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CALL TO ORDER

At 3:00 p.m., Deputy Speaker Prospero A. Pichay Jr. called the session to order.

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

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Pichay). Everybody will please rise to sing the Philippine National Anthem by the Virlanie Voices.

Everybody rose to sing the Philippine National Anthem.

THE DEPUTY SPEAKER (Rep. Arenas). Everybody will please remain standing for the doxology to be delivered by the Virlanie Voices.

Everybody remained standing for the doxology.

THE DEPUTY SPEAKER (Rep. Pichay). Thank you, Virlanie Voices.
The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, we move to defer the calling of the roll.

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

The Secretary General is directed to call the roll of the Members.

REP. MARCOLETA. Defer. Defer.

THE DEPUTY SPEAKER (Rep. Pichay). To defer? Let me correct, to defer the calling of the roll.
The Majority Floor Leader is recognized.

APPROVAL OF THE JOURNAL

REP. MARCOLETA. Mr. Speaker, I move

that we approve Journal No. 29, dated November 14, 2018.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion to approve Journal No. 29.

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

The Majority Leader is recognized.

SUSPENSION OF SESSION

REP. MARCOLETA. I move for a one-minute suspension of the session, Mr. Speaker.

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

It was 3:05 p.m.

RESUMPTION OF SESSION

At 3:09 p.m., the session was resumed.

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

CONSIDERATION OF H.B. NO. 6425

Continuation

REP. MARCOLETA. Mr. Speaker, I move that we resume the consideration of House Bill No. 6425 under Committee Report No. 389, and that the Secretary General be directed to read only the title of the measure.

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

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

THE SECRETARY GENERAL. House Bill No. 6425, entitled: AN ACT PRESCRIBING AN URGENT, COMPREHENSIVE AND INTEGRATED

LAND-BASED TRAFFIC MANAGEMENT POLICY TO EFFECTIVELY ADDRESS THE TRAFFIC CONGESTION CRISIS IN METRO MANILA, METROPOLITAN CEBU AND METROPOLITAN DAVAO AND APPROPRIATING FUNDS THEREFOR.

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

PERIOD OF SPONSORSHIP AND DEBATE

REP. MARCOLETA. Mr. Speaker, the parliamentary status of this Bill is that it is still in the period of sponsorship and debate. For this reason, we move that we recognize the honorable Rep. Cesar V. Sarmiento.

THE DEPUTY SPEAKER (Rep. Pichay). The honorable Rep. Cesar V. Sarmiento is recognized. Please proceed.

REP. SARMIENTO (C.) Yes, thank you very much, Mr. Speaker. We are awaiting a colleague to be recognized to ask some questions during the interpellation.

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

REP. MARCOLETA. Mr. Speaker, since we are in the period of sponsorship and debate, we move that we recognize the Hon. Arnolfo “Arnie” A. Teves Jr. of the Third District of Negros Oriental to start with his interpellation.

THE DEPUTY SPEAKER (Rep. Pichay). Congressman Teves is recognized to start his interpellation.

Is Congressman Teves around? Congressman Teves, you are recognized to interpellate the Gentleman from Catanduanes.

SUSPENSION OF SESSION

REP. MARCOLETA. I move for a one-minute suspension of the session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). One-minute suspension—is there any objection? (Silence) The Chair hears none; the motion is approved.

It was 3:12 p.m.

RESUMPTION OF SESSION

At 3:13 p.m., the session was resumed.

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

REP. MARCOLETA. Mr. Speaker, we move to recognize the Hon. Edcel C. Lagman to start his interpellation.

THE DEPUTY SPEAKER (Rep. Pichay). The Hon. Edcel C. Lagman is hereby recognized for his interpellation.

REP. LAGMAN. Thank you, Mr. Speaker. Would the distinguished Sponsor yield?

REP. SARMIENTO (C.). Yes, with pleasure, my colleague from the Bicol Region.

REP. LAGMAN. Traffic gridlock is a global problem. Does the distinguished Congressman confirm this verity?

REP. SARMIENTO (C.). Global gridlock that is happening globally?

REP. LAGMAN. The traffic gridlock, traffic problem or traffic mess is a global problem.

REP. SARMIENTO (C.). Yes, I agree.

REP. LAGMAN. Yes. In a 2018 survey of fortune.com, the top 10 highly congested cities included the following in accordance to ranking, the top 10 most congested cities: Los Angeles; New York City; Moscow; São Paulo, Brazil; San Francisco; Bogotá; London; Atlanta; Paris; and Miami. The Philippines is not included in the top 10 most congested cities with respect to traffic. Are you aware of this?

REP. SARMIENTO (C.). I am not aware of the listing, Your Honor.

REP. LAGMAN. The top 10 most congested countries with respect to traffic include the following: Thailand, Indonesia, Colombia, Venezuela, the United States, Russia, Brazil, South Africa, Turkey, and the United Kingdom. Again, the Philippines is not included in the top most congested countries with respect to traffic. Is the distinguished Sponsor aware of this ranking?

REP. SARMIENTO (C.). Again, with respect to the ranking of the most congested cities, I am not aware of that, Your Honor.

REP. LAGMAN. Is the Philippines included in the top 10 countries with traffic problems measured by the traffic index, Mr. Sponsor?

REP. SARMIENTO (C.). May I request that the question be repeated?

REP. LAGMAN. Is the Philippines included in the top 10 countries with traffic problems measured by the traffic index?

REP. SARMIENTO (C.). Again, Your Honor, I am not aware.

REP. LAGMAN. When the distinguished Sponsor was preparing and drafting this Bill, did he not check comparative studies among countries in the world considering that the traffic mess is a global problem?

REP. SARMIENTO (C.). Well, personally speaking, everybody feels what is happening in our country, and everybody experiences traffic congestion nowadays and even in earlier days in the country. As regards comparing our traffic situation with the other cities, I have not come across it, Your Honor.

REP. LAGMAN. Do you not think, distinguished Sponsor, that it is necessary that comparisons be made between the Philippines and the other countries, considering that the distinguished Sponsor admitted that the traffic mess is a global problem?

REP. SARMIENTO (C.). Well, the places you mentioned, I have been given the opportunity to visit those places, and I felt and I saw for myself their traffic problems. Similarly, what they are experiencing in their places are also being felt in Metro Manila.

REP. LAGMAN. Well, aside from personal experience of the distinguished Sponsor, do you not think it necessary to consult or refer to authentic surveys?

REP. SARMIENTO (C.). Well, based on observation in one of our ocular inspections, particularly Singapore though traffic congestion is not experienced there, we have seen that they have other modes of transportation. They have subways, they have railways and buses, and yet, they still feel, and experience traffic congestion in those places.

REP. LAGMAN. Well, for the information of the distinguished Sponsor, with respect to the traffic index, Manila, the Philippines ranks number four. The first up to the tenth according to ranking on the traffic index is Dhaka, Bangladesh; Kolkata, India; Jakarta, Indonesia; Manila, Philippines; Delhi, India; Mumbai, India; Colombo, Sri Lanka; Nairobi, Kenya; Tehran, Iran;

and Mexico City. But would the distinguished Sponsor know what is meant by “traffic index”?

SUSPENSION OF SESSION

REP. SARMIENTO (C.). Mr. Speaker, I move for one-minute suspension of the session.

THE DEPUTY SPEAKER (Rep. Pichay). One-minute suspension of the session.

It was 3:20 p.m.

RESUMPTION OF SESSION

At 3:22 p.m., the session was resumed.

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

REP. SARMIENTO (C.). Well, Your Honor, ...

Traffic index is a composite index of time consumed in traffic due to job commute, estimation of time consumption dissatisfaction, carbon dioxide consumption estimation in traffic and overall inefficiencies in the traffic system.

REP. LAGMAN. That is perfectly correct, distinguished Sponsor, but may we know whether any of the top 10 cities or countries which are congested due to the traffic gridlock have adopted an emergency power law to address the traffic mess.

REP. SARMIENTO (C.). I am not aware of it, but dito po sa ating panukalang batas hindi naman natin itinuturing na—we are not invoking emergency powers as provided for under the Constitution, but instead, what we are doing is to resort to the plenary power of Congress by amending some provisions of the law for us to be able to address the problem of traffic or alleviating traffic congestion in certain areas.

REP. LAGMAN. Now, my question is whether any of these countries experiencing the traffic gridlock has ventured in adopting a statute invoking emergency powers to solve the traffic problem?

REP. SARMIENTO (C.). Again, Your Honor, I am not aware if the cities as mentioned experiencing traffic have resorted to emergency powers in order to address the problem of traffic.

REP. LAGMAN. As a matter of fact, not one of these countries have adopted an emergency power law to address the traffic problem. It is only the Philippines, which is not even in the top 10 congested cities or

countries, which is venturing in adopting this kind of Bill which, in the first place, when it was first filed, was really an Emergency Power Act.

REP. SARMIENTO (C.). Well, if the top 10 places experiencing heavy traffic have not resorted to the invocation of emergency power, similarly in our place, if you are going to read the draft measure, we have not invoked the emergency power under the Constitution. As I said earlier, what we have done is the use of plenary power of Congress in addressing the problem of traffic congestion like the idea of having a single traffic authority.

REP. LAGMAN. As originally conceptualized, did the original Bill not grant emergency powers to the President, the first Bill filed?

REP. SARMIENTO (C.). Well, there were several measures filed to address the problem of traffic. There was mention of emergency power but looking deeply into the various measures, the emergency power has not been clearly defined. So, what the Committee did was to take into consideration the important items in the proposed measures, then it came up with this substitute Bill which does not refer to the invocation of emergency power under the Constitution.

REP. LAGMAN. Well, if emergency powers had not been resorted to by these top 10 congested countries and cities because of the traffic mess, would the distinguished Sponsor tell us what policies and remedies have been adopted by these other countries or cities to address that traffic gridlock?

REP. SARMIENTO (C.). Well, in our visit to Singapore, while Singapore is not one of those listed to be suffering from traffic congestion, but many years before, we had the same situation like in Singapore but they were able to find ways and means by restructuring the transportation system such that they were able to effectively address the problem of traffic in their place. But, as regards the other cities mentioned, they have not, as you said, resorted to emergency powers.

REP. LAGMAN. Yes, we already agreed on that. But my question is, in lieu of emergency powers, what policies and remedies did these other countries adopt to address the problem?

REP. SARMIENTO (C.). Well, in our visit to the country of Colombia, specifically Bogota, they have this big problem of traffic. In the year 2000, under the administration of Mayor Peñalosa, he thought of addressing the problem by introducing the so-called Rapid Bus Transit System. Now, in doing so, to make it successful, the place resorted to like rationalization of

routes and it is embodied in this proposed measure. We have also this kind of framework by adopting this route rationalization in order to be able to find out exactly the number of public utility vehicles that would be deployed so that congestion would be avoided.

REP. LAGMAN. For example, did these countries adopt the upgrading of the transport system?

REP. SARMIENTO (C.). Yes, Your Honor.

REP. LAGMAN. Did they also adopt bike schemes?

REP. SARMIENTO (C.). Later on, they have resorted to adoption of bikeways so a very clear example is in Bogota. They have established bikeways, about 800 kilometers, that will serve as an alternate mode of transportation in lieu of using vehicles.

REP. LAGMAN. Okay. Did these countries also pursue the altering of the flow of traffic at choke points?

REP. SARMIENTO (C.). Yes, Your Honor.

REP. LAGMAN. Also carpooling?

REP. SARMIENTO (C.). Yes, Your Honor, ride-sharing.

REP. LAGMAN. And ride-sharing.

REP. SARMIENTO (C.). Ride-sharing.

REP. LAGMAN. And congestion charge.

REP. SARMIENTO (C.). Well, I only know of two places which resorted to congestion charge: London and Singapore.

REP. LAGMAN. Now, are some of these remedies and policies addressed in the Bill at hand?

REP. SARMIENTO (C.). You mean to say that the application of bike, this congestion charge helped in addressing the problem of traffic?

REP. LAGMAN. No. What I mean to say is, are there provisions in the Bill which would adopt these alternative remedies to solve the traffic problem?

REP. SARMIENTO (C.). Except for congestion charge, ...

REP. LAGMAN. Except for congestion charge.

REP. SARMIENTO (C.). ...we have not included the imposition of the congestion charge in the proposed measure because para maging tagumpay po ang congestion charge, it presupposes that we have a very efficient mass transport, public transport so that people will be able to choose whether to go to a place and pay the Congestion Charge or prefer to use an efficient mass transport.

REP. LAGMAN. What particular provision in the Bill concerns the proposal to adopt bike schemes?

REP. SARMIENTO (C.). It can be found in Section 13 (c) embodied in the Traffic Management Plan that provides promotion, that is, Sec.13 (c) speaks of: "Promotion of sustainable transport including the setting up of bicycle lanes."

REP. LAGMAN. Okay. How about altering the flow of traffic at choke points, is this also addressed in the Bill?

REP. SARMIENTO (C.). Well, it is in Section 13 (f), "Creation of a traffic flow system, including identification and designation of one-way streets and U-turn slots."

REP. LAGMAN. How about carpooling and ride-sharing, is there any provision on this particular remedy?

REP. SARMIENTO (C.). Upon a closer look, we have omitted that particular way of addressing traffic congestion and we could have it included.

REP. LAGMAN. Mr. Speaker, distinguished Sponsor, even if the Philippines is not included in the top 10 countries and cities with serious traffic congestion, our own traffic problem costs P3.5 billion daily in lost economic opportunities. Is this correct?

REP. SARMIENTO (C.). Yes, it is reported many times in the newspapers.

REP. LAGMAN. Due to the enormous loss of P3.5 billion daily in economic opportunities, you would recall that President Duterte, during the Presidential campaign and after his election, promised to solve the traffic mess. Is this correct?

REP. SARMIENTO (C.). Yes, Your Honor.

REP. LAGMAN. But in a statement last September 13, 2018, President Duterte said, "Let's just leave EDSA as it is. If you don't trust me, then don't." The President also said, "Congress won't give me emergency powers for traffic. Ayaw ko na rin." Duterte said in another

occasion that he would leave to the next administration the fixing of the traffic situation in Metro Manila. Do you recall those statements of the President?

REP. SARMIENTO (C.). Yes, I read that in the papers, but we are—in so far as we as Members of Congress, we are still duty-bound to find ways and means to solve the problem, because there is really a need to address that problem. We are not giving up.

REP. LAGMAN. Yeah. We have to congratulate this Chamber for pursuing this Bill despite the fact that the President has given up on the Metro Manila traffic problem.

REP. SARMIENTO (C.). Your Honor, I would like to indicate that as regards carpooling and ride-sharing, it is indicated in Sec. 13 (q) which provides: "A clear policy on ride-sharing or carpooling technologies and other traffic management programs."

REP. LAGMAN. Yes. The Bill defines "traffic crisis" as, and I quote, "x x x the prevailing and exponentially worsening land traffic congestion and gridlock x x x." Is this defined in this Bill?

REP. SARMIENTO (C.). Yeah, it is provided for under Section 3 (g) of the proposed Bill.

REP. LAGMAN. Since the filing of this Bill in 2016, to what extent have the traffic congestion and gridlock worsen?

REP. SARMIENTO (C.). We have to consider the fact that on a yearly basis, hundreds of thousands of new vehicles use our roads so they largely contribute to the worsening traffic situation in the country.

REP. LAGMAN. This Traffic Crisis Act has a general duration of three years from its effectivity, pursuant to Section 5 thereof. Is that correct?

REP. SARMIENTO (C.). Yes, Yes, Your Honor.

REP. LAGMAN. Why only three years? Is it the expectation that once this is passed, within three years, the traffic mess would be solved?

REP. SARMIENTO (C.). Well, of course, the traffic that we have, there is no immediate solution. That is why, if the passage of this measure on the traffic crisis would get favorable consideration from this House and even the Senate, and if the problem would still continue, the next Congress would have the opportunity to have it extended to address the problem of traffic.

REP. LAGMAN. Well, if it is admitted that the traffic problem cannot be solved within three years from the effectivity of this Act, then, why put a term of three years? Granting that the House and the Senate versions will be harmonized later, and an Act will take effect in 2019, its effectivity will be up to 2022. Is this correct?

REP. SARMIENTO (C.). That is true, Mr. Speaker.

REP. LAGMAN. And 2022 is the end of President Duterte's term?

REP. SARMIENTO (C.). Yes, Mr. Speaker.

REP. LAGMAN. Is this designed by coincidence or truly coincidental?

REP. SARMIENTO (C.). By coincidence; it was not designed deliberately.

REP. LAGMAN. If it is ...

REP. SARMIENTO (C.). This was filed in—the measure was filed in 2016.

REP. LAGMAN. Anyway, the point is, the three-year effectivity will virtually end in 2022, at the end of the President's term. So, let the next administration take care of the continuing traffic mess. Is that the message?

REP. SARMIENTO (C.). Well, if you are going to consider the initiatives being undertaken by this administration, this particular measure thinks of immediate solutions to alleviate the traffic problem. The other agencies like the DOTr and the DPWH are thinking of big infrastructure that will take a long time to finish, like the introduction of a subway system, the construction of connector roads. The congestion period would take a long time. But in this particular measure, we have thought of thinking about immediate solutions, like putting up a single traffic administration, with the end in mind of harmonizing conflicting rules and regulations existing in Metro Manila, as covered by ordinances passed by the 17 councils of the LGUs.

So, again, the administration is thinking of so many projects primarily to address the problem of traffic in the country.

REP. LAGMAN. What is the gestation period of the so-called priority projects?

REP. SARMIENTO (C.). Well, as defined in the proposed Bill, priority projects refer to the projects

identified by the Traffic Chief and submitted to the Joint Congressional Oversight Committee as priority or for critical undertaking for the purpose of immediately alleviating and managing the traffic crisis.

REP. LAGMAN. Yes, but my question is, what is the gestation period for the so-called priority projects?

REP. SARMIENTO (C.). Well, since the lifetime of the proposed measure would last for a period of three years, the gestation period should be within a period of three years.

REP. LAGMAN. Yes, if the gestation period is up to three years, by the time it is for completion, the Bill, the Act will already terminate—because of the three-year duration—whatever it is. The Bill does not give examples of priority projects under Section 27. Can the distinguished Sponsor give us a sampling of some priority projects?

REP. SARMIENTO (C.) Okay. Some projects that I could think of that could be considered as priority projects would be the implementation of a motor vehicle inspection system, of course, and the acquisition or procurement of computers, tow trucks, equipment for accident-assistance, CCTV, and handheld-equipment for ticketing.

REP. LAGMAN. Yes, but the acquisition of these traffic equipment and computers does not need a law. Presently, the implementing agencies can pursue this acquisition. So, why do we have to have an Act for purposes of acquiring computers, et cetera?

REP. SARMIENTO (C.). Well, if we are going to procure these through a regular procurement system, through competitive bidding, so when these are badly needed, we will then have to change or expand the definition of "Emergency" so that it will fall under Section 48 of Republic Act No. 9184.

REP. LAGMAN. Yes, that is correct.

REP. SARMIENTO (C.). Yes.

REP. LAGMAN. The Procurement Law has exceptions, and the procuring agency can make such acquisition under the exceptions without the need for a new Act like this. Would these priority projects involve infrastructure projects?

REP. SARMIENTO (C.). Well, it may, in some situations, it may involve infrastructure. Like for instance, if some existing commercial establishments do not provide a set-up for sufficient parking, or even

provide a terminal or overpass for pedestrians, so that would definitely involve some infrastructure.

REP. LAGMAN. That is not specifically provided in the Bill ...

REP. SARMIENTO (C.). Well, it is ...

REP. LAGMAN. ... with respect to priority projects.

REP. SARMIENTO (C.). It is mentioned here as regards, particularly, the “clearing of sidewalks, and determination of the need for elevated crosswalks and their suitable locations which must be integrated to the designated PUV terminals and bus stops, and the design for such crosswalks which should be sustainable, safe, convenient and accessible to persons with disabilities.”

REP. LAGMAN. Well, we will go to the terminals later, but let me just pursue this. The Bill does not enumerate the standards prescribed by the Congress under which projects shall qualify as priority, or is there a provision on this?

REP. SARMIENTO (C.). Well, Section 27 defines “Priority Projects,” and may I quote:

Pursuant to the enumerated policies of this Act, it is hereby declared and recognized that the traffic crisis is in the nature of a man-made calamity or catastrophe; that time is of the essence and immediate action is urgently necessary to prevent further damage to the national economy, public health, and social welfare or loss of life and property as a result of the traffic crisis; and that there is urgent necessity as well to restore, improve and make accessible vital transportation services, infrastructure and facilities.

REP. LAGMAN. All right. Those are enabling conditions, but are they also considered standards? I think we should...

REP. SARMIENTO (C.). Well, ...

REP. LAGMAN. ...be more specific

REP. SARMIENTO (C.). Yes, I will go further. Regarding the priority projects that are subject to the following requirements and conditions:

a) priority projects must be aimed to immediately and effectively alleviate the traffic crisis, thereby promoting public interest; and b) the terms and conditions of the priority projects must be advantageous to the government.

REP. LAGMAN. Those are all motherhood statements; they are not specific standards. So, I think at the proper time, we should be able to introduce some amendments to provide standards rather than just be content with motherhood statements.

Now, could the distinguished Sponsor, Mr. Speaker, enumerate what the causes of our horrendous traffic problems are?

REP. SARMIENTO (C.). Well, number one would be the oversupply of vehicles. We lack roads. We can attribute it also to the lack of discipline among the commuters and bus drivers. We also do not have an efficient mass transport system in Metro Manila.

REP. LAGMAN. Well, ...

REP. SARMIENTO (C.) We have conflicting rules and regulations in the various LGUs in Metro Manila.

REP. LAGMAN. Okay. Well, one, the narrow roads and highways, are they a major cause of the traffic problem, the narrow roads and highways we have in the Philippines, more particularly in the Metropolis?

REP. SARMIENTO (C.). Well, that would be a contributory factor to the traffic problem that we are in—narrow roads, plus the fact that we have an increasing number of vehicles, whether public or private, using our roads.

REP. LAGMAN. Do we need a law, distinguished Sponsor, to address the problem of narrow roads and highways?

REP. SARMIENTO (C.). No need.

REP. LAGMAN. No need. Another problem is the excessive volume of motor vehicles on the road at any given time. Is that correct?

REP. SARMIENTO (C.). Yes, Mr. Speaker.

REP. LAGMAN. Do we need a law to address this particular cause of the traffic gridlock?

REP. SARMIENTO (C.). Well, before resorting to that, we have a way of limiting the number of public vehicles using our roads through route rationalization.

REP. LAGMAN. Yes.

REP. SARMIENTO (C.). If we are able to do that, we are able to identify the appropriate number of public vehicles that should be using our roads. And as

I mentioned earlier, it would be a big challenge on the part of this administration to come up with an efficient mass transport system. If we have that, people will not use their private cars to go to their destinations; instead, they will use public transportation.

REP. LAGMAN. But my question is, do we need this Act in order to address the excessive volume of motor vehicles on the road at any given time? I do not think we need any law on this.

REP. SARMIENTO (C.). Well, as regards the public vehicles, PUVs, as a result of the route rationalization, the effect would be a reduction in the number of vehicles using the streets in so far as the public utility vehicles are concerned.

REP. LAGMAN. The distinguished Sponsor is suggesting that in order to implement route rationalization, there is a need for this law.

REP. SARMIENTO (C.). Yes, Mr. Speaker, it is provided for under Section 15 of the proposed Bill.

REP. LAGMAN. Yes, it is provided further, but is there a need for a law to address the excessive volume of motor vehicles on the road?

REP. SARMIENTO (C.). Yes, Mr. Speaker.

REP. LAGMAN. Okay. Another problem is the bus terminals and malls abutting the highway. Is that correct?

REP. SARMIENTO (C.). Yes, Mr. Speaker.

REP. LAGMAN. Now, my question is, do you need a law to remove or relocate these bus terminals and malls abutting the highway?

REP. SARMIENTO (C.). Yes, Mr. Speaker, we feel that there is a need to pass this law specifically covering the situation of terminals because in the past, during the time of then Chairman Bayani Fernando, it was his intention to address the problem of traffic. He recognized that the existence of terminals in Metro Manila contributes to traffic congestion specifically along EDSA. He invoked the powers of the MMDA, thinking that the MMDA would have the power, but when it reached the court, the court ruled that the MMDA does not have that power. So, if it will be specifically stated here, we will be able to take out terminals along EDSA without any problem.

REP. LAGMAN. Well, under this Bill, is there any provision addressing the relocation of bus terminals abutting the highway?

REP. SARMIENTO (C.). As provided for under Section 13 (h), there is the Designation of PUV Terminals including the relocation or removal of illegal terminals.

REP. LAGMAN. Yes, but illegal terminals can be relocated even without a law. Is that not right?

REP. SARMIENTO (C.). Yes.

REP. LAGMAN. It is. It is not mandatory that a law be passed in order to abate the existence of these illegal terminals. Is that not right, distinguished Sponsor?

REP. SARMIENTO (C.). Yes, Mr. Speaker, however, in reality, when concerned agencies would abate—these are considered as nuisance—the nuisance, they find it very difficult considering the fact that they are located in local government units.

REP. LAGMAN. Yes, it is difficult because there is no political will to relocate or remove these bus terminals. For example, I have counted a number of bus terminals for buses going to Makati, along EDSA. There is the JAM Liner, DLTB Co, ALPS, AB Liner, LLI, Dagupan Bus Liner, Dominion Bus Liner, Genesis, Viron Bus Company, Superlines, Daet Express, Victory Liner, Solid North Transit Inc., Bicol Isarog, RSL, Fourth North Luzon, among others.

Is the distinguished Sponsor aware of these bus terminals abutting the highway...

REP. SARMIENTO (C.). Along EDSA.

REP. LAGMAN. ... going to Makati?

REP. SARMIENTO (C.). Along EDSA.

REP. LAGMAN. Along EDSA?

REP. SARMIENTO (C.). Yes, you are correct, Your Honor.

REP. LAGMAN. Yes, and also, along EDSA, from Quezon City to Balintawak, you have again Superlines; Five Star; Baliwag; Santrans; ES Transport, Inc.; Genesis Transport, Inc.; Florida, JAC Liner, Inc.; Victory Liner. Is the distinguished Sponsor aware of the existence of these bus terminals abutting the highway?

REP. SARMIENTO (C.). Yes, Your Honor, and as a matter of fact, I think it was reported by the MMDA. There are about 85 terminals along EDSA.

REP. LAGMAN. Yes. Should these bus terminals be considered a nuisance?

REP. SARMIENTO (C.). If they are operating with valid permits issued by the local government units, they are legally engaging in business operations.

REP. LAGMAN. Does it mean that just because they have permits from the local government units, they cease to be a nuisance?

REP. SARMIENTO (C.). Of course. In reality, everyone felt, passing through those areas when entering and going out, that it would cause inconvenience and traffic in the process. So, again, in order to promote public welfare, we have to look into this by having them relocated so that the problem of traffic would be addressed.

REP. LAGMAN. Well, “nuisance” is defined, among others, as any establishment which could obstruct or interfere with the free passage ...

REP. SARMIENTO (C.). Free flow.

REP. LAGMAN. ... of any public highway or street. Would the distinguished Gentleman agree to this definition of “nuisance”?

REP. SARMIENTO (C.). Yes, Your Honor.

REP. LAGMAN. A “nuisance” can be classified according to the object or objects that it affects, like a public nuisance, which affects a community or neighborhood or any considerable number of persons although the extent of the nuisance, of the annoyance, danger or damage upon individuals may be unequal.

Are these bus terminals considered public nuisance?

REP. SARMIENTO (C.). Well, basing it on the definition of “nuisance,” this Representation would agree that the operations of bus terminals definitely would cause obstruction and pose problems with respect to the free flow of traffic along that area.

REP. LAGMAN. “Nuisance” can also be classified as to, one, whether it is susceptible to a legal summary abatement. In which case, it may either be nuisance per se, where it affects the immediate safety of persons and property which may be summarily abated under the undefined law of necessity or a nuisance per accident, which depends upon certain conditions and circumstances; and its existence, being a question of fact, cannot be abated without due hearing by the proper tribunal. But since these bus terminals are nuisance per se, affecting the safety of passengers and obstructing traffic, then they are subject to a legal summary abatement. Is that correct?

REP. SARMIENTO (C.). Well, based on the definition of nuisance per se, it can be abated summarily, even without hearing.

REP. LAGMAN. Well, if it is nuisance per se, which can legally be summarily abated, then there is no law where it is needed. The absence of this Act will not in any way prevent the legal summary abatement of these bus terminals. So, it is a matter of political will. This is not a matter of having a statute because these bus terminals have been there for quite sometime and they are certainly classified as nuisance per se, which can be abated summarily. And most probably, this will go even to the extent of supermarkets and malls abutting the highway. I think this should be a particular concern because they add to the traffic congestion. And if the distinguished Gentleman fears that these malls and supermarkets cannot be abated without a law, then this Bill should make a provision directly authorizing the government to make such abatement.

Then, another cause of the traffic problem is the inadequate mass transport system and infrastructure. Is that correct?

REP. SARMIENTO (C.). Yes, your Honor.

REP. MARCOLETA. Yes.

REP. LAGMAN. I do not think that there is a need for a law for the government to implement an adequate mass transport system and infrastructure. As a matter of fact, the construction of the subway from Quezon City to Taguig extending to the airport is now being undertaken under a JICA loan and there is no need for a law authorizing the construction of subways. Is that correct?

REP. SARMIENTO (C.). Well, those are the projects of the administration specifically to address the problem of traffic. But, if you are going to take a look also at the reality, as to why we have this kind of traffic, we may not refer to infrastructure per se but to the conflicting rules and regulations issued by the local government units in Metro Manila.

REP. LAGMAN. Now, let me just go very directly. Is there an enabling statute or law authorizing the construction and operation of a subway system?

REP. SARMIENTO (C.). No.

REP. LAGMAN. No.

REP. SARMIENTO (C.). No.

REP. LAGMAN. There is none.

REP. SARMIENTO (C.). There is none.

REP. LAGMAN. There is none. In the same manner, most probably, there is no need for a law for the implementation of the so-called priority projects. The last among the major causes of our horrendous traffic problem is the lack of discipline among Filipino drivers and pedestrians. Is that correct?

REP. SARMIENTO (C.). Yes, Your Honor.

REP. LAGMAN. How does this Bill address this particular problem?

REP. SARMIENTO (C.). Well, we have seen that one of the factors that cause traffic, like for instance, is the indiscriminate embarking and disembarking of passengers.

REP. LAGMAN. I wonder if the distinguished Sponsor can speak louder.

REP. SARMIENTO (C.). Like for instance, when it comes to discipline, lack of discipline, not only of the commuters but also the bus drivers, we have observed that one of the causes of traffic congestion is the indiscriminate embarking and disembarking of passengers in non-designated loading and unloading areas, the lack of basic first-in, first-out basic courtesy in the loading and unloading bays, the prolonged dwelling of buses in multiple lanes causing traffic buildup, and reckless driving.

REP. LAGMAN. Well, I do not think there is need for a law to regulate embarking and disembarking from motor vehicles like buses and jeepneys or taxis for that matter. There is no need for a law on that. Most probably, there is a need for a law to increase the insurance premium of delinquent drivers just like in some countries like the United States, where the more traffic violations you have, the higher is your insurance premium. But with respect to embarking and disembarking, I do not think there is a need for a law. Administrative fiat will be sufficient.

Let me go to another possible remedy, and it is the opening up of subdivision private roads to traffic. Is this part of the remedies being envisioned under this Act?

REP. SARMIENTO (C.). Well, it is provided for under Section 14 with the subtitle of Friendship Routes.

REP. LAGMAN. And how will this opening up of subdivision roads be undertaken?

REP. SARMIENTO (C.). Well, this can be done

by the Traffic Chief, in coordination with the local government units in identifying private villages and subdivisions that will serve as alternate routes by opening and making their roads accessible to the public.

REP. LAGMAN. Okay. Now, I will just show to the distinguished Sponsor the practicality of this particular provision, taking as an example the long stretch of EDSA. What private subdivisions are targeted for the entry and exit of traffic? What particular subdivisions are being targeted along EDSA?

REP. SARMIENTO (C.). Along EDSA, Forbes, Magallanes, Wack Wack, Valle Verde, Corinthian Gardens.

REP. LAGMAN. No, let us stop there. How about Forbes? You open up the private roads in Forbes. Where is the entry point? Where is the exit? Will the entry point be in EDSA and the exit also in EDSA? How do you do it?

REP. SARMIENTO (C.). Not necessarily along EDSA but probably exiting towards C-5 or Taguig, because ...

REP. LAGMAN. Well C-5 is also congested.

REP. SARMIENTO (C.). So, ...

REP. LAGMAN. How about Corinthian Gardens? How do you propose to open up Corinthian Gardens? Where is the entry point? Where is the exit point? You know, we have to be practical when we make proposals like these.

How about North Greenhills, Bel-Air, and San Lorenzo Subdivisions? Where do you enter and where do you exit? These are all along EDSA. You enter from EDSA, you exit to EDSA. That is the same traffic problem you are going to encounter. And, how about Dasmariñas and Corinthian Gardens? The same problem. It is easy to propose, but how do you implement this? I will just tell you, in the Samar Avenue Homes, from the corner of Mother Ignacia and EDSA to the corner of Timog Avenue and EDSA, the roads there have been widened. But the problem is, if buses and cars will enter Samar Avenue from EDSA, where will they exit? They will still exit in EDSA. So, we do not solve a problem by making this bypass of at least a kilometer only. So, I think, this should be restudied to make it practical. For example, Philam Life Homes along EDSA. Where do you enter? Where do you exit?

REP. SARMIENTO (C.). Well, probably going to West Avenue, ...

REP. LAGMAN. You go to...

REP. SARMIENTO (C.). ...then going to España, Quezon Avenue.

REP. LAGMAN. If you are going to Cubao or Makati, you cannot exit going to West Avenue.

REP. SARMIENTO (C.). No. Resorting to these so-called “friendship routes” would not necessarily mean that once these private roads are open, they could now be accessed too by buses. They could be accessed by private cars so that it would lessen the volume of vehicles using EDSA ...

REP. LAGMAN. EDSA.

REP. SARMIENTO (C.). ...so that the movement of traffic along EDSA would be a little bit faster. Without these friendship routes, the tendency is that everybody will have to pass through EDSA.

THE DEPUTY SPEAKER (Rep. Pichay). Kindly wind up your interpellation because each Member, under the Rules, is given one hour to interpellate.

Please, kindly wind up.

REP. LAGMAN. At the proper time, Mr. Speaker, we must amend that rule, because under that rule, the one-hour period includes the answer of the Sponsor ...

THE DEPUTY SPEAKER (Rep. Pichay). Yes.

REP. LAGMAN. ...and not only the question of the one making the interpellation.

THE DEPUTY SPEAKER (Rep. Pichay). Duly noted.

So, Majority Leader.

REP. LAGMAN. I have more questions, but because my time is up, then, most probably, I will pursue a second round for my questions.

THE DEPUTY SPEAKER (Rep. Pichay). Yes.
The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, before we call on the next interpellator, I move that we acknowledge the presence of the guests of the Hon. Jeffrey D. Khonghun. They are all Barangay Captains from the municipality of Castillejos, Zambales. They are: Zaldy Espiritu, Dennis Mapalo, Jonito Pascual, Romeo Calimlim, Marcos Alfonso, Susan Soria, Ramon Valdez, Quirino Adolfo, Yam Dadural, Danilo Lopez, Gerrie Padrique and Rafael Tugadi.

THE DEPUTY SPEAKER (Rep. Pichay). Will the guests of ...

REP. MARCOLETA. Likewise, Mr. Speaker, I also move that we acknowledge the presence of 11 guests, Barangay Officials of Barangay Lapu-Lapu of the Second District of Davao City. They are guests of the Hon. Mylene J. Garcia-Albano.

THE DEPUTY SPEAKER (Rep. Pichay). Will the guests of Congresswoman Mylene Garcia-Albano and the guests of Congressman Khonghun please stand up to be acknowledged? (*Applause*)

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, we also would like to acknowledge the presence of the doctorate students of Public Administration from the Batangas State University, headed by Dr. Razel Melendres Ingco. They are the guests of Deputy Speaker Raneo “Ranie” E. Abu.

THE DEPUTY SPEAKER (Rep. Pichay). Will the guests of Deputy Speaker Abu stand up and be acknowledged. (*Applause*)

The Majority Leader is recognized.

REP. MARCOLETA. May we also acknowledge the presence of the guests of Rep. Florida “Rida” P. Robes, headed by Mayor Arturo Robes of San Jose del Monte City, Bulacan. (*Applause*) They are the DepEd principals of San Jose del Monte, Bulacan; representatives from the different barangays of San Jose del Monte, Bulacan; the Homeowners Association of San Jose del Monte; representatives from the San Jose del Monte Water District; and from the Prime Water Corporation.

THE DEPUTY SPEAKER (Rep. Pichay). The guests of Congresswoman Robes are hereby acknowledged. (*Applause*)

The Majority Leader is recognized.

REP. MARCOLETA. Finally, Mr. Speaker, may we acknowledge the presence of the guests of the Hon. Salvador B. Belaro Jr., namely: Mr. Bernard Macinas, former Commissioner of Komisyon sa Wikang Filipino; Dr. Avelino De Chavez, Dean, Graduate School of the San Sebastian College; Dr. Edith Bunuan, educator and national president of the Council of Management Educators and Practitioners of the Philippines; Prof. Rey Jetajobe of the University of Caloocan City; Dr. Marina Cadabuna; and other guests.

THE DEPUTY SPEAKER (Rep. Pichay). Will the guests of Congressman Belaro please stand up to be acknowledged? (*Applause*)

The Majority Leader is recognized.

ROLL CALL

REP. MARCOLETA. Mr. Speaker, I move that we call the roll of Members.

THE DEPUTY SPEAKER (Rep. Pichay). 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 of Members.

*The Secretary General called the roll, and the result is reflected in Journal No. 30, dated November 19, 2018. **

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 202 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Pichay). With 202 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

SUSPENSION OF SESSION

REP. MARCOLETA. I move that we suspend the session, Mr. Speaker.

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

It was 4:33 p.m.

RESUMPTION OF SESSION

At 4:40 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, I move to recognize the Hon. Jose “Lito” L. Atienza for his interpellation.

THE DEPUTY SPEAKER (Rep. Pichay). Since this is your second round, Honorable Atienza, we will give you 30 minutes for your second-round interpellation. You are recognized. Please proceed.

REP. ATIENZA. Thank you, Mr. Speaker.

I would like to put on record, the first time I interpellated, there was a long line of Gentlemen who

wanted to interpellate and I merely gave way. But now, there is only one, and that is me, wanting to interpellate, so we request the Speaker not to limit our time as I will try my best to ask all the relevant questions.

THE DEPUTY SPEAKER (Rep. Pichay). Well, I was just trying to remind you but you know with the wisdom of the Hon. Lito Atienza, I am sure that in 30 minutes, you will be able to ask relevant and intelligent questions. Thank you. Please proceed.

REP. ATIENZA. Thank you. Thank you, Mr. Speaker.

With the permission of the Gentleman, we would like to clarify certain matters. When we first tackled this measure, the President was urging and egging Congress to pass an emergency law for emergency powers. Is it still the purpose of this Bill, to provide emergency powers to the President and the Department of Transportation, to solve the problem of traffic in these three Metropolitan areas o ito po naman ay panukalang batas na dapat nating talakayin ayon sa ating magandang mga hangarin o ito ba ay emergency powers granting the President and the DOTr that we are talking about? Dahil narinig ko po si Pangulong Duterte, sinabi niya: “Iasa na lang ninyo sa susunod na gobyerno at susunod na Pangulo iyang problema ng traffic. Ayoko nang hawakan iyan.” Iyon po ba ay minamahalagahan natin o isinasantabi natin?

REP. SARMIENTO (C.). Well, sa aking palagay, nabigkas ng ating mahal na Pangulo iyong ganoong mga statement pero sa ganang akin, ramdam po natin ang problema tungkol sa trapiko at bilang mambabatas at napag-atasan ng ating mga kababayan na maghanap ng kalutanan sa problema, ipagpapatuloy pa nating makahanap ng solusyon sa problema natin sa trapiko dito sa Metro Manila.

REP. ATIENZA. Mr. Speaker, are we to understand that this measure, although not mentioned in the title, still aims to grant emergency powers to the President and to the Department of Transportation?

REP. SARMIENTO (C.). Well, kung ating babasahin po ang pangkabuuan, hindi natin maituturing na nagbibigay tayo ng emergency powers under the concept of emergency powers sa ating Konstitusyon kung hindi iyong ginagamit natin iyong tinatawag na Plenary power ng Kongreso para ayusin ang mga existing na batas ngayon para—like for instance po, there is a need to harmonize iyong mga iba’t ibang traffic rules and regulations na ipinasá ng mga iba’t ibang council through ordinances. So...

REP. ATIENZA. Mr. Speaker, the Gentleman is not responsive to my question. Ito po bang proposal

na ito ay naglalayong magbigay ng emergency powers sa Pangulo? Emergency powers as we understand cut short existing laws and prevent the transparency and the people's rights to full information, kung gugustuhin. Kaya iba po iyong emergency power at iba rin po iyong ordinary House bill. Are we treating this as an ordinary House bill or an emergency power-granting law?

REP. SARMIENTO (C.). Well, we could treat it as an ordinary House bill, aiming to address the problem of traffic, not necessarily granting emergency powers to the President.

REP. ATIENZA. So, it is a regular House bill that we are debating on and not really a Bill granting emergency powers as the initial measure that we debated on here.

REP. SARMIENTO (C.). Ah, totoo...

REP. ATIENZA. Binago na po ang purpose, ganoon po ba iyon?

REP. SARMIENTO (C.). Well, totoo po iyon, pero dahil po sa problema na kinakaharap ng ating bansa ngayon ay kailangan po ng dagliang solusyon para maibsan ang problema natin sa traffic.

REP. ATIENZA. Tinatanggap ko na po iyon, Mr. Speaker.

Now, listening to the initial questions propounded by Congressman Lagman, I would like to continue what he has started. Kayo ba ay nagsaliksik nang malalim bago ninyo binuo itong batas na ito? Ano ang mga tunay na kadahilanan ng problema natin sa traffic sa Metro Manila, Cebu and Davao?

REP. SARMIENTO (C.). Well, ...

REP. ATIENZA. Kayo ba ay nagsaliksik at nag-aral at sumuri sa mga iba't ibang kadahilanan?

REP. SARMIENTO (C.). Tama po iyon, Your Honor.

REP. ATIENZA. Kagalang-galang na Sponsor, wala po akong nakita rito sa inyong panukala at ako ay nakinig naman sa mga presentation ninyo. Sa tingin po ba ninyo, ano ang tatlong pinakamalalang problema na gumagawa ng pangkalahatang problema ng traffic sa Metro Manila lalung lalo na? Iyon po ba ay kakulangan sa kapangyarihan? Iyon po ba ay kakulangan sa materyal? Iyon po ba ay kakulangan sa pera? Ano po ba ang tatlong maituturing ninyo?

REP. SARMIENTO (C.). Well, nandiyan po iyong

wala ho tayong maayos na mass public transportation. Nandiyan po iyong iba't ibang traffic rules and regulations na ipinasá ng 17 LGUs po sa Metro Manila at kasama rin po ang pagdami po ng sasakyan bagkus kulang ang ating mga kalsada.

REP. ATIENZA. Iyon po ang ikinatatakot ng inyong lingkod, Mr. Speaker. Ang kanilang direksyon at punto dito sa panukalang ito ay isisi na naman sa mga iba't ibang ordinansa ng traffic sa Metro Manila. Ako po ay naging pinunong bayan ng pinakamalaking lungsod sa Metro Manila, pinakapusod ng problema ng traffic sa Metro Manila. I cannot agree with the Gentleman, Mr. Speaker, because we have all the laws already in place. Lahat po ng gagawin ninyo sa kalye, sa lansangan, mayroon po tayong batas. I can assure you.

Now, if you talk about EDSA, what causes the problem there? If you talk about the inner roads of Metro Manila, what are the real problems there? Let me share with you. The real problems are: one, incompetence; two, mismanagement; and three is rampant corruption in the streets of the country. In Metro Manila, huwag na kayong lumayo, corruption is being committed, complicating our lives in the streets. Iyong mga tanong ni Congressman Lagman ay tama at hindi po ninyo nasagot ng ayon sa katotohanan.

Ang problema po sa EDSA ay malinaw. Idinidepensa pa ninyo ang baluktot na pamamaraan. Dapat bang payagan ang mga terminal ng bus sa EDSA? Lahat po ng batas, nandiyan na. Hindi puwede po iyan, pero bakit nag-o-operate? Ilang beses nang nag-announce ang MMDA na alisin na nila iyan. Bakit nandiyan pa? So, therefore, corruption, as I know, the corruption level in the illegal use of our limited roads, the problem is not one of undersized roads. The problem is when the enforcer collects on a weekly basis from these terminals—Congressman Lagman narrated all of them, and I agree with him. And I would like to request the Sponsor, before he even pursues further this measure, dumagan kayo sa Buendia, Buendia-Taft Avenue. Niluwagan po ng gobyerno iyan para mag-accommodate ng mas maraming sasakyan. Ano ang ginawa ng mga bus? Ginawa nilang central terminal. Nandoon po sa Buendia-Taft Avenue, nandoon lahat iyong mga bus, iyong mga sinabi po ni Congressman Lagman. At bakit pinapayagan po iyan ng gobyerno? Wala po bang nakikita ang ating mga local government units? Wala po bang nakikita ang MMDA? Wala po ba silang kapangyarihan na ito ay itigil at patakbuhan nang maayos, at ipagamit ang mga lansangan ng ayon sa tamang pamumuhay?

The Gentleman mentioned Singapore. Do you agree that Singapore has solved their traffic problem?

REP. SARMIENTO (C.). Yes.

REP. ATIENZA. And do you agree that they solved their traffic problem when they jailed all their enforcers who were committing corruption in the streets of Singapore once upon a time. Ang solusyon po ay, therefore, is enforcement of our rules and regulations and the laws, and to stop corruption once and for all. Anyway, we have a President who swears to high heavens that even with just a whiff of corruption, he is willing to act immediately. Eh bakit hindi po maaksyunan iyong korapsyon sa lansangan?

REP. SARMIENTO (C.). Tamang-tama po iyong obserbasyon ninyo na may mga terminals na nag-o-operate sa Pasay, diyan sa kahabaan ng EDSA, pero tama po kayo, ang nagbibigay ng permiso para makapag-operate ng terminal by way of business permit, ang local government units. At sinabi ninyo po na ano ang ginagawa ng MMDA? Kung matatandaan ko po, as I said, at one time noong panahon po ni Chairman Bayani Fernando, nag-attempt ho siya na magpasara ng terminal dahil may balak siyang gumawa ng maluwag-luwag na terminal, pero kinasuhan po si Bayani Fernando, at kinatigan ng Korte Suprema ang complainant against then Chairman Bayani Fernando.

REP. ATIENZA. Mr. Speaker, ang binabanggit ng ating kagalang-galang na Sponsor ay isang kaso tungkol sa nature of operating a terminal. But the Supreme Court never said buses can park in the main highways of Metro Manila. Right now, I am challenging the Sponsor, pumunta kayo sa Buendia, puro bus ang nakaparada roon sa niluwagan na kalsada. Pumunta po kayo sa EDSA, ang mga problema diyan ay choke points dito po sa Cubao, dito po sa Shaw Boulevard, doon po sa Guadalupe. Kapag iyan nalagpasan ninyo, magaan na ang biyahe ninyo. Tatanungin ninyo ang sarili ninyo: “Bakit pinababayaan ang mga bus dito? Wala namang laman iyong mga nakaparada sa side. Kung minsan doble-doble. Kapag mayroong sumisingit na isa pa, tatlo na sila. Kapag mayroong pang nag-overtake, apat na bus ang nakaparada sa highway.” This is a freeway. Supposedly free flowing, pero hindi po ipinatutupad ng mga may kapangyarihan ang batas, at hindi nila tinutupad ang kanilang tungkulin. Bakit hindi sila suspindihin lahat ng ating Pangulo? Mayroon po bang maisasagot ang ating kagalang-galang na Sponsor diyan, para makumbinsi po ninyo akong ang solusyon ay isang urgent, comprehensive and integrated plan. Para bagang mga kataga na nagbibigay ng bagong pag-asa. Pero sa totoo, kapag hindi po ipinatutupad ang batas, gagamitin lamang itong dokumentong ito pandagdag ng lagay sa mga kinaukulan.

So, before we even tackle it further, I am requesting the Sponsor, pumasyal kayo doon sa mga tinuturan namin ni Congressman Lagman. Tingnan ninyo iyong mga terminal sa EDSA, ang mga bus ay nakaparada doon sa kanilang tapat. I heard the MMDA saying, “We will ban all of these.” I did not see the results of that statement. But I heard them say, “Sa January na namin ipatutupad.” O, binigyan pa ng paraan. Bakit? Palalampasin ang Pasko? Alam po ninyo, ako ay mangungumpisal sa inyo. Noong ako ay mayor, inaalok ako ng P100,000 araw-araw, payagan ko lang ang bus pumarada sa Taft Avenue hanggang doon sa Liwasang Bonifacio. Hindi ko po pinayagan iyan. We arrested anybody parking in the streets, highways, of Manila illegally, dahil ilegal po iyan eh, you do not need this law to enforce the ordinances existing now; you do not need an extra law. Magkakaroon lamang ng dagdag na kapangyarihan, sasabihin, “Dagdagan ninyo iyong lagay ninyo ha? Istriktong itong batas na ito. Dito ay mas mahaba ang sentensya ninyo.”

Tingnan po muna ninyo bago ninyo itulak itong panukalang ito. I will join you to the areas that I have pointed out and see for yourself what the problems are and what could be the solution. Hindi po ba ang solusyon diyan ay hulihin lahat iyan?

REP. SARMIENTO (C.). Ah.

REP. ATIENZA. Do you agree or not?

REP. SARMIENTO (C.). Well, bago ko sagutin iyan, gusto ko lang hong magbigay ng obserbasyon na ito po ay binalangkas ang panukalang batas na ito para hindi ho lumaki ang abated corruption. So, may mga probisyon naman ho dito na nagpapataw ng penalty sa mga magkakasala. Hindi iyong sasabihin na ito pong panukalang batas ay lalong magpapalala ng korapsyon. Ito pong panukalang batas na ito ay pinag-isipan after several hearings na makabuo ng solusyon kung paano makakatulong sa paglutas ng ating problema sa trapiko.

REP. ATIENZA. I believe in the sincere intentions of the Sponsor. I believe in his diligent work but what we are pointing out this afternoon in Congress is that, his solutions are not commensurate, are not the answers to the present situation.

Ang isang enforcer na sumusuweldo lamang ng P7,000, kapag nakahawak ng kapangyarihan ay dedelihensya iyan, kaya nagkakaroon tayo ng problema. Kapag binigyan mo ng mas higit na kapangyarihan pa iyan, lalaki ang lagay, hindi magbabago ang sitwasyon ng traffic natin. Iyon ang aming pinupunto at sana ay makita po ng ating kagalang-galang na Kongresista from Samar that the conditions in Metro Manila are

very, very, simple and clear. The government is not enforcing the law. Kapag gumamit ka naman ng side streets and you try it, try to traverse the side streets of Mandaluyong, Manila, Pasay, see if you can even use it. Marami sa kanila you cannot even pass through because of the illegal use of our limited roads. You do not need this law to implement and enforce the law to clear all the avenues that are necessary for the free flow of traffic. Ang aking ikinatatakot, Mr. Speaker, tinitingnan natin iyong kapangyarihan, hindi naman natin tinitingnan iyong tunay na kalagayan. Our narrow roads in Metro Manila are hampered, blocked, in many ways by long, delayed public works projects. Papalitan lang ng tubo ng drainage, it will take them one-and-a-half years. Marami pong ganyan sa Sampaloc, sa San Andres Bukid, sa Sta. Ana, sa Pandacan na hindi madaanan ng maayos iyong makitid na kalye sapagkat barado ng mga long, delayed public projects. Have you checked these? Ano ang impact nito sa total problem? Ang sinasabi ko po ay napakarami ng solusyon na hindi pa tayo gagamit ng emergency powers for anyone na ang maaagrabyado diyan ay ang karapatan ng mga sumusunod sa batas. Ang mapagbibigyan ninyo, kapangyarihan sa mga sumusuway sa batas.

For a change, let us consider the law-abiding drivers, motorists and pinpoint their responsibility. Unless you enforce the law, Mr. Mayor, you will be suspended. Gustung-gusto ko pong marinig iyon eh, iyong mga katagang ganoon. Hindi po ba ang lahat ng local government units including the barangays are under the administrative control of the President?

REP. SARMIENTO (C.). Yes, Sir.

REP. ATIENZA. Yes.

REP. SARMIENTO (C.). Yes, Your Honor.

REP. ATIENZA. Hindi po ba totoo na ang Department of the Interior and Local Government ay binuo upang sila ang mangalaga ng pagpapatupad sa tungkulin ng lahat ng local government units?

REP. SARMIENTO (C.). Tama po iyon.

REP. ATIENZA. E kung hindi tumutupad, ano ang dapat gawin?

REP. SARMIENTO (C.). Dapat kasuhan.

REP. ATIENZA. Dapat kasuhan; hindi, dapat suspindihin na kung ayaw magtrabaho eh.

I would like to see one or two mayors suspended. I tell you, the traffic situation will immediately improve without giving anybody extra powers, but for as long as they can

get away with it and enjoy the collection weekly, every Friday somebody delivers a bag full of money and they are happily running again to the banks of their cities.

Mr. Speaker, it is about time that we address the problem of corruption in all levels of government and we are talking about the traffic condition; this problem is aggravated by corruption. Unless we do so, this code, this law, this piece of paper that we are now tackling will only give more powers to the corrupters and the corrupt enforcers of the law and the motorists, the law-abiding citizens, will be made to suffer even more.

REP. SARMIENTO (C.). Noong napag-usapan po natin ito, itong Traffic Crisis Act, at tumayo kayo sa unang pagkakataon at sinabi ang dahilan kung bakit mayroon tayong problema sa trapiko, nabanggit ninyo po iyan sa mga Barangay Captains, mga LGUs na hindi ipinapatupad ang kaayusan sa kanilang lugar. Medyo lumampas nang ilang buwan, nabanggit ninyo na natunghayan at natumbok ninyo ang problema, pero ganoon pa rin, wala pong pagbabago sa mga LGUs na kung saan iyong dadaanan, iyong mga kalsada na imbes puwedeng dumaan ang mga sasakyan ay hindi puwede dahil may mga lamayan, basketball court, at kung anu-ano pa.

REP. ATIENZA. Papaano po magkakaroon ng pagbabago, kagalang-galang na Sponsor...

REP. SARMIENTO (C.). Kaya po hindi...

REP. ATIENZA...kung hindi naman nagreact ang gobyerno? The MMDA faced us here and I addressed myself clearly to the Chairman of the MMDA, General Danilo Lim, and I challenge him. Alisin mo iyong nakabarang mga bus sa Buendia at maniniwala ako sa iyo. That was about, what, eight months ago? Not a single bus has been removed there, in fact, they multiplied. Malamang ganoon nga ang nangyari. Nagdadaldal si Atienza sa Kongreso, mainit ang usapin, dagdagan ninyo para medyo kapag napuna kami ng Pangulo eh mayroon na kaming retirement fund. Ganoon ang nangyayari eh because no change has been noticed along EDSA and the situation has worsened. No change has been noticed in the inner roads of Metro Manila because, again, the law is not being enforced. Mahirap po bang intindihin iyon? Iyong batas ay batas, sumunod tayong lahat diyan. Gagawa na naman ba tayo ng panibagong batas, Mr. Speaker? Is that the object of this discussion, to pass a new law, giving them more powers? Palagay ko po ay disjointed, malayo sa katotohanan. Kaya baka puwedeng i-consider ng Sponsor, at i-postpone ninyo muna ito tatal hindi na emergency powers ito eh. This is now a regular House bill that we are tackling.

I am pleading with you to go around the avenues

and boulevards in Metro Manila. You do not even have to see what is going on in Samar, before you even consider passing a law that will affect all of us in Metro Manila. Tingnan po ninyo kung ang tanging solusyon ay ito, we will join you in your efforts, but you will realize I am sure because you are a reasonable man, you are a patriotic citizen, and you will realize na tama si Congressman Atienza. Itong mga ilegal na ito ang dapat nating hulihin lahat. Puwede po ba iyon? I-postpone lang ninyo, at pumasyal tayo sa lahat...

REP. SARMIENTO (C.). Well ...

REP. ATIENZA....araw-araw, sasamahan ko kayo.

REP. SARMIENTO (C.)....bago ka tumayo ho diyan, atin nang ginawa ang paglilibot, sumakay sa mga pampublikong sasakyan para mismong makita ng aming dalawang mata kung ano ang tunay na kalagayan at nakita po namin iyan, iyong sitwasyon sa Metro Manila.

THE DEPUTY SPEAKER (Rep. Pichay). There is a suggestion by Honorable Atienza to postpone this Bill. Now, what is the pleasure of the Sponsor? For example, there are certain functions here that are actually functions when there is an emergency situation. But, has Congress declared an emergency as far as traffic is concerned? Because, first, you have to declare that there is an emergency, a national emergency, as far as traffic is concerned. In the absence of a declaration of a state of emergency functions like those of the Chief of Traffic can actually suspend franchises; the Chief of Traffic can even take over franchises. But in the absence of a national emergency, these functions cannot be considered legitimate.

So, what is the pleasure of the Sponsor?

SUSPENSION OF SESSION

REP. SARMIENTO (C.). May I request for a one-minute suspension of the session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Yes, one minute suspension.

It was 5:06 p.m.

RESUMPTION OF SESSION

At 5:09 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker.

REP. ATIENZA. Mayroon po kaming panukala, Mr. Speaker.

REP. MARCOLETA I move to recognize the Hon. Jose L. Atienza Jr.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Atienza, you may proceed.

REP. ATIENZA. We had issued a statement and a suggestion. Let us hold further deliberations on this Act, and let us take advantage of the time. Let us go around Metro Manila. I will join you, and I will point out everything that I have said here as an existing reality, at iyon ang problema, iyon ang bigyan natin ng solusyon. If at all, we must include all those data in this piece of legislation.

THE DEPUTY SPEAKER (Rep. Pichay). What is the pleasure of the honorable Sponsor as far as the suggestion of the Honorable Atienza is concerned?

REP. SARMIENTO (C.). There is no objection on the part of this Representation.

THE DEPUTY SPEAKER (Rep. Pichay). Yes. So, there is a motion to defer? Can you put that into motion?

REP. ATIENZA. Yes.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Atienza.

REP. ATIENZA. Provided that we take advantage of the break in the deliberations for us to go around, and he can point out to me what he sees and I will point out to him what I see in the streets.

THE DEPUTY SPEAKER (Rep. Pichay). Honorable Atienza, we have actually an oversight function as far as the Committee is concerned.

REP. ATIENZA. Exactly.

THE DEPUTY SPEAKER (Rep. Pichay). Are you suggesting that we call for an oversight function of the Committee?

REP. ATIENZA. Mr. Speaker, we may not have to resort to that, if the Gentleman agrees. Anyway, we are deferring further action. I am again reiterating my proposal. We can double-check his data.

THE DEPUTY SPEAKER (Rep. Pichay). Can you put that into motion, Honorable Atienza, because the honorable Sponsor has no objection? Can you put that into motion?

REP. ATIENZA. By all means, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Can you repeat the motion?

REP. ATIENZA. We move that we defer action on this particular measure and the Sponsor—and anyone he would want to invite, including the MMDA and the local government units, for us to go around, while we, the ordinary citizens can point out the real problems existing. Iyong mga enforcer, minamaniobra iyong traffic light. Iyong mga local government units, hindi tinatapos ang mga proyekto. Ang mga kalye ay iba-iba ang gamit, at hindi po para sa traffic. At naipakita natin, maidagdag natin dito sa ating pagsusuri nitong panukalang ito. Because before we open up the subdivision roads...

THE DEPUTY SPEAKER (Rep. Pichay). Can you wind-up your motion? It is a lengthy motion. You know ...

REP. ATIENZA. Yes.

THE DEPUTY SPEAKER (Rep. Pichay). I might not be able to remember.

REP. SARMIENTO (C.). Before we even take up opening subdivision roads, we should be convinced that that is the only way to improve the conditions.

REP. SARMIENTO (C.). Well as ...

REP. ATIENZA. I move ...

REP. SARMIENTO (C.). As regards the suggestion of the Gentleman from BUHAY Party-List, to go around and see for ourselves the actual situation, I have no objection to that. But as to deferring the action on this, I think we have to confer with the leadership, regarding this particular measure.

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

SUSPENSION OF CONSIDERATION
OF H.B. NO. 6425

REP. MARCOLETA Mr. Speaker, on the basis

of these suggestions, I move that we suspend the consideration of House Bill No. 6425.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion to suspend the consideration of House Bill 6425 on Second Reading.

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

The consideration of House Bill No. 6425 is hereby suspended.

The Majority Leader is recognized.

REP. ATIENZA. Thank you, Mr. Speaker. I believe that we all agreed. This is an ill-prepared, wrongly diagnosed solution to a different problem. The problem is one of corruption ...

THE DEPUTY SPEAKER (Rep. Pichay). Thank you, Honorable Atienza. There has already been a motion and it has been approved.

Majority Leader, what is next in the agenda?

RATIFICATION OF CONF. CTTE. RPT.
ON H.B. NO. 4113 AND S.B. NO. 1305

REP. MARCOLETA Mr. Speaker, we are in receipt of the Conference Committee Report reconciling the disagreeing provisions of House Bill No. 4113 and Senate Bill No.1305.

May I ask that the Secretary General be directed to read only the titles of the measures.

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

The Secretary General is directed to read only the titles of the measures.

With the permission of the Body, and since copies of the Conference Committee Report have been previously distributed, the Secretary General read only the titles of the measures without prejudice to inserting the text of the report in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 4113, entitled: AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED (100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY; and Senate Bill No.1305, entitled: AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED TWENTY

(120) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND THE PRIVATE SECTOR WITH AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY, PROVIDING A PARENTAL LEAVE PERIOD FOR ADOPTIVE PARENTS, AND GRANTING AN ADDITIONAL THIRTY (30) DAYS FOR SOLO MOTHERS, AND FOR OTHER PURPOSES.

REP. MARCOLETA Mr. Speaker, in accordance with our rules, I move that we ratify the said Conference Committee Report.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion to ratify the Conference Committee Report on House Bill No. 4113 and Senate Bill No. 1305.

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

The Conference Committee Report is ratified.

The Majority Leader is recognized.

DESIGNATION OF MEMBERS TO THE CONF. CTTEE.

REP. MARCOLETA Mr. Speaker, I move that we designate the following members of the Conference Committee on the disagreeing provisions of House Bill No. 7735 and Senate Bill No. 1998, replacing the quantitative import restrictions on rice with tariffs, namely: Reps. Jose T. Panganiban Jr., CPA, LLB, Arthur C. Yap, Sharon S. Garin, Peter "Sr. Pedro" M. Unabia, Micaela S. Violago, Victor A. Yap, Edcel C. Lagman, Michael L. Romero, PhD and Orestes T. Salon.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion that we designate the following as members of the Conference Committee on the disagreeing provisions of House Bill No. 7735 and Senate Bill No. 1998.

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

The Members nominated are so designated.

The Majority Leader is recognized.

CHANGE OF REFERRAL OF CERTAIN MEASURES

REP. MARCOLETA Mr. Speaker, I move for the change of referral of the following measures:

House Joint Resolution No. 30, extending the validity of the appropriations under the fiscal year 2018 National Disaster Risk Reduction and Management Fund under Republic Act No. 10964 or the fiscal year 2018 General Appropriations Act, until December 31, 2019, from the Committee on Appropriations to the Committee on Rules;

Senate Bill No. 1898, amending Sections 66 and 67 of R.A. No. 6975, otherwise known as the Department of the Interior and Local Government Act of 1990, from the Committee on Local Government to the Committee on Public Order and Safety; and

Senate Bill No. 1306, creating the Philippine Boxing Commission, from the Committee on Youth and Sports Development to the Committee on Games and Amusements.

THE DEPUTY SPEAKER (Rep. Pichay). Can we do the motion one by one?

Number one, there is a motion for a change of referral of the following measures: House Joint Resolution No. 30, extending the validity of the appropriations under FY 2018 National Disaster Risk Reduction and Management Fund under Republic Act No. 10964 or the FY 2018 General Appropriations Act, until December 31, 2019, from the Committee on Appropriations to the Committee on Rules.

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

The second motion is regarding Senate Bill No. 1898, amending Sections 66 and 67 of Republic Act No. 6975, otherwise known as the Department of the Interior and Local Government Act of 1990, from the Committee on Local Government to the Committee on Public Order and Safety.

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

The third motion is for Senate Bill No. 1306, creating the Philippine Boxing Commission, from the Committee on Youth and Sports Development to the Committee on Games and Amusements.

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

The Majority Leader is recognized.

RECOMMITMENT OF H. RES. NO. 1645 TO THE CTTEE. ON HIGHER AND TECHNICAL EDUCATION

REP. MARCOLETA Mr. Speaker, as requested by its author, Rep. Salvador B. Belaro Jr., I move that we recommit House Resolution No. 1645, under Committee Report No. 595, to the Committee on Higher and Technical Education.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion that we recommit House Resolution No. 1645, under Committee Report No. 595, to the Committee on Higher and Technical Education.

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

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, I move that we acknowledge the presence of the guests of the Hon. Doy C. Leachon, who are present in the plenary today: Mrs. Margarita Melian Ortigas; and Mr. Hans Guenter Schoof, accompanied by his son, Frederick Christian Schoof.

THE DEPUTY SPEAKER (Rep. Pichay). Will the guests of Congressman Leachon please stand up to be recognized? (*Applause*) Thank you.

The Majority Leader is recognized.

REP. ANDAYA. Mr. Speaker, the House of Representatives is in receipt of a communication from the President of ABS Party-List, Ms. Catalina Leonen-Pizarro, informing the House that the Party-List approved a Board Resolution expelling Atty. Eugene Michael De Vera as a member of the ABS Party-List, removing him as Representative of the Party-List in the House of Representatives and naming its second nominee Mr. Ulysses G. Garces ...

REP. TY. Mr. Speaker. Mr. Speaker.

REP. ANDAYA. ... as its Representative to replace Atty. De Vera.

REP. TY. Mr. Speaker, point of order.

REP. ANDAYA. Said letter was referred ...

REP. TY. Point of order, Mr. Speaker.

REP. ANDAYA. ...by the Majority Leader, ...

THE DEPUTY SPEAKER (Rep. Pichay). The Majority has the Floor.

REP. ANDAYA. ... Rep. Rolando G. Andaya Jr., to the COMELEC.

We are also in receipt of a Resolution of the COMELEC en banc No. 18-0842, directing its Law Department to reply to Ms. Catalina Leonen-Pizarro and to Rep. Rolando G. Andaya Jr., Majority Leader of the House of Representatives, in the matter of the expulsion of Rep. Eugene Michael De Vera from ABS Party-List. The Resolution states pertinently that Representative De Vera, being a Member of the House of Representatives, is within the jurisdiction and covered by its rules and regulations.

In compliance with the directive of the COMELEC *en banc*, the COMELEC Law Department, through Director Maria Norina S. Tangaro-Casingal, informed the honorable Speaker, through Rep. Rolando G. Andaya Jr., Majority Leader of the House of Representatives,

that the Commission on Elections *en banc* proclaimed ABS Party-List as the winner in the May 19, 2016 elections to entitle its first nominee to a seat as Representative in the House of Representatives. Attached are the Certificate of Proclamation, and the Certificate of Nomination and Acceptance of the nominees of ABS Party-List.

In view of the foregoing, Mr. Speaker, may I request that the Secretary General be instructed to drop from the Roll of Members of the House of Representatives Eugene Michael B. De Vera and allow the nominee next in line,...

REP. TY. Mr. Speaker.

REP. ANDAYA. ... of the ABS Party-List, ...

REP. TY. Mr. Speaker, ...

REP. ANDAYA. ... the Hon. Ulysses G. Garces, ...

REP. TY. ...point of order.

REP. ANDAYA. ... to take his oath ...

THE DEPUTY SPEAKER (Rep. Pichay). You will be recognized later.

REP. ANDAYA. ... as Member of the House of Representatives ...

REP. DE VERA. Point of order.

REP. ANDAYA. ... of the ABS Party-List, pursuant to the Certificates of Nomination and Acceptance of the ABS Party-List on the decision and forwarded by the Law Department of the Commission on Appointments.

REP. TY. Point of order, Mr. Speaker.

REP. ANDAYA. Submitted, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). What is the point of order of the Gentleman?

REP. TY. Yes, Mr. Speaker, this Representation is citing the Constitution. Under Article VI, Section 17, and I quote:

The Senate and the House of Representatives shall each have an Electoral Tribunal, which shall be the sole judge of all contests relating to the election, returns, and qualifications of their respective Members.

Mr. Speaker, I just want to know the parliamentary status of the case of Representative De Vera because I believe they are already hearing it in HRET and I want to know if the HRET has a decision already. We tackling it now because of that decision or is that because we are not going to wait for the decision of the HRET because it will violate our Constitution, Mr. Speaker?

REP. ANDAYA. Mr. Speaker, ...

THE DEPUTY SPEAKER (Rep. Pichay). Majority Leader, ...

REP. ANDAYA. ... the Majority is ...

THE DEPUTY SPEAKER (Rep. Pichay). ... you are recognized.

REP. ANDAYA. ...the Majority Leader is in no way part of the case in the HRET. As it is right now, we have this letter from the COMELEC for us to proceed with the dropping of the name of Rep. Eugene De Vera from the roll of Members.

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Yes, proceed.

REP. ANDAYA. Mr. Speaker, my manifestation is not a motion which will be voted upon. It is a request that the name of Representative De Vera be dropped from the rolls.

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Secretary General, you are requested to drop the name ...

REP. DE VERA. Point of order, ...

THE DEPUTY SPEAKER (Rep. Pichay). ... from the roll.

REP. DE VERA. ... Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). What is the point of order of the Gentleman from Cagayan Valley?

REP. DE VERA. I am from—am I recognized, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Pichay). Yes, you are recognized.

REP. DE VERA. Thank you.

THE DEPUTY SPEAKER (Rep. Pichay). What is the point of order?

REP. DE VERA. Yes. Rule II, Section 4 on “Composition,” Mr. Speaker, ... May I proceed, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). Please proceed.

REP. DE VERA. It is stated that:

The membership of the House shall be composed of elected representatives of legislative districts and those elected through the party-list system. Membership as Representative of a legislative district commences upon proclamation as a winning candidate, the administration of an oath for the office by a duly authorized public officer and assumption of office on June 30 following the election. In cases where a candidate has been proclaimed winner by the Commission on Elections, and the validity of the proclamation is put in question in any judicial or administrative body, such candidate who has been proclaimed winner and assumed office on June 30 following the election shall remain a Member of the House absent final and executory judgment on or resolution of the question over the proclamation of the Member by the appropriate judicial or administrative bodies.

Your Honor, Mr. Speaker, I have a pending case now with the House of Representatives Electoral Tribunal, Case No. 16-31, Your Honor, filed against me by Catalina Pizarro, Your Honor, and still pending with the HRET, and I already submitted my answer, Your Honor.

Your Honor, on October 2, 2018, I even wrote the leadership, including Majority Leader Andaya, and I have already told them that Section 17 of the 1987 Constitution provides, and I quote:

The Senate and the House of Representatives shall have an Electoral Tribunal which shall be the sole judge of all contests relating to the election, returns, and qualifications of their respective Members.

Your Honor, I am a sitting Member of this august Chamber, and what is being questioned against me is my qualification of being a bona fide Member of my Party-List ABS, Your Honor. So, the jurisdiction, Your Honor, as far as this is concerned, is within the province of the House of Representatives Electoral Tribunal, Your Honor. A mere letter, Your Honor, cannot be the basis for unseating me in this august Chamber, Your Honor. Let us wait for the results of the hearings being conducted now before the House of Representatives Electoral Tribunal. In fact, Your Honor, give me some time, Your Honor, in order to discuss and to present my case before you. Section 9 of Republic Act No. 7941, or the Party-List System Act, on “Qualifications of Party-List Nominees” states, and I quote:

No person shall be nominated as party-list representative unless he is a natural-born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the election, able to read and write, a bona fide member of the party or organization which he seeks to represent for at least ninety (90) days preceding the day of the election, and is at least twenty-five (25) years of age on the day of the election.

So, being a bona fide member of a party-list organization is one of the qualifications, Your Honor. So, if there is an issue on the bona fide qualification of a certain Party-List Representative sitting in this Congress, Your Honor, the venue to question which is within the province of the House of Representatives Electoral Tribunal. And as of this date, Your Honor, I already have filed my answer to the petition—the quo warranto petition filed against me by Baby Pizarro.

THE DEPUTY SPEAKER (Rep. Pichay). Majority Leader, ...

REP. ANDAYA. Again, Mr. Speaker, ...

THE DEPUTY SPEAKER (Rep. Pichay). ... please respond.

REP. ANDAYA. Yes. I reiterate our motion that we are in receipt of a letter from the ABS Party-List, dropping as a nominee of the ABS Party-List the Honorable De Vera.

This is not of my personal liking, but that is the

situation we have and we have to request that his name be dropped from the rolls.

REP. DE VERA. I really object now.

REP. ANDAYA. It is a ministerial duty, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). There is a request from the Majority Leader to drop Congressman De Vera from the roll. So, ...

REP. TY. Point of order, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). ... the Secretary General ...

REP. TY. Point of order.

THE DEPUTY SPEAKER (Rep. Pichay). ... is directed ...

REP. DE VERA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Pichay). ... to follow the request of the ...

REP. TY. Section 75, and Section 76. “Absence of Quorum.”

THE DEPUTY SPEAKER (Rep. Pichay). ... Majority Leader.

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

REP. DE VERA. Mr. Speaker.

REP. TY. Question—I am questioning the quorum, Mr. Speaker.

SUSPENSION OF SESSION

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

It was 5:29 p.m.

RESUMPTION OF SESSION

At 5:40 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. TY. Mr. Speaker. Mr. Speaker.

ADJOURNMENT OF SESSION

REP. MARCOLETA. Mr. Speaker, I move to adjourn the session until tomorrow, November 20, at three o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Pichay). There is a motion to adjourn. Do I hear any objection? (*Silence*)
The Chair hears none; the motion is approved.

It was 5:40 p.m.