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CALL TO ORDER

At 4:00 p.m., Deputy Speaker Rolando G. Andaya Jr. called the session to order.

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

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Andaya). Please stand for the singing of the National Anthem.

Everybody rose to sing the Philippine National Anthem.

THE DEPUTY SPEAKER (Rep. Andaya). Everybody will please remain standing for the Invocation to be led by Rep. Mark O. Go from the Lone District of Baguio City.

Everybody remained standing for the Invocation.

INVOCATION

REP. GO (M.). Loving God, we give You thanks for giving us another day. We pause now in Your presence and acknowledge our dependence on You. Be Thou present, O God of wisdom, and direct the leadership of this honorable assembly. Enable us today to settle things on the best and surest foundation, that order, harmony and peace may be effectually restored, and truth and justice, prevail and flourish amongst the people.

Preserve the health of our bodies and vigor of our minds. Give us abundance of wisdom, knowledge, and understanding that we might know best how to proceed in the work You have given us to do, as well as the courage to act once we have discerned where Your Spirit might lead us.

Remove fear and confusion. Wipe away distrust which only inhibits good judgment and leadership. Strengthen the resolve and compassion of all Members that we may serve Your people with renewed clarity of vision and refined purpose that will soon unify this

nation in self-discipline and confidence, for You reward the just and their deed.

Lord, guide our minds, thoughts, hearts, and desires. Breathe into the Members of this House a new spirit. Shape this Congress and our government according to Your design that all might fulfill Your holy will.

Bless the Members of this assembly with attentive hearts and open minds that through the diversity of ideas, we may sort out what is best for our nation.

May all speech in this assembly be deliberately free of all prejudice so that others might listen wholeheartedly. Make all dialogue be mutually respectful, and lead us to unity and agreement for our nation's best interest.

May all that is said and done in this Chamber, today and always, redound to the benefit of our nation and for the glory of Your holy Name.

This we pray through Jesus Christ, our Lord.
Amen.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you very much. Good afternoon, colleagues. The next is the roll call.

What is the pleasure of the Dep. Majority Leader?

REP. CRISOLOGO. Mr. Speaker, may I move that we defer the calling of the roll.

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

REP. CRISOLOGO. Mr. Speaker, I move that we defer the approval of the Journal.

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

REP. CRISOLOGO. Mr. Speaker, I move that we proceed to the Reference of Business.

THE DEPUTY SPEAKER (Rep. Andaya). 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 and Resolutions on First Reading, Communications, and Committee Report, and the Deputy Speaker made the corresponding references:

BILLS ON FIRST READING

House Bill No. 4326, entitled:

“AN ACT SEPARATING THE WIGAN INTEGRATED SCHOOL - SECONDARY IN BARANGAY WIGAN IN THE MUNICIPALITY OF CORDON, PROVINCE OF ISABELA FROM THE ELEMENTARY SCHOOL; CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS WIGAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”

By Representative Aggabao
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4327, entitled:

“AN ACT ESTABLISHING A DRUG REHABILITATION CENTER IN THE CITY OF PARAÑAQUE, METRO MANILA TO BE KNOWN AS THE PARAÑAQUE DRUG REHABILITATION CENTER AND ALLOCATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

By Representative Tambunting
TO THE COMMITTEE ON DANGEROUS DRUGS

House Bill No. 4328, entitled:

“AN ACT ESTABLISHING REFORMS IN THE REGULATION OF COLLECTIVE BARGAINING AGREEMENT (CBA) OF MANAGEMENT AND EMPLOYEES' BARGAINING UNIT IN AN ESTABLISHMENT, THEREBY AMENDING SECTION 253-A OF PD NUMBERED 442 AS AMENDED OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES”

By Representative Tambunting
TO THE COMMITTEE ON LABOR AND EMPLOYMENT

House Bill No. 4329, entitled:

“AN ACT CREATING THE LAKE LANAO DEVELOPMENT AUTHORITY AND PROVIDING FUNDS THEREFOR”

By Representative Adiong
TO THE COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION

House Bill No. 4330, entitled:

“AN ACT TO IMPLEMENT FREE HOUSING PROJECTS IN SELECT URBAN AND URBANIZABLE AREAS UNDER THE LOCAL HOUSING PROGRAM AMENDING FOR THE PURPOSE PARAGRAPH (E) SECTION 4 OF REPUBLIC ACT NO. 7835, OTHERWISE KNOWN AS THE COMPREHENSIVE AND INTEGRATED SHELTER FINANCING ACT OF 1994”

By Representative De Vera
TO THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT

House Bill No. 4331, entitled:

“AN ACT RENAMING BOHOL ISLAND CIRCUMFERENTIAL ROAD TO PRESIDENT CARLOS P. GARCIA CIRCUMFERENTIAL ROAD”

By Representative Relampagos
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 4332, entitled:

“AN ACT AUTHORIZING THE DEPARTMENT OF HEALTH TO TRANSACT WITH PHARMACEUTICAL SUPPLIERS TO PRODUCE SPECIAL SINGLE PACKAGING OF ANTI-RABIES VACCINE AND APPROPRIATING FUNDS THEREFOR”

By Representative Pancho
TO THE COMMITTEE ON HEALTH

House Bill No. 4333, entitled:

“AN ACT TO ADOPT THE RULES OF LEGAL OR INTERSTATE SUCCESSION UNDER THE CIVIL CODE, AS AMENDED, IN THE ENTITLEMENT OF PENSIONS AND OTHER BENEFITS OF POLICE OFFICERS WHO DIED IN THE LINE OF DUTY AMENDING FOR THIS PURPOSE THE FIRST PARAGRAPH OF SECTION 41, ARTICLE XI OF PRESIDENTIAL DECREE NUMBER 1184 OTHERWISE KNOWN AS THE ‘INTEGRATED NATIONAL POLICE PERSONNEL PROFESSIONALIZATION LAW OF 1977’ AND FOR OTHER PURPOSES”

By Representative Billones
TO THE COMMITTEE ON PUBLIC ORDER
AND SAFETY

House Bill No. 4335, entitled:

“AN ACT AMENDING THE COMPOSITION
OF THE LAND TRANSPORTATION
FRANCHISING AND REGULATORY
BOARD (LTFRB)”

By Representative Castelo
T O T H E C O M M I T T E E O N
T R A N S P O R T A T I O N

House Bill No. 4336, entitled:

“AN ACT PENALIZING THE PRACTICE
OF RESTAURANTS, HOTELS, INNS,
CANTEENS, STEAKHOUSES, EATERIES
AND THE LIKE FROM REFUSING
TO SERVE ORDER OF RICE FROM A
CUSTOMER IF IT BE LESS THAN ONE (1)
CUP, AND FOR OTHER PURPOSES”

By Representative Aragon
T O T H E C O M M I T T E E O N T R A D E A N D
I N D U S T R Y

House Bill No. 4337, entitled:

“AN ACT PROMOTING THE USE OF URBAN
AGRICULTURE IN ALL URBAN AREAS
IN THE PHILIPPINES, ESTABLISHING
FOR THE PURPOSE THE URBAN
AGRICULTURAL PROGRAM AND
APPROPRIATING FUNDS THEREFOR”

By Representative Salon
T O T H E C O M M I T T E E O N A G R I C U L T U R E
A N D F O O D

House Bill No. 4338, entitled:

“AN ACT MANDATING THE DISCLOSURE
OF THE NUTRITIONAL CONTENTS OF
STANDARD MENU ITEMS IN CHAIN
RESTAURANTS AND SIMILAR RETAIL
FOOD ESTABLISHMENT”

By Representatives Nieto, Maceda, Fariñas,
Lagman, Alvarez (P.), Tinio, Villarín, Alejano,
Atienza, Marcoleta, Zamora (R.) and Cueva
T O T H E C O M M I T T E E O N H E A L T H

House Bill No. 4339, entitled:

“AN ACT STRENGTHENING THE PHILIPPINE
NATIONAL POLICE CRIMINAL
INVESTIGATION UNIT (CIU) BY
RESTORING ITS AUTHORITY TO ISSUE
SUBPOENA OR SUBPOENA DUCES
TECUM, AMENDING FOR THE PURPOSE
SECTION 35 (B) (4) OF REPUBLIC
ACT NO. 6975, OTHERWISE KNOWN

AS ‘AN ACT ESTABLISHING THE
PHILIPPINE NATIONAL POLICE UNDER
A REORGANIZED DEPARTMENT OF THE
INTERIOR AND LOCAL GOVERNMENT’,
AND FOR OTHER PURPOSES”

By Representative Acop
T O T H E C O M M I T T E E O N P U B L I C O R D E R
A N D S A F E T Y

RESOLUTIONS

House Resolution No. 534, entitled:

“RESOLUTION EXPRESSING THE PROFOUND
CONDOLENCES OF THE HOUSE OF
REPRESENTATIVES TO THE FAMILY
OF HONORABLE EUFROCINO M.
CODILLA, SR., REPRESENTATIVE OF THE
FOURTH DISTRICT OF LEYTE DURING
THE TWELFTH, THIRTEENTH AND
FOURTEENTH CONGRESSES”

By Representatives Alvarez (P.), Fariñas and
Suarez
T O T H E C O M M I T T E E O N R U L E S

House Resolution No. 535, entitled:

“A RESOLUTION CONGRATULATING MR.
PAOLO MACAPAGAL BALLESTEROS IV FOR
WINNING AS THE BEST ACTOR IN THE 2016
TOKYO INTERNATIONAL FILM FESTIVAL”

By Representative Atienza
T O T H E C O M M I T T E E O N R U L E S

House Resolution No. 536, entitled:

“A RESOLUTION CONGRATULATING AND
COMMENDING MS. KYLIE FAUSTO
VERZOSA OF BAGUIO CITY, PHILIPPINES
FOR WINNING THE MISS INTERNATIONAL
2016 TITLE”

By Representative Atienza
T O T H E C O M M I T T E E O N R U L E S

House Resolution No. 537, entitled:

“A RESOLUTION COMMENDING AND
CONGRATULATING SENATOR
EMMANUEL "MANNY" PACQUIAO
FOR WINNING THE WORLD BOXING
ORGANIZATION (WBO) WELTERWEIGHT
TITLE LAST NOVEMBER 5, 2016, AT THE
STATE OF NEVADA, U.S.A.”

By Representative Atienza
T O T H E C O M M I T T E E O N R U L E S

House Resolution No. 538, entitled:

“A RESOLUTION CONGRATULATING
AND COMMENDING SENATOR MANNY
"PACMAN" PACQUIAO FOR WINNING

THE WBO WELTERWEIGHT TITLE FIGHT AGAINST JESSIE VARGAS AT THE THOMAS AND MACK CENTER IN LAS VEGAS ON NOVEMBER 6, 2016”

By Representatives Nieto, Maceda, Malapitan and Martinez

TO THE COMMITTEE ON RULES

House Resolution No. 539, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON PUBLIC ORDER AND SAFETY AND THE COMMITTEE ON JUSTICE TO CONDUCT A JOINT INVESTIGATION, IN AID OF LEGISLATION, ON THE RAID CONDUCTED BY THE CRIMINAL INVESTIGATION AND DETECTION GROUP (CIDG) THAT LED TO THE KILLING OF ALBUERA, LEYTE MAYOR ROLANDO ESPINOSA, SR. AND FELLOW INMATE RAUL YAP WHILE IN DETENTION AT THE BAYBAY SUB-PROVINCIAL JAIL IN LEYTE”

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

TO THE COMMITTEE ON RULES

ADDITIONAL COAUTHORS

Rep. Maximo B. Rodriguez Jr. for House Bill No. 104;

Rep. Gwendolyn F. Garcia for House Bill No. 3556;

Rep. Jose Antonio “Kuya Jonathan” R. Sy-Alvarado for House Bills No. 1937, 2064, 3262, 3988 and 4052 and House Resolution No. 464;

Rep. Marlyn L. Primicias-Agabas for House Bill No. 4149;

Rep. Delphine Gan Lee for House Bill No. 3832;

Rep. Ruby M. Sahali for House Bill No. 122;

Rep. Len B. Alonte-Naguiat for House Bills No. 515, 516, 517, 1038, 1039, 1378, 1536, 1537, 1836, 1837, 2263, 2264, 2265, 2286 and 3435;

Rep. Carmelo “Jon” B. Lazatin II for House Bills No. 223, 233, 535, 554, 698, 1034, 1070, 1520, 1597, 2047, 2068, 2137, 2302, 2352, 2358, 2703, 2805, 2909, 2945, 2946, 3005, 3379, 3579, 3585, 3688 and 3706;

Rep. Horacio P. Suansing Jr. for House Bills No. 1858, 1859 and 2798;

Rep. France L. Castro for House Bills No. 1858 and 1859;

Rep. Isagani S. Amatong for House Bills No. 1858 and 2798;

Reps. Allen Jesse C. Mangaoang, Emmanuel F. Madrona, Frederick W. Siao, Ma. Lucille L. Nava, M.D., Michael L. Romero, Ph.D., Abraham “Bambol” N. Tolentino, Federico “Ricky” S. Sandoval II,

Manuel Jose “Mannix” M. Dalipe and Carlos Isagani T. Zarate for House Bill No. 1858;

Rep. Isidro S. Rodriguez Jr. for House Bill No. 516;

Rep. Juliette T. Uy for House Bills No. 516 and 4174;

Rep. Emi G. Calixto-Rubiano for House Bills No. 515, 1039 and 1836;

Rep. Josephine Ramirez-Sato for House Bill No. 2286;

Rep. Rene L. Relampagos for House Bills No. 3 and 4174;

Reps. Jericho Jonas B. Nograles, Mylene J. Garcia-Albano, Gloria Macapagal-Arroyo, Wilter “Sharky” Wee Palma II, Emmeline Aglipay-Villar and Abdullah D. Dimaporo for House Bill No. 4174;

Rep. Jose “Pingping” I. Tejada for House Bills No. 475, 1007 and 3934;

Rep. Gus S. Tambunting for House Bill No. 1010;

Rep. Strike B. Revilla for House Bill No. 334;

Rep. Jose Christopher Y. Belmonte for House Bill No. 749;

Rep. Rodel M. Batocabe for House Bill No. 3643; and

Rep. Harlin Neil J. Abayon III for House Bill No. 2576.

COMMUNICATIONS

Letter dated October 17, 2016 of Maria Gleda E. Lim, State Auditor V, Supervising Auditor, Office of the Supervising Auditor, Audit Groups CGS I and II – Water Districts and other CGS Stand Alone Agencies, Regional Office No. VI, Commission on Audit, furnishing the House of Representatives a copy of the Annual Audit Report on the Cuartero Water District, Cuartero, for the years ended December 31, 2012 to 2014.

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated October 17, 2016 of Aileen Anunciacion R. Zosa, Officer-in-Charge, Bases Conversion and Development Authority, transmitting a copy of the 2015 Annual Report of the Bases Conversion and Development Authority.

TO THE SPECIAL COMMITTEE ON BASES CONVERSION

COMMITTEE REPORT

Report by the Committee on Metro Manila Development (Committee Report No. 18), re H.B. No. 4340, entitled:

“AN ACT MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A RAINWATER

HARVESTING FACILITY IN ALL NEW INSTITUTIONAL, COMMERCIAL, AND RESIDENTIAL DEVELOPMENT PROJECTS IN METRO MANILA”

recommending its approval in substitution of House Bill No. 3460

Sponsors: Representatives Castelo, Belmonte (J.), Fernando, Calixto-Rubiano, Tambunting, Malapitan, Sandoval, Herrera-Dy, Tugna, Erice, Quimbo, Crisologo, Gonzales (A.P.), Gonzales (A.D.) and Batocabe

TO THE COMMITTEE ON RULES

THE DEPUTY SPEAKER (Rep. Andaya). The Floor Leader is recognized.

PRIVILEGE HOUR

REP. PRIMICIAS-AGABAS. Mr. Speaker, with leave of the House, I move that we open the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to declare a Privilege Hour.

Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. PRIMICIAS-AGABAS. Mr. Speaker, I now move that the honorable Gentleman from the Third District of Cagayan, the Hon. Randolph S. Ting, be recognized to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Andaya). Cong. Randolph Ting is recognized.

PRIVILEGE SPEECH OF REP. TING

REP. TING. Yes. Thank you, Mr. Speaker.

To the honorable Members of the House of Representatives, good afternoon.

I rise to bring to the attention of this august Body the plight of the people of Cagayan who were ravaged by the onslaught of super typhoon Lawin.

Last October 19, 2016, at around 11:00 p.m., packing with a strength of 225 kilometers per hour near the center and gustiness of up to 315 kilometers per hour, with a diameter of 800 kilometers, super typhoon Lawin had its landfall in Northern Luzon, particularly in the municipality of Peñablanca, then traversed almost all the municipalities of the Third District and the entire province of Cagayan, going to the provinces of Kalinga, Abra, Baguio and Ilocos, then out of the land mass of our country. For almost eight hours, our people experienced the worst typhoon of their lives, not knowing where to go as the roofs of their houses were blown away, holding on to their children and family who were in hysterics, crying and praying to God for

mercy, asking Him to stop the trauma that will haunt them for the rest of their lives.

When the typhoon exited the following day, when people were able to get out of their houses, they witnessed the aftermath of super typhoon Lawin with the heavily damaged houses and shelter structures, fallen electric posts and cell sites, uprooted trees, some barangays under water, destroyed bridges, impassable roads, flooded farms, missing household and farm animals, and other views that shattered them. Even government structures were not spared. With no electricity, water and food, the feeling of helplessness began to creep on our people. As communication lines and Internet connection were dead for 24 hours, no updates and situational report were going out of the province, leaving everyone outside of the province clueless on what happened to their families.

The recorded total damage to agriculture reached P6 billion with rice crops experiencing the worst at P5 billion. Damage to infrastructure was estimated at P2.8 billion, with 25,000 totally damaged houses and 93,834 partially damaged. The typhoon affected 163,827 families or about 800,000 individuals. Up to this time, electricity has not been restored 100 percent, mostly in the hard-hit areas of the province. Fortunately, as the local government units prepared early and conducted preemptive evacuation of people in low-lying areas, the number of reported casualties was very low.

Relief operations were immediately conducted as soon as it was possible. Help came from concerned agencies and private organizations particularly on water and food as there was no electricity to facilitate the production of purified water, and deep well sources were unsafe because of what the typhoon did. My office, with the immediate help of friends from other provinces and the compassionate officials and employees of the House of Representatives and the Senate, conducted our own relief operations. Up to this time, we are distributing packed rice, canned goods, other food items and water to our constituents to help them with their daily survival. However, the urgent help that our people need is the provision of GI sheets, plywood, wood and nails to help them rebuild their houses, and other structures crucial to their livelihood endeavors. Aid is, indeed, needed for them to restart their lives and get back on their feet.

Typhoons and other calamities keep stalling our growth. When things like these happen, our readiness in disaster response is always put to test. It seems, though, our response in providing relief to our people is made slow by bureaucratic procedures that need to be fulfilled before people can avail themselves of assistance. Moreover, a huge amount of government funds, instead of being used for rehabilitation of people affected by such calamities, are used to reconstruct government buildings and other structures. Rescue operations are also slow because of the lack

of appropriate equipment and skills. Coordination among concerned government agencies that assesses the extent of damage to determine the rehabilitation program that will be instituted is also weak. It is, as if, for every major calamity that strikes our country, we are at a loss as to how we should provide assistance to our people that assist our disaster preparedness.

In view thereof, I would like this august Body to consider the following measures that could help us prepare better for calamities such as the super typhoon Lawin:

1. Amendment of Republic Act No. 656 otherwise known as the Property Insurance Law, that will mandate the insurance of all government properties and structures in order for the government to cut down on the budget used for reconstruction or rehabilitation of damaged buildings and other structures due to natural disasters and calamities;

2. Review of the mandate of the Bureau of Fire Protection for them to become the primary rescue and relief operations personnel of the government not only during fire but also during typhoons and other calamities, to include the provision of proper training and equipment for each personnel;

3. The Department of Agriculture should study the possibility of enrolling all farm lots under an insurance program to make sure that the value of all damaged crops will be retrieved for the farmers to have a start-up capital for the next cropping season;

4. Review of procedures of certain government agencies tasked to give relief and assistance to disaster-affected families and individuals, in order for them to receive government assistance immediately, particularly on the following:

a. Review of the systems of procedures and requirements needed in availing calamity loan from the Government Service Insurance System, the Housing and Development Mutual Fund or Pag-IBIG, and the Social Security System in order for member-beneficiaries to get their proceeds at the soonest possible time. As the calamity loan is a form of financial assistance, member-beneficiaries should also be able to avail of it when they need it most;

b. As to the systems and procedures involved in the distribution of relief goods being done by the DSWD since it appears that it passes through several channels before it trickles to the recipients, we recommend that DSWD directly give it to the barangays if they cannot give it directly to the recipient families or individuals. Furthermore, availing of the Emergency Shelter Assistance should be simplified for recipients to receive it the soonest possible time or within 30 days;

5. In light of technological advancement, the DOST should include among its disaster facilities a capability that will provide near real-time image of disaster-affected areas thru its Project NOAH and Task Force AGILA;

6. As per experience, members of rescue teams in disaster-affected areas cannot perform their jobs when needed most because they have to attend to their own families who are also affected by the calamity, thereby delaying rescue operations. We therefore recommend that on-call rescue teams from other localities, provinces and regions be tapped as rescue strike force to immediately respond to disaster-stricken areas. We also recommend that a battalion of trained military personnel be assigned at the disposal of the NDRRMC for immediate deployment to calamity-stricken areas just after every calamity for rescue and relief operations;

7. The restoration of electricity and water is one of the primordial concerns after disasters. In the case of Cagayan, we thank all electric companies for extending help to Tuguegarao City and other affected towns in reinstalling fallen electric posts and cables. We therefore recommend that electric, water and sanitation companies become member of the NDRRMC to legitimize the assistance they can possibly give during such disasters;

8. The Quick Response Fund (QRF) of the different agencies concerned should immediately be utilized for rehabilitation of major infrastructures such as classrooms, school buildings, bridges, and others, so as to hasten the rehabilitation of affected areas;

9. The allowed utilization of the calamity fund should be reviewed for it appears that 70 percent is used for pre-calamity preparations and only 30 percent is available after the calamity, which entails more funds for rehabilitation activities; and,

10. Lastly, coordination by government agencies conducting relief and rehabilitation of affected areas should also be coordinated with legislators, local officials, and other stakeholders in order to have a unified approach in the delivery of relief and not to duplicate efforts being done. This will ensure lesser costs as well as address the actual needs of affected communities.

Cagayan is down at the moment, but is slowly getting up on her feet. We are at the lowest point of our lives as a people. But just like every Filipino, we will rise above this disaster. We need your help for us to get back on our feet, and we know you are one with us in our struggle to rise from the rubble.

Cagayan, kaya natin. Cagayan, para sa bayan.

Thank you very much and God bless us all.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you, Cong. Randolph Ting.

The Floor Leader is recognized.

REP. PRIMICIAS-AGABAS. Mr. Speaker, I move that the Gentleman from BUHAY Party-List, the Hon. Jose L. Atienza Jr., be recognized for his interpellation.

THE DEPUTY SPEAKER (Rep. Andaya). Congressman Atienza is recognized.

REP. ATIENZA. Salamat po, Mr. Speaker, for your graciousness, and also to the Floor Leader.

With the kind permission of the Gentleman from Cagayan, we would like to clarify certain matters with regard to his message to all of us.

REP. TING. Yes, of course.

REP. ATIENZA. Kami po ay nakikiisa sa inyo na ang ating mga kapatid sa Cagayan ay masyadong napahirapan nitong nakaraang bagyo, na parang hindi nakapaghanda at hindi nabigyan ng kaagad na tulong pagkatapos ng bagyo. Tama po ang mensahe ninyo. We agree with the Gentleman 100 percent.

REP. TING. Hindi naman po, Mr. Speaker. Ang sinasabi lang natin, nakapaghanda po tayo, but the after-disaster response, doon po tayo nahihirapan, dahil hanggang sa ngayon, sa katunayan, iyon pong ilaw sa probinsiya ng Cagayan, hindi pa po 100-percent restored. And it has already been about a month. If you remember, Mr. Speaker, it was our last day of the previous session on October 19 when the disaster struck Cagayan, when super typhoon Lawin struck the provinces of Cagayan and the other provinces in the north. So, doon po kami nagkakaroon ng problema dahil pati po doon sa sistema. Hanggang sa ngayon, although prepared naman ang lahat dahil nga alam nang maaga iyong pagdating noong mga balita tungkol sa lakas po ng bagyo, eh nagkakaroon po ng problema.

Unang-una, doon po sa experience namin, according to reports, ang sabi po ng DSWD, the relief packs were repositioned but the problem was that, although these were repositioned, hindi po nai-deliver doon sa mga victims dahil noong kasagsagan, kalakasan po ng typhoon, wala na pong makalabas ng kani-kanilang mga bahay dahil nga nagkaroon ng napakalakas na bagyo. Then, after the typhoon passed the—specifically my district, the Third District of Cagayan, eh hindi po kaagad makapag-relief operation because of the fallen trees and fallen electric posts. Hindi po makapag-mobilize iyong mga rescue operations, so na-delay po iyong pagdating noong mga relief packs na expected na makarating po sa ating mga mamamayan sa Tercero Distrito ng Cagayan.

REP. ATIENZA. So, we will not dwell too much on the preparation angle, as the Gentleman from Cagayan seems to be satisfied that, indeed, the government was prepared.

So, I will just ask, would the Gentleman say that in Cagayan, Isabela and Nueva Vizcaya, all the provinces and local government units have been specially trained on the geohazard mapping that has already been done

and covers the provinces that he mentioned, including his district? So, masasabi po ba ng Kinatawan, for the record, na sila ay nabigyan na ng tamang orientation on the dangers and continuing threats that typhoons will definitely bring to his region and his province? Would the Gentleman say that? I will accept it.

REP. TING. I think so, Mr. Speaker, because even in the city of Tuguegarao, when I was still the mayor, we have these geohazard maps, but the problem now is that our preparation is for—the usual preparation is for flooding, because of the release of water from the Magat Dam. But this time, it was a different typhoon, with stronger winds but less rains. So, dito tayo nabigla dahil ang preparation usually is for—iyong mga geohazards, the maps that were prepared were only for flooded areas, and you cannot specifically point out the effects of a super typhoon with strong winds on the residences or all the infrastructure in that area. So, lahat po, naapektuhan. Kaya nakakabigla po dahil hindi inaasahan iyong ganoon pong kalakas na super typhoon, with winds at around 225 kilometers per hour, and gustiness of 300 something. So, doon po, although alam na natin iyong mga areas na vulnerable, pero ito, nagbago ang sitwasyon noong lumakas po iyong hangin at ang tinamaan ay ang mga bubong po ng kabahayan at mga iba't ibang mga government buildings.

REP. ATIENZA. Mr. Speaker, we will not argue the point of the Gentleman. If he is happy with the preparations and the LGUs did their job, and to him, they were enough, we will not argue that point. Although we still say, if LGUs are properly oriented on disaster mitigation and adaptation, then we will not be suffering more than we should be.

Kung iyong bagyo ay lumakas, alam din po natin iyon. Sa Maynila, alam natin eh, di doon po sa area na tatamaan, dapat alam po nila. At iyon po namang geohazard map ay hindi lamang po tungkol sa baha o iyong mga bunga ng bagyo, kung hindi iyong paghahanda. Kaya nga po gumawa ang gobyerno ng geohazard map para sa ating kapuluan, upang ang lahat ng mga kapuluan na madalas tamaan ng bagyo ay makapaghanda nang tama. But if the Gentleman is happy with it, I will not argue the point. I will only remind that there is such a thing as a geohazard map for the whole archipelago of the country. If I were a governor in one province that is visited by typhoons, five, six, seven, eight times a year, I will definitely take a more special and aggressive positioning of everything that may be needed. But I am not critical; to be very careful about it, I am not critical of the Gentleman's efforts to deliver the message to us. In fact, it is commendable. But let me ask him then, will he say that the response of the Social Welfare Department in food rationing, food delivery, feeding the hungry and the affected families—would he

also say that they did all right, or would he like to stress furthermore where we can be helpful in preventing such calamity and miserable impact of a natural incidence like a typhoon?

REP. TING. Overall, I believe, the DSWD was prepared, but the problem lies in the release, the actual release of the relief goods. Doon po nagkakaroon ng problema because upon delivery to the DSWD regional office, these will be turned over to the local government units, but these relief goods are held and will only be distributed after a disaster strikes.

So, iyon po ang nagiging problema because in times of calamities like this, a super typhoon with a category of number five, then I just hope that we can find ways that these relief goods be delivered immediately to the recipients to the expected typhoon victims. Kasi ang nagiging problema is, if the relief goods are kept in the storage areas of a certain local government unit, then after the typhoon strikes, then there will be a delay of about a day before these relief goods reach the victims of typhoons.

So, doon po gustong dapat magkaroon po ng trigger na pag typhoon number five na, and expected to hit landfall, ay kaagad po iyong DSWD will instruct iyong mga local government units or whoever that will give these relief goods to deliver these relief goods to the victims, to the supposed victims, eh madala na before the typhoon strikes, because, pagdating noong mismong typhoon, hindi na po nakakalabas iyong mga rescue operators natin dahil po sa lakas. Then pagkatapos noong typhoon, nagbagsakan ang mga poste, nagbagsakan ang mga punong-kahoy, hindi na makadaan iyong mga sasakyan. Kung may baha, hindi na rin makaikot iyong mga sasakyan na magdadala sa mga taumbayan, at nade-delay iyong kanilang relief operations.

So, this is one area na gusto ko pong ma-improve ang sistema po ng relief operations ng DSWD or iyong pagbibigay ng mga relief goods ng DSWD.

REP. ATIENZA. So, the Gentleman is pointing out that, indeed, there should be improvements in the delivery of relief goods. Iyon po ba ang inyong mensahe o happy rin po kayo sa nangyari?

REP. TING. Ganoon po ang gusto kong mangyari, ...

REP. ATIENZA. There should be an improvement.

REP. TING. ... hindi lang po doon sa delivery ng relief goods kundi sa other remedies available sa DSWD, para po iyong Emergency Shelter Assistance. Ang Emergency Shelter Assistance, according to the

news reports that I saw yesterday, they will be releasing a partial amount of P5,000 per victim or per recipient or per whatever they call iyong mga beneficiaries of the ESA, 26 days after ng typhoon. Usually ang nangyari on the ground, kapag nagkaroon po ng bagyo, right after, immediately after the typhoon, people will start rebuilding especially their residences. In this case, dahil nga malakas iyong typhoon, ang dami pong nalipad na mga yero at mga nasirang kabahayan. Ang DSWD, nag-a-assess pa lang po isa-isa, nagva-validate at kung minsan nagkakaroon ng problema dahil nagreklamo po ang mga kababayan natin na pinipili lang daw po iyong mga nabibigyan. Pero siguro, hindi lang po talaga nila naiindtindihan iyong proseso.

So, in the case of ESA, I hope na ma-improve natin iyong release po ng emergency shelter assistance, na within two weeks, before po mangutang iyong mga kababayan natin sa mga five-six operators, eh nabigyan na po sila ng tulong magmula po sa DSWD. Kaya kailangan ang isa pang dapat gawin ng DSWD ay gawing malinaw po ang patakaran kung paano po mag-avail ng Emergency Shelter Assistance mula sa kanila para hindi po lahat ng tao ay nagtatanong-tanong at nagtuturuan ng mga paraan kung paano po mag-avail, dahil marami po ang nagsasabing “Hindi kami nabigyan” pero hindi pa naman po talaga nakapag-release.

REP. ATIENZA. So, on a scale of 1 to 10, Mr. Speaker, may I ask the Gentleman, how would he rate the DSWD’s performance in Cagayan and the other affected provinces of typhoon—ano po ba’ng pangalan noong typhoon, Lawin?

REP. TING. Iyong sa super typhoon Lawin po?

REP. ATIENZA. Opo. In a scale of 1 to 10.

REP. TING. Siguro, passing lang, they can do much better.

REP. ATIENZA. Ano po ba iyong passing? Two, three, four?

REP. TING. Seven up to 10.

REP. ATIENZA. So, the Gentleman is happy with the Social Welfare Department’s performance?

REP. TING. Yes, yes, of course, Mr. Speaker.

REP. ATIENZA. So, ang mensahe ninyo sa amin ngayon ay sinasabi ninyo na ang Social Welfare ay nagtrabaho pero maraming pagkukulang. Tama po ba iyon?

REP. TING. May pagkukulang po, Mr. Speaker.

REP. ATIENZA. May pagkukulang, would the Gentleman like to qualify it by saying may pagkukulang?

REP. TING. Yes, opo.

REP. ATIENZA. Pero sinasabi ninyo, 25 araw na ay wala pang bunga iyong kanilang supposedly paghahanda. Iyon po ang narinig ko sa inyong delivery kanina eh, inuulit ko lang po iyong sinabi ninyo. Pero kung sinasabi ninyong happy kayo sa Social Welfare, iyon po ay karapatan ninyo.

REP. TING. Ang gusto ko lang pong magawa is, ma-improve pa iyong delivery para sa ganoon mas makakapag-respond po sa pangangailangan ng ating mga kababayan.

REP. ATIENZA. Iyon po bang National Housing Authority ay gumawa agad ng aksiyon para mabigyan ang inyong probinsiya, ang inyong distrito ng emergency housing? Dahil the Gentleman mentioned the Social Welfare Department, they are not mandated to provide emergency housing as the National Housing Authority, which is the production department of emergency housing. Nakita po ba ninyo sila roon o hindi?

REP. TING. After po noong typhoon, immediately, namasyal po ang ating Kagalang-galang na Pangalawang Pangulo sa Cagayan, at ewan ko lang po dahil ang nakausap niya ay mga local government units at kaya nga po sinasabi ko dito rin sa akin pong privilege speech na isa sa mga bagay-bagay na ipinagdaramdam ko po, dahil ang ibang mga Secretaries na nakakarating po sa probinsiya, hindi po kami ini-involve na mga Legislators kung nandoon sila. Dumidiretso po sila sa local government units at doon sila nakikipag-confirm. Sana bigyan lang man tayo ng kortesiya, na every time they visit a locality, they make sure that they inform the district offices of the respective Legislators about their presence and the purpose of their visit to that locality.

REP. ATIENZA. So, Mr. Speaker, I will also ask the same question from the Gentleman. Would he say that the National Housing Authority acted with dispatch and emergency housing has been provided or not? Ganoon lang po kasimple ang tanong ko and we want a clear answer.

REP. TING. Yes, Mr. Speaker, naiintindihan ko po. Kasi iyong sabi ko nga, there is a line of communication between us and the local government, but at this point, wala pa po akong nalalaman na meron na pong naibigay ang—sa aking sariling pananaw—wala pa pong naibigay ang Housing Authority. Kaya nga po

doon sa speech ko, one of the requests was that—dahil ang dami naman po, even mga private employees of private employers, they are members of Pag-IBIG, that is why I am asking that a system that will provide emergency loans to members of Pag-IBIG for the repair of their respective houses be made. Kaya po one of my suggestions not only for Pag-IBIG, but for SSS, and GSIS also, sa mga members nila, ang nalaman ko po sabi nila every time there is a calamity like this, that befalls any locality in the country, ay kailangan pa daw po ang mga papers, documents that will prove that there was a disaster in a certain area and before that they will have it approved by their respective boards and make available calamity loans. So iyon din ang itinatanong ko, kapag tapos na po iyong calamity, nagkautang-utang ka na sa five-six, after three months, four months, darating iyong calamity loan mo, pambayad mo, pero excessive na po iyong nakolektang interes sa iyo. So, maganda po sana na magkaroon tayo ng sistema na ang calamity loan will be made available at the soonest possible time, if it is possible within two weeks after a calamity strikes. These agencies will then offer calamity loans to their respective members.

REP. ATIENZA. For the information of everybody, ang calamity po ay maaaring harapin ng lahat ng ating mga kagawaran na ating pinag-uusapan: Social Welfare, National Housing Authority, and of course, do not forget, the Office of the President. Ang atin po bang Pangulo ay nagpunta roon at nagbigay ng tulong kaagad o mayroon po bang pangako na may darating na tulong o wala pong aksiyon hanggang ngayon?

REP. TING. After his arrival from China, the President visited Tuguegarao City and conferred with some local government officials, especially the governors and the city mayors.

So, nandoon po siya at naibigay niya, nagbigay po sila ng mga rehab funds. But, I believe the rehab funds came from the regular funds of the Department of Agriculture, and the Department of Social Welfare and Development. And, according to the person I talked to a while ago, mayroon din po daw order ang ating Pangulo to the PAGCOR na magbibigay po sila ng assistance to the provinces that were affected by typhoon Lawin. So, the President was there.

I think, ang naging failure lang po, Mr. Speaker, I was there during the meeting and ang failure lang po kasi ay hindi ako nakapagsalita. I was not given the opportunity to talk, but I heard my governor and my mayor talked and they thanked the President. Pero hindi po sila nanghingi ng mga additional—because I do not know what happened whether they did the legwork with the other Secretaries that were present over there noong panahon na iyon. But nabanggit ko noon, after the meeting, iyong meeting namin with the

President, that we needed his help with regard to, iyon pong restoration ng power in Cagayan, in the province of Cagayan because I was very afraid that the restoration of power may take two months or three months and kawawa po ang mga kababayan natin.

Then, I did talk also to the DSWD Secretary kaya lang iyong first visit po ni Secretary Taguiwalo, ang Secretary ng DSWD, we were not invited. But when the President was there—she was with the President—nag-usap po kami and I was appealing to her to immediately release iyon pong ESA. Fortunately, there are announcements now that are being circulated by the media that they will be releasing P5,000 per recipient initially. Pero, I do not know whether they can give the full amount of P30,000.

REP. ATIENZA. Without being redundant about it, my questions' intentions, I would like to ask the Gentleman: Did action take place after the President's visit? Nagkaroon po ba ng delivery ng pagkain, delivery ng emergency housing?

REP. TING. Yes, I believe so.

REP. ATIENZA. Happy na po ba kayo roon?

REP. TING. Kasi, dalawang perspective ito eh. Kung nanhingi po kayo at hindi po ibinigay, siyempre si Presidente hindi naman niya po alam kung ano iyong mga kailangan natin because pasyal siya doon kaagad, immediate ang impact, hindi pa tapos lahat ng assessment, hindi pa lahat tapos ang pag-ano noong mga damages. Kaya siguro parang, sabi ko nga parang na-star-struck iyong mga officials namin na nandoon si Presidente, na hindi po nakapagsabi ng mga pangangailangan. Pero, I believe the President wanted to deliver all the necessary assistance siguro that he can give to the stricken victims of typhoon Lawin.

So, overall, I believe the President did his best.

REP. ATIENZA. Mr. Speaker, I am at a loss. The Gentleman is happy with the Social Welfare's action. On a scale of 1 to 10, he says seven is the point of the Social Welfare. So, therefore, pasado, sabi nga niya. The Gentleman seems to be happy with the visit of the Vice President who is in charge of the national housing and emergency housing. So, obviously, he is also happy with that. Now, he says he is happy with the President's action and, hopefully, action is being made as to the victims of the typhoon now. I am of the impression that the Gentleman is happy with the action taken by the national government. But, this humble Representation, coming all the way from Manila, is not happy because marami po akong kamag-anak sa Cagayan na talagang hindi po sila nakatanggap ng tulong hanggang ngayon. Kaya, hindi ko po maintindihan ang mensahe ng ating

colleague. Kung siya ay happy, eh dapat po huwag na tayong magtalo rito. Kung hindi siya happy, magtulung-tulong tayo, ibigay sa atensiyon ng ating Pangulo na iyong nangyari sa Yolanda sa Leyte ay mangyari sa Cagayan at bago pa mag-init ang ulo niya ay umaksiyon na siya. Narinig ko po ang Pangulo natin noong siya ay nasa Tacloban, sa Leyte at iyon po ay magandang-magandang ehemplo na ang pinuno na nagpapagalit doon sa mga nagkukulang dahil hanggang ngayon ay wala pang pabahay doong kumpleto at hanggang ngayon ay gutom pa rin ang nananaig. Ayokong mangyari sa Cagayan iyong nangyari sa Tacloban.

So, with the permission of my dear colleague, I will take up the issue publicly with the President para tingnan niya kung ano ang nangyayari sa Cagayan ...

REP. TING. Maraming salamat po.

REP. ATIENZA. ... upang matulungan natin ang ating mga kababayan doon; otherwise, this message will come to naught. This message should be delivered to the President because he is the one who could do something about the plight of the Cagayanons, dahil kung hindi po natin gigisingin ang gobyerno, paulit-ulit na lamang tayo na kapag may bagyo, mayroong reklamo, mayroong hindi nabibigyan ng tulong, mayroong namamatay nang gutom, walang bubungan at biktima ng lahat ng elemento ng panahon.

It is about time, rather than Congress being awakened to reality, I think we should wake up all the departments in charge of taking care of our people's needs in times of emergency. Doon po tayo manawagan sa kanila sapagkat anuman ang gusto natin dito, wala tayong magagawa. Pero kapag si Secretary Taguiwalo ay napansin ng ating Pangulo, palagay ko ay magigising siya sa katotohanan. Kapag ang ating Bise Presidente ay umaaksiyon kapag mayroong pangangailangan, palagay ko ay maliligayahan tayo sa kanya. At, kung ang ating Pangulo ay gagawa ng ibang paraan upang hindi siya magaya sa ibang mga Pangulo katulad noong nakaraan, insensitive and he did not care about the people's plight, wala siyang pakialam noong nangyari iyong Mamasapano, wala siyang pakialam na nangyari ang mga sakuna, sapagkat wala siyang pakialam sa ating lahat.

Naniniwala ako, si Pangulong Duterte, iba dito sa nakaraang Pangulong ito, kaya doon tayo manawagan sa kanya. Baka may mangyari dito sa privilege speech ninyo; otherwise, it will just go into the records of this Congress and the Cagayanons will still be hungry and homeless next year. Probably, on the anniversary of typhoon Lawin, the Gentleman from Cagayan will again deliver a privilege speech to remind everybody that nothing is being done in Cagayan.

I would like to thank the Gentleman for his graciousness for having helped me clarify my mind and for helping us appreciate the truth of what is going

on when we have disasters and calamities such as what befell Cagayan in the last month or so.

Maraming salamat, distinguished Congressman from Cagayan. Thank you, Floor Leader. Thank you, Mr. Speaker, for listening to our exchange.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you very much. Nakahanap din kayo ng katapat ho ninyo, mahaba rin ho magsalita sa microphone.

The Floor Leader is recognized.

REP. ATIENZA. Kaligayahan ko po.

REP. PRIMICIAS-AGABAS. Mr. Speaker, there being no other Member who wishes to interpellate the Hon. Randolph Ting, I move that the privilege speech of the Hon. Randolph Ting, together with its interpellation, be referred to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to refer the speech of the Honorable Ting to the Committee on Rules.

Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Floor Leader is recognized.

REP. PRIMICIAS-AGABAS. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). Floor Leader, was there a memo issued regarding our ...

REP. DAZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). ... regarding the color of the day? I see Congresswomen Suansing, Enverga and Barzaga all wearing the same color together with Congresswoman Aragones. Are we supposed to wear that color for the day? Was there such a memo?

REP. PRIMICIAS-AGABAS. No, we do not have one, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). No memo?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). Are they a singing group?

REP. PRIMICIAS-AGABAS. No, they are not, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). What is the pleasure now of the Floor Leader?

REP. PRIMICIAS-AGABAS. Mr. Speaker, we would like to acknowledge the presence of the guests of Hon. Nancy A. Catamco. We have from Columbia, Peace Panel, Indigenous Sector the following: Mr. Marino Cordoba, Mr. Luis Fernando Arias, Ms. Gimena Sanchez Garzoli, Mr. Marco Mezzera and Ms. Paula Fernandez.

THE DEPUTY SPEAKER (Rep. Andaya). Your presence is noted. Welcome to the House of Representatives. (*Applause*)

REP. PRIMICIAS-AGABAS. Thank you, Mr. Speaker.

We also have a group of local IP delegates from Mindanao, from Region XI, Davao Region, headed by Datu Joel Unad, Bae Norma Rivera, Datu Jose Amban, Datu Lumunsad Sibugan, Datu Nestor Apas and Datu Roldan Pabelon. From Caraga Region, we have Mr. Jimmy Guinsod, Mr. Rico Maca, Mr. Jomar Bocales, Mr. Joel Pendon and Mr. Samuel Behing. And from Cotabato, we have Mr. Santos Unsad. They are all the heads of the delegates, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). We take note of your presence. Welcome to the House of Representatives. (*Applause*)

REP. DAZA. Mr. Speaker, I rise on a point of order.

Let me preface my point of order, Mr. Speaker, by reading into the records Section 80, paragraph 8 of the House Rules which says, let me quote:

Unassigned Business. – Bills, resolutions, and other measures reported out by the committees but not calendared for Second Reading by the Committee on Rules may be included in the Calendar of Unassigned Business. Any business included in this Calendar may be set for consideration on motion of a Member with the unanimous approval of the House: *Provided*, That it shall be included in the Calendar of Business at least two (2) days prior to such consideration.

The subject matter of this particular provision in the House Rules are committee reports that have already been released by the appropriate committees and transmitted to the Committee on Rules. However, these reports are not yet calendared for discussion on the floor, that is why these are called Unassigned Business.

The reason that I am rising here on a point of order is that as far as I can recall, looking at the daily Calendar of Business or Order of Business that I receive every session, I cannot recall of any entry in the Calendar of Unassigned Business.

Now, this is important in the Rules, Mr. Speaker,

because this will give an advanced warning to the Members of the House on committee reports that are now in the Rules Committee awaiting to be discussed on the floor.

Now, in particular, Mr. Speaker, in my case, I am interested in the committee report that has come out of the Committee on Constitutional Amendments regarding the draft resolution to constitute Congress a Constituent Assembly to propose amendments to the Constitution. That is one. Number two, although I understand that there is no committee report of that sort yet, I am interested in what may be expected from the Committee on Ways and Means regarding a proposal that may be included in such a report to remove certain exemptions granted by law to senior citizens.

So, I am rising on a point of order because I would like to bring to the attention of the leadership through this point of order that reports pending in the Committee on Rules, especially on important measures such as the proposed draft resolution to constitute Congress into a Constituent Assembly should be placed in the Calendar of Unassigned Business.

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

REP. CRISOLOGO. Mr. Speaker, of course we understand the point of order of the Gentleman from Samar, but as of now, there are no committee reports yet submitted to the Rules Committee. Under the Rules, all committee reports which are approved by the different committees shall pass in the Committee on Rules for us to calendar it on the floor. So, we appreciate very much your concern, Mr. Speaker, but as of now, all committee reports that have been submitted to the Committee on Rules have been scheduled already here on the floor.

REP. DAZA. Well, I was just informed about 15 or 20 minutes ago ...

REP. CRISOLOGO. Yes.

REP. DAZA. ... that the report that has come out of the Committee on Constitutional Amendments regarding the draft resolution to constitute Congress as a Constituent Assembly is already in the hands of the Committee on Rules, and yet, I do not see any Calendar of Unassigned Business here.

REP. CRISOLOGO. Well, ...

REP. DAZA. If I may mention it, I spoke with the distinguished Chairman of the Committee on Constitutional Amendments, and just about 20 or 30 minutes ago, he informed me when I asked about this report that it is now in the Committee on Rules. I looked

at the Order of Business, I did not see any Calendar of Unassigned Business regarding this report, and I know that several other reports have come to the Committee on Rules, and they are not immediately brought to the floor because they are being reviewed by the Committee on Rules.

So, my simple point of order is that reports that are pending in the Committee on Rules should be listed in the Calendar of Unassigned Business so that the Members of the House who are interested in any particular measure should be prepared in advance and be here on the floor to participate when the report is brought to the floor. But, in particular, I can see that the distinguished Chairman of the Committee on Constitutional Amendments is here, and I am sure he will confirm that he informed me when I asked him about 20 minutes ago that the report that has come out of his Committee is now with the Committee on Rules.

REP. CRISOLOGO. Mr. Speaker.

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

REP. CRISOLOGO. Mr. Speaker, we appreciate very much the concern of the Gentleman from Northern Samar so that we can have order in the House, but perhaps he has been misinformed. As of now, I have called for the Chairman of the Committee on Rules, the Secretariat, the ComSec, and I have asked him if there are any pending committee hearings with us, and he said that we have scheduled it here. We also have the Chairman of the Committee on Constitutional Amendments here and he said that there is no committee report yet. It has a draft bill but it has not been finished yet, and he has not yet submitted it to the Committee on Rules, Mr. Speaker. So, perhaps you were misinformed. The Committee Chairman is here.

SUSPENSION OF SESSION

REP. CRISOLOGO. Mr. Speaker, may I ask for a one-minute suspension of the session.

THE DEPUTY SPEAKER (Rep. Andaya). One-minute suspension.

It was 4:58 p.m.

RESUMPTION OF SESSION

At 4:59 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Andaya). The session is resumed
Congressman Daza is recognized.

REP. DAZA. Mr. Speaker, during the interregnum for a few minutes, the Majority Leader explained to me that what was submitted was just a draft report. Well, the problem must have been in our communication because when I spoke to the Chairman of the Committee on Constitutional Amendments, I spoke to him in Bisaya.

And the word “draft” has no translation in Visayan. So, in which case, however, Mr. Speaker, I would like to anticipate and put on record the fact that when this important piece of report passes, it is already the formal report that will have been already in the hands of the Committee on Rules. If the Committee on Rules would not yet feel that it is timely to bring it to the floor, in the interim, it will stay in the Calendar of Unassigned Business.

REP. CRISOLOGO. We agree, Mr. Speaker, duly noted.

REP. DAZA. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you for your kind reminder, Congressman Daza.

The Dep. Majority Leader is recognized.

REP. DAZA. Yes, thank you, Mr. Dep. Majority Leader.

REP. CRISOLOGO. May I know ...

THE DEPUTY SPEAKER (Rep. Andaya). Are there no pending committee reports that have been submitted?

REP. CRISOLOGO. There are no pending committee reports, because usually, Mr. Speaker, if there is a committee report and we see that it is not yet appropriate for Second Reading, the Committee on Rules sends it back to the mother committee for a final review before it comes back, so that on the floor it will be easy to pass it on the floor.

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

Kahit iyong sa ano—sa Committee on Justice, iyong sa Bilibid investigation, wala pa?

REP. CRISOLOGO. Tapos na ho dito.

THE DEPUTY SPEAKER (Rep. Andaya). Naaprubahan na?

REP. CRISOLOGO. Tapos na ho. It is already finished, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). Has it been submitted to the floor?

REP. CRISOLOGO. Yes.

THE DEPUTY SPEAKER (Rep. Andaya). Naaprubahan na. Thank you.

The Dep. Majority Leader is recognized.

REP. CRISOLOGO. May I move now that we recognize the Gentleman from the Third District of Leyte, the honorable Rep. Vicente Sofronio Veloso for his privilege speech with regard to the affidavit of the late Mayor Rolando Espinosa. I so move.

THE DEPUTY SPEAKER (Rep. Andaya). Congressman Veloso is recognized.

PRIVILEGE SPEECH OF REP. VELOSO

REP. VELOSO. Mr. Speaker, thank you.

I rise on a matter of personal and collective privilege. It is personal because it appeared in media reports in the past few days that I am a protector of Kerwin Espinosa, thus, besmirching my reputation. It is collective because the malicious and libelous imputation has affected the name and honor of this institution. Worse, an insinuation has already been made at the Senate hearing last Thursday, November 10 of this year, that the killing of Albuera, Leyte Mayor Rolando Espinosa on November 5, 2016 was masterminded by some of those mentioned in Mayor Espinosa’s August 24, 2016 and October 3, 2016 judicial affidavits.

Let me assure you, Mr. Speaker and my dear colleagues, that I am not a protector of Kerwin Espinosa and I could not have even wished for the death of Mayor Espinosa. Let me cite the circumstances on time and distance that made it impossible for me to serve as protector of the Espinosas.

Let me point out prefatorily that I do not know nor have met the Espinosas. I could not likewise have given them protection because from 1972 up to the time I retired from the Court of Appeals last year, only last year, 2015, I was based in Manila. On hindsight, I was a Manila-based Court of Appeals Justice from 2004 to 2015, eleven years; a Manila-based Commissioner of the NLRC from 1989 to 2004, that is long, 15 years; without gap for even a day as I transferred from the NLRC to the Court of Appeals in Manila.

Could I have influenced judges in Leyte when I was Court of Appeals justice from 2004 to 2015? The answer is no, Mr. Speaker. Under the law, our jurisdiction was limited to cases in Metro Manila and Luzon. Leyte was under the exclusive jurisdiction of Court of Appeals-Cebu. Besides, in addition to my being an NLRC Commissioner and Court of Appeals Justice for the past

26 or 27 years now, I have been teaching Law at the Ateneo Law School for over 20 years, and two years of that, from 2012 to 2014, in UP College of Law; and I had also been a pre-bar reviewer of both the Ateneo and UP Law Schools for over 10 years. Since I had no time to even visit my folks in Leyte, I obviously would have no time to meet and act as protector of a young man named Kerwin. The affidavits of Mayor Espinosa do not have probative value in law. Let me emphasize that, Mr. Speaker.

What the late Mayor Rolando Espinosa executed on August 24, 2016, and October 3, 2016, are judicial affidavits. Pertinently, the Supreme Court on September 4, 2012, issued A.M. No.12-8-8-SC, the so-called Judicial Affidavit Rule. Section 3 of that Rule mandates:

A judicial affidavit shall be prepared in the language known to the witness and, if not in English or Filipino, accompanied by a translation in English or Filipino.

Note that the subject affidavits were prepared in English, not in the language known to Mayor Rolando Espinosa who, by the way, barely finished, per local media reports, elementary.

To comply with Section 3 of the Judicial Affidavit Rule, the affidavits should have been prepared in Cebuano—the dialect of Albuera, Leyte Mayor Espinosa.

With Section 10 of the Judicial Affidavit Rule providing letter (c), it says:

The court shall not admit as evidence judicial affidavits that do not conform to the requirements of Section 3.

These judicial affidavits prepared in English are therefore inadmissible as evidence. They do not legally bind me and, unaffected by said affidavits, I would not have any reason to wish the mayor's death.

The August 24, 2016 judicial affidavits of the late Mayor Espinosa do not bear the facts that would make me a protector of Kerwin.

The August 24, 2016 affidavit of Mayor Espinosa pertinently reads and may I have that flashed.

(Slide presentation)

There is question 28. "Now Mayor Roland, your son Kerwin's illegal drug activities in the region proliferated. Do you know if there are certain persons or officials of government who are protecting these illegal drug activities of your son?" The answer of Mayor Espinosa: "Yes, sir, there are government officials who are protecting these illegal activities."

Question 29. "Do you know who are these government officials who are serving as protectors of these illegal drug activities of your son, Kerwin?" The answer is: "Yes."

Question 30. "Can you name them?" It is flashed, Mr. Speaker. The answer was: "Yes, based on the pocket notebook in my possession, and based on my own personal knowledge." Kailan pa siya nagkaroon ng personal knowledge? "The protectors are DOJ Secretary Leila De Lima, et cetera." And named therein included in the enumeration was "Ching Veloso."

The aforementioned portions of the affidavit do not explain how and why Rep. Vicente "Ching" Veloso is the same Ching Veloso included in the enumeration of the names in answer to question 30. Neither do they show the circumstances under which Mayor Espinosa acquired the facts upon which included the name Ching Veloso. Yet, Section 3(d) of the 2012 Judicial Rule mandates that questions asked of the witness and corresponding answers must be consecutively numbered so that Number 1 showed the circumstances under which the witness acquired the facts upon which he testifies. These are absent in the affidavit.

On another ground, therefore, pursuant to Section 10(c) of the Judicial Affidavit Rule, the affidavits of Mayor Espinosa are inadmissible as evidence. Mayor Espinosa's October 3, 2016 supplemental affidavit is likewise bereft of any allegation that Rep. Vicente Veloso is Kerwin's protector.

On October 3, 2016, or almost two months after his August 24, 2016 affidavit, Mayor Espinosa allegedly executed a supplemental affidavit in answer to question 56 and please note, Mayor Espinosa allegedly stated...

Pakiano lang, medyo tabingi. Pakiayos lang iyong flash.

"Question 56: What about this Ms. Ching Veloso, do you know him personally and would you know him if he had any connection or participation to the illegal drug activities of Roland 'Kerwin' Espinosa?"

The answer was: "I know him, Sir, as the newly elected Congressman of the Third District of Leyte and as a former Associate Justice of the Court of Appeals. During that time, when my son Roland 'Kerwin' Espinosa confided to me about his illegal drug activities, he told me that he requested and encouraged my son's private armed group to—baligtad, ungrammatical—to (sic) utilize by him to kill anyone which will obstruct his winning as the Congressman of the Third District, election 2016, and in the same manner, Kerwin was giving protection money or 'payola' to the said person, x x x" I can use this, Mr. Speaker, in defense of my name.

Perusing said answer, it already appears that I am not Kerwin's drug protector. Assuming, for the sake of argument, that I knew or met Kerwin, which I vehemently deny as a matter of fact, at best, my "participation" was limited to my requesting Kerwin to lend me his "private armed group" to ensure my "winning as the Congressman of Third District election

2016.” There is nothing mentioned about drugs.

Even my allegedly asking a favor from Kerwin to lend me his private armed group puts me away from being Kerwin’s protector. Under the allegation, it is Kerwin who is my protector as I am borrowing from him armed groups and for which reason, it is I who should be “giving protection money” or “payola” to Kerwin.

On both grounds, Mr. Speaker, the affidavit of Mayor Espinosa is already wrong. All told, Mayor Espinosa’s affidavits have not validly implicated me as protector of Kerwin, especially so that in the third paragraph and in the third affidavit rather, dated September 7, 2016 which I attached as Annex “C” to this privilege speech, accountant witness Virbeca Diano did not mention my name as protector of Kerwin. Remember, this accountant allegedly is the possessor of the notebooks but in her affidavit which I attached as Annex “C,” she never mentioned the name of Ching Veloso, much less Rep. Vicente Veloso as part of the illegal activities of Kerwin.

In any case, Mr. Speaker, the alleged twin affidavits of Mayor Espinosa are hearsay—sabi ni Kerwin, sabi ni Virbeca, iyong accountant.

Section 36, Rule 130 of the Rules of Court provides,

A witness can testify only to those facts which he knows of his personal knowledge; that is, which are derived from his own perception, except as otherwise provided in these rules.

Meaning, the exceptions to the hearsay rule; thus, testimonies or facts beyond the affiant’s personal knowledge or perception are hearsay.

Let me cite to you, Mr. Speaker, the recent ruling of the Supreme Court in *People of the Philippines vs. Aniceto Estibal*, November 26, 2014.

In *Paula vs. People*, the court rendered a helpful disquisition on hearsay evidence, why it must be rejected and treated as inadmissible, and how it can be avoided.

To elucidate why the prosecutor’s hearsay evidence was unreliable and untrustworthy, and thus devoid of probative value, reference is made to Section 36 of Rule 130, Rules of Court, emphasizing the need that a witness can testify only to those facts which he knows of his personal knowledge, that is, which are derived from his own perception x x x.

Let me proceed, Mr. Speaker. My inclusion and mention of myself in Espinosa’s affidavits are politically motivated. Madali kasing sabihin, “Ah, politically motivated.” But these are documented allegations, Mr. Speaker. Mayor Espinosa’s answer to

Question 56 of his supplemental affidavit reminds me of ex-Representative Andres Salvacion, your former colleague here. On record at the National Police Commission is a complaint against a CIDG personnel executed by Joel R. Dejon who is a detention prisoner at Carigara, Leyte sub-provincial jail. The complaint is docketed as NAPOLCOM SD Case No. 2016-010 and paragraph thereof reads as follows: “On June 10, 2015, respondent CIDG Angay-angay came to visit complainant. He was asked by Angay-angay to serve as a state witness in the killing of Larrazabal.” This is the Vice-Mayor of my town Villaba, who was murdered in November 2014.

He was asked by Angay-angay to serve as a state witness in the killing of Larrazabal and was offered a huge amount if he would implicate retired Justice of the Court Appeals, Vicente Veloso, [among other intended] masterminds. Angay-angay showed complainant an envelope with money and assured the latter not to worry as he would be protected by respondent [CIDG Regional Director] Masauding and Leyte’s Third District Congressman, Andres Salvacion. Instantly, the complainant had a flashback of those times when he was still detained at the CIDG Regional Office in Tacloban City. Respondent Masauding would keep on convincing complainant to implicate Justice Veloso as mastermind in the killing of Larrazabal. Aware now that in October 2015, Justice Veloso would be running against Leyte Mayor Maria Victoria Salvacion-David, the daughter of Congressman Salvacion, as Congressman of the Third District of Leyte, and noting, as well, that the complainant, an effective campaigner of Leyte ex-Mayor Noli Ysidoro who will be running against Congressman Salvacion as Mayor of Leyte this October 2015 because Congressman Salvacion’s term will expire in June 2016, it is now clear that complainant’s warrantless arrest on November 30, 2014 was politically motivated. The respondents had to use the complainant as a fall guy to partly paralyze the campaign of ex-Mayor Noli Ysidoro, and they had to offer the complainant a huge amount of money to taint the reputation of retired Justice Veloso so as to give Congressman Salvacion’s daughter an edge in the forthcoming congressional election.

These are facts on record at the NAPOLCOM. A certified true copy of that complaint is attached as Annex “D” to this privilege speech, Mr. Speaker.

Police Senior Inspector Elvis Angay-angay submitted his counter-affidavit dated 14 August 2015, please see Annex “E” hereof to this privilege speech. But note, Mr. Speaker, that never did Angay-angay dispute the aforementioned allegation of complainant Joel R. Dejon.

Perusing again Mayor Espinosa’s answer to Question 56, no other malicious person could have thought of including my name to the groundless and fatally defective affidavits of Mayor Espinosa.

Ex-Congressman Andres Salvacion qualifies; it is not me, but ex-Congressman Andres Salvacion who qualifies and could have been the protector of Kerwin Espinosa. Important to a person being a protector are: (1) his being close to the party being protected; and (2) his being a powerful and influential person in the area where the person being protected resides. These are absent in my case as I do not know Kerwin Espinosa. I do not know his father, Mayor Rolando Espinosa. I never met them since my birth nor have I ever transacted business with them.

Comparatively, Mr. Speaker, based on facts herein discussed, ex-Rep. Andres Salvacion qualifies as the protector of Kerwin. He is reputed in the Third and Fourth Districts of Leyte as close to Kerwin Espinosa. He uses the fighting cocks of Kerwin and sometimes gets money from Kerwin during derbies. He, too, has enormous influence over the military and police authorities in the area. The last, his having influence over military and police authorities in the area is exemplified by the following events, Mr. Speaker.

Before and during the May 9, 2016 election, my leaders and followers were harassed by the PNP and the military courtesy of former Cong. Andres Salvacion. Movements of my leaders were curtailed. The PNP and military personnel erected checkpoints in vital routes in all municipalities of the Third District of Leyte, day and night. The PNP did not spare even an unrelated agency such as the Highway Patrol Group in electoral harassments.

To emphasize, Mr. Speaker, on May 7, 2016, at about 8:00 p.m., personnel of the Regional Highway Unit of Region VIII led by PCI Jerry Noel Go Ducentes harassed electorates in San Isidro, Leyte. After the election, PSupt. Conrado Villanueva, the Regional Head of the Regional Highway Patrol Group in Region VIII interceded in Ducentes’ behalf, pleading to spare him of criminal and administrative charges.

At the meeting which we had in San Isidro, Leyte, Police Superintendent Villanueva narrated to me his unfortunate experience with Andrew Salvacion, the son of then incumbent Cong. Andres Salvacion. He explained that before the May 9, 2016 election, his group apprehended Andrew’s vehicle loaded with private armed group and high-powered firearms. All that Andrew did was to call his father, and he escaped

apprehension and criminal charges because of the intervention of Cong. Andres Salvacion who even berated the apprehending officer, PSupt. Conrado Villanueva.

By the way, Mr. Speaker, this is the same Andrew Salvacion, the son of former Cong. Andres Salvacion, who now has a criminal case in Palompon, Leyte for his harassing and disturbing the canvassing of election results in Barangay Tabunoc, Villaba, Leyte on May 10, 2016. Andrew Salvacion in that harassment operation was accompanied by police and military personnel with long firearms.

Now, who can be the protector of Kerwin? I never had the influence as a candidate against the daughter of Andres Salvacion. The incumbent Andres Salvacion had the power and influence over the military and the police. He, too, was in a position to protect Kerwin.

Let me point out, Mr. Speaker, that the inclusion of my name in Mayor Espinosa’s affidavits were part of “dagdag-bawas” operation and these are documented.

Note that per media reports, 226, 2-2-6 were included in Mayor Espinosa’s affidavits as protectors, but only 47 were charged. Why? The Albueria police officers assisted, obviously by a lawyer, as the affidavits were in legal language and form prepared for Mayor Espinosa. They had to include 226 persons in their list in order that they can extort money from them as consideration for their being dropped from the affidavits. For example, in Mayor Espinosa’s August 24, 2016 affidavit, he included in his answer to Question 30, if we could have it flashed again, the name of Andres Cruz as one of Kerwin’s protectors. That name Andres Cruz appeared close to the name of Ching Veloso. However, on October 13, 2016, after executing that August 24, 2016 affidavit, Mayor Espinosa again executed another sworn statement attesting to the fact that the said Andres C. Cruz is not involved in any illegal activity.

Please flash the affidavit of Mayor Espinosa dated October 13. Iyan, may panibago.

Paano mangyayari? In Question 30 where my name and Andres Cruz’s name appeared, we were supposed to be protectors. Pagkatapos, October 13, biglang sasabihin ni Espinosa na hindi pala protector si Andres Cruz. This is proof of bawas. Also, in the Sinumpaang Salaysay dated November 10, 2016, Galo Stephen Roberto Evero explained—Stephen Roberto Evero explained that his October 13, 2016 affidavit was prepared by police officers Hydie Yutrago, a policewoman of Albueria, Leyte and Jovie Espenido, the Chief of Police of Albueria, Leyte. These are in paragraphs 4 and 5 of a state witness supposed to be Galo Stephen Roberto dated November 10, 2016. Please note that he claimed that when he was investigated before that date, he implicated only three police officers as recipients of payola, namely: Manalo and Vaño of CIDG at Regional Office No. 8 and Jabines, former Chief of Police of Albueria, Leyte. However, when they were brought on

October 3, 2016 by Jovie Espenido and Hydie Yutrigo and other police officers of Albuera, together with Max Miro and Mayor Espinosa to Tacloban City to have them notarized, he was surprised to note that many other police officers were already implicated. From three naging 33 ang protectors ng mga pulis ni Mayor Espinosa and Kerwin.

Worse, even the notebook was doctored. That affidavit tells us that a xerox copy of the alleged notebook was already presented as evidence during the investigation at the Regional Internal Affairs Service (RIAS) at the PNP Regional Office. This is in paragraph 8 of his affidavit as part of their “dagdag-bawas” operation.

What we have here, Mr. Speaker, are two affidavits: one, proving that out of the names included in the August 24 affidavit of Mayor Espinosa, Andres Cruz was deleted, and out of only few police officers, isinama pa ang 30 more police officers.

Mr. Speaker, fortunately, I was cleared by PNP Region VIII through Regional Dir. Elmer Beltejar, and such is supported by the fact that I was not included among those charged for being protectors of Kerwin Espinosa.

Let me explain, Mr. Speaker.

A few days before we had our recess last October 2016, PNP Regional Dir. Elmer Beltejar had a courtesy call with us, Congressmen of Region 8. In the said meeting, and in the presence of all Congressmen of Region VIII, except for Cong. Raul Daza who was absent, in the presence of the Region VIII Congressmen, I categorically asked Regional Director Beltejar if they had proof that I was a protector of Kerwin Espinosa. His answer was, “Huwag mo nang pansinin iyan, Sir. Lahat ng intelligence reports in Region VIII tell us that you are not a protector of Kerwin.” Supporting such clearance is the fact that while 33 police officers, seven government officers and seven private individuals have already been sued criminally and administratively, in batches, before the Office of the Ombudsman, the Prosecutor’s Office and the PNP RIAS, to date, no charge has been filed against me in any of said government agencies.

Let me point out, Mr. Speaker, that I will pursue my anti-illegal drug advocacy.

When I ran for Congress last May 2016, my peace and order platform involved a heavy anti-drug campaign. Also, since my term in Congress started, over 2,000 drug addicts in the Third District of Leyte have already surrendered through my efforts. In my desire to solve this drug problem, I organized Catholic Life in the Spirit Seminars to rehabilitate surrenderees, as we do not have yet drug rehabilitation centers. I am a Charismatic katulad po ni Congressman Crisologo, muntik kaming magpang-abot sa Cauayan, Isabela. I intend to have a drug rehabilitation center in Calubian.

In my first three months in Congress, I have

spearheaded activities that will not only rehabilitate drug addicts in our district. I too, in coordination with the PDEA have put anti-drug enforcement programs in the area. As further proof to my anti-drug advocacy, Mr. Speaker, I played a role in the congressional inquiry in the New Bilibid Prison proliferation of drugs. In fact, Mr. Speaker, itong bansag na drug protector pala ako ni Kerwin, parang naalala ko si Jaybee Sebastian, parang sinasabi ng mga tao, protektor din pala ako ni Jaybee Sebastian.

This, Mr. Speaker, has affected me a lot. Kanina, nag-usap kami ng comsec namin sa Committee on Justice, itinanong ko, ano kaya kung mag-resign ako? My family never supported my candidacy. When I filed my certificate of candidacy last October 2015, I had no wife nor children with me, mag-isa lang po ako kasama ang leaders ko. Now, naging totoo ang sinabi nila, “Papa, huwag kang sumali sa pulitika, madudungisan lang ang pangalan mo.” Nadungisan ang pangalan ko at biktima ang mga anak ko. Umiiyak sila. Paano nangyari? I asked God why. Katulad ni Pope Francis, hindi niya masagot kung bakit nagkaroon kami ng Yolanda sa Tacloban.

Mr. Speaker, I do not know what to do. On the one hand, I am helpless pagdating sa pagsisira ng pangalan ko. On the other hand, I want to serve this institution.

That would be all, Mr. Speaker, and thank you so much.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you, Congressman Veloso.

The Floor Leader is recognized.

REP. LOPEZ (B.). Mr. Speaker, I move that we recognize the Gentleman from 1-ANG EDUKASYON, the Hon. Salvador B. Belaro Jr., for his interpellation.

THE DEPUTY SPEAKER (Rep. Andaya). The Gentleman is recognized.

REP. BELARO. Good afternoon, Mr. Speaker.

May I inquire, Mr. Speaker, if the Congressman from Leyte is amenable to some queries in aid of legislation, Mr. Speaker.

REP. VELOSO. Willingly, Mr. Speaker.

REP. BELARO. Thank you, Mr. Speaker.

First of all, Mr. Speaker, kindly allow this Representation to express his commiseration with the Representative from Leyte on the ongoing media publicity about his travails. This is a situation we should not take very lightly because this could happen to anybody.

In the short time that I have known the Gentleman from Leyte, in fact, as a personal friend, I could attest to the veracity of his character, to his irreproachable dignity and that his record is beyond question. Especially, as a member of the Bar, I could attest that he has reached his

position as an Associate Justice of the Court of Appeals because of his unquestionable integrity. That is why it is quite disheartening and unfair to the Gentleman from Leyte to be ascribed and be intertwined in such media publicity which is quite an anomaly in our democracy. But, in the midst of all these ongoings, Mr. Speaker, we should remind ourselves, as Members of this august Body, that at the very least, we live in a democracy, and a basic premise in any democratic society is the rule of law. That is why before even ascribing to any myth being propagated, we should first question the legal admissibility of the evidence being propounded against my dear friend here.

Mr. Speaker, by way of introduction, I would address two queries in these two areas: first is to the legal admissibility of the evidence being used against the Gentleman from Leyte; and second, is to the legal implications of those who are responsible, especially with respect to the custody of the prisoner before his death.

First question, Mr. Speaker, my first question is that, a while ago, the distinguished Gentleman from Leyte already discussed the nature of hearsay evidence, but if I may just add, there is also a ruling of the Supreme Court that an affidavit which has never been presented in court also constitutes hearsay evidence. My question to the distinguished Gentleman from Leyte is that, as a legal luminary, does he agree with such ruling?

REP. VELOSO. Yes, Mr. Speaker, it is an elementary rule in law that an affidavit is nothing unless the affiant has been tested by a cross examination.

REP. BELARO. My second question, Mr. Speaker, is with respect to the rule in evidence which is considered, which is referred to as dying declaration. I think some members of the media are quite misinformed, because to constitute a dying declaration, there are certain elements which should be met. Now, in this regard, I think the affidavit does not meet the element of consciousness of an impending death. The question, Mr. Speaker, to the Gentleman from Leyte is that, does he agree with this observation?

REP. VELOSO. Yes, Mr. Speaker. The affidavits of Mayor Espinosa were dated August 24, 2016 and the supplemental judicial affidavit was dated October 3, 2016. He died or was killed only last November 5 of this year. He executed those affidavits not in a state of almost to die person but you would note, Mr. Speaker, that as stated in the affidavit of Stephen—anyway, I mentioned that a while ago—this was prepared by Chief of Police Yutrigo or rather Jovie Espenido and a certain Hydie Yutrigo, Mr. Speaker.

In short, they do not constitute a dying declaration. These, rather, were malicious fabrications of no less

than officers of the Albuera, Leyte, officers over whom we are paying their salaries, Mr. Speaker.

REP. BELARO. Thank you, Mr. Speaker, distinguished Gentleman from Leyte. My last question, Mr. Speaker, relates to the legal implication surrounding the circumstances of the death of Mayor Espinosa. And that is, I would like to pinpoint to the fact that he was in custody during his death. My question to the distinguished Gentleman from Leyte is that, is there, under Tort Law or any other relevant laws, what is the responsibility of the officials who are in custody of Mayor Espinosa?

REP. VELOSO. Let me just point out, Mr. Speaker, that I find it strange that Mayor Espinosa surrendered to the police authorities as early as August 3. His house was raided and a lot of firearms as well as shabu were confiscated. In my recollection under Section 6, Rule 112 of the Rules of Court, Mayor Espinosa should have already been incarcerated at that time, inquest proceedings should have already been conducted and Mayor Espinosa should have stayed in jail in Baybay because it has the jurisdiction over the case. But take note, Mr. Speaker, that Mayor Espinosa was allowed to function as a Mayor of Albuera after the raid of his house. I would assume that Mayor Espinosa was a victim either of extortion or bribery. Well, I would assume that in his desire that he not be incarcerated, he had to bribe the Chief of Police, Jovie Espenido. On the other hand, Jovie Espenido, taking advantage of the mental framework of Mayor Espinosa had to make Mayor Espinosa believe, *kapag hindi ka sumunod sa akin, mamamatay ka*. Make a comparison, Mr. Speaker, on the character of Mayor Espinosa and his son Kerwin.

At one point, at one time, Mr. Speaker, I saw Mayor Espinosa, crying, pleading to his son, “Mag-surrender ka na para maging matino ang ating buhay.” On the other hand, Kerwin did not heed the advice, *nagpunta pa sa labas ng Pilipinas, abroad*. Looking at that, and especially kung makikita mo sa TV, the first time na nakita ko itong si Jovie Espenido na nagsalita sa TV, kumindat pa siya, “O, Kerwin, papatayin kita, mag-surrender ka na sa akin,” *naka-smile*. Now, who is Kerwin, who is Jovie Espenido? In that November 7 *Inquirer* news sa Internet, sinabi na mismo ni Kerwin Espinosa, after *namatay ang tatay niya*, after siya humagulgol—“Itong si Jovie Espenido ay aking protector.” In fact, before he was assigned to Albuera, pulis itong si Espenido sa Davao. And as late as that time, si Kerwin ang nagbibigay ng payola kay Jovie Espenido. Ito ang Chief of Police, Mr. Speaker, who claims na iligal ang raid ng CIDG, ngunit ang lumalabas po na balita sa Ormoc and in Leyte, away ito ng mga pulis, while on the one hand, ang CIDG was trying to enforce the law. Itong si Jovie Espenido, gusto niya na

nasa custody pa rin niya si Mayor Espinosa. In fact, ngayon lang ako nakarinig ng Chief of Police who would ask the Regional Trial Court of Baybay na ibalik sa kanya ang custody. Why? Para patuloy ang buhay-buhay niya?

Mr. Speaker, I hope that answers the question of my good friend.

REP. BELARO. Thank you, Mr. Speaker.

Again, I would like to—this Representation would like to thank the distinguished Gentleman from Leyte for acceding to the questions and, I think, we should all be reminded that, after all, this is still a rule of law. And, especially, my good friend here is just responding to the rule of evidence, that an objection should be timely raised, because if you do not raise it at the proper time, just like this opportunity, he is forever barred from doing so.

Thank you, Mr. Speaker.

REP. VELOSO. Mr. Speaker, one last point.

Noong lumabas ang pangalan ko sa Internet, November 5, gusto ko na talagang mag-privilege speech dito. But I was prevailed by wiser people, kakalat lang iyan, lalong madidiin ka. And, I recall the advice of Congressman Acop, there will always be an opportune time for that.

Last Thursday, napangalanan na ako, pagka walang suwerte. Nagtanong si Senator Sotto ng question, “Bakit pinatay? Bakit ninyo ni-raid ang Baybay? Bakit hindi ka nagpaalam sa mga provincial jail guards sa Baybay Provincial Jail?” Ang sagot nitong si Laraga, “Iyong provincial jail guards are local jail guards, na-influence ang mga local politicians.” Pinilit ni Senator Sotto, “Ibigay mo ang mga pangalan.” Walang suwerte, apat ang narinig kong ibinigay na pangalan: Governor Petilla; Vice Governor Loreto; Vicente “Ching” Veloso, Congressman ng Third District of Leyte; at si Richard Gomez. Napakawalang suwerte namin. With that, biglang sumabog ang balita, protektor pala itong si Congressman Veloso ni Kerwin. With that, Mr. Speaker, no choice na po ako. I have to deliver, as I delivered my privilege speech.

Thank you, Mr. Speaker.

REP. CRISOLOGO. Mr. Speaker, before we recognize the next interpellator, may I move that we suspend the period of interpellation.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to suspend the period of interpellation. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. CRISOLOGO. Mr. Speaker, may I move that we call the roll.

ROLL CALL

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to call the roll. 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. 44, dated November 15, 2016:

PRESENT

Abaya	Bulut-Begtang
Abayon	Cagas
Abu	Calderon
Acharon	Calixto-Rubiano
Acop	Caminero
Acosta	Campos
Acosta-Alba	Canama
Advincula	Castelo
Aggabao	Castro (F.L.)
Aglipay-Villar	Castro (F.H.)
Albano	Catamco
Alejano	Cayetano
Almonte	Celeste
Alonte-Naguiat	Chavez
Alvarez (F.)	Chipeco
Alvarez (M.)	Co
Alvarez (P.)	Cojuangco
Amatong	Collantes
Andaya	Cortes
Angara-Castillo	Cortuna
Antonino	Cosalan
Antonio	Crisologo
Aragones	Cuaresma
Arcillas	Dalipe
Atienza	Dalog
Bag-ao	Daza
Bagatsing	De Vera
Baguilat	Del Mar
Banal	Deloso-Montalla
Barzaga	Dimaporo (A.)
Bataoil	Dimaporo (M.K.)
Batocabe	Durano
Bautista-Bandigan	Dy
Belaro	Elago
Belmonte (F.)	Enverga
Belmonte (J.C.)	Erice
Benitez	Eriguel
Bernos	Ermita-Buhain
Billones	Escudero
Bolilia	Espino
Bordado	Estrella
Bravo (A.)	Evardone
Bravo (M.V.)	Ferrer (J.)
Brosas	Ferrer (L.)

Ferriol-Pascual	Paduano	Vargas-Alfonso	Villarin
Fortuno	Palma	Velarde	Violago
Fuentebella	Pancho	Velasco	Yap (M.)
Garbin	Panotes	Velasco-Catera	Yap (V.)
Garcia (G.)	Papandayan	Veloso	Yu
Garcia (J.E.)	Pimentel	Vergara	Zamora (M.C.)
Garcia-Albano	Plaza	Villafuerte	Zamora (R.)
Gasataya	Primicias-Agabas	Villanueva	Zarate
Geron	Quimbo	Villaraza-Suarez	Zubiri
Go (A.C.)	Ramirez-Sato	Villarica	
Go (M.)	Ramos		
Gonzaga	Relampagos		
Gonzalez	Revilla		
Gorriceta	Roa-Puno		
Gullas	Rocamora		
Hernandez	Rodriguez (I.)		
Herrera-Dy	Rodriguez (M.)		
Hofer	Roman		
Javier	Romualdez		
Kho	Romualdo		
Lacson	Roque (R.)		
Lagman	Sacdalán		
Laogan	Sagarbarria		
Lazatin	Sahali		
Leachon	Salimbangon		
Lee	Salo		
Limkaichong	Salon		
Lobregat	Sambar		
Lopez (B.)	Sandoval		
Lopez (C.)	Santos-Recto		
Lopez (M.L.)	Sarmiento (C.)		
Macapagal-Arroyo	Sarmiento (E.M.)		
Maceda	Savellano		
Madrona	Sema		
Malapitan	Singson		
Manalo	Suansing (E.)		
Mangaoang	Suansing (H.)		
Marquez	Suarez		
Martinez	Tambunting		
Matugas	Tan (A.)		
Mending	Tan (M.)		
Mercado	Tejada		
Mirasol	Teves		
Montoro	Tiangco		
Nava	Ting		
Nieto	Tinio		
Nogralas (J.J.)	Tugna		
Nogralas (K.A.)	Tupas		
Nolasco	Ty		
Nuñez-Malanyaon	Umali		
Oaminal	Ungab		
Olivarez	Unico		
Ong (H.)	Uy (J.)		
Ortega (P.)	Uy (R.)		
Ortega (V.N.)	Uybarreta		
Pacquiao	Vargas		

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 219 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Andaya). With 219 present, the Chair declares the presence of a quorum. The Dep. Majority Leader is recognized.

REP. CRISOLOGO. Mr. Speaker, since the Journal of the House of Representatives —Journal No. 43, last Monday, November 14, 2016— is already distributed, I move that we dispense with the reading of the Journal.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to dispense with the reading of the Journal. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

APPROVAL OF THE JOURNAL

REP. CRISOLOGO. I move that we approve Journal No. 43 dated Monday, November 14, 2016. I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to approve Journal No. 43 dated Monday, November 14, 2016. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

PRIVILEGE HOUR

Continuation

REP. LOPEZ (B.). Mr. Speaker, I move that we resume the Privilege Hour.

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

The Chair declares a Privilege Hour.

REP. LOPEZ (B.). Mr. Speaker, I move that we recognize the Gentleman from KABAYAN Party-List, the Hon. Ron P. Salo for his interpellation.

THE DEPUTY SPEAKER (Rep. Andaya). If Congressman Veloso is still willing.

REP. VELOSO. No problem, Mr. Speaker.

REP. SALO. Mr. Speaker, may I inquire if the Gentleman from Leyte would yield to some queries or questions.

REP. VELOSO. Willingly, Mr. Speaker.

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

I respectfully note, Mr. Speaker, that I am taking this opportunity to ventilate some of the concerns being raised by the Gentleman from Leyte, inasmuch as I feel the emotional pain that he is undergoing through. In the same manner that I personally know the Gentleman from Leyte in such a short time when we were together, he being the Vice Chair of the Justice Committee and he valiantly questioned no less than Jaybee Sebastian.

Mr. Speaker, first, may I inquire if you personally know the late Mayor Espinosa.

REP. VELOSO. I have not met Mayor Espinosa even in my dreams, Mr. Speaker.

Look, Albueria, where Mayor Espinosa resides is the southern edge of the Fourth District of Leyte. It is about almost or more than 100 kilometers away from my town, Villaba, in the Third District of Leyte—ang layo. Even if doon ako sa Leyte, I hardly would meet Mayor Espinosa. Remember that he became a politician only in the 2016 elections. So, I do not know this Mayor Espinosa, Mr. Speaker.

REP. SALO. How about Mr. Kerwin Espinosa, Mr. Speaker?

REP. VELOSO. Looking at the face of Kerwin, siguro mga 30 years old lang ito, and since 27 years ako sa NLRC and Court of Appeals, siguro kung ako ay nakapunta ng Albueria by accident, Kewin would have only been three years old. Hindi kami magpapang-abot unless naging babysitter po ako, Mr. Speaker.

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

Sir, third query is, inasmuch as the purported affidavit of the late Mayor Espinosa was typewritten as opposed to handwritten, because then we can immediately presume that it was written by the person, but in this case it was typewritten. Does the Gentleman have any idea whether the late Mayor Espinosa personally executed said affidavit?

REP. VELOSO. I cited, Mr. Speaker, the affidavit of Galo Stephen Roberto dated November 10, 2016, and here he categorically said, paragraphs four, five, and,

well, six, seven, and eight, na ang gumawa po ng affidavit niya, at kasama itong si Mayor Onik Espinosa, were Jovie Espenido and Hydie Yutrigo, mga pulis po ito ng Albueria. Jovie Espenido was the chief of police, and itong si Hydie Yutrigo ay isang pulis doon. I would assume na kasama siya. But what makes it strange, Mr. Speaker, the affidavits were not only in English, they were in legal form. Basahin mo po, abogado lang po ang puwedeng gumawa noon. I would assume that those who wanted to indulge in this business of dagdag-bawas to extort monies from those maliciously implicated, kasama doon sa 226 listed in the affidavits of Mayor Espinosa itong mga tao pong ito ang gumawa, kasama iyong abogado.

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

Next query is, the Gentleman mentioned in his speech a while ago that such particular affidavit is hearsay, the contents of it. May I inquire, what is the probative value of such affidavit inasmuch as the Gentleman mentioned that it is hearsay?

REP. VELOSO. Well, it is hearsay, Mr. Speaker, because under Section 36 of Rule 130 of the Rules of Court, only a person who has personal knowledge of facts therein stated can execute that affidavit. Here, itong sinasabi po ni Mayor Espinosa, “sinabi sa akin ni Kerwin,” “sinabi sa akin ng accountant ni Kerwin,” double hearsay, Mr. Speaker. In addition, ang ginamit pa as title, “Judicial Affidavit.” But under the Judicial Affidavit Rule of 2012, two things are important: Number one, dapat under Section 4, the affiant should be assisted by counsel because not only will he be incriminating himself, he will be opening himself to perjury and to libel suits. It is the function of his counsel to tell him when to stop and what to say as long as it is the truth.

Pangalawa po, Section 3 of the Judicial Affidavit Rule mandates that dapat mayroong affidavit in the language of the affiant. Ito, barely nakatapos ng elementary, English pa ang ginamit, without the benefit of a translation. Compare this, Mr. Speaker, with the affidavit of the accountant. Iyong affidavit of the accountant had translation, pero iyong kay Mayor Espinosa, wala. Talagang sinadya para makapagdagdag-bawas itong mga kriminal na gumawa ng affidavit. Besides, Mr. Speaker, nasa Internet na iyan. The brother, lumabas, sinabi sa akin noong una ito ni Cong. Ben Evardone. *Cebu Star*; sinabi doon, the quote is in Bisaya, itong kapatid ni Mayor Espinosa, nagtanong kay Mayor Espinosa, “Bakit ka pa gumawa ng affidavit?” Ang sagot ni Mayor Espinosa, “Hindi naman ako gumawa ng affidavit. Pinapirma lang po ako.” And that has never been refuted by Jovie Espenido or by the police officers of Albueria.

REP. SALO. Thank you very much for that answer. My next query is that, the Gentleman mentioned

in his speech that his inclusion in the list is politically motivated. May I just inquire if he has some inkling as to who would have the motivation to include your name?

REP. VELOSO. I mentioned, Mr. Speaker, alam mo ang pulitika sa amin—I was born to a family na deeply involved sa pulitika. When I was studying at the Ateneo Law School, ang tatay ko po ay nasa pulitika. The Congressman in our place, the late Marcelino Veloso, Majority Leader, was our Congressman. Ang acting Governor of Leyte was my brother, Alberto Veloso, na naging Congressman din dito. The Mayor of our place was the younger brother of my father. Even the Congressman in Davao, the late Ismael Veloso, was the younger brother of my father. Nasa dugo po namin ang pulitika. But my brother, the late Alberto Veloso, warned me, “Huwag kang makikinig sa tatay natin dahil dugong pulitiko iyan. Never ever join politics. Pumasok ka sa practice, maghanap ka ng pinakamagandang law office dito dahil may utak ka.”

Mr. Speaker, nahihiya man akong sabihin dahil baka sabihin din na ang abogado nila ay protektor ni Kerwin Espinosa, from 1972 po up to 1979, nasa ACCRA Law Office ako. This is the law office that produced six Senators: Senator Cayetano, Senator Drilon, Senator Gordon, Senator Roco, and Senator Angara. Ang nag-organize po nito was Senator Enrile. Masipag po ako na practitioner at successful po ako na practitioner. And then, from there, tumuloy ako sa NLRC and to the bench sa Court of Appeals. Wala po akong hilig sa pulitika. Ngayon lang po ako nakatakbo, 2016, simply because June 10, 2015, niloloko na ako nitong ipinapanalo ko sa pagka-Congressman. Ako pa naman ang nagpapanalo kay Andres Salvacion. Ang kalaban niya in 2007 was the wife of Edward Veloso. Nanalo lang siya by 1,000 plus votes.

Ako mismo, from my rancho to my farm, I already had 3,500 votes. Ibinigay ko po iyon kay Andres Salvacion. Nanalo siya. Sa pag-aakala ko na matino, nagpasalamat ako na nanalo siya, only to find out na grabe pala ito. May goons, at ipagyayabang pa po, Mr. Speaker. Sabi niya, hindi ko na pangangalanan, natuto siya sa isang Congressman din daw dito from Samar na mahilig ng goons. At ang sabi niyang gagawin niya, dalawang klaseng goons ang gagamitin niya against me. Hindi lang iyong goons na non-uniformed personnel ng gobyerno, kung hindi pati iyong goons niya na uniformed policemen and military personnel ng gobyerno. Ganoon kagrabe itong si Andres Salvacion. Biruin mo, pinuntahan pa ng tauhan niyang CIDG personnel, si Angay-angay, ang isang nakakulong para mag-offer, “I-implicate mo lang si Justice Veloso, babayaran kita. I-implicate mo lang as mastermind doon sa pagkamatay ng kumpare ko na Vice Mayor ng Villaba.”

So, in answer to the Gentleman’s question, wala akong iba na pagdududahan. Wala naman akong mga kalaban doon, hindi kasi ako pulitiko doon. Nasabak lang po ako nitong last elections. Kaya tama nga itong

mga anak ko, “Papa, huwag kang sumali sa pulitika, madidisgrasya ka lang diyan, mababahiran lang tayo. But that is water under the bridge, Mr. Speaker. Nagsabi na nga ako ke Manong Edcel na ang sarap mag-resign. Sabi niya, huwag. Lahat nagsasabi ng huwag. It might even be construed as an admission of guilt, just like flight. So, I hope again, I answered the Gentleman’s question, Mr. Speaker.

REP. SALO. Thank you very much.

For my last query, in as much as this particular incident may happen to any person, including those people in this Chamber, may I just inquire, what is the legal recourse of a person included in this kind of affidavit.

REP. VELOSO. That brings to mind iyong kasabihang na kapag may inililibing na nakalagay daw doon, ngayon akin, bukas kayo naman. Sana hindi ito mangyari sa inyo. But what are the legal recourses we can have? We need legislation. Ganito po kasi ang nangyari sa akin. November 5 at about five o’clock, biglang lumabas, anonymous sa Facebook, iyong question number 30. Nandoon iyong Ching Veloso, pagkatapos ang sumunod—ah ito iyong Ching Veloso na Congressman ng Third District of Leyte, and then lumabas pa sa TV Patrol, without even giving me the opportunity to explain my side: “Congressman Veloso ng Third District of Leyte, protektor ni Kerwin.”

Okay sana if you can have legislation that would require the media to first verify kung may bahid ng katotohanan bago sila magpa-publish ng news, because news can either be garbage or newsworthy. Definitely, kung tiningnan nila, isang tingin mo lang sa judicial affidavit, garbage na iyon eh. Imagine, Mayor Espinosa, who hardly finished high school, mag-e-execute in legal form, in legal language, in English, an affidavit. Pagkatapos, walang pang benefit of translation. Eh talagang dapat pagsabihan itong media. Makikita mo kung at sight, hindi na, inbalido na iyong news, huwag ninyo namang ipalabas.

If we can craft a legislation to that effect we all will be safe, Mr. Speaker.

REP. SALO. That is all, Mr. Speaker. Thank you very much, Mr. Speaker for answering my queries and, once again, I express my support to the Gentleman from Leyte in defending his honor. Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you. Deputy Majority Leader...

REP. VELOSO. Thank you, Mr. Speaker. Maraming salamat po colleagues.

REP. LOPEZ (B.). Mr. Speaker, there being no other Member who wishes to interpellate, I move that

we refer the speech of the Hon. Vicente Veloso and the interpellation to the Committee on Rules for its appropriate action.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to refer the speech and the interpellation to the Committee on Rules. Is there any objection? (*Silence*) The motion is approved.

REP. LOPEZ (B.). Mr. Speaker, I move that we terminate the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to terminate the Privilege Hour. Is there any objection? (*Silence*) The motion is approved.

REP. LOPEZ (B.). Mr. Speaker, before we resume the session, we would like to acknowledge the presence of the guests in the gallery of the Hon. Anna Katrina M. Enverga from the First District of Quezon, namely: Luz Pacaigue, the Head Teacher; Maria Concepcion Cuadra; Lalaine Calabano; Richelyn De Torres; Violeta Alcantara; Mirasol Dadios; and Rogelio Balaguis.

Also, Mr. Speaker, we would like to acknowledge the presence of the guests of COOP-NATCCO Party-List Reps. Sabiniano S. Canama and Anthony M. Bravo, Ph.D.. They are the cooperative leaders, namely: Cora Nimfa Vivar, Emigdio Iroy, Georgina Basco, Leonora Garcia, Wilfie Quimmo, Manuel Arado, Rogelio Mabilanga, Axel Binaoro, Wendyl Pasok, Necitasio Abarquez, Jianette Cortex, Renita Daway, Donato Almador, Benjamin Togonon, Felimon Espares, and Alex Gaane. Welcome to the gallery.

THE DEPUTY SPEAKER (Rep. Andaya). Your presence is duly noted. Welcome to the House of Representatives.

CONSIDERATION OF H.B. NO. 4149 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. LOPEZ (B.). Mr. Speaker, I move that we consider House Bill No. 4149, contained in Committee Report No. 17, as reported out by the Committee on Local Government.

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

THE DEPUTY SPEAKER (Rep. Andaya). 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. 4149, entitled: AN ACT EXEMPTING FROM THE POPULATION AND LAND AREA REQUIREMENTS THE CONVERSION OF A MUNICIPALITY INTO A COMPONENT CITY IF IT HAS A LOCALLY GENERATED AVERAGE ANNUAL INCOME OF AT LEAST TWO HUNDRED FIFTY MILLION PESOS (P250,000,000.00), AMENDING FOR THE PURPOSE SECTION 450 OF REPUBLIC ACT NO. 7160, AS AMENDED OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991.

REP. LOPEZ (B.). Mr. Speaker, I move that the Chairperson of the Committee on Local Government be recognized to begin the sponsorship of the measure.

THE DEPUTY SPEAKER (Rep. Andaya). The Chairman is recognized.

SUSPENSION OF SESSION

REP. LOPEZ (B.). Mr. Speaker, I move that we suspend the session for a few minutes to allow the technical staff and resource person to access the floor.

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

It was 6:16 p.m

RESUMPTION OF SESSION

At 6:17 p.m., the session was resumed.

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

REP. LOPEZ (B.). Mr. Speaker, I move that we recognize the Gentleman from the First District of South Cotabato, the Hon. Pedro B. Acharon, Jr. to deliver his sponsorship speech.

THE DEPUTY SPEAKER (Rep. Andaya). Congressman Acharon is recognized.

* See MEASURES CONSIDERED (printed separately)

REP. ACHARON. Thank you, Mr. Speaker.

Good evening fellow colleagues in the House of Representatives.

I would like to move, Mr. Speaker, that the Explanatory Note of the Bill be considered as the sponsorship speech, Mr. Speaker, so that we can proceed with the interpellation.

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

The Secretary General is directed to consider the Explanatory Note as the sponsorship speech of the Honorable Acharon. Please proceed.

REP. ACHARON. This Representation, Mr. Speaker, is now ready to answer questions.

REP. LOPEZ (B.). Mr. Speaker, I move that we recognize the Gentleman from the First District of Albay, the Hon. Edcel C. Lagman, for his interpellation.

THE DEPUTY SPEAKER (Rep. Andaya). Congressman Lagman is recognized.

REP. LAGMAN. Thank you, Mr. Speaker.

Will the distinguished Sponsor yield to interpellation?

REP. ACHARON. Gladly, Mr. Speaker.

REP. LAGMAN. For a long time, there were three overriding factors which were considered in the creation of cities, namely, population, land area, and average annual income. Will the distinguished Sponsor, Mr. Speaker, inform this Body whether under this Bill, population and land area will not anymore be considered in the creation of cities, and it will depend solely on the annual income of a city, of a proposed city, consisting of P250 million.

REP. ACHARON. Yes, that is correct, Mr. Speaker.

REP. LAGMAN. May we know why the population factor has been excluded in the consideration of the creation of cities?

REP. ACHARON. Well, Mr. Speaker, there are local government units that were able to display exemplary good governance thereby collecting more taxes and income for their local government units. However, they were not able to comply with the requirement of land area which is 100 square kilometers or a population of 150,000 inhabitants; but they were able to collect more than P250 million locally generated income. That is why this Bill seeks to exempt these local government

units from compliance with the population or land area requirements for as long as they are able to collect more than P250 million locally generated income.

REP. LAGMAN. May we know, Mr. Speaker, distinguished Sponsor, the municipalities which want to be converted into cities but do not qualify under the factor on population?

REP. ACHARON. Actually, Mr. Speaker, there is only one municipality which has signified its intention about this exemption where its income is more than P250 million, and I think that is from Cavite, which is Carmona, which has a locally generated income of P409 million. About the other municipalities, there is no other municipality, Mr. Speaker, that signifies to be included in this exemption.

REP. LAGMAN. In other words, are we being informed, Mr. Speaker, that we are legislating for a sole and solitary municipality, the municipality of Carmona?

REP. ACHARON. It is not, Your Honor, Mr. Speaker, because the Committee has approved this in line with the desire of some municipalities with larger income that wanted to become cities but were not able to comply or cannot comply with the population requirement or the land area requirement. We were informed, Mr. Speaker, that there are nine municipalities with more than P250 million locally generated income.

REP. LAGMAN. May we know, Mr. Speaker, distinguished Sponsor, the identification of these other municipalities.

REP. ACHARON. According to the Bureau of Local Government Finance, Mr. Speaker, Your Honor, they gave us a list of municipalities which have an income of more than P250 million but with a population of less than 150,000. One is Limay, Bataan, with an income of P400 million but with a population of 57,207; another one is Mariveles, Bataan, with P351.25 million income, with 112,707 population; we have Sto. Tomas, Batangas, with an income of P319.93 million, with a population of 124,740; we have Carmona, Cavite, with P409.84 million, with 74,986 population; we have Malay, Aklan, with a locally generated income of P326.34 million, with only 45,811 population; and we have Carigara, Leyte, with an income of P255.16 million, with a population of 47,444, Your Honor, Mr. Speaker.

REP. LAGMAN. We are just counting six.

REP. ACHARON. Nine.

REP. LAGMAN. Nine.

REP. ACHARON. One, two, three, four, five, six—six, Mr. Speaker.

REP. LAGMAN. Yes. But aside from Carmona,—no, only Carmona signified its intention to convert into a city. The other enumerated municipalities did not signify such an intention to be chartered as cities.

REP. ACHARON. Yes, but they are just waiting for this law to be approved so that that is the time that they will apply for cityhood when this House Bill will be approved, Mr. Speaker.

REP. LAGMAN. Now, can the distinguished Sponsor inform us the reason why, before, population was an essential factor in the creation of cities?

REP. ACHARON. Population, Mr. Speaker, Your Honor, became one of the factors because in order for the locality to, of course, improve when there are people and there is enough income, of course, the services will be improved and there will be economic activities thereby sustaining the development of a locality. But of course, among the three conditions, Mr. Speaker, there is no doubt that the income requirement is the most controlling in creating a local government unit such as municipality, city or province.

REP. LAGMAN. In other words, the reason why population was considered before as a factor is not obtained anymore as far as this Bill is concerned.

REP. ACHARON. It will still obtain, Mr. Speaker, but since they were not able to comply with the requirement of 150,000 as mandated in the Local Government Code, that is why we are seeking this exemption because after all, if we have less population but they have bigger income, they can still develop more the area, Mr. Speaker. Much more that they can deliver the basic services that are being required of by the people because they have enough money and yet they have only fewer inhabitants, Mr. Speaker, Your Honor.

REP. LAGMAN. Were there other reasons why population was considered a factor before?

REP. ACHARON. Of course, Mr. Speaker, the first thing, the reason why the population was considered is that you cannot create a government without the people because this is a people of government, by the people and for the people.

REP. LAGMAN. Now, why are we now dispensing the factor of population in the creation of cities? If that

was the reason before, it should still be a current and viable reason today.

REP. ACHARON. The reason, Mr. Speaker, is that, with that—with their money of, with their income, rather, of P220 million for a locality of less than 100 square kilometers, they can, as I have said, deliver the services needed because of their income.

The population requirement was not dispensed with, Mr. Speaker, because in the first place, when they were created as municipality, they were able to comply with the requirements of the law in creating a municipality, Your Honor, Mr. Speaker.

REP. LAGMAN. Well, a city, which is earning no less than P250 million annually, will not be able to make use of such income if there is no sufficient number of people to be served. Is that a correct statement, distinguished Sponsor?

REP. ACHARON. Please repeat, Mr. Speaker, Your Honor.

REP. LAGMAN. A city which has P250 million income but does not have the adequate number of people to be served, will just be immobilizing its funds because the people to be served are not there because population is not anymore a factor in the creation of cities.

REP. ACHARON. The people that are present in their present locality, in their current locality, Your Honor, Mr. Speaker, of course, will increase for sure once these municipalities will be converted into cities, but it does not mean that the government with P250 million income cannot deliver the services to its people. Much more, Mr. Speaker, that they can deliver more projects, programs, and they can conduct more activities because they have enough money to develop their community, Mr. Speaker. As I have said, Mr. Speaker, Your Honor, when they were created as municipalities, they were able to comply with the requirements.

We believe, Mr. Speaker, that if you have enough money, you can deliver the services needed by the people.

REP. LAGMAN. In other words, are we informing this Chamber that a proposed city will only have about 20,000 population and it does not matter that it has only 20,000 people to serve as long as it has an annual income of P250 million a year?

REP. ACHARON. Well, Mr. Speaker, we also believe that there is no municipality that has less than—that has only 20,000 population, Mr. Speaker, Your Honor, because for sure, if it is generating an income of more than P250 million or P250 million

annually, then, for sure, it has more people, and it has already more than 20,000 people and the community is already developed and the reason why they were able to collect taxes, Mr. Speaker, Your Honor.

REP. LAGMAN. In the case of the enumerated municipalities, there were six of them, which have an annual income of not less than P250 million, can the distinguished Sponsor inform this Body what is the average number of people residing in these six municipalities?

SUSPENSION OF SESSION

REP. ACHARON. We will still compute it, Mr. Speaker. May I ask for a suspension.

THE DEPUTY SPEAKER (Rep. Andaya). One-minute suspension.

It was 6:34 p.m.

RESUMPTION OF SESSION

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

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

REP. ACHARON. Yes, Mr. Speaker, the Honorable Lagman has been asking for the average population of the six municipalities. The average is 67,631 people.

REP. LAGMAN. I beg your pardon.

REP. ACHARON. Sixty-seven thousand six hundred thirty-one.

REP. LAGMAN. In the case of the municipality of Carmona, Cavite, what is the population?

REP. ACHARON. The population, Your Honor, Mr. Speaker, is 74,986.

REP. LAGMAN. Now, Mr. Speaker, distinguished Sponsor, instead of completely eliminating the factor of population, can we not just reduce the land area—no, no, the population, lower than the present requirement of 150,000 for those municipalities or aggrupation of barangays which have an income of not less than P250 million a year?

REP. ACHARON. Well, Mr. Speaker, that can be done through, of course, an amendment to the existing law because the existing law requires 150,000 population. But this time, Mr. Speaker, Your Honor, this

is the House bill that has been referred to the Committee, and this was duly adopted by the Committee, Mr. Speaker, Your Honor.

REP. LAGMAN. So, in other words, from that answer, the distinguished Sponsor is amenable to an amendment reducing the 150,000 population requirement to a lower number in case of municipalities or aggrupation of barangays which have an income of P250 million annually. Is that correct?

REP. ACHARON. No, Mr. Speaker. This Representation believes that the requirement of creating a local government unit is that it has an income and then the population or land area.

Now, this exemption, Mr. Speaker, will serve as an incentive to the local government units, especially the municipalities that were able to demonstrate exemplary governance thereby generating more income for their locality, Mr. Speaker. We want to give incentives to these local government units that were able to display good governance, especially when it comes to income generation. We do not want to reduce the requirement, Mr. Speaker.

REP. LAGMAN. In other words, the distinguished Sponsor will insist to completely eliminate the factor of population in the creation of municipalities.

REP. ACHARON. Not really, Mr. Speaker. As has been asked by this House Bill that the population will stay, the population of the local government unit which has an income of P250 million, for sure, that will really increase, Mr. Speaker.

We did not set aside population or land area because these are important aspects of development. But of course, as I have said, we have included in our committee hearings that we wanted to give incentives, a chance for this area to be developed more if it will be exempted from population or land area requirement for as long as it collected at least P250 million income, Mr. Speaker.

The argument, Mr. Speaker, is that the requirement as of now is P100 million for a municipality to become city. Now, for a municipality which can collect more than double the P100-million minimum requirement but it was not able to comply with the population requirement or land area, then it will be exempted. That is the beginning of this discussion, Mr. Speaker, Your Honor.

REP. LAGMAN. Now, let me go to the other requirement, the land area. Could the distinguished Sponsor inform this Body the reason why land area before was an indispensable requirement for the creation of municipalities, of cities, even if the income would be more than the minimum requirement of P100 million?

REP. ACHARON. Mr. Speaker, the requirement for creating a municipality before was just smaller. Of course, the land area for municipality requirement is also smaller, Mr. Speaker. There were municipalities which were created before which had really lesser land area, Mr. Speaker. Today, they can no longer expand because the boundaries are already specific, Mr. Speaker, and there are no other areas to be given to them unless the neighboring municipalities will give their area. So, in order to give them the chance to become a city, Mr. Speaker, even if they cannot enlarge, expand their land area, then they will just have to increase their income to P250 million, so that they will be able to comply, because there are really local government units, Mr. Speaker, especially municipalities which were approved before, which were created as municipalities even if their area are smaller. But, as of now, we cannot do something to improve their land area, Mr. Speaker.

REP. LAGMAN. My question really is, what was the reason for requiring a minimum land area for the creation of cities before? Understandably, no local government unit must exist without any adequate land area. Why are we now eliminating such a factor or requirement?

REP. ACHARON. Of course, Mr. Speaker, I cannot remember the wisdom of the framers of the Local Government Code, in having these minimum requirements, why they opted to have this figure before. But, of course, the requirement is that we cannot create a local government if you do not have the land, if you do not have the inhabitants and, most importantly, the income, Mr. Speaker. The framers of our Code, Mr. Speaker, somehow must have some reasons why they pegged the minimum requirements for land and population during that time.

REP. LAGMAN. Now, may we know, presently, what is the minimum requirement for land area in order for a municipality or group of barangays to be chartered as a city?

REP. ACHARON. For a municipality, Your Honor, Mr. Speaker, the land-area requirement is 50 square kilometers, I think this is 5,000 hectares; while for a city, the requirement is 100 square kilometers or 10,000 hectares. So, these municipalities for sure, 50 square kilometers of land area, Mr. Speaker, Your Honor.

REP. LAGMAN. Now, may we know from the distinguished Sponsor, what is the average land area of these six municipalities which have income of not less than P250 million annually.

REP. ACHARON. Honestly, Mr. Speaker, we do not have that figure as of now.

REP. LAGMAN. Can we have that figure later or next week?

REP. ACHARON. Yes, Mr. Speaker, we can get the figures of these municipalities, but as I have said, they were already created as municipalities and as I have said, they have displayed good governance that they were able to invite business or economic activities in the area that is why they were able to collect more than P250 million. But, of course, the land area can be provided, Mr. Speaker.

REP. LAGMAN. Incidentally, Mr. Speaker, distinguished Sponsor, was the League of Cities invited to put their inputs on this particular measure?

REP. ACHARON. Yes, Your Honor, during the last two Congresses, last Congress and this Congress, they were invited, Mr. Speaker.

REP. LAGMAN. And what was the recommendation or position of the League of Cities?

SUSPENSION OF SESSION

REP. ACHARON. During the committee hearing, Mr. Speaker, they sent Ms. Veron of—can we ask a suspension of the session, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Andaya). I move for a one-minute suspension of the session.

It was 6:49 p.m.

RESUMPTION OF SESSION

At 6:50 p.m., the session was resumed.

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

REP. ACHARON. Mr. Speaker, Your Honor, the League of Cities sent Ms. Veron Hitosis, Unit Head, Policy and Legislation, League of Cities of the Philippines. She only stated that the income is important but, also, the land area must not be decreased. This is only the position or the observation given by Ms. Hitosis, Mr. Speaker, Your Honor, during the committee hearing.

REP. LAGMAN. Was this representative a duly authorized person to represent the League of Cities?

REP. ACHARON. Accordingly, Mr. Speaker, yes, because this was during the technical working group hearing conducted by the committee.

REP. LAGMAN. In other words, the League of Cities did not completely recommend the Bill as proposed, excluding land area and population requirements, once an aspiring city has an average income of not less than P250 million. Is that correct?

REP. ACHARON. During that committee hearing, Your Honor, yes.

REP. LAGMAN. Yes. May we have a copy of that position paper of the League of Cities so that we will be able to properly apprise ourselves on the position of the League of Cities.

REP. ACHARON. Yes, Your Honor. This is to inform the Honorable Lagman and the Speaker that this committee hearing was conducted during the Sixteenth Congress, Mr. Speaker.

REP. LAGMAN. In other words, the League of Cities was not invited in a committee hearing during the Seventeenth Congress, this current Congress.

REP. ACHARON. They were invited, Mr. Speaker. The ULAP, Union of Local Authorities of the Philippines; the League of Cities and the League of Municipalities were invited, Mr. Speaker.

REP. LAGMAN. May we have copies of their position papers, if any, if they were submitted.

REP. ACHARON. They did not send their position papers, Your Honor, Mr. Speaker.

REP. LAGMAN. Okay. How many hearings were conducted by the committee with respect to this proposed measure?

REP. ACHARON. During the last Congress, Mr. Speaker, we conducted, I think, two hearings: one, during the introduction of the Bill and then there was a technical working group that was created, headed by Hon. Jonjon Mendoza; and then, the second, during the approval. Today, the author cited the provision in our Committee on Rules that since this House Bill has been approved last Congress, then the committee may dispose this on this Congress, Mr. Speaker.

REP. ATIENZA. Mr. Speaker, with due respect to the two Gentlemen on the floor, ...

THE DEPUTY SPEAKER (Rep. Andaya). Yes, Congressman Atienza is recognized.

REP. ATIENZA. ... as they are discussing a very important piece of legislation, this will convert additional municipalities into cities which will have a very, very big impact on the existence of cities today. There are serious objections to this. Meanwhile, we understand the position of the Sponsor and the questions relayed by the Gentleman from Bicol. So, due to the importance of the matter being discussed and the lateness of the hour, too, we do not see enough Members anymore who should participate in this very critical piece of legislation. We are afraid it may be approved on Second Reading with just a handful of Members on the floor.

So, at this point, we are constrained to question if there is a quorum. If there is no quorum, we move for adjournment and we should take up this issue under ...

THE DEPUTY SPEAKER (Rep. Andaya). The Floor Leader is recognized.

REP. ATIENZA. ... better conditions where we will all be informed properly.

THE DEPUTY SPEAKER (Rep. Andaya). Thank you, Congressman Atienza. The Floor Leader is recognized.

SUSPENSION OF SESSION

REP. LOPEZ (B.). Mr. Speaker, may I move for a few minutes suspension of the session.

THE DEPUTY SPEAKER (Rep. Andaya). I move for a one-minute suspension of the session.

It was 6:56 p.m.

RESUMPTION OF SESSION

At 6:59 p.m., the session was resumed.

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

Pending the submission of the documents required by the Honorable Lagman, let us suspend the consideration of this particular Bill.

The Floor Leader may please lay the predicate motion.

SUSPENSION OF CONSIDERATION OF H.B. NO. 4149

REP. LOPEZ (B.). Mr. Speaker, without a quorum, I move that we suspend the consideration of House Bill No. 4149, under Committee Report No. 17.

THE DEPUTY SPEAKER (Rep. Andaya). There is a motion to suspend the consideration of the aforementioned Bill. Is there any objection? (*Silence*) The motion is approved.

The Floor Leader is recognized.

ADJOURNMENT OF SESSION

REP. LOPEZ (B.). Mr. Speaker, there being no other

matters to consider, I move that we adjourn the session until tomorrow, November 16, 2016, at four o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Andaya). We are adjourned.

It was 7:00 p.m.