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No. 19

CALL TO ORDER

At 4:00 p.m., Deputy Speaker Gwendolyn F. Garcia called the session to order.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is called to order.

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Garcia, G.). Please rise for the singing of the Philippine National Anthem.

Everybody rose to sing the Philippine National Anthem.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Please remain standing for the Invocation to be led by the Congresswoman from the First District of Negros Oriental, the Hon. Jocelyn Sy Limkaichong.

Everybody remained standing for the Invocation.

INVOCATION

REP. LIMKAICHONG. Let us all bow our heads in the presence of our almighty Father.

Lord Jesus, as we gather here today, we pray that Your Holy Spirit anoint and guide us in our choices and decisions for the sake of the Filipino people.

Lord, we ask that You grant us peace despite the great challenges that this nation is currently facing, and may You protect us from harm from those people who seek to divide the country You have united.

That in all things, may Your will be done.

In the name of the Father, and of the Son, and of the Holy Spirit.

Amen.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Good afternoon, Mme. Speaker.

Mme. Speaker, I move that we defer the roll call.

THE DEPUTY SPEAKER (Rep. Garcia, G.). There is a motion to defer the calling of the roll. Is there any objection? (*Silence*) The Chair hears none; the calling of the roll is deferred.

REP. DEFENSOR. Mme. Speaker, I likewise move that we defer the approval of the Journal.

THE DEPUTY SPEAKER (Rep. Garcia, G.). There is a motion to defer the approval of the Journal. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mme. Speaker, I move that we take up the Reference of Business. May I also request that the Secretary General be directed to read the same.

THE DEPUTY SPEAKER (Rep. Garcia, G.). There is a motion to take up the Reference of Business and for the Secretary General to read the same. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please read the Reference of Business.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

House Bill No. 3396, entitled:

“AN ACT DECLARING THE ROAD WHICH STRETCHES FROM BARANGAY BAGATANGKI, MUNICIPALITY OF MALINAO, PROVINCE OF ALBAY TO BARANGAY SAN RAMON, CITY OF IRIGA, UP TO BARANGAY HANAWAN

IN THE MUNICIPALITY OF OCAMPO, PROVINCE OF CAMARINES SUR OTHERWISE KNOWN AS THE GOV. FELIX O. ALFELOR, SR. NATIONAL HIGHWAY PURSUANT TO REPUBLIC ACT NO. 9686 AS A NATIONAL ROAD”

By Representative Fortuno
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3397, entitled:

“AN ACT DECLARING THE ROAD FROM THE BOUNDARY OF IRIGA CITY AND THE MUNICIPALITY OF BUHI, PASSING THROUGH BARANGAYS STA. JUSTINA AND LOURDES AND ENDING AT THE MUNICIPAL HALL OF BUHI, ALL IN THE PROVINCE OF CAMARINES SUR OTHERWISE KNOWN AS THE MAXIMO NOBLE, SR. HIGHWAY PURSUANT TO REPUBLIC ACT NO. 9687 AS A NATIONAL ROAD”

By Representative Fortuno
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3398, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE SOLO PARENTS' WELFARE ACT OF 2000, BY PROVIDING FOR ADDITIONAL BENEFITS AND PENAL PROVISION FOR VIOLATIONS OF THE ACT”

By Representatives Brosas, De Jesus, Tinio, Castro (F.L.) and Elago
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3399, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 8291, ALSO KNOWN AS THE GOVERNMENT SERVICE INSURANCE SYSTEM ACT OF 1997, EXPANDING THE MEMBERSHIP AND BENEFITS OF THE GOVERNMENT SERVICE INSURANCE SYSTEM TO COVER BARANGAY OFFICIALS”

By Representative Vergara
TO THE COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION

House Bill No. 3400, entitled:

“AN ACT DECLARING FEBRUARY 3 OF EVERY YEAR AS A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF CABANATUAN, PROVINCE OF NUEVA ECIJA, TO COMMEMORATE THE

FOUNDATION ANNIVERSARY OF THE CITY OF CABANATUAN”

By Representative Vergara
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3401, entitled:

“AN ACT INCREASING THE PATERNITY LEAVE FROM SEVEN (7) DAYS TO FIFTEEN (15) DAYS, AMENDING FOR THIS PURPOSE SECTIONS 2 AND 3 OF REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS 'THE PATERNITY LEAVE ACT OF 1996' ”

By Representative Pimentel
TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 3402, entitled:

“AN ACT PRESCRIBING A FIXED TERM FOR THE CHIEF OF STAFF OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES”

By Representative Pimentel
TO THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY

House Bill No. 3403, entitled:

“AN ACT PROVIDING FOR THE LEGAL PROCEDURE IN THE DISPOSITION AND REHABILITATION OF DRUG DEPENDENTS AND/OR DRUG PUSHERS OR DEALERS WHO VOLUNTARILY SURRENDER, AMENDING FOR THE PURPOSE RA 9165, AS AMENDED”

By Representatives Batocabe, Garbin and Co
TO THE COMMITTEE ON DANGEROUS DRUGS

House Bill No. 3404, entitled:

“AN ACT DECLARING THE 30TH OF AUGUST OF EVERY YEAR AS A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF MANDAUE, PROVINCE OF CEBU IN COMMEMORATION OF ITS CHARTER DAY”

By Representative Cortes
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3405, entitled:

“AN ACT DESIGNATING CASINO OPERATORS AS COVERED PERSONS UNDER REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE 'ANTI-MONEY LAUNDERING ACT OF 2001', AS AMENDED”

By Representative Collantes
TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

House Bill No. 3406, entitled:

“AN ACT EXEMPTING DRUG TRAFFICKING AND OTHER DRUG-RELATED OFFENSES FROM THE PROHIBITION IN REPUBLIC ACT NO. 4200 OR THE ANTI-WIRE TAPPING LAW”

By Representative Barbers

TO THE COMMITTEE ON DANGEROUS DRUGS

NUTRITION SCHOLAR AS BARANGAY HEALTH WORKER, AMENDING REPUBLIC ACT NO. 7883, OTHERWISE KNOWN AS THE 'BARANGAY HEALTH WORKERS BENEFITS AND INCENTIVES ACT OF 1995' ”

By Representative Unabia

TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 3407, entitled:

“AN ACT TO PROVIDE HUMANE WORKING CONDITIONS, SALARIES, AND BENEFITS FOR DAY CARE WORKERS”

By Representative Aragon

TO THE COMMITTEE ON WELFARE OF CHILDREN

House Bill No. 3410, entitled:

“AN ACT STRENGTHENING THE PRICE SUPPORT SYSTEM FOR AGRICULTURAL PRODUCE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7607, OTHERWISE KNOWN AS THE 'MAGNA CARTA OF SMALL FARMERS' AND APPROPRIATING FUNDS THEREFOR”

By Representative Unabia

TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 3408, entitled:

“AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY-ONE, TWO THOUSAND AND SEVENTEEN, AND FOR OTHER PURPOSES”

By Representatives Nograles (K.), Alvarez (P.), Zamora (M.), Javier, Leachon, Olivarez, Sandoval, Garin (O.), Salceda, Biazon, Dimaporo (M.), Duavit, Lanete, Dy, Cojuangco, Del Mar, Vargas, Lobregat, Go (A.), Malanyaon, Villafuerte, Jalosjos, Amante, Cuaresma, Antonino, Sambar, Almonte, Calixto-Rubiano, Cari, Celeste, Cerafica, Gonzalez, Primicias-Agabas, Ramos, Sacdalan, Villarica, Abellanosa, Abueg, Aragon, Arenas, Caminero, Sahali, Suansing (E.), Acosta, Alonte-Naguiat, Bagatsing, Bernos, Fernando, Gonzaga, Malapitan, Matugas, Nava, Nieto, Nolasco, Pacquiao, Papandayan, Pimentel, Suansing (H.), Veloso, Mangaoang, Savellano, Siao, Acharon, Bulut-Begtang, Yap (A.), Maceda, Lopez (M.), Sagarbarria, Yu, Marquez, Gasataya, Enverga, Yap (M.), Escudero, Durano, Dimaporo (A.), Ong (E.), Sy-Alvarado, Garcia (J.), Laogan, Estrella, Manalo, Paduano, Montoro, Ungab, Fortuno, Arbison, Tejada, Amatong, Abad, Catamco, Adiong, Agarao, Deloso-Montalla, Bataoil, Mellana, Pancho, Silverio, Uy (J.) and Zubiri

TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 3411, entitled:

“AN ACT INCREASING THE AUTHORIZED ELECTION CAMPAIGN EXPENSES OF CANDIDATES AND POLITICAL PARTIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7166, ENTITLED, 'AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES”

By Representative Unabia

TO THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

House Bill No. 3412, entitled:

“AN ACT DECLARING THE MUNICIPALITY OF SAN JUAN, LA UNION AS A TOURIST DESTINATION AND THE 'SURFING CAPITAL OF THE NORTH', PROVIDING FOR ITS DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR”

By Representative Ortega (V.)

TO THE COMMITTEE ON TOURISM

House Bill No. 3413, entitled:

“AN ACT DECLARING SEPTEMBER 11 OF EVERY YEAR AS A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF LA UNION, TO BE KNOWN AS 'PRESIDENT FERDINAND MARCOS DAY' ”

By Representative Ortega (V.)

TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3409, entitled:

“AN ACT PROVIDING FOR SECURITY OF TENURE FOR BARANGAY HEALTH WORKERS AND INCLUDING BARANGAY

House Bill No. 3414, entitled:

“AN ACT CONVERTING THE BRGY. MABINI - CARIDAD NORTE ROAD IN LLANERA, NUEVA ECIJA GOING TO SAN JOSE CITY, NUEVA ECIJA INTO A NATIONAL ROAD”

By Representative Violago
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3415, entitled:

“AN ACT CONVERTING THE MAGHAWAY - TAPUL ROAD FROM A BARANGAY ROAD TO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR”

By Representative Gullas
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3416, entitled:

“AN ACT CONVERTING THE SAN FERNANDO AND PINAMUNGAHAN ROAD FROM A PROVINCIAL TO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR”

By Representative Gullas
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3417, entitled:

“AN ACT CONVERTING TAMBO HIGH SCHOOL SITUATED IN BARANGAY TAMBO, PARAÑAQUE CITY TO TAMBO NATIONAL HIGH SCHOOL”

By Representative Olivarez
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 3418, entitled:

“AN ACT IMPOSING THE DEATH PENALTY ON ANY PUBLIC OFFICER AND EMPLOYEE RESPONSIBLE FOR THE FLIGHT OF DRUG MULES FROM PHILIPPINE AIR AND SEA PORTS”

By Representative Barbers
TO THE COMMITTEE ON JUSTICE

House Bill No. 3419, 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 Banal
TO THE COMMITTEE ON AGRICULTURE AND FOOD AND THE SPECIAL COMMITTEE ON FOOD SECURITY

House Bill No. 3420, entitled:

“AN ACT PROMOTING SUSTAINABILITY IN THE PUBLIC PROCUREMENT PROCESS BY INCORPORATING POLICY IN PROCUREMENT AND CONSIDERING ENVIRONMENTAL, SOCIAL AND ECONOMIC FACTORS AS ADDITIONAL CRITERIA FOR BIDDING AND FOR OTHER PURPOSES”

By Representative Banal
TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 3421, entitled:

“AN ACT TO ESTABLISH THE TERMINALS OF PUBLIC UTILITY VEHICLES INSIDE THE MALLS”

By Representative Velasco
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 3422, entitled:

“AN ACT ESTABLISHING THE PHILIPPINE CORN AND OTHER CEREALS RESEARCH INSTITUTE AND APPROPRIATING FUNDS THEREOF”

By Representative Romero
TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 3423, entitled:

“AN ACT GRANTING PHILIPPINE CITIZENSHIP TO MR. LIU, HSIPIN”

By Representative Romero
TO THE COMMITTEE ON JUSTICE

House Bill No. 3424, entitled:

“AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY RIZAL IN THE CITY OF MAKATI”

By Representative Campos
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 3425, entitled:

“AN ACT ESTABLISHING A UNIFIED NATIONAL IDENTIFICATION SYSTEM IN THE REPUBLIC OF THE PHILIPPINES”

By Representative Erice
TO THE COMMITTEE ON POPULATION AND FAMILY RELATIONS

House Bill No. 3426, entitled:

“AN ACT UPGRADING THE MINDANAO CENTRAL SANITARIUM INTO A TERTIARY LEVEL HOSPITAL AND INCREASING THE BED CAPACITY FOR GENERAL CARE SERVICES TO THREE HUNDRED (300), APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Dalipe
TO THE COMMITTEE ON HEALTH

ADDITIONAL COAUTHORS

Rep. Deogracias Victor “DV” B. Savellano for House Bills No. 31, 33, 34, 74, 128, 278, 288, 290, 322, 324, 416, 434, 551 and 683;

Rep. Raul V. Del Mar for House Bills No. 458 and 3181;

Rep. Juliette T. Uy for House Bills No. 82 and 83 and House Joint Resolution No. 3;

Rep. Michelle M. Antonio for House Bill No. 38;

Reps. Corazon T. Nuñez-Malanyaon, Pedro B. Acharon Jr., Arnel M. Cerafica and Mario Vittorio “Marvey” A. Mariño for House Bill No. 2798;

Rep. Jose “Pingping” I. Tejada for House Bills No. 334, 1208, 2045, 2798 and 2912 and House Resolutions No. 16, 17 and 258;

Rep. Nancy A. Catamco for House Bills No. 2852 and 2906;

Rep. Amado T. Espino Jr. for House Bill No. 26;

Rep. Joaquin M. Chipeco Jr. for House Bill No. 553;

Reps. Divina Grace C. Yu, Arlene B. Arcillas, Orestes T. Salon and Carmelo “Jon” B. Lazatin II for House Bills No. 262, 264 and 2430;

Reps. Sandra Y. Eriguel, M.D., Makmod D. Mending Jr. and Greg G. Gasataya for House Bills No. 262 and 264;

Rep. Antonio R. Floirendo Jr. for House Bills No. 1, 3, 5, 6, 9 and 388;

Rep. Gwendolyn F. Garcia for House Bills No. 458, 2798 and 3181;

Reps. Maximo B. Dalog and Randolph S. Ting for House Bill No. 381;

Rep. Raul A. Daza for House Joint Resolution No. 4;

Reps. Bernadette “BH” Herrera-Dy, Orestes T. Salon and Vicente “Ching” S.E. Veloso for House Bills No. 476, 477, 478, 479, 480, 796, 797, 798, 1870, 1871, 1872, 2287, 2396, 2514 and 2531;

Rep. Alberto T. Ungab for House Bills No. 478, 479, 2287, 2396, 2514 and 2531;

Rep. Emmanuel F. Madrona for House Bills No. 477, 478, 479, 1871, 2287, 2396, 2514 and 2531;

Rep. Luisa Lloren Cuaresma for House Bills No. 477, 478, 479, 1871, 2287, 2396, 2514 and 2531;

Rep. Arnolfo “Arnie” A. Teves Jr. for House Bills No. 478, 479, 1871, 2396, 2514 and 2531;

Rep. Frederick W. Siao for House Bills No. 477, 478, 1871, 2287 and 2396;

Rep. Peter John D. Calderon for House Bill No. 2514; Rep. Allen Jesse C. Mangaoang for House Bills No. 208, 209, 210, 211, 1911, 1912, 1913, 1914, 1915 and 1916;

Rep. Emmanuel A. Billones for House Bills No. 476, 477, 796, 797, 798, 1870, 1871, 1872, 2287, 2396, 2514 and 2531;

Rep. Gloria Macapagal-Arroyo for House Bills No. 476 and 477; Rep. Jose Antonio “Kuya Jonathan” R. Sy-Alvarado for House Bill No. 515;

Rep. Robert Ace S. Barbers for House Bill No. 477;

Rep. Franz E. Alvarez for House Bills No. 997 and 2673;

Rep. Xavier Jesus D. Romualdo for House Bill No. 41;

Rep. Manuel Monsour T. Del Rosario III for House Bills No. 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 2650, 2651, 2652, 2653, 2654 and 2655;

Rep. Cristal L. Bagatsing for House Bills No. 1159, 1163 and 1165;

Rep. Ma. Lourdes R. Aggabao for House Bills No. 2651, 2652, 2653 and 2655;

Rep. Luis Jose Angel N. Campos Jr. for House Bills No. 1596 and 2903;

Rep. Leo Rafael M. Cueva for House Bill No. 3010;

Reps. Jorge “Bolet” Banal, Alberto T. Ungab and Arnel M. Cerafica for House Resolution No. 258;

Rep. Mercedes K. Alvarez for House Bills No. 391, 392, 393, 394, 575, 576, 577, 578, 579 and 2247;

Rep. Divina Grace C. Yu for House Bills No. 391, 392 and 576; Rep. Vini Nola A. Ortega for House Bills No. 479, 2287 and 2396;

Rep. Gus S. Tambunting for House Bills No. 402 and 458; and

Rep. Fernando V. Gonzalez for House Bill No. 3504.

COMMUNICATIONS

Letters dated August 25 and 31, 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. 920 dated 18 August 2016;
2. Circular Letter No. CL-2016-068 dated 11 August 2016;
3. Circular Letter No. CL-2016-069 dated 8 August 2016;
4. Circular Letter No. CL-2016-070 dated 18 August 2016;
5. Circular No. 921 dated 22 August 2016;
6. Circular Letter No. CL-2016-071 dated 17 August 2016;
7. Circular No. 922 dated 23 August 2016; and
8. Circular Letter No. CL-2016-072 dated 23 August 2016.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

PRIVILEGE HOUR

REP. DEFENSOR. Mme. Speaker, I move that we hold a Privilege Hour.

THE DEPUTY SPEAKER (Rep. Garcia, G.). There is a motion to hold a Privilege Hour. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mme. Speaker, first to speak is the Gentleman from AKBAYAN. I move that we recognize Rep. Tomasito “Tom” S. Villarín for his privilege speech.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Representative from AKBAYAN, the Hon. Tomasito Villarín, is recognized.

PRIVILEGE SPEECH OF REP. VILLARIN

REP. VILLARIN. Thank you, Mme. Speaker. Good afternoon, colleagues in this honorable Chamber.

Mme. Speaker, una sa tanan, this Representation from AKBAYAN Party-List who lives in Davao City, would like to manifest my deep sympathies to the families of the victims of the September 2, 2016 Davao City bombing, some of whom are friends of my friends and one, a PNP officer, whom I personally know. Subo kaayo pamalandungon, Mme. Speaker, nga ang mga inosente giangin sa mga walay kasing-kasing nga nagpahimulos sa kasadya og kamalinawong dakbayan sa Dabaw. Pero dili matarog ang mga Dabawenyo para ipakita nga kami anaa mobarog para sa malahutayong kalinaw sa among siyudad og sa tibook Pilipinas.

Mme. Speaker, I would like to discuss in this august Chamber the challenge of addressing the concerns of millions of informal settlers in Metro Manila, as well as in other highly-urbanized parts of the country. Under Section 9, Article XIII of our Constitution, the State shall undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available, at affordable cost, decent housing, and basic services to be delivered to the underprivileged and homeless citizens, providing them with employment opportunities, but respecting the rights of small property owners. The Constitution likewise guarantees that the right against eviction or demolition, except in accordance with law and in a just and humane manner, shall be afforded to these citizens and that no resettlement shall be undertaken without adequate consultation with them and the communities where they are to be relocated. Pursuant to this constitutional mandate, Congress enacted Republic Act No. 7972 or the Urban Development and Housing Act of 1992.

Mme. Speaker, let me emphasize now the gravity of urbanization and the problems in relation to informal settlements.

In 2010, the MMDA estimated that there are already 2.8 million informal settlers—that is around 556,526 families living in Metro Manila. Of this number, Mme. Speaker, the DILG identified 104,219 families which are located in the danger zones. When we say the danger zones, Mme. Speaker, these are the city’s esteros, along with the railroad tracks, garbage dumps, riverbanks, shorelines and the eight major waterways of Metro Manila. According to Vice President and now HUDCC Chair Leni Robredo, the number of informal settlers climbed to 2.2 million in 2015 from the original 1.5 million in 2011. From 2011 to 2015, the supposed housing backlog for our informal settler families could reach 5.7 million, and that poses a challenge to the new administration to build 2,602 homes a day for the next six years.

Mme. Speaker, most of the national government’s efforts, up to this point, have focused on off-city housing that has been found to be ineffective or less than successful. The HUDCC in its 2015 Accomplishment Report indicated that 85.4 percent of the houses were constructed off-site, while only 14.46 percent were built in the city or near the city. The off-site houses were too far from current places of work or employment or livelihood opportunities, so many informal settler families refused to occupy them while others returned to Metro Manila to even less substantial housing opportunities.

The off-city resettlement projects, now numbering around 18 resettlement project areas outside of Metro Manila, were done mostly by the National Housing Authority. What the NHA does is just to furnish dwellings with no access to basic needs like electricity, potable water, schools and health facilities. As those resettled do not vote in these resettlement sites, the LGUs sometimes are unwilling to provide them with these services as no additional funding are given to the host LGUs.

Local autonomy countered weak national sanctions and this resulted in local officials’ noncompliance with requirements set to control forced evictions. The DPWH and other national agencies’ projects were delayed due to their inability to move communities. Governing arrangements for settlements are fragmented and with diffusing accountability. While the NHA is tasked with housing production, there are no specific agencies responsible for the socioeconomic and social mobilization aspects of relocation. Arrangements vary per settlement areas, often resulting in poor conditions. With so many agencies involved in relocation, the roles and accountabilities of these agencies are not well-defined. In the meantime, floods and typhoons are coming and that will again prove very disastrous and costly to us, especially to the homeless poor.

Thus, Vice President Robredo has declared that she would suspend off-city resettlement programs. Even Pres. Rodrigo Duterte has issued a policy statement that no eviction, no demolition without resettlement shall happen. This begs us the question of where the funds are for resettling millions of our informal settler families.

Let me elucidate, Mme. Speaker, what are some of the on-going programs that this Representation thinks we should pursue.

First is what we call the people's plan for in-city resettlement. One of the remedies enacted during the Aquino administration was the so-called "Alternative Housing Program and People's Proposal" as an offshoot of typhoon Ondoy in 2009. This P50-billion program allows informal settlers in Metro Manila's danger areas to avail of in-city housing as an alternative to off-city relocation. The DILG was tasked with verifying the eligibility of informal settler families' requests, so that these families can have their own people's plan where the suitability of the land where they want their housing to be built will be proposed. These people's plans are then submitted to the Socialized Housing Finance Corporation wherein the SHFC has its high-density plan or program providing financing for land development and housing construction. Sadly, Mme. Speaker, the P50-billion fund for relocating our ISFs had been used up. Most of the funds were eaten up or used by the NHA for off-city relocation. I think we should revisit this program, Mme. Speaker. We should provide funds to the Socialized Housing Finance Corporation and help this agency which is primarily tasked to do in-city financing and land development.

The second program that I would like to point out, Mme. Speaker, which was done, undertaken during the past administration is the DILG-LGU partnership in socialized housing. I know this program, Mme. Speaker, because I was the former undersecretary who handled informal settler families resettlement in the DILG. Based on a 2014 report entitled: "Developing A National Informal Settlements Upgrading Strategy for the Philippines" conducted by the HUDCC, the DILG, the World Bank and the Cities Alliance, one of the basics is that LGUs which are tasked to do socialized housing had been unable to meet the demand for these services at an accelerated pace. Strong economic activities in urban areas attract migrants from rural areas in search of better jobs. Yet, as cities fail to keep up with the fast pace of urbanization, urban poverty is deepening and widening, especially in Metro Manila, Cebu and other highly-urbanized areas.

For their part, many LGUs remained either hesitant or incapable of participating in socialized housing for informal settler families. Some LGUs complained of too many informal settler families in their areas, and that the shanties constructed affected their city's planned central

business districts as illustrated, for example, in North Triangle, Quezon City. Some LGUs even expressed fears that accommodating in-city housing may serve as a precedent for other urban poor groups to make the same demands, further congesting their city's limited space. Without the LGUs' full commitment, the report said that actions in informal settlements will continue to be a piecemeal venture rather than an all-embracing strategic program. While LGUs tend to say that they have no more lands for socialized housing, Mme. Speaker, this oftentimes is not true. Lands of RPT delinquent landowners and government-owned lands in their jurisdiction are still available, and these can be taken provided that the national government gives the right incentives to these LGUs.

To address this concern, Mme. Speaker, in 2013, a DILG-LGU partnership for the construction of micro-medium-rise buildings was implemented. To jumpstart this program, socialized housing for constituent informal settlers in danger zones was identified. The DILG offered financial assistance to LGUs in the NCR for a total of P700 million for micro-medium-rise buildings (MMRBs) for around 3,000 informal settler families covering the cities of Parañaque, Manila, Quezon City, Las Piñas, Muntinlupa, Pasay, San Juan and a special settlement site in Pandi, Bulacan. The financial assistance to LGUs is a one-time grant for the construction of MMRBs, with the LGUs allocating the needed land for socialized housing. The ownership and use scheme for this socialized housing program can be either a public rental system where the LGUs collect rentals from resettled ISF families, the co-management with the homeowners association or a housing cooperative in having a payback scheme where the homeowners association or the cooperative takes out a loan from SHFC to repay the LGU so that the latter can revolve the grant given by the DILG.

For those ISFs that are poorer than most—meaning, the economic profile of the ISFs is that they have an annual income of P20,000 or less, Mme. Speaker—should also be a focus for this in-city resettlement program. It should take into consideration incremental self-help, microfinance, riverfront redevelopment, and resettlement of neighborhoods that are not part of the danger areas through reblocking or the rental housing programs. So, there are a lot of schemes for in-city resettlement, Mme. Speaker, and these have been discussed and demonstrated through the local interagency committees on housing or through the local housing board of the LGUs with the assistance of the DILG. Sadly, Mme. Speaker, this engagement of the DILG has been terminated with no programs allotted for this approach.

Third approach, Mme. Speaker, is the public-private partnership in socialized housing. Under this scheme, private developers will be in charge of preparing the

building plans, undertaking and financing the construction of socialized low-rise buildings, assisting the processing of housing loans for informal settler families, and organizing even a condominium corporation for the socialized housing projects. For this approach, we need to deal with the big condominium developers who should put 20 percent of the socialized housing component to actual construction of in-city resettlements. For its part, the national government will subsidize the provision of in-city land that can be fully developed and buildable. Government agencies can then assist by recognizing the project as the developers' compliance with the socialized housing requirement set in the UDHA. For the concerned local government unit, its role would include the fast-tracking of permits and providing property management for completed projects.

There have been many cases or models already for public-private partnership in socialized housing. UPSURGE helps communities together with the World Bank's technical assistance and some private sector participation. They have demonstrated that the capacity of ISFs for self-help and affordability concerns for socialized housing can be addressed through increased capacity building, the application of new technologies that could bring down the costs of construction and other self-help activities.

Affordability will also depend on the capacity of families to earn, so if we do nothing for the livelihood of our informal settlers and leave them as they are, the affordability of MMRBs may indeed continue as a problem. Thus, simultaneous with the housing program, Mme. Speaker, should be various programs to build up their skills and education, raising their immediate and future potentials for capacity to pay the government or get private sector financing.

Fifth, the program to integrate informal settler families along transport and livelihood hubs. As we all know, Mme. Speaker, building our mass transport system for the NCR and outlying, highly urbanized areas should consider housing as an integral component. Transport and housing policies can cause the poor to be pushed towards the peripheries for reason of cost to government or to a private sector which will undertake this massive infrastructure program. So, this tends to make transport-related problems more severe, including loss of jobs or income from informal enterprises, increased travel time and costs and loss of community ties. Thus, we have cities like Bacoor and Imus in Cavite, San Jose del Monte and Sta. Maria towns in Bulacan, and the Rizal-Laguna lakeshore where an expressway dike will be constructed and these urban centers should be seen as potential city resettlement sites for mass housing and as a source of labor pool.

Lastly, Mme. Speaker, I would like to elucidate on several ways that we, as Members of Congress, can push forward as policies for this administration. The challenge of urbanization is here with us. Resettling our

poor and making them active and productive citizens have to be undertaken based on the following proposed policy thrusts:

1. To build safer, disaster-resilient settlements for the Philippine urban communities of Metro Manila and highly urbanized cities outside of Metro Manila where the LGU will be an active partner to provide suitable in-city relocation sites and to cover the cost of site development;

2. To institutionalize the role of the DILG to coordinate and anchor social preparation measures in the implementation of the UDHA, in the implementation of Disaster Risk Reduction and Management, Climate Change Adaptation, Risk-Sensitive Land Use Planning and Comprehensive Socialized Housing Policy and other relevant laws. Thus, while the DILG should not be involved in the construction of housing, I think that its role as a coordinative body in making a comprehensive and integrated resettlement program for our ISFs is badly needed.

3. To institutionalize people's planning as a viable mechanism for moving low-income, disaster-prone and danger zones-located ISFs through an enhanced and well-funded Socialized Housing Finance Corporation as the primary housing agency for in-city resettlement; and

4. Lastly, Mme. Speaker, this Representation is proposing that, on top of the P50-billion fund that was already allocated during the past administration, we need another P100-billion as ISFs resettlement fund for in-city resettlement to be at leverage with the private sector in the LGUs in NCR and highly-urbanized cities outside NCR.

I hope that these policy thrusts can be considered by this august Chamber and having the power of the purse, Congress can provide the light at the end of the tunnel for our millions of informal settler families. This government should make a profound commitment to a more dignified life for at least one million informal settler families by 2022 through secure and better living, better quality housing, improved physical infrastructure and social services and greater access to jobs, transport, capital and livelihood.

Thank you, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Thank you, the Hon. Tomasito "Tom" S. Villarin.

The Acting Floor Leader is recognized.

REP. SALO. Mme. Speaker, I move that the speech of Congressman Villarin be referred to the Committee on Rules.

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

The Acting Floor Leader is recognized.

REP. SALO. Mme. Speaker, we respectfully move that we suspend first the Privilege Hour.

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

The Acting Floor Leader is recognized.

REP. SALO. Mme. Speaker, may we respectfully request that we acknowledge the presence of our guests in the Session Hall.

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

The Acting Floor Leader is recognized.

REP. SALO. May we respectfully request that we acknowledge the presence of the following guests of the Deputy Speaker, the Hon. Gwendolyn F. Garcia. They are as follows: Mayor Jose Antonio Pintor; Vice Mayor Alan Adlawan; Councilor Galicano Fajardo; Councilor Lourdes Balili; Councilor Linbird Cayson; Councilor Amelito Santoya; Councilor Riene Yaras; Mr. Joseph Samson and Mrs. Lolita Bulotano.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Please rise. (*Applause*) Welcome to the House of Representatives, the officials of the municipality of Asturias.

The Acting Floor Leader is recognized.

REP. SALO. Mme. Speaker, may we respectfully move that the Representative from Party-List KUSUG TAUSUG, the Hon. Shernee Abubakar Tan, be respectfully recognized on a matter of personal privilege.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Shernee Abubakar Tan is recognized.

REP. TAN (S.). Mme. Speaker, I rise on a question of personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Garcia, G.). What is the nature of the matter on which the Honorable Tan rises?

REP. TAN (S.). To bring to the attention of this august Chamber the unfortunate incident that happened within the premises of the House of Representatives.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Lady has 10 minutes.

QUESTION OF PRIVILEGE OF REP. TAN (S.)

REP. TAN (S.). Mme. Speaker, my esteemed colleagues in this august Chamber, ladies and gentlemen:

The situation compelled me today to speak against the blatant effrontery perpetuated by an unidentified individual against this humble Representation. I will not be true to the mandate of my constituents if I will just sit idly and suffer in silence, and will not make known to the Filipino people this vain attempt against my person.

Mme. Speaker, at around 8:00 to 9:00 p.m. last night, while I was about to board my car, I noticed that the rubber gasket at the car door on the right side, where I usually sit, was destroyed. Obviously, it was an attempt to forcibly open my car with evil motives. The culprit must be familiar with all the areas within the premises. He or she knew fully well the location of the CCTVs so that he or she could do his or her evil deeds with impunity; and he or she was perfectly right as he or she was not seen in the CCTV footage. The condemnable act occurred right here at the Members' North Wing parking area of the hallowed ground of the House of Representatives, which is supposed to be one of the safest places in the country, even much safer than our homes.

The Philippine National Police has already ruled out carnapping or theft as the motive behind such a dastardly act. The culprit may have intended to embed or plant an improvised explosive device under the front seat of my car where I usually sit. For what is then the other motive but to cause injury or death to the car owner, making each and every one of us here in the House of Representatives at risk and vulnerable. This unfortunate incident once more dramatizes the state of security in our workplace as I call attention to the overriding need for the strict implementation of security measures here in the House of the People, the bastion of Representative government.

I vividly recall the infamous Batasan bombing, which killed five people, including Rep. Wahab Akbar, and injured 12 people, including former Rep. Pryde Henry Teves. On that fateful day, a command-detonated plastic charge was embedded in a motorcycle between two cars in front of the steps of the South Wing lobby right here in the House of Representatives on November 13, 2007 at around 8:15 p.m., almost the same time when the attempt to force open my car took place.

It is sad to note, Mme. Speaker and my dear colleagues, that the alleged perpetrators of the heinous crime, according to press reports, were killed in a raid near the Batasan area but the masterminds remained scot-free. The Department of Justice (DOJ) junked the multiple murder and multiple frustrated murder charges against the suspected masterminds in 2008,

and the other suspect was cleared by the Supreme Court in 2013.

Our country has been jittery since the recent bloody bombing in Davao City, and also with the ongoing intense military operations against the Abu Sayyaf in Sulu. We cannot therefore discount the possibility that the mastermind or masterminds of last night's incident intended to ride on the Abu Sayyaf fever. If they succeeded, they could just confuse the government investigators by pointing to the Abu Sayyaf as the perpetrators.

At this juncture, Mme. Speaker, we need to calm our emotions as I try to avoid finger-pointing on whom to blame and be held responsible. The cry for justice is undeniably something as basic as the right to life. We must be assured however, that what happened to Congressman Akbar and others will not happen again. I therefore call for a thorough investigation of the incident as I issue this warning to those who intend to harm or kill, intimidate or incite fear in me: you will not succeed. You cannot succeed in silencing the lone voice of the KUSUG TAUSUG in this august chamber.

Thank you, Mme. Speaker. Thank you, my dear colleagues.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, I move that we refer the matter raised by the Lady, by the Hon. Shernee Tan, to the Committee on Rules for appropriate action.

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

REP. DEFENSOR. Mme. Speaker, may we acknowledge the presence of guests of the Lady from the Second District of Zambales, the Hon. Cheryl P. Deloso-Montalla. This is the Philippine League of Secretaries to the Sanggunian, Inc. (PLEASES) Zambales Chapter and they are led by their President, SB Secretary Maricel S. Sudduth.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Please rise. (*Applause*) Welcome to the House of Representatives.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Also, Mme. Speaker, we have the guests of the Gentleman from 1-PACMAN, the Hon. Michael L. Romero, PhD. They are Mr. Mario B. Lapid, Chairman of the Guagua Water District and Pampanga Association of Water District; and Pamela Lapid.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Will the guests of the Hon. Mike Romero please rise. (*Applause*) Welcome to the House of Representatives.

REP. DEFENSOR. Mme. Speaker, we also have the guests of the Hon. Tom S. Villarín. They are from civil society organizations (CSOs), namely: Kamaynila Home Owners' Association, DILG and Caloocan ISFs, Urban Poor Associates, CO Multidiversity, FDUP, Kilos Maralita, San Juan Ville HOA, BV8 De Muzon HOA, Goldmine Interior HOA, Genesis Ville HOA/Share Foundation, SHARE, HICER/PASCUALER, CUPS, PMMTIAC, and DILG-ISF-Program Management Office.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The guests of the Hon. Tom Villarín will please rise. (*Applause*) Welcome to the House of Representatives.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, may we recognize the Hon. Emmi A. de Jesus on a manifestation.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Emmi de Jesus is recognized.

REP. DE JESUS. Maraming salamat, Mme. Speaker. This manifestation's intent is to enjoin my colleagues in this august Body in a concern every one of us is very much deserving of. This is with regard to the health budget which we have been talking about, and one of the major issues that confronted us legislators here, which should also be a challenge to us, is the reduction of the MOOE of the 72 DOH hospitals.

Kami po sa Makabayan ay gumawa ng isang petisyon calling on all our colleagues to sign this petition that we legislators should unite to stop hospital budget cuts. Nominally, the total budget for the Department of Health-retained hospitals may have increased. However, the 2017 NEP reveals that the 12 DOH specialty hospitals and 54 Centers for Health Development or DOH-retained regional hospitals will all suffer hefty cuts in the operating budget. Ito po ay excerpt lamang dito sa petition. Ang hangad po namin— and this Representation would like to invite all of my colleagues, all Members of this august Body—that we be one in our voice that we, legislators of the Seventeenth Congress, unite to fight against the proposed cuts in the operating budgets of almost all of the national government hospitals in the country.

Maraming salamat po, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We

thank the Hon. Emmi de Jesus for her manifestation.

The Dep. Majority Leader is recognized.

SUSPENSION OF SESSION

REP. DEFENSOR. Mme. Speaker, I move for a suspension of the session.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the session is suspended.

It was 4:46 p.m.

RESUMPTION OF SESSION

At 5:07 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, before we proceed, let us acknowledge the presence of the guests of the honorable Deputy Speaker Raneo "Ranie" E. Abu, together with the Gentleman from the Fifth District of Batangas, the Hon. Mario Vittorio "Marvey" A. Mariño. They are the Barangay Captains from Batangas City.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Will the guests of Deputy Speaker Raneo "Ranie" E. Abu please rise. (*Applause*) Welcome to the House of Representatives.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, also the guests of the honorable Deputy Speaker Raneo "Ranie" E. Abu and they are members of Batch '84 of Bauan High School in Bauan, Batangas led by Mr. Francisco Dipasupil and Mr. Cesar Evangelista.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Please rise. (*Applause*) Welcome to the House of Representatives.

The Dep. Majority Leader is recognized.

ROLL CALL

REP. DEFENSOR. Mme. Speaker, I move that we call the roll.

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

The Secretary General will please call the roll.

The Secretary General called the roll, and the result is as follows, per Journal No. 19, dated September 6, 2016:

PRESENT:

Abad	Cagas
Abayon	Calderon
Abellanosa	Calixto-Rubiano
Abu	Caminero
Abueg	Campos
Acharon	Canama
Acop	Cari
Acosta-Alba	Castelo
Adiong	Castro (F.H.)
Advincula	Catamco
Agarao	Celeste
Aggabao	Cerafica
Akbar	Cerilles
Albano	Chavez
Alcala	Chipeco
Alejano	Co
Almario	Cojuangco
Almonte	Collantes
Alonte-Naguiat	Cortes
Alvarez (F.)	Cortuna
Amatong	Cuaresma
Andaya	Cueva
Angara-Castillo	Dalog
Aragones	Daza
Arcillas	De Jesus
Arenas	De Venecia
Atienza	De Vera
Aumentado	Defensor
Bag-ao	Del Mar
Banal	Del Rosario
Barbers	Deloso-Montalla
Bataoil	Dimaporo (M.)
Bautista-Bandigan	Durano
Belaro	Elago
Belmonte (F.)	Enverga
Belmonte (J.)	Erice
Belmonte (R.)	Eriguel
Benitez	Ermita-Buhain
Bernos	Escudero
Bertiz	Espina
Biazon	Espino
Billones	Estrella
Biron	Eusebio
Bolilia	Evardone
Bondoc	Fernando
Bordado	Ferrer (J.)
Bravo (A.)	Ferrer (L.)
Bravo (M.)	Floirendo
Brosas	Flores
Bulut-Begtang	Fortun

Fortuno	Olivarez	Tinio	Velarde
Fuentebella	Ong (E.)	Tolentino	Velasco-Catera
Garbin	Ong (H.)	Tugna	Villanueva
Garcia (G.)	Ortega (P.)	Tupas	Villaraza-Suarez
Garcia-Albano	Ortega (V.)	Ty	Villarica
Garin (R.)	Pacquiao	Unabia	Villarin
Garin (S.)	Paduano	Ungab	Violago
Gatchalian	Palma	Unico	Yap (M.)
Geron	Pancho	Uy (J.)	Yu
Go (A.C.)	Panganiban	Uy (R.)	Zamora (M.)
Go (M.)	Panotes	Uybarreta	Zamora (R.)
Gomez	Papandayan	Vargas	Zarate
Gonzales (A.P.)	Pichay	Vargas-Alfonso	
Gonzales (A.D.)	Pineda		
Gonzalez	Plaza		
Gorriceta	Primicias-Agabas		
Gullas	Quimbo		
Hernandez	Radaza		
Herrera-Dy	Ramirez-Sato		
Hofer	Ramos		
Jalosjos	Relampagos		
Javier	Revilla		
Kho	Roa-Puno		
Khonghun	Robes		
Labadlabad	Rodriguez (I.)		
Lacson	Roman		
Lagman	Romero		
Lanete	Romualdez		
Laogan	Romualdo		
Lazatin	Roque (H.)		
Leachon	Roque (R.)		
Limkaichong	Sacdalán		
Lobregat	Sagarbarria		
Lopez (B.)	Sahali		
Lopez (C.)	Salimbangon		
Lopez (M.)	Salo		
Macapagal-Arroyo	Salon		
Maceda	Sandoval		
Madrona	Santos-Recto		
Manalo	Sarmiento (C.)		
Mangaoang	Sarmiento (E.)		
Mangudadatu (Z.)	Savellano		
Marcos	Siao		
Mariño	Silverio		
Marquez	Singson		
Martinez	Suansing (E.)		
Matugas	Suansing (H.)		
Mercado	Sy-Alvarado		
Mirasol	Tambunting		
Nava	Tan (A.)		
Nieto	Tan (M.)		
Noel	Tan (S.)		
Nogralas (J.)	Tejada		
Nolasco	Teves		
Oaminal	Tiangco		
Ocampo	Ting		

THE SECRETARY GENERAL. The roll call shows that 237 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Garcia, G.). With 237 Members present, the Chair declares the presence of a quorum.

The Dep. Majority Leader is recognized.

SUSPENSION OF SESSION

REP. DEFENSOR. Mme. Speaker, I move for a suspension of the session.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is suspended.

It was 5:20 p.m.

RESUMPTION OF SESSION

At 6:24 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is resumed.

REP. DEFENSOR. Mme. Speaker, I move that we proceed to the Additional Reference of Business.

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

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

ADDITIONAL REFERENCE OF BUSINESS

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

RESOLUTIONS

House Resolution No. 303, entitled:

“A RESOLUTION HONORING AND COMMENDING SENIOR POLICE OFFICER 1 (SPO1) NIDA LACHICA GREGAS FROM THE MUNICIPALITY OF NUMANCIA, AKLAN FOR BEING AWARDED AS ONE OF THE COUNTRY’S OUTSTANDING POLICE OFFICERS IN SERVICE (COPS) 2016 BY THE METROBANK FOUNDATION, INC. (MBFI), ROTARY CLUB OF NEW MANILA EAST (RCNME), AND PHILIPPINE SAVINGS BANK (PSBANK)”

By Representative Marquez
TO THE COMMITTEE ON RULES

House Resolution No. 304, entitled:

“RESOLUTION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE EXTENT OF THE PRESENCE OF ISIS IN THE PHILIPPINES”

By Representative Roque (H.)
TO THE COMMITTEE ON RULES

House Resolution No. 305, entitled:

“A RESOLUTION CONDEMNING IN THE STRONGEST POSSIBLE TERMS THE BOMB ATTACK AT THE ROXAS NIGHT MARKET IN DAVAO CITY ON THE NIGHT OF SEPTEMBER 2, 2016 AND URGING THE GOVERNMENT TO BRING TO JUSTICE THE PERPETRATORS OF SUCH DASTARDLY ACT”

By Representative Castelo
TO THE COMMITTEE ON RULES

House Resolution No. 306, entitled:

“A RESOLUTION EXPRESSING THE DEEP SYMPATHY AND SINCERE CONDOLENCES AS WELL AS THE ETERNAL GRATITUDE OF OUR PEOPLE AND OUR NATION TO THE 15 FALLEN SOLDIERS WHO PERISHED IN SULU WHILE IN THE LINE OF DUTY, AND CONDEMNING THE CRUEL ACTS PERPETRATED BY THE ABU SAYYAF GROUP”

By Representative Alejano
TO THE COMMITTEE ON RULES

House Resolution No. 307, entitled:

“A RESOLUTION DECLARING HIGH THREATS OF TERRORISM THROUGHOUT THE COUNTRY CONDEMNABLE IN THE STRONGEST POSSIBLE TERM”

By Representative Montoro
TO THE COMMITTEE ON PUBLIC ORDER AND SAFETY

House Resolution No. 308, entitled:

“RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES IN CONDEMNING THE SENSELESS BOMBING IN DAVAO CITY, EXTENDING ITS PROFOUND SYMPATHY TO THE FAMILIES OF THE HAPLESS VICTIMS, SUPPORTING THE DECLARATION OF STATE OF LAWLESSNESS BY PRESIDENT RODRIGO ROA DUTERTE TO PREVENT OR SUPPRESS LAWLESS VIOLENCE IN THE COUNTRY AND URGING THE PHILIPPINE NATIONAL POLICE (PNP) TO CONDUCT A THOROUGH INVESTIGATION AND FILE APPROPRIATE CHARGES AGAINST THE PERPETRATORS OF THE DASTARDLY ACT”

By Representative Oaminal
TO THE COMMITTEE ON RULES

House Resolution No. 309, entitled:

“A RESOLUTION HONORING AND COMMENDING LT. COL. ELIGLEN FERRER VILLAFLORES AS ONE OF THE OUTSTANDING PHILIPPINE SOLDIERS (TOPS) OF 2016 AWARDED BY THE METROBANK FOUNDATION, INC.”

By Representative Vergara
TO THE COMMITTEE ON RULES

House Resolution No. 310, entitled:

“A RESOLUTION OF THE HOUSE OF REPRESENTATIVES EXPRESSING PROFOUND CONDOLENCES TO THE FAMILIES OF THE VICTIMS OF DAVAO CITY BOMBING”

By Representative Olivarez
TO THE COMMITTEE ON RULES

House Resolution No. 311, entitled:

“A RESOLUTION OF THE HOUSE OF REPRESENTATIVES EXPRESSING PROFOUND CONDOLENCES ON THE DEMISE OF ATTY. MIGUEL B. VARELA, PRESIDENT AND CHAIRMAN OF THE PHILIPPINE CHAMBER OF COMMERCE AND INDUSTRY (PCCI)”

By Representative Olivarez
TO THE COMMITTEE ON RULES

House Resolution No. 312, entitled:

“A RESOLUTION OF THE HOUSE OF REPRESENTATIVES EXPRESSING PROFOUND CONDOLENCES ON THE DEMISE OF THE 290 VICTIMS OF A RECENT EARTHQUAKE IN ITALY”

By Representative Olivarez
TO THE COMMITTEE ON RULES

House Resolution No. 313, entitled:

“RESOLUTION CONDEMNING TO THE HIGHEST DEGREE THE BOMBING OF THE NIGHT MARKET IN DAVAO CITY AND SUPPORTING THE PRESIDENT’S DECLARATION OF LAWLESS VIOLENCE”

By Representative Garcia (G.)
TO THE COMMITTEE ON RULES

House Resolution No. 314, entitled:

“RESOLUTION CALLING FOR AN INVESTIGATION, IN AID OF LEGISLATION, ON THE PROLIFERATION OF ILLEGAL DRUGS AT THE CEBU PROVINCIAL DETENTION AND REHABILITATION CENTER (CPDRC) AND THE GLARING GROSS MISMANAGEMENT THEREOF”

By Representative Garcia (G.)
TO THE COMMITTEE ON RULES

House Resolution No. 315, entitled:

“RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES IMMEDIATELY RATIFY THE PARIS AGREEMENT AND THAT THE SAME BE CONCURRED UPON BY THE SENATE”

By Representative Herrera-Dy
TO THE COMMITTEE ON FOREIGN AFFAIRS

House Resolution No. 316, entitled:

“A RESOLUTION DIRECTING THE HOUSE COMMITTEES ON SUFFRAGE AND ELECTORAL REFORMS AND GOOD GOVERNANCE AND PUBLIC ACCOUNTABILITY, TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGED IRREGULARITIES IN THE CONDUCT OF THE MAY 9, 2016 ELECTIONS WITH SPECIAL ATTENTION ON THE PARTICIPATION OF THE SMARTMATIC COMPANY AND CONCERNED PUBLIC OFFICIALS INCLUDING THE COMMISSION ON ELECTIONS (COMELEC)”

By Representative Atienza
TO THE COMMITTEE ON RULES

House Resolution No. 317, entitled:

“RESOLUTION STRONGLY URGING ALL GOVERNMENT OFFICES TO HAVE THE PHILIPPINE FLAG PIN AS PART OF THEIR

OFFICIAL UNIFORM, AS EXEMPLIFIED BY PRESIDENT RODRIGO DUTERTE”

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

House Resolution No. 318, entitled:

“ARESOLUTIONEXPRESSINGTHECOLLECTIVE SENSEOFTHEHOUSEOFREPRESENTATIVES TO THANK THE GOVERNMENT OF JAPAN FOR REAFFIRMING ITS COMMITMENT TO SUPPORT THE MARITIME SECURITY OF THE PHILIPPINES”

By Representative Castelo
TO THE COMMITTEE ON FOREIGN AFFAIRS

House Resolution No. 319, entitled:

“A RESOLUTION CONGRATULATING AND COMMENDING POLICE CHIEF INSPECTOR RYAN LOPEZ MANONGDO CURRENTLY ASSIGNED IN ASINGAN, PANGASINAN FOR BEING AWARDED BY THE METROBANK FOUNDATION AND ITS PARTNERS AS AN OUTSTANDING FILIPINO AND CHOSEN AS ONE OF THE COUNTRY’S OUTSTANDING POLICE OFFICERS IN SERVICE (COPS) FOR 2016”

By Representative Primicias-Agabas
TO THE COMMITTEE ON RULES

COMMITTEE REPORT

Report by the Committee on Suffrage and Electoral Reforms (Committee Report No. 1), re H.B. No. 3504, entitled:

“AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, PRESCRIBING ADDITIONAL RULES GOVERNING THE CONDUCT OF BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS AND FOR OTHER PURPOSES”

recommending its approval in substitution of House Bills Numbered 604, 657, 900, 1290, 1464, 1628, 2329, 3158, 3197, 3198, 3225, 3384 and House Resolution No. 51

Sponsors: The Honorable Representatives Alvarez (P.), Fariñas, Suarez, Tugna, Acharon, Abu, Alvarez (M.), Castro (F.H.), Cayetano, Garcia (G.), Garcia-Albano, Garin (S.), Hernandez, Macapagal-Arroyo, Quimbo, Sema and Singson

TO THE COMMITTEE ON RULES

REP. HERRERA-DY. Mme. Speaker, may I request that we acknowledge the presence of the following guests of Hon. Ramon V.A. “Rav” Rocamora of the Lone District of Siquijor, Hon. Kaka J. Bag-ao of the Lone District of Dinagat Island, and Hon. Tomasito “Tom” S. Villarín of AKBAYAN: BUB Beyond 2016 Caucus, Cynthia Esquillo, Malou Cueto-Tapia, Sol Castillo, Erwin Sarmiento, Russel Rosales, German Mercado, Tony Bautista, and Mario Medina.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Will the guests of the Honorable Rocamora, the Honorable Bag-ao, and the Honorable Villarín please rise? (*Applause*) Welcome to the House of Representatives.

REP. HERRERA-DY. Thank you, Mme. Speaker. May I move now that we proceed, sorry—considering that copies of the Journal of the previous session had been distributed to the Members, I move that we dispense with the reading of the Journal.

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

APPROVAL OF THE JOURNAL

REP. HERRERA-DY. Mme. Speaker, I move for the approval of the Journal of the previous session.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the Journal is approved.

SUSPENSION OF SESSION

REP. HERRERA-DY. Mme. Speaker, I move that we suspend the session.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is suspended.

It was 6:29 p.m.

RESUMPTION OF SESSION

At 6:36 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, I move that we take up Bills on Second Reading.

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

CONSIDERATION OF H.B. NO. 3504 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mme. Speaker, I move that we consider House Bill No. 3504, contained in Committee Report No. 1, as reported out by the Committee on Suffrage and Electoral Reforms.

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

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

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

With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 3504, entitled: AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, PRESCRIBING ADDITIONAL RULES GOVERNING THE CONDUCT OF BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS AND FOR OTHER PURPOSES.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, I move that we open the period of sponsorship.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the period of sponsorship is opened.

REP. DEFENSOR. To sponsor the measure, Mme. Speaker, we have the distinguished Chairman of the Committee on Suffrage and Electoral Reforms. May we recognize the Hon. Sherwin N. Tugna for his sponsorship.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Sherwin Tugna of the Committee on Suffrage and Electoral Reforms is recognized to begin sponsorship of the measure.

SPONSORSHIP SPEECH OF REP. TUGNA

REP. TUGNA. Thank you, Mme. Speaker. My distinguished colleagues, good evening.

This House Bill No. 3504 seeks to postpone the October 2016 Barangay and Sangguniang Kabataan elections to the fourth Monday of October 2017. Having just concluded the synchronized and automated national and local election of May 2016, the Commission on Elections Chairman Juan Andres “Andy” Bautista has been quoted in the mass media as suggesting that the barangay and Sangguniang Kabataan elections scheduled on the last Monday of October, 2016 be postponed to a later date to avoid what he described as “election fatigue” in the country. Chairman Bautista also stated that holding another election in the same year as the last one can be costly and may even result in the lack of participation among many voters. The COMELEC is estimated to have spent around P3.4 billion in the 2013 barangay elections.

The schedule of the synchronized barangay and Sangguniang Kabataan elections in October 2016 is by virtue of Republic Act No. 9164 as amended, and Republic Act No. 10656. Since the holding of two elections in 2016 is considered impractical, it is more advantageous to move the next scheduled elections in the next year, that is 2017.

This Bill aims to address the above concerns by proposing to move the upcoming October 2016 barangay and Sangguniang Kabataan elections to another date, the fourth Monday of October 2017. The postponement will give the COMELEC more time to prepare its personnel and resources for the said electoral exercise, having only recently concluded the conduct of the May 2016 national and local elections. It will also give the voting populace more time to ponder over their decision in choosing their barangay and Sangguniang Kabataan leaders. The Bill includes provisions for the assumption of office of those who will be elected in the proposed October 2017 elections as well as the stay in hold-over capacity of incumbent officials until after the said elections.

In view of the foregoing, Mme. Speaker, my dear colleagues, the approval of this Bill is highly recommended. Thank you, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Thank you, Hon. Sherwin N. Tugna.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, I move that we open the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the period of sponsorship and debate is opened.

REP. DEFENSOR. Mme. Speaker.

REP. ATIENZA. Mme. Speaker.

REP. DEFENSOR. First to interpellate is the Gentleman from BUHAY. I move that we recognize the Hon. Jose “Lito” L. Atienza Jr.

REP. ATIENZA. Salamat po.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Gentleman from BUHAY Party-List, the Hon. Jose “Lito” L. Atienza Jr., is recognized.

REP. ATIENZA. Mme. Speaker.

REP. DEL MAR. Mme. Speaker.

REP. ATIENZA. Before we ask ...

REP. DEL MAR. Mme. Speaker, I just would like to reserve my ...

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEL MAR. Thank you, Mme. Speaker.

SUSPENSION OF SESSION

REP. DEFENSOR. Mme. Speaker, I move for a suspension of the session.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is suspended.

It was 6:42 p.m.

RESUMPTION OF SESSION

At 6:42 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is resumed.

REP. DEFENSOR. Again, Mme. Speaker, may we recognize the Hon. Jose “Lito” L. Atienza Jr. for his interpellation.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Jose “Lito” L. Atienza Jr. is recognized.

REP. ATIENZA. Salamat po. Mme. Speaker, this measure touches the heart of every voter, every Filipino, every community member because this pertains to the election in our basic political unit in every community in the country. So, this is something that has to be very well-considered and given the right justification, lest we be misunderstood that this Congress is just playing politics at the expense of public service.

Ako po ay naging Barangay Chairman at ako po ay umaamin, the most contentious election in our democratic system is the barangay election. So, may I ask the Gentleman Sponsor certain basic questions which, I am sure, would be in the minds of our electorate at this point. They have heard a lot about the possibility of postponing the elections and here, we are now in the process of doing just that. Earlier, we were not able to answer questions because we were not scheduled to take up the issue yet. At this point in time, would the Gentleman answer some queries that we had already heard before we even touched on the matter?

REP. TUGNA. Willingly, Mme. Speaker.

REP. ATIENZA. Ang napaka-importante pong katanungan ng lahat na kailangang sagutin natin dahil tayo po ang gumagawa ng batas ngayon: Ito po bang extension na ito will cover every chairman in the 49,000 barangays, immaterial of his performance?

REP. TUGNA. Yes, Mme. Speaker.

REP. ATIENZA. Mme. Speaker, the President has been quoted many times that many barangays are infested with the drug problem and, in fact, some officials are considered drug protectors or even drug pushers themselves. Ang sabi nga po niya, ang dahilan kaya ayaw niya nang magkaroon ng barangay election muna ay baka daw drug money ang kumalat e manu-neutralize ang ating kampanya laban sa drugs. Are we also agreeing with that observation by no less than the President of the land?

REP. TUGNA. Yes, Mme. Speaker.

REP. ATIENZA. In that sense and in that situation, Mme. Speaker, then we ask the relevant question: Are we giving an extension of one year to those who are already or may be actually involved in the drug situation prevailing, in what the police is now describing that 94 percent of our barangays are infested indeed with the drug situation? Meaning, walang nagko-correct dito for the past so many administrations and only this time, with the President no less, and supported by police statistics, that 94 percent of barangays in the Philippines are related or are part of the problem which we are now in the midst of eradicating. Ano po ang mangyayari dito

kung bibigyan natin ng postponement ang election e parang binigyan natin sila ng reward for being drug-related local community leaders? Ganoon po ba ang magiging epekto noon?

REP. TUGNA. Mme. Speaker, we also share the apparent sentiment of the honorable Congressman Atienza that it appears that the alleged/suspected barangay chairmen or barangay officials who are involved in drugs, instead of being removed, will now be rewarded with an extension of term. With the proposed measure that we have right now, Mme. Speaker, the hand of the President as the Chief Executive Officer of our country, as also being implemented by his alter ego, the DILG Secretary, it is not tied, Mme. Speaker, because under Section 3 of the proposed Bill, "Hold-Over," it says here:

Until their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause.

So, the last portion of this particular provision gives power to the Secretary of the Department of the Interior and Local Government to suspend the said erring barangay official, Mme. Speaker.

REP. ATIENZA. Pero we have to make it clear, Mme. Speaker, either to put it within the proposed law or remind the Department of the Interior and Local Government that they have to continue monitoring and analyzing the performance of incumbent barangay chairmen, and those found to be connected in one way or another with the drug situation should not be allowed to continue in office. This has to be done now that we are passing the law; otherwise, the people will not understand what we are doing. We are in the middle of a campaign to remove all the drug-related local officials and national officials, including police officers, and yet we are going to give a blanket—can we describe it as a blanket authority to stay in office? Unless the Gentleman would like to clarify that this is not a blanket authority but rather, we are also reminding the DILG to do its job in looking at or looking over the shoulders and studying the performance of every barangay chairman holding office today.

REP. TUGNA. Yes, Mme. Speaker, the Sponsor fully agrees with Congressman Atienza that this is not a blanket authority to continue because there is always an overarching law, and it is also specifically provided in the law that they can be removed from office.

REP. ATIENZA. Would the Gentleman agree if we add just one phrase in the provision that he mentioned,

that all incumbent barangay officials will have to stay in office unless otherwise removed, in this manner we also are encouraging the DILG to continue monitoring the present set of officials para po naman magkaroon ng kahulugan itong ating ibibigay na paraan? Para iyong mabubuting chairmen ay manatili sa kanilang puwesto at iyon po naman talagang alam na ng mga miyembro ng communities nila na dapat ay matalo na sa eleksiyong darating, at sigurado namang matatalo sila, ay hindi tayo ma-misunderstand na tayo pa ang gumawa ng remedyo para hindi po sila maalis. Puwede po ba iyon, at the proper time during amendments, we will just stress a little bit more that particular provision or that particular phrase that the DILG must, with total diligence, look over the shoulders of the present set of officials.

REP. TUGNA. Mme. Speaker, as I had said earlier, while the Chairman agrees to the sentiment of the Honorable Atienza, although late, we may defer it later to the period of amendments. I have to be blunt to the Honorable Atienza that the Chairman is not amenable, not merely for the purpose of opposing this, but we believe that the provision under Section 3, Hold-Over, is broad already and even in the absence of this particular Bill, Mme. Speaker, the President as Chief Executive of our country, as well as the Secretary of the DILG, has the power to remove erring barangay officials for cause, Mme. Speaker.

REP. ATIENZA. Mme. Speaker, if we cannot add to the letter of the law what we are seemingly in agreement anyway, so, may this Representation recommend that we include in our transmittal letter to the President that we are definitely also taking note that there are many chairmen who do not deserve to continue and, in fact, should be removed from office while we are waiting for the next election.

REP. TUGNA. Yes, Mme. Speaker, and we also vow to include it in the IRR of the department concerned.

REP. ATIENZA. With that assurance, Mme. Speaker, this Representation is satisfied that we are not condoning and rewarding chairmen who are not deserving of the people's trust anymore, and this action is not in any way, should not be in any way misunderstood by our people that this Congress is not sensitive to their sentiments on the issue of the drug problem.

We thank the Gentleman Sponsor for his diligent effort of having this matter discussed tonight as we realize the urgency of our action. Maraming salamat po.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank the Hon. Jose "Lito" L. Atienza Jr.

REP. DEL MAR. Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, next to interpellate is the Gentleman from BAYAN MUNA. May we recognize the Hon. Carlos Isagani T. Zarate.

REP. DEL MAR. Mme. Speaker, may I just address...

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEL MAR. ... the question to the Majority Leader.

REP. DEFENSOR. Yes, Mme. Speaker, maybe...

REP. DEL MAR. Do we not have a procedure, Mme. Speaker, during the period of interpellation, that if the first one called is from the Minority, then the second to interpellate should be the turn of the Majority?

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. That is correct, Mme. Speaker, because the Honorable Zarate is from the Majority and the first one who interpellated is the Honorable Atienza who is from the Minority.

REP. DEL MAR. Is that so?

REP. DEFENSOR. Yes.

REP. DEL MAR. I was under the impression that the Gentleman now rising to interpellate is from the Minority likewise. You know, Mme. Speaker, now that we are at it, we did not even know that this was going to be taken up, much less register our desire to interpellate. So, when was this given priority in the order of interpellators, Mme. Speaker?

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Just in this session, Mme. Speaker, we listed our colleagues who are interested to interpellate on this measure, and for the information of the Gentleman, we only have three. The Gentleman from Cebu City is the third to interpellate, Mme. Speaker.

REP. DEL MAR. Yes, ...

REP. DEFENSOR. Oh, we have four, we have Congressman Roque (H.), Mme. Speaker. So, as a matter of course, we can proceed ...

REP. DEL MAR. I asked this question, Mme. Speaker, just to place on record that—I do not know, the others, all the Members knew—that this was going to be called today or tonight, much less be able to register. I was not able to register first because I did not know that this was going to be taken up. You will recall that in the all-Member caucus that we had, this Representation was the only one who manifested his objection to the vote in favor and so, I would have expected that I naturally would have been called to interpellate first. I just wanted this clarified, so I will give way to the Gentleman again, in the same way that I did not insist that this Representation will be the first to interpellate.

Thank you, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Yes, we are grateful to the Gentleman from Cebu City for his indulgence, Mme. Speaker. So, as a matter of course, we will continue with our interpellation. So, may we, again, recognize the Hon. Carlos Isagani T. Zarate for his interpellation.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Carlos Isagani T. Zarate from BAYAN MUNA is recognized to interpellate the Sponsor.

REP. ZARATE. Thank you, Mme. Speaker. I represent BAYAN MUNA Party-List, Mme. Speaker, and ...

THE DEPUTY SPEAKER (Rep. Garcia, G.). BAYAN MUNA.

REP. ZARATE. ... we are also part of the Majority, for the record.

Will the good Sponsor of the Bill entertain some clarificatory questions, Mme. Speaker?

REP. TUGNA. Willingly, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. Earlier, during his sponsorship speech, Mme. Speaker, the good Sponsor said that the basis for this Bill was actually taken from the statement of Chairman Bautista of the COMELEC suggesting or proposing that the election be postponed because we just finished the May elections and it is expensive. So, just for the record, Mme. Speaker, did I get it right that it was the COMELEC that recommended the postponement of the barangay elections, Mme. Speaker?

REP. TUGNA. Mme. Speaker, the statement of the COMELEC, I believe, of the Chairman, is not a recommendation. It was cited in the sponsorship speech because as legislators, as Representatives of our constituents, before we deliberate on a particular measure, we also hear the sentiments of the stakeholders and the COMELEC being the constitutional body which is in charge of elections, it will greatly help the Members of this august Body to hear their particular position and sentiment on the rescheduling of the barangay and SK elections, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. Yes, Mme. Speaker, because that statement is exactly contrary to the statement issued just recently by Chairman Bautista when he was interviewed over the radio, and I heard it personally that he will not issue any statement, he will not recommend anything because he does not want to influence the decision of Congress.

In fact, if Congress decides or if Congress will not pass any law postponing the election, they are very much ready to hold the elections in October. So, I am surprised that there was that statement that the COMELEC is pushing for the postponement of the barangay elections. At any rate, Mme. Speaker, the Sponsor mentioned that we have to consult the stakeholders, that is why the COMELEC was cited.

My next question now, Mme. Speaker, did we also, in the course of the filing of this Bill, consult the different Associations of Barangay Captains, kagawads, the SK and all the other stakeholders?

REP. TUGNA. Yes, Mme. Speaker, in fact, earlier, present during the committee hearing was Attorney Abesamis, the National President of the association of all barangay captains of the country. We also invited stakeholders from the youth sector, the National Youth Commission, they were represented there; and representatives also from the Association of Municipalities and Cities of the Philippines, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. May I inquire if National Youth Commission Chair Aiza Segueria was also invited.

REP. TUGNA. Yes, Mme. Speaker. Even way, way back last week, the Committee on Suffrage and Electoral Reforms already invited her. Unfortunately, she was not available earlier this afternoon because I believe she is on an official mission in Laos, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. Earlier, in reply to the query of the Honorable Atienza, the Sponsor also mentioned that the term of office of the incumbent under this Bill, the term of office of the

incumbent barangay officials will be extended by virtue of Section 3, "Hold-Over." So, very clearly, Mme. Speaker, this Bill is a term extension for the incumbent barangay officials. I share the sentiments of the Honorable Atienza when he said that we are, in effect, giving premium even to those barangay officials who are not performing well, especially those who are involved in narcopolitics. So, did the Sponsor of the Bill consider that fact and consider, as an alternative, the appointment instead of officers in charge instead of extending the term of these barangay officials, Mme. Speaker?

REP. TUGNA. Mme. Speaker, while this Representation adheres that there is a seeming reward to those alleged/suspected barangay officials who are involved in drugs, but as to the proposed amendment of the Honorable Zarate, this Representation is not amenable.

REP. ZARATE. Why not, Mme. Speaker?

REP. TUGNA. Well, in my opinion, as Chairman of the Committee on Suffrage and Electoral Reforms, one of the stated reasons we are also postponing this Bill is that, in order to completely fill up the 90,000 positions in the bureaucracy, we do not want any prohibition on the appointments of the President, and if we go into an appointment of barangay officials during the one-year period, we believe that this will unduly burden the President or his alter ego in appointing the members, the composition of the barangay officials, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. Para hong sinasabi natin dito, bahala na ho tayo magtiis ng isa pang taon na kasama itong mga tiwaling barangay officials, basta lang huwag ma-burden iyong Presidente. Hindi ho ba mas mainam at maganda, kung gusto talaga nating tulongan ang Presidente, na siya ay bigyan natin ng free hand. Kung gusto talaga nating i-postpone ang election na ito, bakit natin i-e-extend iyong term nila? E di putulin na natin iyong kanilang termino at bigyan ng free hand ang Presidente na mag-appoint ng mga barangay officials. In that way, nakatutulong tayo na malinis ang barangay at ang iba pang mga posisyon, Mme. Speaker.

REP. TUGNA. Mme. Speaker, this Representation reiterates my previous reasons for the non-appointment of the barangay officials. Let me also restate, Mme. Speaker, that there is always the presence of the power—under the Local Government Code, the Administrative Code, there is always the power and the authority, supervision and control of the President, as well as his alter ego the Secretary of the DILG, to remove for cause these erring officials. I believe the

Department of the Interior and Local Government is not remiss in working hand in hand with the PNP in investigating these barangay officials who are involved in drugs, Mme. Speaker.

REP. ZARATE. Thank you, Mme. Speaker. Ang iniisip ko lang po, will this not, if the Bill is passed into law, become a precedent later on, para ho kapag naisipan na naman ng Kongreso na i-postpone ang local elections, halimbawa, para sa mayor, governor and other positions, ay magpapasa uli ng batas ang Kongreso at i-i-extend iyong term ng mga opisyal na ito, Mme. Speaker?

REP. TUGNA. Mme. Speaker, I beg your pardon, can the Honorable Zarate restate his question. I missed the portion whether he pertains to barangay officials or did he include the mayors.

REP. ZARATE. No, will this not set a bad precedent na, halimbawa, dahil gusto ng Kongreso ngayon i-postpone ang barangay elections, next year, ang maisipan na naman ng Kongreso ay i-postpone kaya natin ang election ng mga—halimbawa, in 2019, before 2019 comes, i-postpone kaya natin ang election ng mga local officials. In effect, ma-e-extend iyong kanilang term. Will this not set that kind of precedent, Mme. Speaker?

REP. TUGNA. Well, Mme. Speaker, the power of Congress is plenary on whether to postpone the barangay elections and so, having said that, Congress has the plenary power to do that. In relation to a particular situation where it will be the local officials' election that will be postponed, Congress has to harmonize that with the existing provisions of our Constitution, Mme. Speaker.

REP. ZARATE. At any rate, Mme. Speaker, I had already expressed my reservations about this Bill, especially to be consistent with our advocacy that hindi po dapat magkaroon ng term extension, maging barangay officials man iyan, local officials, Presidente, Senador o Congressman.

So, I will end my interpellation here, Mme. Speaker. Again, I hope this will not be a precedent in the coming years. Dahil nitong mga nakaraan, na-postpone natin ang eleksyon ng ARMM. Again, we cited reasons para ma-postpone ito pero ganoon pa rin naman ang nangyari, walang pagbabago doon sa usapin ng governance. Here we are again dito sa usapin ng mga barangay officials and SK. In effect, ang mga—especially the SK, mawawalan sila ng boses sa governance ng barangay.

So that would be all, Mme. Speaker. Thank you, Mr. Sponsor.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank Congressman Carlos Zarate of BAYAN MUNA.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Next to interpellate, Mme. Speaker, is the Gentleman from the First District of Cebu City. May we recognize the Hon. Raul V. Del Mar.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Raul V. Del Mar of the First District of Cebu City is recognized.

REP. DEL MAR. Thank you very much, Dep. Majority Leader and Mme. Speaker. Will the Sponsor be willing to take in some questions?

REP. TUGNA. Willingly, Mme. Speaker.

REP. DEL MAR. Thank you, Mr. Sponsor. Let me—first, I was going to question why we were not given copies of this Bill before we started the sponsorship followed by this interpellation, but I can no longer ask that because just five minutes ago, I was given a copy of the measure. I do not know if the others were given copies, but in my case, I was given a copy but I had no time anymore to read it. I noticed, Mme. Speaker, that there are very few Members around. If they have known that this would be taken up, I am sure that they would have been interested to attend this session at this time. I am not one to ask, to question the quorum because I am not from the Minority, I am coming from the Majority, but I am just making that of record. Okay?

So let me proceed with my interpellation, Mme. Chair. The Gentleman Sponsor, you stated that it was the COMELEC which recommended the postponement of the elections of the SK and the barangay?

REP. TUGNA. Mme. Chair, as I had said earlier, as Representatives of the people, before crafting a bill, we also asked for the opinions of the stakeholders and the COMELEC being the constitutional body tasked by our Constitution to enforce all laws pertaining to elections. We also sought their position on the matter, Mme. Chair.

REP. DEL MAR. Thank you, Mme. Chairman, for that answer. The opinion of the COMELEC is just the opinion, I understand, of the Chairman, not of the Commission en banc. So it is just an opinion of any other person, a valid opinion, but not necessarily the position of the COMELEC. I understand that there was a statement coming from the COMELEC advising everyone, especially us here, when the question of whether or not to postpone the elections was brought

up, and they stated that if there is going to be any postponement, it should be done not later than the first week of August. Is the Chairman aware of that statement, Your Honor?

REP. TUGNA. Well, Mme. Chair, to a certain extent, because as Chairman of the Committee on Suffrage and Electoral Reforms, I was also monitoring the actions of the Commission on Elections but not to that exact deadline as stated by my distinguished older brother, senior brother.

THE DEPUTY SPEAKER (Rep. Garcia, G.). May I just gently remind the esteemed Gentleman and my kababayan from Cebu to address all matters to the Chair.

REP. DEL MAR. I was going to do that, Mme. Speaker, but you were moving to the end of the podium to talk to one of the officials there downstairs.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The honorable Gentleman from Cebu had earlier addressed his questions directly to the Chairman of the Committee on Suffrage and Electoral Reforms and that was why I had to move over to the Secretary General to inform him that this would be a reminder that I would have to bring out.

REP. DEL MAR. I just mentioned that, Mme. Speaker, because there is no way I cannot address my questions through the Speaker, especially since that is the procedure and especially more than just a procedure, that the Mme. Speaker comes from Cebu and I would not certainly forget to address my questions through the Deputy Speaker.

So, Mme. Speaker, Your Honor, that being the case, that it is already the—what?—first week of September where the COMELEC said that any postponement should be made not beyond that, do you not think it is too late to move the elections?

REP. TUGNA. Mme. Speaker, I believe that we are just in time to do that because our counterpart, the Upper House, the Senate, had already concluded the Bill on Second Reading and as the House of Representatives is currently deliberating the Bill on Second Reading and as we speak right now, during the committee hearing, the Chairman of the Commission on Elections, Chairman Andy Bautista, stated that as early as August 21, they already stopped printing the ballots, Mme. Speaker. So, to address the question, Mme. Speaker, of the Honorable Del Mar, I believe that before the actual date of October 2016 when the elections will be held, we can already pass the Bill into a law, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, I asked that because I, myself, after knowing that the COMELEC issued a statement to that effect not later than September, it is because they have to start preparations and printing of ballots as stated by Your Honor, Mme. Speaker. I even think it is presumptuous of the COMELEC to stop the printing of ballots just because they heard that Congress, through the House and the Senate, will consider whether or not to postpone the elections. What if we did not decide to pass any measure postponing the elections? So, Mme. Speaker, Mr. Chairman, then the COMELEC will have to proceed and hold the scheduled elections. Is that correct?

REP. TUGNA. Mme. Speaker, I believe--well, this is just the position of the Chairman of the Committee on Suffrage and Electoral Reforms. The COMELEC, being in charge of the elections, they can still cope and they will have to summon all their resources and personnel, assuming that Congress will not be able to pass the Bill into law in time. I believe they will put a certain deadline and will be able to prepare for the barangay elections in October, assuming that happens, Mme. Speaker.

REP. DEL MAR. Anyway, Mme. Speaker, that question has to be answered by COMELEC and not by the distinguished Sponsor. So we leave it at that.

Now, there is the question on the expense, that we will save money—is it around P6 billion—by not having the elections this October?

REP. TUGNA. Mme. Speaker, more or less.

REP. DEL MAR. Okay. Mme. Speaker, so if it is not spending anymore, that is actually saving. Is it not the case, Mme. Speaker, that postponing the elections to next year, the COMELEC still has to spend P6 billion anyway. Is that correct, Mme. Speaker?

REP. TUGNA. I believe, yes, Mme. Speaker, that is why postponing can be better crafted into rescheduling. So, the expense is merely deferred to a particular, later date, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, I am just emphasizing the point that one of the reasons we will postpone the elections is to save on expenses but actually, we will not save any because we need to spend this if we postpone the elections to October next year. As a matter of fact, we will have to spend more because in the hearing of the budget of the COMELEC before the Appropriations Committee, when it was asked by the Members of the House in that hearing, Mme. Speaker, for the information of the Sponsor, how much the COMELEC had already spent so far—that was last

week—the answer was that they have already spent P50 million because they have to start the preparations. So, is it not even spending more, not saving any? We still have to spend for the elections the same amount of money required, P6 billion or so, plus the additional expenses that would have to be made again because of the preparations that the COMELEC made in which they have to spend around no less than P50 million, Mme. Speaker.

REP. TUGNA. Mme. Speaker, I understand that on the amount mentioned, a large chunk of that was spent for the printing of ballots. Earlier, during the Committee hearing, I asked the Chairman of the COMELEC how many ballots they have printed already and the answer was that they already printed 400,000 ballots. So, I asked him if there is a possibility that these ballots will not be put to waste and can still be used in the October 2017 elections. He said that by a resolution of the COMELEC, even if it contains a date, it can still be used in the 2017 elections. So, Mme. Speaker, he said the amount that was spent by the Commission on Elections can still be used for the 2017 elections, a large chunk of that, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, I do not believe so. What I am just saying is that we are not saving any money and we will even incur more expense than just P50 next year for the preparations already made this year. Anyway, that point has been clarified one way or the other.

So, let me just ask, Mme. Speaker, Your Honor, when did you have the hearing on this measure in your committee?

REP. TUGNA. Mme. Speaker, we had it earlier today, September 6, 1:00 p.m., Mitra Building, at Conference Rooms 1 and 2.

REP. DEL MAR. Today, Mme. Speaker, Your Honor?

REP. TUGNA. Yes, Mme. Speaker.

REP. DEL MAR. Just today. Mme. Speaker, I was hoping that—since he could not miss my standing or my rising, during that all-Member caucus, as the lone objector to the postponement of the elections, Your Honor would have at least given me notice or invited me to that Committee hearing since he invited other stakeholders. Knowing of my interest here in this particular measure, Mme. Speaker, Your Honor should have invited me, but he is not obligated anyway. I just want to say that because I would have expected that I will be given notice on that hearing, knowing that I certainly would have been there, Mme. Speaker, Your

Honor, because of the interest that I showed during the all-Members caucus last Tuesday.

REP. TUGNA. Mme. Speaker, according to our Rules, a committee only gives notices to those who are members of the committee, ex-officio members, as well as to the authors.

REP. DEL MAR. Yes, I made it clear, Mme. Speaker, Your Honor, that you did not have to inform me or give me notice but I was just hoping, as we are colleagues here, that we will not miss giving courtesy to a fellow colleague when it is necessary. It might not be necessary to you, Mme. Speaker, Your Honor, but even if I am not a member, had I been in your place as the Chairman—and certainly, since I was the one who interposed an objection, the lone objection during the all-Member caucus, for the suspension of the elections—then I would certainly have given Your Honor, Mme. Speaker, that courtesy of a notice.

Anyway, let me go to my next question. There is an opinion expressed, Mme. Speaker, Your Honor, by an election lawyer—I do not know if it was Macalintal or somebody else—who said that the election for the barangay is already fixed and it is fixed and scheduled for not more than three years. So if we postpone this to another year, then this is a violation of giving our barangay officials more than the term that they were elected for, and the people who elected them also will realize that they elected these barangay officials only for three years, not for four years. So, there should have been a wider consultation of the stakeholders, not only of the barangay officials themselves but also of the voters of the barangays all over the country. Do you not think so, Mme. Speaker, Your Honor?

REP. TUGNA. Mme. Speaker, pardon me, Honorable Del Mar, can you please enlighten me to the particular question that you are asking?

REP. DEL MAR. My question is this: We see this term of barangay officials, Mme. Speaker, Your Honor, as just for three years; that they cannot serve for more than three years because it was fixed as it was presented to the electorate; that they were electing their barangay officials only for three years and not more than that; and so, they should serve for not a day more than three years, Your Honor, Mme. Speaker.

REP. TUGNA. Mme. Speaker, it has been well-settled in a long line of cases before the Supreme Court that the power of Congress is plenary and it is in full when it comes to the term of barangay officials, as well as to their term limits.

In the case of *COMELEC vs. Cruz*, Mme. Speaker, if I may read the entire text for emphasis, as COMELEC decided by the Supreme Court on November 2009, it stated:

Congress has plenary authority under the Constitution to determine by legislation not only the duration of the term of barangay officials, but also the application to them of a consecutive term limit.

Congress has determined as its discretion both the length of the term of office of barangay officials and their term limitation.

Mme. Speaker, this is in support of my earlier statement that Congress has plenary power to extend the term of a barangay official based on the wisdom of the Members of this august Chamber.

REP. DEL MAR. Mme. Speaker, Your Honor, I did not question the legality of the issue. I know that through this postponement, if we approve it, it serves as an amendment of the earlier law that we passed fixing the term. So we can, and we have the authority to postpone. There is no question about that. Unlike our terms, Mme. Speaker, Your Honor, we certainly cannot be extended beyond our three-year term. That is the difference.

Now, let me go to the Sangguniang Kabataan or the SK. It was mentioned that it is only one year, and we are just postponing this for another year so it is really no big deal. This is the case insofar as the barangay officials are concerned, but is this the case also with the SK officials?

REP. TUGNA. We believe that for the stated reasons earlier on the basis of the rescheduling of the barangay and SK elections to October 2017, I believe that weighing the reasons for this Bill as to the holding of an election this October 2016, along with the SK, is the same, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, do you realize that or do you recall that we had no election for the SK when we had the barangay election in 2013? There was no election for the SK. Is that correct, Mme. Speaker?

REP. TUGNA. That is correct, Mme. Speaker.

REP. DEL MAR. So we just passed a law, a bill and it was enacted into law fixing also the schedule of the elections of the SK to this date next month, to coincide with the barangay election. Is that correct, Your Honor, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker.

REP. DEL MAR. So, for three years, since 2013, there was no representation of the youth because there was no youth council. Now, we are again denying them representation by postponing the barangay election, which actually also postpones their election, for another year. They will be further denied another year, so that the total years that the SK council was denied representation, or the youth in general, the youth were not represented in the barangay, through their SK officials, will be four long years.

Is that correct, Your Honor, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker, but this Representation believes that in the interim, until October 2017, the interest of the youth in the barangay can be served by the allotment that is allocated for youth programs to be implemented by the youngest councilor or youngest kagawad of the barangay, Mme. Speaker. The specific provision in the proposed bill is in Section 7, where it states:

SEC. 7. Use of Sangguniang Kabataan Fund.

– Until the new sangguniang kabataan officials shall have been duly elected and qualified, the sangguniang barangay shall not use the sangguniang kabataan fund except for youth development and empowerment programs as provided in the Republic Act No. 10742...

This Representation believes that, Mme. Speaker, although this is being implemented by the barangay kagawads and the chairman, and yes we agree that there is no SK chairman and SK kagawads there, but in the implementation of these provisions, the beneficiaries will be the youth of the barangay, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, one of the reforms in the new SK Law is that they are granted fiscal independence and authority to decide on matters which involve the youth in their particular barangays. So what the Gentleman is saying is that it is all right to deny the youth of representation from among their members because barangay officials are the one doing their job for them.

Is that what you are actually saying, Mme. Speaker, Your Honor?

REP. TUGNA. Mme. Speaker, this Representation believes that if the barangay officials are only performing the mandate as enshrined here in this Bill, or the prior laws that pertains to barangay or SK elections postponement, I believe that the interest of the youth in the barangay level will be sufficiently addressed as well, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, who represented the youth sector in the hearing that you conducted earlier this afternoon? Is he saying that there was just one committee hearing which was held this afternoon and now, we are on the floor considering already the measure. How long did the meeting last, Mme. Speaker, Your Honor?

REP. TUGNA. Mme. Speaker, the meeting lasted for three hours.

Also, to the earlier question of the Honorable Del Mar, the representative of the National Youth Commission earlier holds the position of an executive director, he is Director Lex Tupas, Mme. Speaker.

REP. DEL MAR. Are you saying, Mme. Speaker, Your Honor, that the head of the NYC, the National Youth Council, was not present in the meeting this afternoon?

REP. TUGNA. Chairman Aiza Seguerra was notified a week ahead already. It is just unfortunate that today, she has prior official commitments and so, she cannot attend, Mme. Speaker. That is why she was represented by the Executive Director of the NYC.

REP. DEL MAR. Was this Executive Director, Mme. Speaker, Your Honor, authorized to speak for the NYC? Is the NYC not a National Youth Council, that even the chairman himself cannot decide on things on his own, much less a Director, merely a Director who is representing the chairperson?

REP. TUGNA. I believe that the Director, who holds the office of the Executive Director of NYC, is authorized to represent the NYC, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, did the Director who was present this afternoon in your meeting present any letter of authorization in behalf of the National Youth Council, saying that on this particular issue that he or she will be authorized to speak for the National Youth Council?

REP. TUGNA. Mme. Speaker, the Chairman, in his personal capacity, knows that the Executive Director of NYC who appeared earlier has been holding a position in the NYC as a director, as an executive director even before the term of the current administration. I believe that his actions earlier, of Executive Director Tupas, knowing fully well that the Chairman of NYC is on an official trip to Laos, had the presumption of regularity, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, who were the other members representing the youth who attended the committee hearing this afternoon?

REP. TUGNA. Mme. Speaker, it is Director Lex Tupas who attended earlier and who we, in the Committee believe, represents the National Youth Commission, Mme. Speaker.

REP. DEL MAR. So, Mme. Speaker, it is clear that not enough members from the youth were present, were invited to attend that committee hearing. How many Members were there attending the hearing, Your Honor, Mme. Speaker?

REP. TUGNA. Members, earlier, from the Committee on Suffrage and Electoral Reforms, there were 27, and the Deputy Speakers were present. We have more than enough for the majority to transact business, Mme. Speaker.

REP. DEL MAR. Were there Members from the Minority present this afternoon, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker, Congressman Lagman was present; the Dep. Minority Leader, Cong. Alfredo A. Garbin Jr. was there also; Congressman De Vera was also there representing the Minority, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, how did you arrive at your decision? Was there any objection which was the basis of a division of the Committees so that you had to vote one way or the other; or how was the motion approved—just a motion made duly seconded and no objection and thus, approved?

REP. TUGNA. Well, prior to that, for more than two hours, Mme. Speaker, the Bill was sufficiently deliberated—the authors gave their sponsorship speeches; and then, the resource persons, with interjections coming from the distinguished Members of the House of Representatives; and thereafter, it was unanimously approved, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, by a motion duly seconded, without any objection, the same was approved, is that correct?

REP. TUGNA. Yes, Mme. Speaker.

REP. DEL MAR. How many did you say you had invited, Mme. Speaker, Your Honor, as resource persons and attended?

REP. TUGNA. As resource persons, how many did we invite? We invited a total of 15, and earlier present were Mr. Ramon Casiple, the Chairman of Consortium of Electoral Reforms; Mr. Godofredo Cualteros of the League of Cities of the Philippines; Atty. Edmund

Abesamis, representing the Liga ng mga Barangay ng Pilipinas; Director Lex Tupas; Director Leocadio Trovela of the DILG; Commissioner Luie Tito F. Guia of the COMELEC, as well as the Chairman of COMELEC, Chairman Andy Bautista, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, I am just being curious, is your Committee already fully organized?

REP. TUGNA. Mme. Speaker, yes. Prior to tackling the proposed measures on rescheduling the barangay and SK elections, we held an organizational meeting earlier, Mme. Speaker.

REP. DEL MAR. So, how many members does the Committee have, Mme. Speaker, Your Honor, and how many members attended the hearing this afternoon?

REP. TUGNA. Currently, we have 27 members, Mme. Speaker, and out of the 27 members, Mme. Speaker, we had eight members of the Committee on Suffrage and Electoral Reforms who attended, and there were 13 ex-officio members who attended, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, so there were more Deputy Speakers or Majority Leaders who are additional members of the Committee because they can attend all committee hearings. They outnumbered the regular members. There were only seven regular members who attended.

REP. TUGNA. Mme. Speaker, that is how interested Members of the House are in rescheduling the SK and barangay elections that even leaders of the House ranging from Deputy Speaker, Senior Deputy Majority Leader, Majority Leader, attended the committee hearing. Be that as it may, Mme. Speaker, according to the rules on the Committee on Suffrage and Electoral Reforms, one-fifth of the members of the Committee is enough for us to transact business as it already constitutes a quorum. According to the Rules of the House of Representatives, the Committee on Suffrage and Electoral Reforms has 35 members and one-fifth of that is seven; and earlier, assuming that the 13 leaders of the House, the ex-officio members were not there, we are more than sufficient to transact business earlier, Mme. Speaker.

REP. DEL MAR. Mme. Speaker, Your Honor, so, on what you said, you have 27 regular members in the Committee but only seven members attended this first and only hearing on this very important issue.

REP. TUGNA. Mme. Speaker, I did not state seven earlier, I stated eight. If my memory serves me right, there were other members who appeared after 1:00 p.m. It is just that I do not want to interrupt the current proceedings right now to ask the Committee on Suffrage and Electoral Reforms secretariat. Be that as it may, Mme. Speaker, there were enough numbers earlier to constitute a quorum to transact business.

REP. DEL MAR. Yes, that is what I am saying, Your Honor, Mme. Speaker. So, you corrected me or I stand corrected that, instead of seven members attending the committee hearing out of the total of 27 members, there were eight, not seven, but eight. Is that correct, Your Honor, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker, eight is not seven because it is more than one.

REP. DEL MAR. Yes, that is right. Then we have no argument on that, Mme. Speaker, Your Honor, and I welcome senior officials of this Chamber like the Deputy Speakers, the Majority Leaders, that they attend committee hearings because that will really give more impetus to the issue that they were discussing. Certainly, they can contribute a lot to the deliberations and the final decision.

So, Mme. Speaker, Your Honor, let me now move forward. It seems that—I know that this Bill will be approved overwhelmingly; this will be even almost unanimous except for a few people but not more than the people who are here. Anyway, let me just say so. One year, not too long, no big deal but what if we postpone again the elections next year, is there a guarantee? No guarantee. Is that correct, Mme. Speaker, Your Honor?

REP. TUGNA. Mme. Speaker, we cannot predict the future and even the honorable Manong Edcel had said that we will cross the bridge when we are near the bridge, when we get there, Mme. Speaker.

REP. DEL MAR. That is good, Mme. Speaker, Your Honor. Let us not put any bridge where there is no river or crossing. So, let me go to the most important point that has been raised, that this will really strengthen. That with the elections being postponed, this will certainly makes stronger the illegal drugs campaign that is being waged very strongly and very firmly, and all of us join the President and the administration in the strongest fight possible against the drug menace.

I am just not too convinced, Mme. Speaker, Your Honor, that instead of enhancing or making stronger our already strong campaign, it will lessen if we have the elections this year. I believe that it will not matter whether or not we have the elections. This fight that

we are waging against illegal drugs will stay more determined and stronger. So, I would even say that this will add more, contribute more to the campaign rather than say a negative against this, that this will lessen our fight. I believe that if we go ahead with the elections now, we can certainly have an army of the youth headed by the newly elected SK officials that is forthcoming. We already made the necessary reforms so that we expect a very vibrant, a very determined, and a very dedicated SK this time which could be a youth force that can join us in the fight against illegal drugs.

If we are saying that narcopolitics might come in, that the drug lords might come in and subsidize the expenses of the barangay officials, that is, I think, a far-fetched fear, Mme. Speaker, Your Honor. I do not think anyone will dare, at this point in time, drug lords or not, to support officials in the barangay and in the SK who will not be as determined to fight the drug menace. In fact, giving a fresh mandate to the barangay officials will put more vigor to their capability. They will really do things that will strengthen our fight against illegal drugs because they will have to prove that they are worthy of being elected; and, of course, the youth is raring to go, raring to show us, the barangay officials and us Congressmen and all the people in the country, that they are no longer the SK that they were before, and that this SK will live up to what is expected to them. We could have started their involvement with a youth force in the barangay to join this fight of ours against the drug menace.

So, let me end this interpellation on this note. As I said in the all-Member caucus, I am against this measure as can be clearly gleaned from the reasons that I advanced; also, against the reasons justifying this postponement of the SK and barangay elections; and, of course, Mme. Speaker, I hope this Representation will be given notice when you put it to a vote because I would really like to be here when the voting is made.

Thank you, Mme. Speaker. Thank you, Your Honor.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank the distinguished Gentleman from the First District of Cebu, the Hon. Raul V. Del Mar. Daghang salamat.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Next to interpellate, Mme. Speaker, is the Gentleman from KABAYAN. May we recognize the Hon. H. Harry L. Roque Jr.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Gentleman from KABAYAN, the Hon. H. Harry L. Roque Jr., is recognized to interpellate the Sponsor.

REP. ROQUE (H.). Thank you, Mme. Speaker. Thank you, Mr. Majority Leader.

Will the honorable Sponsor yield to further points of interpellation?

REP. TUGNA. Willingly, to the legal expert, Mme. Speaker.

REP. ROQUE (H.). Now, Mme. Speaker, to be candid, when the good Sponsor delivered his privilege speech, I was literally walking from my office to this Plenary Hall and I missed the rationale cited by the Sponsor on why the postponement is necessary. I have heard, Mme. Speaker, the invocation of an opinion expressed by the Chairman of the Committee on Elections, that one rationale for postponing the barangay and SK elections is that they are expensive.

So, Mme. Speaker, may I ask the good Sponsor for a categorical statement now on why the Committee believes that the elections for barangay and SK should be postponed.

REP. TUGNA. Mme. Speaker, thank you for that question, Honorable Harry Roque. Earlier, I made my sponsorship speech, and early in the day also, in the afternoon, we deliberated on the initial hearing on this Bill and the categorical reasons this, the October 2016 barangay and SK elections, as to why they will be rescheduled to October 2017 is that one, if we are going to hold the elections this coming October 2016, the term of President Duterte having just started—and he is overhauling the bureaucracy and he has to fill-up the 90,000 positions—having regular elections, which is what barangay and SK elections are this coming October 2016, will constitute a lapse of—it will prohibit the President for a certain period of time to act on the appointments because of the prohibition to appoint in the bureaucracy. Second, there will also be an election ban when it comes to infrastructure projects, government projects and programs when we will hold regular elections, which the SK and barangay elections are. On a third point also, since we just had a regular election this May 2016, and we believe that the electorate, having just undergone an election this May, the turnout of the October 2016 barangay and SK elections will expectedly be low. We will be spending a lot for the elections, approximately P6 billion to P7 billion, but then the expected voter turnout is low, thus, the proposed postponement of the barangay and SK elections, Mme. Speaker.

REP. ROQUE (H.). Mme. Speaker, the good Sponsor cited two reasons as to why the postponement is necessary. One is the fact that the President is new in office, and there is the exigency of filling up 90,000 posts

in government; and second, the cost, as this is coming not even one year after the presidential election.

Mme. Speaker, there is a rule in statutory construction that Congress knows absolutely why it scheduled the election for barangay elections and SK for this year. My point, Mme. Speaker, is, surely, when Congress determined that the next elections was supposed to be for this coming October, Congress knew that the President would be new in his office, Congress knew that it would be barely a year after the presidential election and yet, Congress did fix the next elections to be in October of this year. So, my question is, will the good Sponsor, in fact, concede that Congress knew about these factors when it, nonetheless, passed the last law setting the date for the upcoming barangay elections?

REP. TUGNA. Well, this Representation cannot bind the Members of the previous Congress and state that they knew or should have known that there would be an urgency and a necessity to postpone the October 2016 elections because, even way before the May 2016 elections, there were several candidates in the presidential election and we did not even know who would be the eventual winners of the election. This point is relevant, Mme. Speaker, because since we did not know at that time who would be the eventual winner and who would be the ruling coalition in this House, we did not know what their programs of government would be, Mme. Speaker. So, it will be too much to demand from the previous Congress to foresee a particular situation that exists right now or for them not to foresee this, Mme. Speaker.

REP. ROQUE (H.). Mme. Speaker, my query though is not whether Congress could have predicted that President Duterte would become the President, as he is today. My query was, did Congress not know that when it scheduled the next barangay elections for October of 2016, it would come barely a year after the general elections held last May 2016 and that this would entail additional expenses and yet, Congress nonetheless fixed the date to October 31, 2016? My query is not on whether Congress predicted who the President would be. My query is, did Congress know precisely that the presidential election, the general elections were scheduled for May 2016 of this year and yet, they still passed the law setting the date for barangay elections on October 31, 2016?

REP. TUGNA. Well, Mme. Speaker, I believe that with the reasons I stated earlier—these are parts of the Explanatory Notes and the sponsorship speeches of the authors that cited election fatigue. So, Mme. Speaker, having culled from the Explanatory Notes of the Sponsors that there is election fatigue not only on

the part of the Commission on Elections, the teachers, but also from the voters as well, there has, well, in light of the current circumstance that, due to what transpired in the May 2016 elections, in the recently concluded elections, it is divisive and it caused fatigue on the electorate, and that is why I believe the current Members of this august Body deem it proper, in its wisdom, to postpone the elections to October 2017. In fact, subsequently, Mme. Speaker, there will now be intermittent elections between the regular election of governor, Congressman, mayor, as contra-distinguished from barangay elections which will be held not on the same year, but on a different year, Mme. Speaker.

REP. ROQUE (H.). Well, Mme. Speaker, the Sponsor mentioned, among others, fatigue and divisiveness. My next query, therefore, is, did the Sponsors of this Bill conduct any empirical study to prove that there is, in fact, election fatigue?

REP. TUGNA. Well, as a matter of due process, Mme. Speaker, we invited the stakeholders and we heard from them. I believe that, due to the urgency and the existing circumstance, conducting an empirical study may not be at the hands of the authors and the Sponsors of this Bill, Mme. Speaker.

REP. ROQUE (H.). In other words, Mme. Speaker, the conclusion that there is election fatigue is really just the opinion of the authors of this Bill. May I ask for confirmation that, in fact, the conclusion that there is election fatigue is merely the opinion of the authors of this Bill, bereft of any empirical study.

REP. TUGNA. As Representatives of their districts as well as the sectors they represent, yes, Mme. Speaker.

REP. ROQUE (H.). The good Sponsor also mentioned divisiveness. I do not see, Mme. Speaker, any evidence of divisiveness. In this august Chamber, for instance, Mme. Speaker, there were only three original supporters of the President. Today, we have a super Majority, with the Minority limited to 18. If we were to consider the experience in the House, my conclusion would be, there is no divisiveness but absolute unity amongst the ranks of the super Majority. Would the Sponsor agree to this conclusion?

REP. TUGNA. I agree, Mme. Speaker.

REP. ROQUE (H.). Therefore, divisiveness cannot be invoked as a reason for postponing the barangay elections, Mme. Speaker.

REP. TUGNA. Mme. Speaker, with the indulgence of the Honorable Harry Roque, I mentioned divisiveness

earlier as a reason for the fatigue and not divisiveness as a reason for the postponement, Mme. Speaker.

REP. ROQUE (H.). Mme. Speaker, it was said earlier, in response to an earlier interpellation of the good Sponsor, also attributed to the Chairman of the COMELEC, Chairman Andy Bautista, the argument that the elections have to be postponed because they are expensive.

My next point of interpellation is, is the good Sponsor aware that it is also the opinion of the Chairman of the COMELEC that we should do away completely with elections for the barangay captains and should resort to appointing them?

REP. TUGNA. Mme. Speaker, this is the first time that this Representation has heard of that, Mme. Speaker.

REP. ROQUE (H.). Well, for the record, Mme. Speaker, I did hear the good Chairman make that opinion although he did say that it was his personal opinion, that because of the expense entailed by the holding of an election for barangay captains and the SK, that these posts should, in fact, be appointed. So, my question is, does the good Sponsor agree with this particular recommendation, given that this is not the first time we have moved to postpone the holding of the barangay elections and the elections for the SK.

REP. TUGNA. Mme. Speaker, with the indulgence of the Honorable Harry Roque, can he restate his question? What does he want to elicit from the Sponsor?

REP. ROQUE (H.). Well, Mme. Speaker, will the good Sponsor agree with the opinion expressed likewise by Chairman Bautista that barangay captains and SK members should now be appointed in order to avoid the unnecessary expense of holding an election for the purpose of electing these positions?

REP. TUGNA. Well, Mme. Speaker, I do not agree that it should be in that capacity, well, in that manner, that they will just be holding office by reason of appointment, Mme. Speaker.

REP. ROQUE (H.). Now, Mme. Speaker, my next query is, what prompted the Sponsor to choose next year as a date for the holding of the barangay elections? Why not the year after? Why not together with the elections three years from now? Why not, for instance, when we hold a referendum on whether or not people will agree to provisions that this Body may propose as revisions to the Constitution after a constituent assembly? What, in other words, Mme. Speaker, is so special about next year that the Sponsor chose next year as the date for the holding of these elections?

REP. TUGNA. Mme. Speaker, I believe that the postponement to a later date of one year from October 2016 is a recognition that the electorate should exercise their right to vote in the smallest local government unit of our society. Also, Mme. Speaker, we took note of what the Honorable Del Mar said earlier, that SK Reform Law has just been enacted into a law. So as to be able to hear the voice of the youth, and not to delay it to a later date, let us say 2018, two years from October 2016, we are, we will be holding the SK and barangay elections to a period of only one year from October 2016, Mme. Speaker.

REP. ROQUE (H.). Mme. Speaker, in connection with the expense being incurred in these elections, and because I am not part of the Majority, my next question is, does the Sponsor know when the Majority intends to submit to the electorate proposed revisions to the Constitution after this Body has convened as a constituent assembly?

REP. TUGNA. Mme. Speaker, I apologize. I do not know with respect to the submission of the constitutional assembly. What is on hand right now is merely the postponement of the 2016 barangay and SK elections, Mme. Speaker.

REP. ROQUE (H.). Mme. Speaker, considering the considerable expense, and this is almost P6 billion for holding these elections, will it not be more prudent to synchronize, given that the Sponsor forms part of the super Majority, the holding of these elections with the submission for the proposed revisions of the Constitution? So that, instead of spending another P6 billion towards that referendum, we could save P6 billion and elect barangay captains; and at the same time, the Majority will present to the electorate their proposed revisions to the Constitution.

REP. TUGNA. Well, at the proper time and at a proper forum, we will consider that Mme. Speaker.

REP. ROQUE (H.). Unless this is considered, Mme. Speaker, the Sponsor will agree that if this Bill were to be enacted into law, we could spend P6 billion next year for the elections of the barangay officials; another P6 billion a year after for purposes of a referendum, for the proposed amendment of the Constitution; and another P6 billion for the general elections in 2019. Is this what the Sponsor wants, for the country to pay for three electoral exercises in three consecutive years, Mme. Speaker?

REP. TUGNA. Of course not, Mme. Speaker. The Sponsor wants the government to save, Mme. Speaker, and not to spend.

REP. ROQUE (H.). That is why my suggestion, Mme. Speaker, is, perhaps the Majority should decide once and for all if they would persist in their avowed purpose of submitting to the electorate, proposed revisions of the Constitution, to synchronize the date of holding these elections together with that referendum to save us at least P6 billion.

REP. TUGNA. Yes, Mme. Speaker. That will be considered at the proper time and I also accede to the opinion of my esteemed colleague for the government to save because that is our duty as Members of Congress and as Filipinos, Mme. Speaker.

REP. ROQUE (H.). In fact, Mme. Speaker, because I am part of the Majority, no, of the Minority, and because I do not see any need for resorting to Charter change, my humble submission is, if we are going to have these elections for barangays, perhaps, we should also ask the electorate if they want to amend the Constitution, which is provided for in the Constitution, as well. So, will the Sponsor at least consider this proposal in order to save taxpayer's money? Just consider.

REP. TUGNA. Yes, Mme. Speaker. Anyway, my esteemed colleague can always introduce that, Mme. Speaker.

REP. ROQUE (H.). Now, my next question though is, in order for the Sponsor to consider these proposals, what actually is the timetable of the Sponsor in passing this Bill?

Are we engaging in a futile exercise when we asked the Sponsor to consider these proposals because the Majority has decided that on a certain date, this Bill must become a law? Or will there really be genuine efforts to consider the proposals that we have just articulated, Mme. Speaker?

REP. TUGNA. Well, Mme. Speaker, the distinguished Honorable Harry Roque has stated his position already, and I believe that Congress is already looking at a particular date because the COMELEC, I believe, will resume printing its ballots and prepare for the October 2016 elections. I believe they have their own internal guideline or deadline among themselves that if Congress, along with the President, fails to enact a law within a certain period of time, they will resume the printing of the ballots and prepare for the October 2016 elections. So having said that, Mme. Speaker, Congress is targeting to turn this Bill into a law, along with the Senate and along with the President, I believe, at the soonest possible time. As to the query of the distinguished honorable Congressman Harry Roque when he said that it is exercise in futility, paraphrasing that, I believe that his statements had been presented

in the open and in plenary, and it is up to the Body, Mme. Speaker.

REP. ROQUE (H.). Now, in response, Mme. Speaker, to a query from Congressman Atienza on the possibility of allowing the President or the DILG to remove barangay officials, on who should be removed and who should not be given an extension of their term of office, the good Sponsor replied that under Section 3 of the Bill, these officials can be removed, and I quote, “unless”—can be removed because the last phrase of Section 3, to quote, provides “unless sooner removed or suspended for cause.” So my question, Mme. Speaker, this phrase clearly contemplates the removal of a barangay official during his term of office. Is this not correct, Mme. Speaker?

REP. TUGNA. It is correct, Mme. Speaker, and the interpretation of the Sponsor is that this is the period from end of term, this 2016 until 2017, Mme. Speaker.

REP. ROQUE (H.). Will not the good Sponsor agree that when the barangay officials elected for three years were elected by the electorate, they did so only for a fixed term of three years?

REP. TUGNA. Yes, Mme. Speaker, I agree to that.

REP. ROQUE (H.). And because they were elected for a fixed term of three years, the extra year that they will spend in office is clearly beyond the contemplation of the electorate and it is in fact a congressional bonus to those who are in office. Is it correct?

REP. TUGNA. Yes, Mme. Speaker, with the colatilla that as Members of Congress, the primary authors, the coauthors, in a Representative capacity, we are now saying that the electorate who voted until October of 2016 only, are now speaking again, Mme. Speaker, that they want to extend this in a Representative capacity, as Members of Congress, they want to extend this, the term of incumbent barangay officials to October of 2017.

REP. ROQUE (H.). Mme. Speaker, that is a very dangerous proposition. There are certain acts that only the sovereign people may do and one of those is to elect their officials. Not even this Congress can exercise that power for and in behalf of the sovereign people. My question is, clearly, the one year that they will spend in excess of October 2016 does not form part of the term of office that the electorate mandated to the incumbent barangay officials. The good Sponsor will agree to this, Mme. Speaker.

REP. TUGNA. Mme. Speaker, yes, initially, but it has been amended now as their voices are being heard here in Congress through their Representatives, Mme. Speaker.

REP. ROQUE (H.). Well, perhaps, Mme. Speaker, the better phrase is that the Representatives are considering amending that because we have not, as of yet, passed this Bill into law. My point is, any term of office in excess of 2016 is not legally demandable on the part of the officials elected three years ago. Is this not correct, Mme. Speaker?

REP. TUGNA. Mme. Speaker, pardon this Representation. May I ask again to clear the question.

REP. ROQUE (H.). Okay, I will go straight to the point, Mme. Speaker. The one year that they will serve after 2016 no longer forms part of the term of office of the barangay captains, so they can be removed even without cause and without affording them due process which will have to be observed when they are being removed during their regular term of office. Is this not correct, Mme. Speaker?

REP. TUGNA. Well, Mme. Speaker, even during the time from October 2016 to 2017, my understanding of constitutional law under the Bill of Rights is that you just cannot remove someone from any office without due process of law. So, having said that, even if they are occupying the office merely in an interim capacity because of a law that we will pass, there is always the existence of due process, Mme. Speaker.

REP. ROQUE (H.). That seems to be inaccurate as far as jurisprudence is concerned, Mme. Speaker. A government appointment is never a right. A government appointment is a privilege. Perhaps what is guaranteed by the due process clause is only the emolument, but the emolument exists only during the specific term of an office and when that term of office has expired, a holder of an office cannot demand, as a matter of right, neither the position nor the emolument unless authorized by law. That is why we are discussing this Bill, Mme. Speaker. Is this not correct?

REP. TUGNA. I agree to that, Mme. Speaker, but even if, as I said earlier, even if in the interim capacity and as a stated rule that public office is merely a privilege, there is always the existence of due process and nobody can be removed from office unless it is for a cause. I believe that the DILG, under the supervision and authority of the President, is currently reviewing the list of barangay officials who are, well, involved in the drugs trade, Mme. Speaker.

REP. ROQUE (H.). Well, Mme. Speaker, I cannot concede to that conclusion, but I will not argue the point, my point being only that there is nothing that will keep this Congress from providing in Section 3 that barangay officials may remain in office beyond 2016 unless they are removed by the President or his authorized representative, with or without due process. If this is provided for in the proposed law, then this will stand the test of scrutiny. Will not the Sponsor agree to this possibility? I am not asking, Mme. Speaker, that he agree with my proposal but only for his agreement that this may, in fact, be provided by this august Chamber.

REP. TUGNA. Mme. Speaker, the Sponsor agrees in spirit to the statement of the Honorable Harry Roque.

REP. ROQUE (H.). We have no further points for interpellation.

Thank you, Mme. Speaker. Thank you to the good Gentleman from CIBAC. Good evening, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank the Hon. H. Harry L. Roque Jr.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, next to interpellate is the Gentleman from the First District of Albay. May we recognize the Hon. Edcel C. Lagman.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We recognize the Gentleman from the First District of Albay, the Hon. Edcel C. Lagman.

REP. LAGMAN. Mme. Speaker, may we know whether the distinguished Sponsor will yield to a few questions?

REP. TUGNA. Mme. Speaker, willingly, from the esteemed Manong Edcel.

REP. LAGMAN. Axiomatic in our legal system and embodied in Rule 131, Section 3 (m) of the Revised Rules of Court is the presumption of regularity. Mme. Speaker, would the distinguished Sponsor confirm that statement?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. In other words, Mme. Speaker, the incumbent barangay officials are presumed to have performed their duties and obligations efficiently and pursuant to the popular mandate. Would the distinguished Sponsor confirm that statement?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. Unless, of course, Mme. Speaker, there is a performance audit which would show who are the errant barangay officials. May we know, Mme. Speaker, from the distinguished Gentleman whether there has been a performance audit wherein barangay officials have been found to be errant or some of them have been found to be errant, conducted by the Department of the Interior and Local Government or any other agency or even private entity?

REP. TUGNA. Well, I believe, Mme. Speaker, that although not detailed, as barangay chairmen, being that they are under the supervision—under the Local Government Code, the barangay chairmen are under the supervision of the mayors and the mayors being under the supervision of the governors if they are component cities, well, they are ...

REP. LAGMAN. Mme. Speaker, ...

REP. TUGNA. Can I finish my point, Manong Edcel.

REP. LAGMAN. Yes.

REP. TUGNA. Thank you. I believe that there is a continuing assessment based on reports on the performance of barangay officials, most especially if they are involved in the drug trade, Mme. Speaker.

REP. LAGMAN. I would like to know, Mme. Speaker, from the distinguished Sponsor whether there has been a performance audit conducted by any government agency and the results had been disclosed either to this Congress or to the Office of the President. My question is: is there or is there none?

REP. TUGNA. I believe in my knowledge, Mme. Speaker, that there is none, but it is the mandate and the duty of the Department of the Interior and Local Government, Mme. Speaker.

REP. LAGMAN. In other words, Mme. Speaker, in the absence of a performance audit, the results of which are disclosed, then we go back to the principle of presumption of regularity.

Now, let me go to another presumption. Under the Bill of Rights, more particularly, Section 14 (2) of the Bill of Rights, there is the presumption of innocence. In other words, every person is presumed innocent unless his guilt is proved beyond reasonable doubt in a final judgment. Will the distinguished Gentleman, Mme. Speaker, confirm the truism of this presumption?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. Consequently, Mme. Speaker, the barangay officials who are suspected of being involved in the drug trafficking or being suspected as pushers are not yet guilty. They are entitled to a prosecution and a final conviction. In the absence of final conviction, the presumption of innocence prevails. Is that correct, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker, I agree.

REP. LAGMAN. The hold-over doctrine under Section 5 of Article 9164 and other statutes does not grant immunity to those entitled to hold over. May we know whether that is a correct statement?

REP. TUGNA. Mme. Speaker, may the distinguished Representative, Honorable Lagman, restate that question, please.

REP. LAGMAN. I said, Mme., Speaker, whether the hold-over doctrine grants immunity to those who are entitled to hold over in the absence of any prosecution or conviction, just—for example, in cases of being related to drug trafficking or being drug pushers.

REP. TUGNA. Mme. Speaker, there is none. Conversely, earlier, we were discussing about removal or suspended, there should be or it should be for a cause. Conversely, Mme. Speaker, those who are holding office in the interim until October 2017, they can still be prosecuted and they can still be removed, Mme. Speaker.

REP. LAGMAN. Until and unless they are prosecuted and convicted, these barangay officials who are suspected of being related to the drug menace are presumed innocent and they can hold over pursuant to Section 5 of Republic Act No. 9164. Is that a correct construction or interpretation, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. Now, there were questions wherein the impression made was that the barangay officials serve only for three years and that three years could not be extended, but no less than Republic Act No. 9164, Section 5, reads:

Section 5. Hold Over. – All incumbent barangay officials and sangguniang kabataan officials shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified.

In other words, until their successors are elected and qualified, these barangay officials would hold over pursuant to law. Is that a correct interpretation, Your Honor?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. In other words, when the people elected the incumbent barangay officials, they were aware of the law that they were electing barangay officials who could serve for more than three years if their successors are not yet elected and qualified. Is that correct?

REP. TUGNA. Yes, Mme. Speaker.

REP. LAGMAN. I made these questions, Your Honor, Mme. Speaker, to elicit answers in order to rebut the statements made by our colleague to the contrary.

Thank you, Mme. Speaker. Thank you, distinguished Sponsor, for your candid answers.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank the Hon. Edcel C. Lagman.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Next to interpellate, Mme. Speaker, is the Gentleman from AKBAYAN. May we recognize the Hon. Tomasito “Tom” S. Villarín.

REP. VILLARIN. Thank you, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Gentleman from AKBAYAN is recognized.

REP. VILLARIN. Would the good Gentleman, Sponsor of the Committee Bill, yield to some interpellations?

REP. TUGNA. Yes, Mme. Speaker.

REP. VILLARIN. Thank you, Your Honor, Mme. Speaker. Would the Gentleman, the Committee Chair and Sponsor, know when the SK Reform Act was passed and signed into law?

REP. TUGNA. Well, I understand that if the Honorable Villarín is referring to the most recent, and if my memory serves me right, Mme. Speaker, it is January 15, 2016 when President Aquino signed the SK Reform Law.

REP. VILLARIN. Yes, I think, that would be correct. I am in hold of a copy of that SK Reform Act signed by President Aquino less than eight months ago. Now, in the State Policy Declaration, it was stated here

in second paragraph of Section 2 that towards this end, the State shall establish adequate, effective, responsive and enabling mechanisms and support systems to ensure meaningful participation of the youth in local governance and nation building. Now, if this law has been passed less than a year ago and now, we are saying that the reforms that we want in this law that have been longed for, for how many years, I think the last elections was in 2010, would this be a policy that is contrary to the objectives of passing laws, Mme. Speaker, Your Honor?

REP. TUGNA. Well, Mme. Speaker, I was browsing also—before the Sponsor made a Bill in relation to the rescheduling of the SK and barangay elections, I read RA 10742 or the SK Reform Law also. I also share the same sentiment, what the Honorable Villarín said earlier, but aside from taking care of the youth sector of our society, I believe that the January 15, 2016, to be exact, the date when the SK Reform Bill turned into a law, achieved also its laudable purpose because there is already an anti-relation by consanguinity or by affinity to those elected in office already. Meaning, the purpose of the SK Reform Law, one of the purposes of which is to introduce an anti-dynasty provision there, Mme. Speaker, had already been made into a law. So, I believe, as the legislators in the Sixteenth Congress and I was a part of that, our action was not futile because we were able to introduce an improvement of what we had in the past, Mme. Speaker.

REP. VILLARIN. Mme. Speaker, Your Honor, if those provisions would have been implemented, if the elections for the new set of SK officials would have been held this October of 2016, but going further, in the proposed Committee Bill for the postponement of the barangay and SK elections, under Section 7, it is stated here that:

“Use of Sangguniang Kabataan Fund. – Until the new sangguniang kabataan officials shall have been duly elected and qualified, the sangguniang barangay shall not use the sangguniang kabataan fund except for youth development and empowerment programs as provided in Republic Act No. 10742 x x x.”

Now, with regard to RA 10742, as there is no new set of SK officials who would provide the guidance, the programs, and even the enactment of the proposed youth development plans, so, it will now be the incumbent barangay officials, the barangay captain and the councilors, who will utilize these funds. Is that right, Mme. Speaker, Your Honor?

REP. TUGNA. Yes, Mme. Speaker, they will be the ones to implement that the said fund be implemented for youth development and empowerment programs.

REP. VILLARIN. So, it is not the youth officials construed in the SK Reform Act who will benefit from the utilization of such funds?

REP. TUGNA. Well, Mme. Speaker, of course, definitely they cannot be the proponent because the incumbents, the incumbent barangay officials, they are the ones who are going to implement this, but the beneficiaries in the particular barangays will surely be the youth of the barangay and this will now form part of the task and mandate of the Commission on Audit. Once the barangay funds are liquidated, they should look into it, the particular provision requiring them to implement the 10-percent fund specifically for the youth, it should be for the youth, Mme. Speaker. It is now the task of the Commission on Audit to do so up until October of 2017 wherein SK officials under Republic Act No. 10742 will be elected, Mme. Speaker.

REP. VILLARIN. Well, I am raising these concerns, Mme. Speaker, Your Honor, because in the passage of the SK Reform Act, a big group of youth organizations under the SK Reform Coalition was precisely pushing for these reforms. In this afternoon’s committee hearing, they were not invited, Your Honor, Mme. Speaker, and they were manifesting that, and to me, it seems that those involved in pushing for this critical piece of reform legislation in the past Congress were not invited to that discussion in the committee, Your Honor. So, I would just like to make a manifestation that that is the sentiment of the groups that pushed for this SK Reform Act, that they were not invited to that committee hearing, Your Honor.

Now, on another matter, Your Honor, Mme. Speaker. I am not saying that I am opposing the proposal for the postponement, but I am just looking at how the SK Reform Act should be integrated into the proposed law calling for the postponement of the barangay and SK elections. Likewise, the youth, not just the official or the mandated arm of our government, the NYC, should be consulted on this matter, Mme. Speaker, Your Honor.

On the issue of holdover officials as proposed under this Bill or Committee Bill, Your Honor, Mme. Speaker, would the good Sponsor agree that in terms of weight, in terms of the mandate given to holdover officials and the elected officials, is there a big difference in terms of mandate?

REP. TUGNA. Mme. Speaker, between holdover officials and elected officials, is there a—can you restate that? My apologies.

REP. VILLARIN. Well, it is stated that unless their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office. So, that is our definition of “holdover”. Now, in terms

of constitutional prescription, Mme. Speaker, Your Honor, our Constitution states that if the term of office has been fixed under the Constitution, we cannot have holdover officials. Does this apply to barangay officials, Your Honor?

REP. TUGNA. I believe that it does not, Mme. Speaker, because under our Constitution, also under Title 10, Local Government Code, since time immemorial, paraphrasing it, the term of barangay officials have been fixed by law. So, by way of implication and by virtue of the plenary power and authority of Congress, a postponement of election would have that effect which would mean extending the term, Mme. Speaker.

REP. VILLARIN. So, the prescription applies only to national and local officials down to the municipal level and does not apply to barangay officials?

REP. TUGNA. I believe, Mme. Speaker, yes.

REP. VILLARIN. Now, going again to the issue of holdover officials, as what have been stated on the objectives of the postponement of the barangay elections, we said that, of course, we need to have a fresh look at our barangay officials, is it deemed wise, Mme. Speaker, Your Honor, that when we have now these holdover officials, can we demand from them a greater sense of accountability much more than what we demand now from the elected barangay officials? Can we put some restrictions or criteria or standard beyond what has been set in the qualifications of elected barangay officials?

REP. TUGNA. Yes, Mme. Speaker.

REP. VILLARIN. Would the good Sponsor also agree that the DILG, together with other agencies, can impose some additional requirements on the performance standards of these holdover officials, Mme. Speaker, Your Honor?

REP. TUGNA. I believe, yes, Mme. Speaker.

REP. VILLARIN. Now, on a last note, on a technicality, Mme. Speaker, Your Honor, would you consider that ABC presidents, the Liga ng mga Barangay Presidents from the municipal up to the national would also automatically assume as holdover Liga officials? Is that the opinion of the Sponsor of this Committee Bill?

REP. TUGNA. Well, Mme. Speaker, the answer is “Yes” because we will be creating a vacuum in those positions, and I believe by way of implication and by way of effect of this particular provision under

the proposed Bill, Section 3 on Hold-Over, that all incumbent barangay officials shall remain in office, it includes all their ex-officio positions, Mme. Speaker.

REP. VILLARIN. So, it is automatic. There is no more need for the barangay officials in a particular municipality or city to hold elections for their ABC president?

REP. TUGNA. Well, Mme. Speaker, in my limited knowledge of local politics, the Association of Barangay Chairmen can always conduct their elections anytime—anytime. Well, this is my belief—anytime that they feel that they would want to change their president, they can do so anytime. So, my answer to that, Mme. Speaker, is, anytime the Association of Barangay Chairmen, of course, with the permission of the mayor, they can do so—they can change their ABC president.

REP. VILLARIN. Thank you for that clarification, Your Honor, Mme. Speaker. Those are all my questions, I have nothing more to add, Mme. Speaker, Your Honor. Thank you.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank Congressman Tom Villarin.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Next to interpellate, Mme. Speaker, is the Gentleman from the First District of Northern Samar. May we recognize the Hon. Raul A. Daza.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The Hon. Raul Daza is recognized.

REP. DAZA. Thank you, Mme. Speaker. Would the distinguished Sponsor yield to an interpellation?

REP. TUGNA. Yes, Mme. Speaker, especially from my esteemed mentor.

REP. DAZA. Thank you. Let me start by congratulating the Committee on Suffrage and Electoral Reforms, chaired by the distinguished Sponsor, with the speed and dispatch by which they have acted on the consolidated bills that are now the subject of the report under debate. Everybody knows that fast action is needed because as scheduled by law, the next barangay and SK elections are set for October 31st this year.

Now I will confine myself to three points, as much as I can. The first is in regard to some doubts that had been expressed on the floor by the previous interpellators regarding the hold-over of incumbent barangay officials and SK officials under the Bill. As I

see it, and if the Sponsor would like to confirm it, a part of the committee report is Section 3 which reads:

Hold-Over. – Until their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause.

In other words, if this Bill is passed, as it is presently worded, there will be no question about hold-over. The provision is in the Bill and it will become part of the law when approved by Congress. Is that correct?

REP. TUGNA. Yes, Mme. Speaker.

REP. DAZA. All right. Now, the second point that I would like to make is this. As I listened to the previous interpellators—some of them belong to my group—doubts have been expressed regarding possible violations of the Constitution in regard to term of office. Now, I think, we should not lose sight of the fact that barangay officials and SK officials are not constitutional officers. Their term of office is not protected by the Constitution. Their term of office is determined by the laws which created the offices.

In short, the concern about any violation of the Constitution that would affect the tenure of office of incumbent barangay and SK officials is probably not a point of debate. As I may repeat, we are dealing with barangay officials and SK officials, their terms of office are determined by law passed by Congress and therefore, Congress has that power to deal with their term of office—to shorten their term or provide hold-overs for them, as in the case of the Bill at hand.

Would the Sponsor agree?

REP. TUGNA. Yes, Mme. Speaker.

REP. DAZA. Now, the third point is this: I know, from what I have read in the newspapers and from talking to our colleagues, that in the House, there is an overwhelming support for the postponement of the barangay and SK elections this year. We can see and we must realize that there is a shortest of time between now and October 31, 2016. I understand that there has been a consensus between the Senate and the House to pass the Bill and to have two bills, one in the Senate and one in the House, that would be similarly worded, if not worded the same, to prevent loss of time from having to go into bicameral procedures, in a bicameral committee. My point is that, if we are in favor of this Bill, we must not touch a word of it, not even touch a comma, a period of it because, as I read from the newspapers, the Senate will act on the same, on a bill

of a similar nature, with the same language in order to avoid the bills going to bicameral committee.

Is that correct, Mme. Speaker?

REP. TUGNA. Yes, Mme. Speaker.

REP. DAZA. In which case, therefore, I would like now to get the assurance of the distinguished Sponsor that when we approve this Bill, and I am going to vote for the approval of this Bill, that we do not, during the period of amendments, touch this Bill as contained in the Committee Report; that we do not touch a word of it, not even a comma or a period of it, if we want this Bill to become a law in due time before October 31st. Will the Sponsor agree, Mme. Speaker?

REP. TUGNA. I agree, Mme. Speaker.

REP. DAZA. Thank you, Mme. Speaker. Thank you, distinguished Sponsor.

THE DEPUTY SPEAKER (Rep. Garcia, G.). We thank the Hon. Raul Daza.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mme. Speaker, I move that we close the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the period of sponsorship and debate is hereby closed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. There being no amendments, both Committee and individual, I move that we close the period of amendments, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the period of amendments is hereby closed.

REP. DEFENSOR. Mme. Speaker, I move that we approve on Second Reading House Bill No. 3504.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Garcia, G.). As many as are in favor of House Bill No. 3504, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Garcia, G.). As many as are against, please say *no*.

FEW MEMBERS. *No*.

APPROVAL OF H. B. NO. 3504
ON SECOND READING

THE DEPUTY SPEAKER (Rep. Garcia, G.). The ayes have it; the motion is approved.

House Bill No. 3504 is approved on Second Reading. (*Applause*)

REP. DEFENSOR. Mme. Speaker, before we part ways, let me do some closure. I move that we resume the suspended Privilege Hour, Mme. Speaker.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the Privilege Hour is resumed.

REP. DEFENSOR. Mme. Speaker, with that I move

that we terminate the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Garcia, G.). Is there any objection? (*Silence*) The Chair hears none; the Privilege Hour is terminated.

The Dep. Majority Leader is recognized.

ADJOURNMENT OF SESSION

REP. DEFENSOR. Mme. Speaker, I move that we adjourn the session until tomorrow, September 7, at four o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Garcia, G.). The session is adjourned until tomorrow, September 7, at four o'clock in the afternoon.

It was 9:02 p.m.