FOREIGN EXCHANGE EXPERTS' GROUP TO MONITOR GLOBAL CURRENCY MOVEMENTS, ANALYZE THE TRENDS AND MANAGE THE BSP'S BASKET OF FOREIGN CURRENCIES TO MAXIMIZE GAINS THAT MAY BE GENERATED FROM SUCH TRANSACTIONS" pursuant to HR No. 413 informing the House of Representatives of the findings and recommendations of the inquiry

Sponsors: Representatives Suarez and Durano

TO THE COMMITTEE ON RULES

Report by the Committee on Local Government (Committee Report No. 1089), re H. No. 4916, entitled:

"AN ACT EMPOWERING THE LOCAL SANGGUNIAN, EXCEPT THE SANGGUNIANG BARANGAY, TO DECLARE LOCAL HOLIDAYS, AMENDING FOR THE PURPOSE SECTION 13 OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991" recommending its approval in substitution of House Bills Numbered 1850 and 1972

Sponsors: Representatives Arnaiz, Rodriguez and Cari

TO THE COMMITTEE ON RULES

Report by the Committee on Natural Resources (Committee Report No. 1090), re H. No. 4921, entitled:

"AN ACT DECLARING A PARCEL OF LAND OF THE PUBLIC DOMAIN, LOCATED IN BARANGAY POBLACION, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE, AN AGRICULTURAL LAND OPEN TO DISPOSITION FOR RESIDENTIAL, AGRICULTURAL, COMMERCIAL, INDUSTRIAL OR OTHER PRODUCTIVE PURPOSES"

recommending its approval in substitution of House Bill No. 2952

Sponsors: Representatives Arroyo (I.), Salvacion, Ungab, Pancrudo, Aquino, Miraflores, Fua, Pichay and Coquilla

TO THE COMMITTEE ON RULES

Report by the Committee on Natural Resources (Committee Report No. 1091), re H. No. 4922, entitled:

"AN ACT DECLARING A PARCEL OF LAND OF THE PUBLIC DOMAIN, LOCATED IN BARANGAY JORDAN, MUNICIPALITY OF VILLABA, PROVINCE OF LEYTE, AN AGRICULTURAL LAND OPEN TO DISPOSITION FOR RESIDENTIAL, AGRICULTURAL, COMMERCIAL, INDUSTRIAL OR OTHER PRODUCTIVE PURPOSES"

recommending its approval in substitution of House Bill No. 2953

Sponsors: Representatives Arroyo (I.), Salvacion, Ungab, Pancrudo, Aquino, Miraflores, Fua, Pichay and Coquilla

TO THE COMMITTEE ON RULES

Report by the Committee on Public Order and Safety (Committee Report No. 1092), re H. No. 4925, entitled:

"AN ACT GRANTING GOOD CONDUCT TIME ALLOWANCE TO PRISONERS WHO PARTICIPATE IN LITERACY, SKILLS AND VALUES DEVELOPMENT PROGRAMS IN PENAL INSTITUTIONS AMENDING FOR THE PURPOSE ARTICLE 97 OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE"

recommending its approval in substitution of House Bills Numbered 1453, 1942, 1943 and 3563

Sponsors: Representatives Antonino, Gonzalez, Rodriguez and Locsin

TO THE COMMITTEE ON RULES

THE PRIVILEGE HOUR

It being a Monday, on motion of Rep. Bondoc, the Chair declared a Privilege Hour.

On motion of Rep. Bondoc, the Chair recognized Rep. Victor F. Ortega to deliver his privilege speech.
PRIVILEGE SPEECH OF REP. ORTEGA

Rep. Ortega took the floor to clarify the facts surrounding the raid on the alleged biggest shabu laboratory in the country, which is located in Barangay Upper Bimotobot, Naguilian, La Union; and to refute the allegations that the local and court officials as well as the concerned personnel of the Philippine National Police (PNP) and the Bureau of Customs (BOC) assigned in the province were remiss in their duties. He recounted the correct details about said raid by mentioning the surveillance and investigations that were made by the PNP as early as May 2007; in particular, the July 9, 2008 inspection of the laboratory conducted by the PNP and local officials headed by the Mayor of Naguilian, wherein equipment and chemicals determined as being used in the manufacture of shabu were found.

Rep. Ortega then belied insinuations of media involvement in the anomaly and presented a compilation of news reports to counter the allegation of a news "blackout" on the raid. He stressed that he wanted to defend those who have been oppressed by an injustice as he pointed out that he has always stood up for justice in his 40 years of public service and 20 years of legal practice. He promised to submit all necessary documents during a Committee investigation on the matter.

INTERPELLATION OF REP. CUENCO

Rep. Ortega, in response to Rep. Antonio V. Cuenco's questions and call for an immediate congressional inquiry, clarified that what were found in the raid were tons of so-called "precursors" or chemicals for the initial manufacturing stage of "shabu" far exceeding the volume found in a similar raid in Mandaue City, Cebu; and that a high police official was already being investigated on the incident.

INTERPELLATION OF REP. DUMPIT

Upon recognition by the Chair, Rep. Thomas L. Dumpit Jr. opined that the investigation should be at the national instead of local level so as not to be tainted by controversies on the custody of suspects and the content of charge sheets.

Informed by Rep. Dumpit that the former La Union Police Chief linked to the aforementioned lab had been relieved of his current command in Pangasinan and taken to Camp Crame for formal charging, Rep. Ortega stressed that he will always be available for a congressional inquiry that will ferret out the truth.

Rep. Dumpit claimed that taken all together, the circumstances surrounding the case prove that a conspiracy operates at both the national and local levels. He then suggested that the two of them join efforts and support the creation of a national inter-agency task force composed of representatives from the Legislature and the Executive that will investigate the drug bust thereby avoiding a whitewash of the investigation. He insisted on his point that nothing will happen if the investigation would be done at the local level, alleging that the provincial prosecutor was being pressured. He informed Rep. Ortega about his speech the previous week wherein he had recommended the following: 1) the creation of a task force to investigate the drug bust in La Union; 2) the conduct of an investigation at the national level; and 3) the active participation of the House committees concerned in the investigation of drug syndicates.

Even as he agrees on the eradication of criminal syndicates and supports a congressional inquiry into the drug bust, Rep. Ortega however pointed out that the proper government agencies should be allowed to do their job and conduct an investigation to ferret out the truth. He said that the Members should not act as legislators, prosecutors and judges all at the same time.

MANIFESTATION OF REP. ABLAN

At this point, Rep. Roque R. Ablan Jr. manifested his intent to clarify the matter later on.

INTERPELLATION OF REP. DUMPIT (Continuation)

The two Members refuted each one's assertion that one is making exonerations of or accusations against certain personalities involved in the case. Rep. Ortega reiterated that his narration of facts was based on official reports but he is willing to deliver his speech outside of the halls of Congress where he is not covered by parliamentary immunity and where even the lowly man could defend himself. He urged Rep. Dumpit to do the same, this as he mentioned the case of a Commission on Elections (Comelec) registrar who was shot in front of his office in La Union and whose killer had implicated in his original affidavit the family of Rep. Dumpit.

For his part, Rep. Dumpit said that as a Member of Congress, he has to speak in the halls of the Chamber and restated that nothing will ensue if he will do the talking in his province.

In reaction to the last point of Rep. Ortega, Rep. Dumpit recalled that the political case filed against his family which the former was referring to happened during the time when Rep. Ortega was still the provincial governor of the Province of La Union and underscored that as the provincial governor, he had full control of all of the policemen, from the provincial director down to the chief of police. He disclosed that the provincial director was pressured by no other than the former provincial governor.

SUSPENSION OF SESSION

With the kind indulgence of Reps. Ortega and Dumpit, the Chair motu proprio suspended the session at 5:41 p.m.

RESUMPTION OF SESSION

At 5:48 p.m., the session was resumed.

REMARKS OF THE CHAIR

The Chair informed the Body that since the matter has been referred to the proper Committee, Reps. Ortega and Dumpit have decided to allow the said Committee to conduct its investigation thereon.

REMARKS OF REP. ABLAN

Rep. Ablan said that it will be the Committee on Dangerous Drugs that will conduct a hearing on the case within the week and urged Reps. Ortega and Dumpit to attend said hearing so they can be clarified on the matter. Considering that nobody has been charged yet, he said that President Gloria Macapagal-Arroyo, who has received the report from the Philippine Drug Enforcement Agency (PDEA) and the Philippine National Police (PNP) has already given instructions to the Committee to exonerate no one.

Rep. Ablan stated for the record that charges have been filed against all of these people, and cited the case of 12 people apprehended in Cebu who are now rotting in jail and one person is awaiting conviction next month. He added that the judge who has allowed the three accused to post bail is also in trouble. He pointed out that the Committee on Dangerous Drugs where all these cases have been referred to is working hard to come up with the proper report.

The Chair congratulated Rep. Ablan for all the efforts that the Committee has made and looked forward to more prosecution of culprits involved in the manufacture of illegal drugs.

ACKNOWLEDGMENT OF GUESTS

Whereupon, Rep. Bondoc acknowledged the presence in the Session Hall of guests of Rep. Ma. Theresa B. Bonoan-David.

Subsequently, on motion of Rep. Bondoc, the Chair recognized Rep. Bernardo F. Piñol Jr. to deliver his privilege speech.

PRIVILEGE SPEECH OF REP. PIÑOL

Rep. Piñol underscored in his speech that poverty is the root cause of a never-ending conflict and trouble in Mindanao. He assured the Members that poverty can be defeated if only the government will make sure that every centavo of government assistance will trickle down to the ordinary Muslims, Christians, or tribesman, not to commanders or tribal leaders alone, and that ordinary farmers, Muslim or Christian, will remain tiller of their own land, not the multinationals, moneyed individuals or foreign investors. He also emphasized that defeating poverty, not peace talks with rebels, will assure lasting peace in Mindanao.

INTERPELLATION OF REP. TUPAS

Upon recognition by the Chair, Rep. Niel "Jun-Jun" C. Tupas Jr., inquired whether Rep. Piñol has scientific data to say that the root of the problem in Mindanao is poverty. Likewise, whether there is basis to show that poverty in Mindanao is worse than other areas in the country considering that the latest data show that even in the Visayan region, the rate of poverty incidence is almost the same as in Mindanao.

Rep. Piñol replied that his statement was based on the situation on the ground, particularly in the

ARMM areas. Notwithstanding this however, he cited that certain areas like the Datu Paglas Community in Maguindanao reveal that where there is de-velopment, there will be peace.

On whether he agrees with the latest AFP's as-sault on the MILF, Rep. Piñol stated that there is a need for the government to assert its authority in the area; otherwise, there would be chaos and continued killings.

Adverting to Rep. Piñol's statement that the in-frastructures built in Mindanao have not "redound to the benefit of the people," Rep. Tupas explained that comparing the road network in Mindanao to those in the Visayan region, he can say that the road network in Mindanao is much better. While it is generally believed that road networks revitalize the local econ-omy and is an indicator of economic development, he inquired whether infrastructure development is one approach or policy that would bring about the much-needed benefit to the poor.

Rep. Piñol, in reply, underscored that the gov-ernment should rather focus on agricultural develop-ment first and infrastructure development second. To illustrate his argument, he cited that farms beside farm-to-market roads have remained unplanted and unproductive because of lack of agricultural support from the government and moreover, farm-to-market roads, when developed, only encourage the farmers to sell or lease their farmlands to multinational com-panies.

Thereafter, the Chair recognized Rep. Eduardo C. Zialcita for his interpellation.

INTERPELLATION OF REP. ZIALCITA

Rep. Zialcita initially inquired on Rep. Piñol's assessment of the government's peace agreement with the MILF and whether it would contribute to the prosperity and peace and order in Mindanao.

Rep. Piñol underscored that he does not believe that the peace agreement would bring about lasting peace and prosperity, citing for one, that nobody knows what new armed group would emerge after the MILF and second, such peace agreement only creates new borders and territories and thus brings with it the possibilities of new wars. While this was only his personal opinion as the Members from Min-danao do not have a common appreciation of the situation, he explained that this is the primary reason why he is against the peace treaty. To further empha-size his thesis, he inquired on the need for dividing Mindanao.

With regard to the prospects of the government's peace agreement with the MILF, Rep. Piñol stated that he has proof to show at some other time, that certain MILF commanders are open to peaceful co-existence with the Christians and that the demand for territory, as contained in the MOA, is not their gen-eral demand.

Thereafter, the Chair recognized Rep. Carlo Oliver D. Diasnes for his interpellation.

INTERPELLATION OF REP. DIASNES

To Rep. Diasnes' query, Rep. Piñol expressed his belief that poverty is the cause of conflict in Min-danao because a lot of the people he knows, most of whom are former commanders of the MNLF and the MILF who are now stable, do not want to go to war anymore. He opined that planting sustainable crops of high value in the foreign market and ensuring that every piece of land in Mindanao is made productive will help solve the Mindanao problem.

REFERRAL OF REP. PIÑOL'S SPEECH

On motion of Rep. Bondoc, there being no objec-tion, the Body referred the speech of Rep. Piñol to the appropriate Committee.

ACKNOWLEDGMENT OF GUESTS

At this point, Rep. Bondoc recognized the guests of Rep. Emil L. Ong.

Thereafter, on motion of Rep. Bondoc, the Chair recognized Rep. Antonio H. Cerilles for his privilege

speech.

PRIVILEGE SPEECH OF REP. CERILLES

Recounting the historical background of the Tripoli Agreement of 1976 made during the time of the late President Ferdinand E. Marcos, Rep. Cerilles pointed out that nowhere in the Tripoli Agreement was the MILF ever mentioned because the final agreement was between the government of the Republic of the Philippines and the MNLF.

In emphasizing his position, Rep. Cerilles cited retired Justice Isagani Cruz' recent column in the Philippine Daily Inquirer wherein he expressed his dissenting opinion on the Bangsamoro treaty because it violates Article 1 of the Constitution on the definition of national territory. He inquired when there would be a final agreement on the peace process, this as he stressed that the government had made dealings with the MNLF but is now talking with the MILF. He likewise asked why the Armed Forces of the Philippines has promised the people of Mindanao that it will defend all Philippine territories, including Mindanao, when the government has classified the MILF as a terrorist group. Moreover, he inquired why the government has entered into a MOA that allows the giving away of a big portion of Mindanao.

Rep. Cerilles lamented that said agreement was never shown to Mindanaoans like him and asked why the Members of Congress were never consulted about it such that there is now a need to have it scrutinized. He referred anew to the Tripoli Agreement which he opined is now a done deal, with the GRP committed to its spirit and intent. He emphasized that the MILF cannot claim any legitimate territory in Mindanao; that the Philippines should have only one government and one armed forces and thus cannot coexist with another government. He concluded that in the government of laws, under a democratic system, the majority and not the minority has the voice.

Thereafter, the Chair recognized Rep. Pablo P. Garcia for his interpellation.

INTERPELLATION OF REP. GARCIA (P.)

Rep. Garcia referred to Rep. Cerilles' statement that the MOA entered into by the GRP with the MILF is a violation of the Tripoli Agreement, which he emphasized grants only autonomy to the MNLF and nothing more, with no mention of ancestral lands, and with the Southern Philippines being within the realm of the sovereignty and territorial integrity of the Republic of the Philippines.

Rep. Garcia (P.) subsequently stressed that no other Congress is empowered to expand the ARMM which was created in compliance with the Tripoli Agreement, because the Eighth Congress had already exercised such power when it passed the Organic Act as provided for in the 1987 Constitution. He added that under the final Peace Agreement of 1996, the MNLF and Philippine Government affirmed the national sovereignty, territorial integrity and Constitution of the Republic of the Philippines. He concluded that the MOA on ancestral domain blatantly violates the Constitution.

Rep. Cerilles agreed therewith, stressing that nothing in the 1987 Constitution allows the government to give up its sovereignty and territory.

PARLIAMENTARY INQUIRY OF REP. ESCUDERO

Upon recognition by the Chair, Rep. Salvador H. Escudero III asked whether the discussion between two members of the Opposition regarding the violation of all existing laws including the Constitution, should be heard by majority of the members of the Majority.

SUSPENSION OF SESSION

The Chair motu proprio suspended the session at 7:16 p.m.

RESUMPTION OF SESSION

At 7:21 p.m., the session was resumed.

SUSPENSION OF INTERPELLATIONS
ON THE PRIVILEGE SPEECH OF
REP. CERILLES

On motion of Rep. De Guzman, as amended by Rep. Cerilles, and there being no objection, the Body suspended Rep. Garcia's (P.) interpellation on Rep. Cerilles' speech until after the Roll Call in the next day's session.

TERMINATION OF THE PRIVILEGE HOUR

On motion of Rep. De Guzman, there being no objection, the Body terminated the Privilege Hour.

SUSPENSION OF SESSION

The Chair suspended the session at 7:22 p.m. upon Rep. De Guzman's motion.

RESUMPTION OF SESSION

At 7:23 p.m., the session was resumed.

ELECTION OF COMMITTEE MEMBERS

On behalf of the Majority, on motion of Rep. De Guzman, there being no objection, the Body elected the following Members to the Committees hereunder indicated vice the late Rep. Danilo P. Lagbas: Rep. Aurelio "Dong" D. Gonzales Jr. -- as additional member to the Committee on Legislative Franchises; and

Rep. Ferdinand Martin G. Romualdez -- as chair-person of the Committee on Small Business and Entrepreneurship Development.

ADJOURNMENT OF SESSION

On motion of Rep. De Guzman, there being no objection, the Chair declared the session adjourned until four o'clock in the afternoon of Tuesday, August 12, 2008.

It was 7:24 p.m.

I hereby certify to the correctness of the foregoing.

(Sgd.) ATTY. MARILYN B. BARUA-YAP
Secretary General