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No. 36

CALL TO ORDER

At 3:00 p.m., Deputy Speaker Raneó “Ranie” E. Abu called the session to order.

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

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Abu). Everybody is requested to rise for the singing of the National Anthem.

Everybody rose to sing the Philippine National Anthem.

THE DEPUTY SPEAKER (Rep. Abu). Let us remain standing for the prayer to be led by Rep. Ann K. Hofer from the Second District of Zamboanga Sibugay.

Everybody remained standing for the Invocation.

INVOCATION

REP. HOFER. Lord, God Almighty, most earnestly we start this plenary session by reflecting on Psalm 23: 5, which declares: “My cup overflows” —with blessings.

Overflowing also is our gratitude, Lord, as we look back on this year and the blessings You have lovingly sent our way, especially the blessing of good health which enables us to help others in need. Lord, thank You for the opportunity to have been of service to others in our capacity as legislators and leaders. Lead us, Lord, guide us, direct us, show us Your way, so that each decision we arrive at and each legislation we create will be in accordance with Your divine plan. We echo the sentiment in 2 Samuel, Chapter 7:29: “Now be pleased to bless the house of Your servant, that it may continue...” to listen to You, Lord, and discern Your plan; continue to do the best that we can. Lord, we continue to praise You in all that we do, now and forever.

Amen.

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

REP. PIMENTEL. Mr. Speaker, I move to defer the roll call.

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

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, I move to defer the approval of the Journal.

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

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, I move that we now proceed to the Reference of Business and request that the Secretary General be directed to read the same.

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

The Secretary General is hereby directed to read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary General read the following House Bills and Resolution on First Reading, Messages from the Senate, Communication and Committee Reports, and the Deputy Speaker made the corresponding references:

BILLS ON FIRST READING

House Bill No. 8672, entitled:

“AN ACT PROTECTING SEAFARERS WHO SUFFER SERIOUS INJURY OR DEATH, AND THEIR FAMILIES”

By Representative Manalo
TO THE COMMITTEE ON OVERSEAS
WORKERS AFFAIRS

House Bill No. 8674, entitled:

“AN ACT MANDATING ALL
TELECOMMUNICATIONS COMPANY
(SERVICE PROVIDER) TO CREATE
A SOS ALERT SCHEME, TO FOSTER
PROTECTION OF THE GENERAL
PUBLIC, AND FOR OTHER
PURPOSES”

By Representative Romero
TO THE COMMITTEE ON INFORMATION AND
COMMUNICATIONS TECHNOLOGY

House Bill No. 8675, entitled:

“AN ACT AMENDING SECTION 145 OF
REPUBLIC ACT NO. 10142, OTHERWISE
KNOWN AS THE ‘FINANCIAL
REHABILITATION AND INSOLVENCY
ACT (FRIA) OF 2010’, PROVIDING FOR
STIFFER PENALTIES AND SANCTIONS,
AND FOR OTHER PURPOSES”

By Representative Romero
TO THE COMMITTEE ON BANKS AND
FINANCIAL INTERMEDIARIES

House Bill No. 8676, entitled:

“AN ACT TO INSTITUTE PERSONS WITH
DISABILITIES (PWDs)-FRIENDLY
TRANSPORTATION PROGRAM IN
CITIES AND URBAN CENTERS OF THE
COUNTRY, AND APPROPRIATING FUNDS
THEREFOR”

By Representative Sy-Alvarado
TO THE COMMITTEE ON SOCIAL
SERVICES

House Bill No. 8678, entitled:

“TESDA MODERNIZATION ACT OF 2019”

By Representatives Datol and Belaro
TO THE COMMITTEE ON HIGHER AND
TECHNICAL EDUCATION

House Bill No. 8679, entitled:

“AN ACT INCORPORATING THE VALUE
OF RESPONSIBLE, FAIR USAGE AND
ENJOYMENT OF SOCIAL MEDIA IN
CAMPUSES NATIONWIDE, AND FOR
OTHER PURPOSES”

By Representative Nieto
TO THE COMMITTEE ON HIGHER AND
TECHNICAL EDUCATION AND THE
COMMITTEE ON BASIC EDUCATION
AND CULTURE

House Bill No. 8680, entitled:

“AN ACT DECLARING THE CONFERMENT OF
A DOCTORATE DEGREE AS EQUIVALENT
TO ENTRY LEVEL CAREER EXECUTIVE
SERVICE OFFICER (CESO VI) IN THE
CIVIL SERVICE”

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

House Bill No. 8681, entitled:

“AN ACT AMENDING SECTION 24 OF
REPUBLIC ACT NO. 8491, OTHERWISE
KNOWN AS THE FLAG AND HERALDIC
CODE OF THE PHILIPPINES”

By Representative Nieto
TO THE COMMITTEE ON BASIC EDUCATION
AND CULTURE

RESOLUTION

House Resolution No. 2336, entitled:

“RESOLUTION DIRECTING THE
APPROPRIATE HOUSE COMMITTEE TO
INVITE THE CONCERNED OFFICIALS
OF THE DEPARTMENT OF FOREIGN
AFFAIRS, DEPARTMENT OF ENERGY
AND THE NATIONAL ECONOMIC
AND DEVELOPMENT AUTHORITY
AND CONDUCT A HEARING FOR
THESE OFFICIALS TO EXPLAIN
THE SUBSTANTIAL CONTENTS OF
THE ECONOMIC AGREEMENTS,
ESPECIALLY THE MEMORANDUM OF
UNDERSTANDING ON COOPERATION ON
OIL AND GAS DEVELOPMENT, SIGNED
BY AND BETWEEN THE GOVERNMENT OF
THE REPUBLIC OF THE PHILIPPINES AND
THE GOVERNMENT OF THE PEOPLE'S
REPUBLIC OF CHINA, TO AID THE HOUSE
OF REPRESENTATIVES IN DETERMINING
WHETHER THE AFORESAID
AGREEMENTS ARE BENEFICIAL OR
INIMICAL TO THE FILIPINO PEOPLE”

By Representatives Casilao, Zarate, De Jesus and
Tinio
TO THE COMMITTEE ON RULES

MESSAGES FROM THE SENATE

Message dated November 26, 2018, informing the
House of Representatives that the Senate on even
date passed with amendments House Bill No. 8302,
entitled:

“AN ACT GRANTING MORE ELECTRIC AND
POWER CORPORATION A FRANCHISE TO

ESTABLISH, OPERATE, AND MAINTAIN, FOR COMMERCIAL PURPOSES AND IN THE PUBLIC INTEREST, A DISTRIBUTION SYSTEM FOR THE CONVEYANCE OF ELECTRIC POWER TO THE END USERS IN THE CITY OF ILOILO, PROVINCE OF ILOILO”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6170, entitled:

“AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO RMC BROADCASTING CORPORATION UNDER REPUBLIC ACT NO. 8159, ENTITLED ‘AN ACT GRANTING THE DXRA-RMC (RIZAL MEMORIAL COLLEGES) BROADCASTING CORPORATION A FRANCHISE TO CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN A COMMERCIAL RADIO BROADCASTING STATION IN THE PHILIPPINES, AND FOR OTHER PURPOSES’ ”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6707, entitled:

“AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO RAVEN BROADCASTING CORPORATION, UNDER REPUBLIC ACT NO. 8084, ENTITLED ‘AN ACT GRANTING RAVEN BROADCASTING CORPORATION A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE RADIO AND TELEVISION BROADCASTING STATIONS WITHIN LUZON AND OTHER AREAS IN THE PHILIPPINES WHERE FREQUENCIES AND/OR CHANNELS ARE STILL AVAILABLE FOR RADIO AND TELEVISION BROADCASTING’ ”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 5640, entitled:

“AN ACT DECLARING SEPTEMBER 3 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF BAGUIO, PROVINCE OF BENGUET, IN COMMEMORATION OF THE SURRENDER OF THE JAPANESE MILITARY FORCES LED BY GENERAL TOMOYUKI YAMASHITA IN BAGUIO CITY”.

TO THE COMMITTEE ON REVISION OF LAWS

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6708, entitled:

“AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO ADVANCED MEDIA BROADCASTING SYSTEM, INC., UNDER REPUBLIC ACT NO. 8061, ENTITLED ‘AN ACT GRANTING ADVANCED MEDIA BROADCASTING SYSTEM, INC., A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES’ ”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6431, entitled:

“AN ACT GRANTING BOHOL CHRONICLE RADIO CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO BROADCASTING STATIONS IN THE PROVINCE OF BOHOL”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6315, entitled:

“AN ACT GRANTING THE VOLUNTEER LIFECARE MINISTRIES, INC. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN NONCOMMERCIAL RADIO BROADCASTING STATIONS IN THE PHILIPPINES”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6169, entitled:

“AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO PHILIPPINE BROADCASTING CORPORATION UNDER REPUBLIC ACT NO. 7962, ENTITLED ‘AN ACT GRANTING THE PHILIPPINE BROADCASTING CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES, AND FOR OTHER PURPOSES’ ”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6316, entitled:

“AN ACT GRANTING NORTHEASTERN BROADCASTING SERVICES, INC. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN ISABELA PROVINCE AND REGION II”.

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendment House Bill No. 5565, entitled:

“AN ACT DECLARING JANUARY 24 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF PALAWAN AND THE CITY OF PUERTO PRINCESA IN HONOR OF THE MARTYRDOM OF GOVERNOR HIGINIO ACOSTA MENDOZA, SR., TO BE KNOWN AS ‘GOVERNOR HIGINIO ACOSTA MENDOZA, SR. DAY’ ”.

TO THE COMMITTEE ON REVISION OF LAWS

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 6724, entitled:

“AN ACT CHANGING THE NAME OF LUPON SCHOOL OF FISHERIES IN LUPON, DAVAO ORIENTAL, INTO THE DAVAO ORIENTAL POLYTECHNIC INSTITUTE”.

TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed Senate Bill No. 1240, entitled:

“AN ACT UPGRADING THE POSITION OF THE PROVINCIAL SCIENCE AND TECHNOLOGY OFFICER INTO THE PROVINCIAL SCIENCE DIRECTOR IN THE DEPARTMENT OF SCIENCE AND TECHNOLOGY AMENDING REPUBLIC ACT NO. 6959, APPROPRIATING FUNDS THEREFORE, AND FOR OTHER PURPOSES”

in which it requests the concurrence of the House of Representatives.

TO THE COMMITTEE ON SCIENCE AND TECHNOLOGY

Message dated November 26, 2018, informing the House of Representatives that on even date the Senate designated Senator Juan Miguel F. Zubiri as an additional conferee to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2059, entitled:

“AN ACT ENHANCING REVENUE ADMINISTRATION AND COLLECTION, AND BROADENING THE TAX BASE BY GRANTING AN AMNESTY ON ALL UNPAID INTERNAL REVENUE TAXES IMPOSED BY THE NATIONAL GOVERNMENT FOR TAXABLE YEAR 2017 AND PRIOR YEARS WITH RESPECT TO ESTATE TAX, OTHER INTERNAL REVENUE TAXES, AND TAX ON DELINQUENCIES AND ADDRESSING CROSS-BORDER TAX EVASION AND FOR OTHER PURPOSES”

and House Bill No. 4814, entitled:

“AN ACT GRANTING AMNESTY IN THE PAYMENT OF ESTATE TAX”.

TO THE COMMITTEE ON RULES

Message dated November 26, 2018, informing the House of Representatives that on even date the Senate designated Senator Juan Miguel F. Zubiri as an additional conferee to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1280 and House Bill No. 8374, both entitled:

“AN ACT PROVIDING FOR THE REVISED CORPORATION CODE OF THE PHILIPPINES”.

TO THE COMMITTEE ON RULES

Message dated November 26, 2018, informing the House of Representatives that the Senate on even date passed Senate Joint Resolution No. 13, entitled:

“JOINT RESOLUTION EXTENDING THE MAINTENANCE, AVAILABILITY AND RELEASE OF THE FUNDS CREATED PURSUANT TO REPUBLIC ACT NO. 10368, AS AMENDED BY REPUBLIC ACT NO. 10766, SPECIFICALLY SUCH FUNDS IN THE LAND BANK OF THE PHILIPPINES, UNTIL DECEMBER 2019 TO ENSURE PAYMENT OF QUALIFIED HUMAN RIGHTS VIOLATIONS VICTIMS AND AUTHORIZING THE COMMISSION ON HUMAN RIGHTS TO ADMINISTER THE EFFECTIVE DISTRIBUTION THEREOF”

in which it requests the concurrence of the House of Representatives.

TO THE COMMITTEE ON HUMAN RIGHTS

Message dated November 27, 2018, informing the House of Representatives that on even date the Senate approved the Conference Committee Report of the Bicameral Conference Committee on the disagreeing votes on House Bill No. 6715, entitled:

“AN ACT SEPARATING THE SOUTHERN PHILIPPINES AGRICULTURE, BUSINESS, MARINE AND AQUATIC SCHOOL OF TECHNOLOGY (SPAMAST)-DIGOS CITY CAMPUS IN THE CITY OF DIGOS, DAVAO DEL SUR, FROM THE SPAMAST IN THE MUNICIPALITY OF MALITA, DAVAO OCCIDENTAL AND CONVERTING IT INTO A STATE COLLEGE TO BE KNOWN AS THE DAVAO DEL SUR STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR”.

TO THE COMMITTEE ON RULES

Message dated November 28, 2018, informing the House of Representatives that on November 27, 2018, the Senate designated Senators Grace Poe, Juan Miguel F. Zubiri, Francis “Chiz” G. Escudero and Paolo Benigno “Bam” Aquino IV as conferees to the Bicameral Conference Committee on the disagreeing votes on House Bill No. 8302, entitled:

“AN ACT GRANTING MORE ELECTRIC AND POWER CORPORATION A FRANCHISE TO ESTABLISH, OPERATE, AND MAINTAIN, FOR COMMERCIAL PURPOSES AND IN THE PUBLIC INTEREST, A DISTRIBUTION SYSTEM FOR THE CONVEYANCE OF ELECTRIC POWER TO THE END USERS IN THE CITY OF ILOILO, PROVINCE OF ILOILO”.

TO THE COMMITTEE ON RULES

COMMUNICATION

Report of Honorable Dante Roberto P. Maling, Acting Secretary General, House of Representatives, on enrolled bills, submitted to the Office of the President, for His Excellency’s consideration and signature, pursuant to the provision of Rule VI, Section 18, Par. (h) of the Rules of the House of Representatives:

1. House Bill No. 4765, entitled:

“AN ACT ESTABLISHING AN EXTENSION OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF BROOKE’S POINT, PROVINCE OF PALAWAN AND APPROPRIATING FUNDS THEREFOR”

2. Consolidated Senate Bill No. 1270 and House Bill No. 7544, entitled:

“AN ACT DECLARING THE LAST MONDAY OF JANUARY EVERY YEAR AS A SPECIAL WORKING HOLIDAY IN OBSERVANCE OF NATIONAL BIBLE DAY”;

3. Consolidated Senate Bill No. 1363 and House Bill No. 7402, entitled:

“AN ACT INSTITUTIONALIZING TELECOMMUTING AS AN ALTERNATIVE WORK ARRANGEMENT FOR EMPLOYEES IN THE PRIVATE SECTOR”;

4. Consolidated Senate Bill No. 1390 and House Bill No. 6617, entitled:

“AN ACT STRENGTHENING THE PHILIPPINE COMPREHENSIVE POLICY ON HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) PREVENTION, TREATMENT, CARE, AND SUPPORT, AND RECONSTITUTING THE PHILIPPINE NATIONAL AIDS COUNCIL (PNAC), REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8504, OTHERWISE KNOWN AS THE ‘PHILIPPINE AIDS PREVENTION AND CONTROL ACT OF 1998’, AND APPROPRIATING FUNDS THEREFOR”;

5. Consolidated Senate Bill No. 1766 and House Bill No. 7525, entitled:

“AN ACT INCREASING THE MONTHLY OLD-AGE PENSION OF SENIOR VETERANS”.

COMMITTEE REPORTS

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 976), re H.B. No. 8684, entitled:

“AN ACT SEPARATING THE MALABON

NATIONAL HIGH SCHOOL (MNHS) – CONCEPCION TECHNICAL-VOCATIONAL ANNEX IN BARANGAY CONCEPCION, CITY OF MALABON, METRO MANILA FROM THE MALABON NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS CONCEPCION TECHNICAL-VOCATIONAL SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 7394

Sponsors: Representatives Durano, Zamora (M.C.) and Sandoval

TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 977), re H.B. No. 5371, entitled:

“AN ACT SEPARATING THE TINAJEROS NATIONAL HIGH SCHOOL-ACACIA ANNEX IN BARANGAY ACACIA, CITY OF MALABON, METRO MANILA FROM THE TINAJEROS NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS ACACIA NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment

Sponsors: Representatives Durano, Zamora (M.C.) and Sandoval

TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 978), re H.B. No. 8096, entitled:

“AN ACT ESTABLISHING AN INTEGRATED NATIONAL SCHOOL IN BARANGAY CAPUY, CITY OF SORSOGON, PROVINCE OF SORSOGON TO BE KNOWN AS CAPUY INTEGRATED NATIONAL SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment

Sponsors: Representatives Durano, Zamora (M.C.) and Escudero

TO THE COMMITTEE ON RULES

Report of the Special Committee on Peace, Reconciliation and Unity (Committee Report No. 979), re H.R. No. 2339, entitled:

“RESOLUTION URGING PRESIDENT RODRIGO R. DUTERTE TO RESUME THE PEACE NEGOTIATIONS BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) AND THE NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES (NDFP), AND COMPLETE THE COMPREHENSIVE AGREEMENTS ON SOCIAL, ECONOMIC AND POLITICAL REFORMS TO LAY THE BASIS FOR A JUST AND LASTING PEACE”

recommending its adoption in substitution of House Resolution No. 1803

Sponsor: Representative Sahali

TO THE COMMITTEE ON RULES

Report of the Committee on Civil Service and Professional Regulation and the Committee on Appropriations (Committee Report No. 980), re H.B. No. 8690, entitled:

“AN ACT REGULATING THE PRACTICE OF ENVIRONMENTAL ENGINEERING IN THE PHILIPPINES, AND PROVIDING FUNDS THEREFOR”

recommending its approval in substitution of House Bills Numbered 3565, 4259, 4319 and 7080

Sponsors: Representatives Mariño and Zamora (M.C.)

TO THE COMMITTEE ON RULES

Report of the Committee on Government Enterprises and Privatization, the Committee on Transportation and the Committee on Appropriations (Committee Report No. 981), re H.B. No. 8691, entitled:

“AN ACT CREATING THE DAVAO INTERNATIONAL AIRPORT AUTHORITY AND PROVIDING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 2002

Sponsors: Representatives Sacdalan, Sarmiento (C.), Zamora (M.C.) and Garcia-Albano

TO THE COMMITTEE ON RULES

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

APPROVAL OF THE JOURNALS

REP. PIMENTEL. Mr. Speaker, I move for the approval of Journal No. 34, dated November 27, 2018 and Journal No. 35, dated November 28, 2018.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; Journal No. 34, dated November 27, 2018 and Journal No. 35, dated November 28, 2018, are hereby approved.

The Majority Leader is recognized.

PRIVILEGE HOUR

REP. PIMENTEL. Mr. Speaker, today being a Monday and pursuant to our rules, I move that we open the Privilege Hour.

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

REP. PIMENTEL. Mr. Speaker, I now move that the Gentleman from the Third District of Negros Oriental, Rep. Arnolfo “Arnie” A. Teves Jr., be recognized to avail of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Abu). Rep. Arnie Teves from the Third District of Negros Occidental is recognized to avail of the Privilege Hour.

PRIVILEGE SPEECH OF REP. TEVES

REP. TEVES. From Negros Oriental, Mr. Speaker.

Good afternoon to everyone. I stand here again today to speak on a very important issue. Ilang beses na ako nanawagan na ayusin natin ang ating Bureau of Customs. Why am I so concerned about this? Because if we improve our customs collection, hindi na natin kailangan ng TRAIN 1 at ng TRAIN 2. Gusto ko malaman ng lahat ng taumbayan kung ano ang importansya ng koleksiyon ng Customs at ng BIR sa kanilang mga buhay. Hindi kasi natin nako-connect na ang laki pala ng kahalagahan ng Customs at ng BIR sa buhay ng lahat ng Pilipino. How much was collected as of today from TRAIN 1? And I do not know if TRAIN 2 has been in effect already. Sa tingin ko, less than P100 billion. How much had been collected from the VAT and excise tax on fuel per year? Again, less than P100 billion per year. How much has it affected the lives of Filipinos because of these taxes, the VAT and excise tax on fuel?

Ang mahal ng ating bilihan, ang mahal ng transportasyon, at ang mahal ng mga serbisyo. Apektado ang lahat ng ating mamamayan. What is my solution to this? We go back to the Bureau of Customs. Ilang beses na akong sumulat sa kanila at nanawagan that we implement a “No X-ray, No entry” policy. Magkano ang kailangan para magawa natin ito? Only P25 billion na puhunan mula sa gobyerno. Magkano ang ibabalik nito? On the first year alone, ang ibabalik nito is P140 billion, pagkatapos, less gastos na P25 billion, kumita na kaagad ang gobyerno ng P115 billion. Puwede na kaagad natin i-give up ang TRAIN Law. In the next year and with additional improvements—including improvements in the BIR—kahit i-give up pa natin, walain pa natin ang VAT and excise tax on fuel, puwede na.

What happens when we forego the excise tax and the VAT on fuel? That is an automatic seven-peso reduction on the price of fuel. Sa tingin ninyo, hindi magmumura ang presyo ng bigas? Sa tingin ninyo, hindi magmumura ang presyo ng ibang pagkain? Kung nagmura ang presyo ng pagkain at ibang bilihan, hindi na magre-reklamo ang mga manggagawa upang itaas ang sahod nila. Kung hindi magtataas ng sahod, we will have more investments here, we will have a better economy like what China is doing. They have cheap food, low labor cost, and that is why they are very successful because so many industries go to China. We can also do that here. Sa atin kasi ay baligtad—paakyat lahat ng presyo, humihingi ng increase sa sahod, umaalis tuloy iyong mga kumpanya, kaya mas lalo tayong nahihirapan.

I would also like to call for a pre-inspection policy, na ibalik ito sa ating Customs. Hindi lang ako ang nanawagan para dito, kahit si Congressman Atienza ay nanawagan rin na ibalik ang pre-inspection policy sa Customs. Gusto ko lang i-remind—sumulat ako sa Office of the President, sumulat ako sa lahat ng Senador, at na-receive naman nila iyong letter ko, tungkol sa proposal ko na P25 billion para pagandahin iyong Customs natin and that we implement a “No X-ray, No entry” policy.

Let us always remember that higher revenues will result in lower prices of fuel, lower prices of food, and lower prices of services which will help lighten the lives of our Filipino brothers and sisters. Ilang beses ko na itong paulit-ulit na sinasabi at sana lang ay mapakinggan ako at gawin natin ito. Kung hindi ito gagawin ay magdududa na ako. Bakit ayaw nila gawin iyong “No X-ray, No entry” policy na kaya naman natin gawin. Hindi nila puwedeng irason na tumatagal iyong entry ng goods because other countries do it. I think we can do it for a P25 billion investment.

That is all for now. Thank you very much, Mr. Speaker.

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

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). What is the pleasure of the Gentleman from BUHAY Party-List?

REP. ATIENZA. With the kind permission of the Gentleman, we would like to interpellate him on his privilege speech.

REP. TEVES. Yes, by all means, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The

Representative from BUHAY Party-List may now proceed to interpellate the Gentleman from the Third District of Negros Oriental.

REP. ATIENZA. Salamat po. We are in full agreement with the message of the Gentleman, but still we would like to clarify certain issues which continue to pervade, like the issue of corruption in the Bureau of Customs. Nabanggit po nila na mayroon silang panukalang batas na naglalayon na kung hindi alam ang laman ng container van ay hindi dapat ito makapasok. Alam ba ng ating Gentleman that the shabu shipments all entered into the Philippines through container vans?

REP. TEVES. Yes, Mr. Speaker. Mr. Speaker, that is what I forgot to mention—by doing this “No X-ray, No entry” policy, even the entry of drugs will be reduced, if not totally eliminated. It will be reduced to a point that it would almost be eliminated with the “No X-ray, No entry” policy.

REP. ATIENZA. Kung ipatutupad ang inyong panukala, hindi makapasok ang droga na nasa container van. Iyon po ba ang inyong posisyon sa nangyayari ngayon?

REP. TEVES. Yes, Mr. Speaker, definitely. If we X-ray, in addition to that, iyong monitor ng X-ray machine natin may be viewed by a certain group or a third party other than the Customs people para mas lalo nating mababantayan.

REP. ATIENZA. Again, Mr. Speaker, we cannot help but agree with the Gentleman, Congressman Teves, who delivered a very important message this afternoon, that the container vans must be screened properly before they are allowed to enter our shores. If I remember correctly during the Sixteenth Congress, we passed a bill which is now a law, the Customs Modernization and Tariff Act, where container vans should be screened here or, at the option of the importer, from their ports of origin. Kung galing po ito sa China, puwede namang doon na po gawin iyong screening at iyong clearance ay manggagaling din po doon sa kanilang kinuhang screener. Pero tila ngayon ay hindi pa ito ipinatutupad, at iyong panawagan ninyo ay nais kong susugan.

Sabihin natin sa gobyerno na may batas tayó. Bakit hindi ninyo ipasunod ito? Ang layunin ng batas ay para hindi na makapasok ang mga kontrabando na nasa loob ng container vans sapagkat mayroon na pong paraan and from their ports of origin, they can be screened effectively and their contents will be defined immediately, kung iyan po ay may lamang Lamborghini, Ferrari at iba pang mamahaling kotse, at kung armas, baril o dinamita. Hindi na pupuwede po iyon sapagkat malalaman na sa pinanggalingan, pero

ayaw yata nilang ipatupad. Anong tingin ninyo? Is the non-implementation of this law deliberate or plain incompetence?

REP. TEVES. Mr. Speaker, I have the same question. Hindi ko maintindihan bakit ayaw ipatupad, even my suggestion which is, for any businessman or even a sari-sari store owner, madali itong maintindihan. Mamuhunan ka ng 25, magiging 140. So, dapat gawin na talaga ito.

REP. ATIENZA. Right now, there are more than 8,000 container vans entering the country. Tama po ba iyong figure na naibigay sa akin?

REP. TEVES. More or less.

REP. ATIENZA. More or less. So, 8,000 container vans enter the Philippine shores and we do not even know what is inside the 8,000 vans. Hindi po kaya napupunta iyan sa malalaking chain of wholesale stores katulad ng S&R at marami pang iba?

Napupuna ko po na puro mga imported ang kanilang mga paninda, kaya baka doon napupunta iyong laman ng container vans na ito. Tiyak, hindi nagbabayad po ng buwis. According to estimates, we are losing about P20 to P30 billion a day in taxes for non-implementation of proper screening of all these container vans.

I am sure the Gentleman is bothered by what we are discussing on the floor these days. We are talking about additional taxes, we are talking about excise taxes, we are even talking about the tax on gasoline. If we continue taxing the law-abiding but allowing the illegal criminals in the land to have their way, we are wasting ngayon our time in this Congress. I wonder how the Gentleman feels about this particular situation.

REP. TEVES. Of course, I feel really bad about it because, again, binubuwisan natin iyong mahihirap. Hindi natin binubuwisan iyong smugglers at tax evaders when we can easily tax them by just implementing the “No X-ray, No entry” policy. As of now, Mr. Speaker, sa pagkaalam ko, on the average, ang natsi-check lang, 30 percent of the containers are X-rayed and for all the rest, bahala na.

REP. ATIENZA. If I have my figures correctly, Mr. Speaker, only three percent of those vans are screened before they are allowed to go out of the Customs zone—three percent. So, if you would get the three percent of 8,000, you only have about 240 vans checked and screened and all the rest are already allowed to go in and even use the green lane. Meaning, wala na pong inspection at sila ay sasalubungin na lang sa labas noong kanilang police escort.

Iyan po ang masakit na katotohanan ngayon and I cannot help but agree with the Gentleman, Congressman Teves, on his repeated and sustained request to the government. Let us check what is going on upon the entry of container vans in the country. This Bill aims to make it a compulsory requirement. If the government has to buy the equipment, so be it. If they keep on saying that we do not have the money for that, sa palagay namin, iyon ay hindi totoo. In fact, we are underspending now as of December 3. The year 2018 is about to end and the government still has a lot of money in the Treasury. We lack housing, but we have no program to build houses. We lack medicines, but we have no program to provide medicines for the poor. We lack equipment at the Customs Bureau, and Congressman Teves said that it will only take P25 billion to put up the equipment that will screen and check the contents of container vans, but the government is not reacting. Ano po ba ang dapat nating gawin, Congressman Teves? Ako po ay natutukso na at sa palagay ko ay magpapakalbo na rin ako para pareho na rin tayo.

REP. TEVES. Yes. Mr. Speaker, hindi ko na rin alam ang gagawin. I think this is going on its third year, itong panawagan ko, pero wala pa ring nangyayari. It is really a no-brainer to spend 25 and make 140—it is really a no-brainer.

REP. ATIENZA. Alam ninyo, noong 2015 when we passed the Customs Modernization Act, ang Pangulo po noon ay si Pangulong PNoy. Noong aming ipinasa ito 10 months before he stepped down, he rejected the idea of screening the container vans entering our country. We can understand that as we already know ang mga pinaggagawa ng kanyang administrasyon, na nawala po ang salapi, hindi nagbayad ng buwis, pati container vans ay nawala noon. There were 2,000 container vans lost along the way and nobody could explain where they went. Nangyari po iyan noong panahon ni Pangulong PNoy Aquino. Kaya kung ayaw nilang ipatupad ang tamang batas para makolekta ang buwis, naiintindihan ko po dahil, siguro, gustung-gusto nilang makalusot ang mga ito para doon sa kanilang eleksiyon noong 2016 ay mayroon silang pondo, pero ginusto ng Diyos na ang manalo ay ang Pangulong sumisigaw ng pagbabago.

Noong nanalo ang ating Pangulong Duterte ay sinadya ko po ang tanggapan ni Secretary Carlos Dominguez ng Finance at pinaalala ko po na mayroon na tayong batas na magagamit upang ang lahat na papasok na container vans ay malalaman na natin kung ano ang laman doon sa pinanggalingan nito o dito sa daratnan. He assured me on this—to give him one month to study the matter and he will implement the full force of that law, the Customs Modernization and Tariff Act.

Three years had passed, Mr. Speaker, tatlong taon na ang nakaraan pero wala pong ganoong enforcement ang nakikita namin na nagmumula sa kanyang tanggapan.

I am known to him and he is known to me but friendship is not a reason for us to exempt our words for this kind of wrongdoing. Sa tingin po namin, ito ay korapsyon at the highest degree and the worst kind because we are losing billions and hundreds of billions a year, possibly up to about P400 billion of taxes that could be collected but which are not collected due to the non-enforcement of the law. Pagkatapos ay bubuwisan natin ang lahat ng gumagalaw dito sa ating bansa. Ang mga jeepney driver, ang mga bus driver, ang mga private motorist ay dadaing na naman sa bigat ng buwis na ating ipapasa. Pati ang mga naninigarilyo—hindi ko naman po ini-encourage ang paninigarilyo pero baka hindi na natin malaman kung paano buwisan ang industriyang ito. Kapag sumobra ang buwis dito, ang ating mga magsasaka sa agrikultura ng tabako ay mawawalan ng hanapbuhay. So, we cannot keep on taxing what is already overtaxed. We should collect tax, but it is not collected at napupunta lang po sa mga bulsa ng mga nagpapatakbo ng Customs Bureau.

Ano pa ba ang hinihintay nating pruweba? We are appealing to the President. He should take note—the Customs Bureau must be stricken out but putting the military there is not the solution. Putting the dirty people in jail, that is the solution. Kapag may nakulong na dirty Customs officers, maniniwala tayo na mayroong tunay na paraan para pigilin sila. Subalit ngayon, I commiserate with the Gentleman from Negros because I know how he feels. I feel exactly the same way and I know that he knows the reasons, and we are one in our desire to help the nation and help our people. Hindi sapat na ipasa ang tax laws pero kailangan ipinapatupad po ang batas upang igtalang ito ng bawat isa. Kung hindi ay nag-aaksaya tayo ng panahon dito. We are not going to get the country into a straight developmental and progressive direction if we keep on circling around and avoiding the issue of corruption. With corruption, this cannot happen; at dahil po sa mga pangyayaring laganap ang corruption diyan sa ahensiyang iyan ay para po kaming voices in the wilderness.

Congressman Teves, continue your crusade and this humble Representation is one with you in your good and patriotic intentions. Congratulations for your courage and perseverance, and we hope our colleagues understood what we are exactly trying to deliver to them—that there are already solutions to the needs of our people. Ang paghihirap ay maaaring maibsan at mabawasan kung kokolektahin natin iyong buwis na karapat-dapat at gagastusin natin ito ng tama, at hindi kara-karaka, na parang hindi nila alam kung ano ang gagawin nila.

Thank you very much, Mr. Speaker, for the opportunity.

Congratulations, honorable Member of Congress.

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

REP. TEVES. Thank you, Mr. Speaker.

REP. CASTRO (F.H.). Mr. Speaker.

REP. PIMENTEL. Mr. Speaker, before we recognize Deputy Speaker Fred Castro, I move that we refer the privilege speech of Representative Teves to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection?

REP. CASTRO (F.H.). Mr. Speaker, I move for the reconsideration of the motion of the distinguished Majority Leader because my interpellation would center on the privilege speech of Congressman Teves.

THE DEPUTY SPEAKER (Rep. Abu). Please respond, Majority Leader.

REP. PIMENTEL. I defer to the request of Deputy Speaker Fred Castro, Mr. Speaker.

REP. CASTRO (F.H.). Very brief interpellation, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Deputy Speaker Fred Castro is now recognized to interpellate the good Gentleman from the Third District of Negros Oriental.

REP. CASTRO (F.H.). Thank you, Mr. Speaker. Congressman Teves, are you aware of House Bill No. 7126?

REP. TEVES. Is this the Customs Modernization Act?

REP. CASTRO (F.H.). This Bill is for the abolition of the Bureau of Customs.

REP. TEVES. Sorry, Mr. Speaker, I was not aware of that.

REP. CASTRO (F.H.). Will you agree with this Representation that notwithstanding that we discourse about it everyday in this Hall, as long as the Bureau of Customs is not dismantled and replaced by another agency or privatized for that matter, corruption will continue to exist in the Bureau of Customs?

REP. TEVES. You know, it is not the name that matters. Be it called whatever, be it named whatever,

we just need an iron fist to implement such measure of a “No X-ray, No entry” policy, regardless of whether it is private or government. If a “No X-ray, No entry” policy is implemented, I am sure we will have more collections—and we will also really help in the drug war, I mean the war on drugs.

REP. CASTRO (F.H.). My dear colleague, is it not true that any machine installed in the Bureau of Customs will be dependent on how it is operated, will be dependent on human intervention?

REP. TEVES. Exactly, Mr. Speaker, that is why when I gave my initial suggestions, I suggested that the monitor be made available for viewing by the public 24/7. So, kung nakikita ng publiko iyong monitor—and that is why I had a costing of P25 billion because that included not only the machines to be used but also for the double redundancy. Ang ibig kong sabihin, may extra na makina para kung masira iyong ginagamit, may replacement kaagad. Dapat ma-view rin sa CCTV iyong nag-o-operate ng X-ray, at lahat ng monitor can be viewed in a certain website. Sa tingin ko, sa ganitong paraan, mahirap na isabotahe iyong operation.

REP. CASTRO (F.H.). Do you recall, my dear colleague, that this system has repeatedly been introduced, has been repeatedly suggested in the Bureau of Customs, but just the same, at this point in time, it remains to be a suggestion?

REP. TEVES. That is very true, Mr. Speaker, kaya hindi ako napapagod magpabalik-balik na magsalita because that is the only thing left for us to do because ang dami na ng mga batas na nagawa at ito ang kailangan lang gawin. Hindi na kailangang gumawa ng bagong batas. Hindi ko rin maintindihan bakit until today it has not been implemented.

REP. CASTRO (F.H.). What makes the good Gentleman from Negros Oriental believe that if he continues discoursing in these halls of Congress, his intention or his discourse will reform the Bureau of Customs? Because not only decades, not only centuries, but from the very start that this agency was created and has been in existence, corruption has already been imbedded in the system of the Bureau of Customs.

REP. TEVES. Whether something happens or not, I will be satisfied by feeling that I really tried. Gawin man nila o hindi, hanggang doon lang ako dahil wala pa naman akong kapasidad mag-implementa nito unless I am the one in the leadership. For now, with my stature being a Congressman, all I can do is, sigaw lang nang sigaw dito. Gawin man nila o hindi, at least, masasabi ko sa sarili ko, at alam ng taumbayan, na sinubukan ko.

REP. CASTRO (F.H.). I admire and I commend the Gentleman from Negros Oriental for his decisive intent that his voice be heard so that reforms may be introduced in the Bureau of Customs. But, good Gentleman from Negros Oriental, would it not be more appropriate that, not only do we continue discoursing in these halls of Congress but more importantly, we achieve a graft-ridden or graft-free Bureau of Customs now and in the future?

REP. TEVES. Alam mo, ngayon na nakikita na ito at natututukan na ni Presidente iyong Bureau of Customs, I hope the new leadership now will be supportive of the suggestion na gumastos tayo ng P25 billion for a “No X-ray, No entry” policy. Sana makita rin nila, in doing so, doon sa problema natin sa droga, malaki ang maitutulong ng “No X-ray, No entry” policy. Baka kaunti na lang iyong kanilang huhulihin o wala na dahil wala nang makakapasok na droga.

REP. CASTRO (F.H.). My colleague, what is your impression if we abolish the Bureau of Customs in accordance with the Bill pending in the House of Representatives then privatize the operation of the Bureau of Customs under the authority of a new government agency which may be created on the basis of the pending Bill before this House?

REP. TEVES. You know, Mr. Speaker, I had those thoughts and I have even been looking for corporations that can run it privately, with the idea of just promising the government a certain amount from the collections. For example, the target is P600 billion, and the corporation that will do the job of the Customs for us, para siyang outsourcing, promises the government to hit the target and if ever it exceeds the target, there will be certain negotiations with the government that it will give a certain percentage from it. That is an idea which I also thought of.

REP. CASTRO (F.H.). What is the opinion of my dear colleague if we bid out the operations of the Bureau of Customs, fixing the minimum bid in accordance with the Department of Finance’s projection of the revenue that it intends to produce in two or three years—the minimum bid?

REP. TEVES. That is a very noble idea. Again, I thought about having a private company run it and in bidding it out, it will even be more advantageous to the government. We just need to have certain measures that it will also be secure. Security-wise, with regard to terrorism and drugs, we can put some checks and balances but on the revenue side, that is a very noble idea.

REP. CASTRO (F.H.). What is the opinion of the distinguished Gentleman if the operation of the Bureau of Customs, after the bidding, the security of the Customs Bureau, or whatever new agency will be created by this proposed legislation, is delegated to the private sector in combination with a security agency of the government so as to prevent smuggling, to prevent the entry of illegal drugs and other prohibited articles?

REP. TEVES. That will be very good. That is a very good suggestion. I will support that. If there will be a new bill to be made on that, I will definitely support it.

REP. CASTRO (F.H.). With the concurrence of the Gentleman from Negros Oriental, is this Representation assured that if this legislation is introduced in Plenary, this Representation can expect the support of the good Gentleman?

REP. TEVES. Definitely, Mr. Speaker.

REP. CASTRO (F.H.). With that answer, Mr. Speaker, I end my interpellation, considering that this Representation sympathizes with the Hon. France Castro who wishes to deliver her privilege speech.

Thank you, Mr. Speaker. Thank you, my dear colleague.

REP. TEVES. Thank you, Your Honor. Thank you, Mr. Speaker.

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

REP. PIMENTEL. Mr. Speaker, I reiterate my previous motion to refer the privilege speech of Representative Teves and the interpellation thereon to the Committee on Rules for its appropriate action.

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

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, I move to suspend the Privilege Hour.

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

The Majority Leader is recognized.

ROLL CALL

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

THE DEPUTY SPEAKER (Rep. Abu). 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 reflected in Journal No. 36, dated December 3, 2018.**

REP. CASTRO (F.L.). Mr. Speaker, I rise on a personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Abu). Excuse me, the Lady from ACT ...

REP. CASTRO (F.L.). ACT Teachers Party-List.

THE DEPUTY SPEAKER (Rep. Abu). ... TEACHERS Party-List, may we know first the outcome of the roll call of Members.

The Secretary General, please continue.

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 190 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Abu). With 190 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

REP. ANDAYA. Yes, Mr. Speaker, in view of the dropping from the Roll of Members of the House of Representatives, on November 19, 2018, of Atty. Eugene Michael D. De Vera, we call on the Hon. Ulysses G. Garces,...

REP. TY. Mr. Speaker.

REP. ANDAYA. ... Representative of the Party-List ...

REP. TY. Mr. Speaker.

REP. ANDAYA. ...ARTS BUSINESS AND SCIENCE PROFESSIONALS, ...

REP. TY. I object. Objection, Mr. Speaker.

REP. ANDAYA. ... for his oath-taking. May we direct the Secretary General to call the Representative of Party-List ABS to take his oath before this Body.

THE DEPUTY SPEAKER (Rep. Abu). The

Secretary General is hereby directed to respond to the ...

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). ... call of the Majority Leader.

REP. TY. Mr. Speaker, I object to that motion.

REP. ANDAYA. There is no motion, Mr. Speaker.

REP. TY. Mr. Speaker, the oath-taking of a new Member of this House will have to be done in the presence of a quorum like we have right now.

REP. ANDAYA. We just had the quorum call, Mr. Speaker.

REP. TY. Yes, I know, Mr. Speaker, but ...

REP. ANDAYA. So, what is the point of order, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Abu). May I know what rule of the House of Representatives is being violated? May you please state the rule being violated now by the Plenary.

REP. TY. Mr. Speaker, there was a previous motion for reconsideration by Rep. Eugene De Vera and until now, that motion has not been acted upon. That is the reason I want to ask, Mr. Speaker, the status of the motion for reconsideration of Representative De Vera.

THE DEPUTY SPEAKER (Rep. Abu). The Majority Leader will please respond.

REP. ANDAYA. There was no motion for reconsideration timely filed before this Plenary, Mr. Speaker.

REP. TY. Mr. Speaker, if you may allow ...

REP. ANDAYA. Mr. Speaker, is this ...

REP. TY. ... during the Monday ...

THE DEPUTY SPEAKER (Rep. Abu). The Majority Leader had already responded...

REP. ANDAYA. May we proceed to the oath-taking.

THE DEPUTY SPEAKER (Rep. Abu). ...to the question made by the distinguished Gentleman from the LPGMA Party-List and I already directed the Secretary General...

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). ... to respond to the directive of the Majority Leader. May I know—the Secretary General—okay.

The Majority Leader is recognized.

The nominated Member of the Party-List ABS is now ready to take his oath.

REP. TY. Mr. Speaker, if you may allow me to be recognized.

REP. ANDAYA. The Honorable Garces is requested to appear before the Speaker for his oath-taking. May he please proceed now ...

REP. TY. Mr. Speaker, please.

REP. ANDAYA. ... for his oath-taking.

THE DEPUTY SPEAKER (Rep. Abu). May I ...

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). ... request the Honorable Garces to go...

REP. TY. Mr. Speaker, please, may I be recognized.

THE DEPUTY SPEAKER (Rep. Abu). ... to the podium to take his oath of office.

REP. TY. Mr. Speaker, my inquiry has still not been answered. Mr. Speaker, the motion for reconsideration is still...

REP. ANDAYA. There was no motion filed before the Plenary, Mr. Speaker. The Member who voted for the motion should be the one to file a motion ...

REP. TY. Mr. Speaker.

REP. ANDAYA. ... for reconsideration.

REP. TY. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Do not worry, Majority Leader.

REP. ANDAYA. What is the honorable ...

THE DEPUTY SPEAKER (Rep. Abu). Do not worry, Majority Leader, the Chair is not recognizing the Gentleman from the LPGMA Party-List.

REP. ANDAYA. May we now proceed to the oath-taking.

THE DEPUTY SPEAKER (Rep. Abu). May we now proceed to the oath-taking by the Representative from the ABS Party-List.

At this juncture, Rep. Ulysses G. Garces ascended the rostrum and took his oath of office as Party-List ABS Representative in the House of Representatives before Deputy Speaker Abu.

OATH-TAKING

THE DEPUTY SPEAKER (Rep. Abu). Please raise your right hand and repeat after me.

I, ULYSSES G. GARCES, having been elected to the position of Representative of Party-List ABS, hereby solemnly swear that I will well and faithfully discharge to the best of my ability the duties of my present position and of all others I may hereafter hold under the Republic of the Philippines; that I will support and defend the Constitution of the Philippines; that I will bear true faith and allegiance to the same; and that I will obey the laws, legal orders, and decrees promulgated by the duly constituted authorities of the Republic of the Philippines; and that I impose this obligation upon myself voluntarily, without mental reservation or purpose of evasion.

So help me God.

THE DEPUTY SPEAKER (Rep. Abu). Congratulations. (*Applause*) Welcome to the House of Representatives.

SUSPENSION OF SESSION

REP. ANDAYA. Mr. Speaker, may we suspend the session to allow the Honorable Garces to greet his fellow Members.

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

It was 3:54 p.m.

RESUMPTION OF SESSION

At 3:56 p.m., the session was resumed.

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

REP. CASTRO (F.L.). Mr. Speaker, I rise on a matter of personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Abu). May I know the nature of the privilege speech of Rep. France L. Castro of the ACT TEACHERS Party-List.

REP. CASTRO (F.L.). Mr. Speaker, it is about the Lumad schools and what happened to me personally last weekend during the National Solidarity Mission to these Lumad schools.

SUSPENSION OF SESSION

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

It was 3:57 p.m.

RESUMPTION OF SESSION

At 4:14 p.m., the session was resumed.

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

Rep. France L. Castro from ACT TEACHERS Party-List is recognized to deliver her privilege speech.

PRIVILEGE SPEECH OF REP. CASTRO (F.L.)

REP. CASTRO (F.L.). Marami pong salamat, Mr. Speaker, Majority Leader.

Mr. Speaker and Members of the House, gusto ko pong ibahagi ang naranasan ko sa nagdaang National Solidarity Mission patungo sa isang Lumad school sa Talaingod, Davao del Norte noong November 28 hanggang December 1, 2018. Ang Solidarity Mission ay buhat sa saklolo sa isang eskuwelahan na itinatag ng mga Manobo ng Talaingod, Davao del Norte at ng Salugpungan Ta' Tanu Igkanogon, o sa Ingles ay Unity in Defense of the Ancestral Land.

Mr. Speaker, bago ko po ipagpatuloy ang aking privilege speech, gusto ko lang pong ipakita iyong nangyari noong gabi ng November 28, iyong sitwasyon ng mga estudyante at teachers kung saan tayo po, ako po bilang mamamayan, ay nagkaroon po ng, sa tingin ko po, responsibilidad na tulungan iyong mga estudyante at mga guro na umaalis mula sa emergency situation dahil sa pangamba sa kanilang buhay, Mr. Speaker. *(Video presentation)*

Doon po sa maikling video presentation, Mr. Speaker, makikita po natin sa gitna ng kadiliman, sa gitna ng gabi, ang mga estudyante na dala-dala pa nila ang kanilang mga gamit. Nakita ninyo doon iyong mga school supplies, iyong mga personal belongings, dahil

sa panahon na ito ay napilitan na silang tumakas mula sa danger na kinakaharap nila mula sa pagpapaalis sa kanila doon sa school na sinarahan ng armed groups at mga paramilitary. Makikita po natin dito na, at mapapatunayan po ng video na ito, talagang ang Representanteng ito ay tumulong po, for humanitarian reasons, sa ating mga estudyante.

Kaunting background lang po tungkol sa paaralang ito, Mr. Speaker. In 2007, the Salugpungan continued its campaign, together with the efforts of church-based groups and NGO, in establishing the Salugpungan Ta' Tanu Igkanogon Community Learning Center, Inc. to actualize their dream of having the next generation of the Manobo children attain free, quality and culturally relevant education. The STTICLCI is recognized by the Department of Education to implement its indigenous people's education or your IPEd program. From a few campuses in Talaingod, the STTICLCI has expanded its services to other places in Davao del Norte, Compostela Valley and Davao Oriental.

Sa kasalukuyan po, G. Ispiker, ang mga eskuwelahan ito ay nakakaranas ng pag-atake at sapilitang pagpapasara mula sa ating sariling gobyerno. Mas lalo pa itong lumala nang magdeklara ng martial law sa Mindanao. Schools have been vilified and red-baited or tagged as "NPA schools by the military." President Duterte himself threatened to bomb Lumad schools during a televised interview after his 2017 SONA. Consistent with these baseless and malicious claims, last June 2017, the 56th Infantry Battalion deployed to the Lumad community in Sitio Nasilaban in Barangay Palma Gil, Talaingod started its illegal encampment. Since then, the 56th Infantry Battalion, along with this paramilitary group Alamara, has been conducting military operations and harassment of community members and school teachers. The arrival of the 56th Infantry Battalion since June has caused the disruption of classes, including aerial bombing operations in Tibucag last August 27 and encampment of civilian structures in Sitios Nasilaban and Dulian, Barangay Palma Gil.

These heavy militarization and insistent threats, harassment and intimidation sparked a humanitarian crisis, forcing teachers and students to transfer to the nearby Salugpungan School in Dulian where they resumed their classes.

Bilang isang guro, G. Ispiker, at Kinatawan ng ACT TEACHERS Party-List, kami po ay palaging tumutulong sa mga Lumad sa kanilang eskuwelahan dahil naniniwala kami na dapat lahat ng kabataan ay mabigyan ng edukasyon. Naniniwala kami sa free education for all ngunit sa katotohanan ay hindi ito natutugunan ng gobyerno.

Ang ACT TEACHERS, kasama ang Save Our Schools Network, ay naglulunsad ng mga aktibidad

para makapag-volunteer ang teachers doon at magbigay ng tulong sa kanilang eskuwelahan. Kasama na po dito, Mr. Speaker, ang National Solidarity Mission gaya nitong huling naganap noong November 28 hanggang December 1. This is a humanitarian crisis which needed our action and solidarity to show to our Lumad brothers and sisters that they are not alone. Sa National Solidarity Mission, bagamat dumaan kami sa proseso gaya ng courtesy call sa ating governor pero wala po siya, sa lokal na pamahalaan, sa DepEd at sa DPWH—dumaan din po kami noong November 28 pero nakaranas kami ng sunod-sunod na harassment mula sa mga militar at mga paramilitar na galamay nito. Hinarangan nila ang aming mga dalang pagkain, gamot at school supplies. Nalaman din namin na may spike ang gulong, pagkatapos ay binato ang aming sinasakyan at pinaputukan ng baril habang kami ay papunta sa Dulian. Higit sa lahat, kinasuhan ako at ang aking kasamang volunteer teachers, human rights workers, kasama pati ang dating Miyembro ng Kamara na si dating BAYAN MUNA Representative Ka Satur Ocampo, ng mga gawa-gawang kaso ng human trafficking, kidnapping at child abuse.

Ang aming ginagawang misyon ay hindi dapat ituring na kidnapping, human rights trafficking at child abuse. Ayon sa batas, to kidnap is to forcibly and without consent take a person from where he has a right to be, such as his place or work, residence, rest and recreation, school, street, park or public place, and bring him to another. Human trafficking refers to the recruitment, transportation, et cetera, of the person with or without the victim's consent or knowledge by means of threat or use of force. Ang esensiya naman ng child abuse ay maltreatment ng mga bata. Malinaw sa nangyaring National Solidarity Mission namin noong nakaraang linggo, Mr. Speaker, ay hindi ito maituturing na krimen. Ito ay pag-rescue sa mga bata at ang kanilang mga guro mula sa isang emergency situation at ang paglayo sa kanila mula sa panganib at banta sa kanilang buhay na dala ng military at paramilitary nilang galamay na Alamara. Ayaw po natin na matulad na naman ito sa isang school ng Lumad kung saan pinatay ang Executive Director ng ALCADDEV. Kinakailangan namin silang ilayo sa kapahamakan sa lalong madaling panahon. Bagamat gabi na at dahil boarding school ang Salugpungan, at ang mga guro ay itinuturing sa ilalim ng batas na may substitute parental authority—may consent ang teachers mula sa mga magulang— ibig sabihin, sa simula pa lamang ng pasukan ay mayroon na silang consent mula sa magulang. Sa totoo lang po ay hindi nila ninanais na malayo sa kanilang mga komunidad ngunit napilitan silang bumakwit dahil sa pananakot ng military at ng paramilitary.

Sa kadulu-duluhan, we were fleeing to safety, but we were blocked at the checkpoint. Doon na po namin naranasan iyong harassment—binato po ang aking van

na sinasakyan at nabasag po iyong windshield ng van, naglagay po ng spikes na nag-cause sa dalawang van na ma-flat ang tires, at pinaputukan po kami. Ang aming daan papuntang kaligtasan ay hinarangan ng mga pulis at militar sa checkpoint hanggang noong gabi ng Sabado kung kailan pinakawalan na kami ng korte on bail. Ayaw pa kaming pakawalan ng PNP na hinaharangan at halos pinalibutan ng heavily-armed police ang Tagum Hall of Justice para hindi kami palabasin. Hanggang sa daan papuntang airport ay sinusundan kami na tila bigat na bigat sa kalooban nilang sundin ang lawful order ng korte sa Tagum.

Bilang Kinatawan, may sinumpaang akong tungkulin na tumulong ngunit ito pa ang nangyari sa akin. Kung sino pa ang tumutulong ay siya pang kinakasuhan at ikinukulong. Hindi kami papayag na tanggalan ng karapatan at ma-violate ang karapatan ng mga bata sa edukasyon kung kaya't patuloy ang aming panawagan na mabuksan muli ang schools upang magpatuloy sa pag-aaral ang mga Lumad, at itigil na ang pagkakampo ng mga military sa schools. G. Ispiker, kinokondena ko po ang nangyaring pagsasalaula sa mga karapatan sa edukasyon at sa mapayapang buhay ng ating mga batang Lumad. Hindi kami papayag na mabaligtad ang sitwasyon at kami pa ang pinagbibintangan na child abuser, kidnapper or human trafficker.

I am fully aware of the standing policy of the House leadership on inquiries in aid of legislation, but I demand an immediate inquiry into the multiple human rights violations that the Armed Forces of the Philippines and the PNP committed against the Lumad community in Talaingod, Davao del Norte, the students and teachers of Salugpungan Ta' Tanu Igkanogon Community Learning Center thereat, and the human rights workers who went to their aid, including myself and Ka Satur. I demand for the immediate junking of fabricated charges filed and being cooked against me and my companions. I demand for an immediate pull-out of the military in the Lumad communities in Mindanao.

This Congress should not stay silent in the face of all of these atrocities. Sa aking mga kasama sa Mindanao at sa iba pang mga lugar sa bansa at kinakaharap sa paglabag ng karapatang pantao, padayon po. Bandang huli po, Mr. Speaker, nais ko lang po magpahayag ng pasasalamat sa mga kasamahang Kongresista na kahit na po naging—iyong iba po ay naging tahimik at alam ko po iyong suporta ng Kongresong ito sa Kinatawang ito.

Iyon lang po, Mr. Speaker, at magandang hapon po sa ating lahat.

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

REP. PIMENTEL. Mr. Speaker, I move that we recognize Rep. Leopoldo N. Bataoil for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). The Honorable Bataoil, the Representative from Pangasinan, is recognized to interpellate the Hon. France Castro.

REP. BATAOIL. Mr. Speaker, may I ask our dear colleague if she is willing to accept a few questions, Mr. Speaker.

REP. CASTRO (F.L.). My pleasure, Mr. Speaker.

REP. BATAOIL. Mr. Speaker, I had read in the newspapers about this thing that happened in Mindanao. I had also seen Facebook postings of different people, including that statement, if I am not mistaken, of some concerned parents and elders of that community where these children were supposed to have been taken and transported to the place where our colleagues wanted to take them. Contrary to what I have heard today, I want to be clarified because it appears that their action constitutes a human right violation on their part, not on the part of our Armed Forces. That is the thing that I want to be clarified, Mr. Speaker, because these children, if I heard correctly the elders and the parents of these children in that community, they are condemning the act of our colleagues for bringing these children, transporting them to a so-called “safe place.” I also heard that they are demanding for the pull-out of our armed forces in the area but then, Mr. Speaker, our armed forces has a mandate to do, that is, to protect the community from harm, to protect the community from criminal elements, and to ensure that governance will take its place so that the local government in the area can do their respective duties and responsibilities. That is why it pains me, as one of your colleagues who come from the military and the police, that it appears that the situation is different from what had been relayed here, from what I heard here, because what I read in the newspapers is a different story.

Our soldiers are there to protect the communities from being exploited, from getting harmed, and from being transported to a place not in accordance with their will. This is something that bothers me, Mr. Speaker. I do not know if what I heard today is the thing that really happened, Mr. Speaker. May I be clarified—I wish that some of our colleagues here, who also come from the military, will be able to ventilate the facts or the information that they are gathering from the field. As far as I am concerned, that was what I gathered as of this time, and it is contrary to what I had heard today.

Mr. Speaker, may I clarify from our dear colleague if, indeed, these children are being transported without the clearance or the consent of their parents, which had been declared by that one who was interviewed by the media and in the social network, Mr. Speaker.

REP. CASTRO (F.L.). Marami pong salamat,

Cong. Bataoil. Hindi ko po nakita iyong video na sinasabi ninyo po kaugnay doon sa interview sa sinasabi ninyong parents or elders kaugnay doon sa pagkuha namin sa mga bata. Simple lang po ang nangyari, Congressman Bataoil, Mr. Speaker—mayroon pong invitation sa akin para sa isang National Solidarity Mission. Ang objective po ng Solidarity Mission, Mr. Speaker, honorable colleague, ay ang pagbibigay po ng pagkain at iba pang mga pangangailangan ng eskuwelahan ng Salugpungan Ta’ Tanu Igkanogon Community Learning Center. Isang linggo na po nagkakaroon ng blockade papunta sa eskuwelahan na pinangunahan po ng 56th Infantry Battalion. Isang linggo na po iyon, Mr. Speaker, Your Honor. So, iyon po ang nangyari.

REP. BATAOIL. Yes, opo.

REP. CASTRO (F.L.). Ang teachers po ng Salugpungan, sila po iyong nag-organize ng National Solidarity Mission, ay pumunta po doon sa opisina ng governor ng Davao del Norte para po humingi ng permiso kasi hinihingi po ito ng military para daw po makapasok sila doon sa eskuwelahan nila. Isang linggo na po na nahaharag sila. So, iyon po ang mga nangyari at inilapit na rin po ang pangyayaring ito sa DSWD, at inilapit at na-inform na rin po ang Department of Education at ang mayor. Noong November 28, kami po ni Ka Satur ay nag-courtesy call doon sa provincial governor kaya alam po ito nang nandodoon—para ipaalam po iyong courtesy call at para maipaalam lang po na nandoon kami. So, ito po ang dinanaan na proseso ng eskuwelahan o ng mga taga-administration ng mga eskuwelahan.

Noong matapos po kami, Mr. Speaker, Your Honor, doon sa Provincial Governor’s Office mga bandang alas singko po, past five po, mayroon pong tumawag na teachers at mga estudyante sa amin, emergency daw po, at dahil medyo maaga pa lang, mga alas-dos, ay ipinapadlock na daw po iyong eskuwelahan doon sa Dulian, Mr. Speaker, Honorable Bataoil, at gusto pong paalisin iyong teachers and students doon sa Dulian. Kaya po napilitan na mag-evacuate iyong mga bata at ang sabi po nila ay gusto nilang magpa-rescue at magpatulong po sa amin dahil natatakot na sila doon para sa kanilang buhay. Doon nga po sa video ay makikita ninyo iyong pag-e-evacuate ng mga bata.

As regards po doon sa parental consent o iyong sinasabi po ninyo na kung mayroong pahintulot, ang schools po ng Salugpungan at ang iba pang schools po ng Lumad o alternative schools ay mayroon pong—ito ay tinatawag na boarding school. So, ito po, sa umpisa pa lang ng school year ay mayroon na po itong parental consent or ibinibigay iyong authority sa kanilang mga guro at sa mga eskuwelahan para sa mga bata, kaya anuman po iyong mangyari sa estudyante ay

pananagutan po ito ng teachers. Kaya noong panahon na iyon na nagkakaroon ng emergency situation na nanao na sa kanilang buhay or iyong safety ng mga bata, responsibilidad po ng teachers na i-safety iyong mga bata. Kami po ni Ka Satur at ang aming mga kasama ay tumulong dito sa rescue operation na ito, na dapat ay National Solidarity Mission pero naging rescue and humanitarian operations.

REP. BATAOIL. Okay.

REP. CASTRO (F.L.). So, iyon po, Mr. Speaker, Honorable Bataoil.

REP. BATAOIL. Okay. Maraming salamat po, Mr. Speaker. Ganoon pa man, dahil dito ay sari-saring kaso po ang naisampa at ang pagkakaalam ko po, ang isa dito ay iyong child exploitation, ano po, na nangangailangan nga ng parental consent. Kung sakali nga na mayroon kayong balak na gawin para sa grupo ng mga kabataang ito, kinakailangan talaga ng parental consent. Sana po ay may maiprisinta kayo upang maipaliwanag ang inyong pakay. Hindi ko pa naman po kinukwestyon iyong hangarin ninyo dahil sa, ang pagkakasabi ninyo nga, gusto po ninyong mailigtas ang mga batang ito mula sa mga ganoong klaseng scenario at gusto po ninyo silang tulungan, ganoon din po naman ang pamahalaan at ganoon din po ang ating mga military. Iyon ang nakagisnan ko na mission ng military at mission ng pulis. Mula noong pumasok po ako sa military at sa pulis, ang indoctrination o ang training po namin ay bigyan ng proteksiyon iyong mga kababayan natin, bata man o matanda.

Anyway, this is already under investigation, Mr. Speaker, and I really hope that our good colleague here will be able to defend herself in the proper court.

Mr. Speaker, thank you very much and God bless.

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

REP. PIMENTEL. Mr. Speaker, before we recognize the next interpellator, I would like to acknowledge the presence of the guests of Rep. Scott Davies S. Lanete, MD: Dr. Francisco Sales III, Dr. Ronaldo Amaranto, Dr. Giovanni Zenarosa, Dr. Rommel Galicia, Dr. Gregorio Gigantone, Dr. Joseph Bichara and Dr. Rosito Bascuña Jr.

THE DEPUTY SPEAKER (Rep. Abu). The guests of Rep. Scott Davies Lanete, please rise. Welcome to the House of Representatives. *(Applause)*

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, I would also like to acknowledge the presence of the guests of Reps. Angelina “Helen” D.L. Tan, MD, Geraldine B. Roman

and Cristina “Chiqui” Roa-Puno: the Cancer Coalition Philippines and its member organizations—the Philippine Society of Oncologists, Philippine Society of Medical Oncology, Philippine Cancer Society, ICanServe Foundation, Project Brave Kids, Cancer Warriors Foundation, The Carewell Community and Citizen Watch Philippines led by its respective Co-Chair and Spokesperson Mr. Raul Perez and Kara Magsanoc-Alikpala.

THE DEPUTY SPEAKER (Rep. Abu). The guests of Representatives Tan, Roa-Puno and Roman, please rise. Welcome to the House of Representatives. *(Applause)*

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, I would like to acknowledge the presence of the guests of Rep. Jeffrey D. Khonghun: the Olongapo Christian Ministers Association, Incorporated from Olongapo City, Zambales.

THE DEPUTY SPEAKER (Rep. Abu). The guests of Rep. Jeffrey Khonghun, please rise. Welcome to the House of Representatives. *(Applause)*

REP. PIMENTEL. Mr. Speaker, we would also like to acknowledge the presence of the guests of Rep. Milagros Aquino-Magsaysay. They are Vice Mayor Michael Antonio Magsaysay, the Hon. Miguel Magsaysay, Mrs. Anna Magsaysay, Eden Camacho, Evelyn Pacleb, Mark Talajuron, Naty Pelaez, Edna Valdez, Tina Antonio, Marycris Natura, Cris Palabay, Kevin Yu, Jesusa Raiz and Val De Guzman.

THE DEPUTY SPEAKER (Rep. Abu). The guests of Rep. Milagros Aquino-Magsaysay, welcome to the House of Representatives. *(Applause)*

The Majority Leader is recognized.

REP. PIMENTEL. Mr. Speaker, may we also acknowledge the presence of the guests of Rep. Eric D. Singson from the Association of Indigenous Peoples, Ilocos Sur Division, Education Department, headed by Mr. Nick Bringas and Dr. Maribeth Magpali.

THE DEPUTY SPEAKER (Rep. Abu). The guests of Rep. Eric D. Singson will please rise. Welcome to the House of Representatives. *(Applause)*

The Majority Leader is recognized.

DESIGNATION OF MEMBERS TO THE CONF. CTTEES.

REP. MARCOLETA. Mr. Speaker, I move that we designate the following as members of the Conference

Committee on the disagreeing provisions of House Joint Resolution No. 26 and Senate Joint Resolution No. 13, re: extending the period of availability of funds intended for victims of human rights violations during the Marcos regime until December 31, 2019, namely: Rep. Cheryl P. Deloso-Montalla, Rep. Carlos Isagani T. Zarate, Rep. Glona G. Labadlabad, Rep. Rene L. Relampagos and Rep. Edcel C. Lagman.

I so move, Mr. Speaker.

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

Rep. Cheryl P. Deloso-Montalla, Rep. Carlos Isagani T. Zarate, Rep. Glona G. Labadlabad, Rep. Rene L. Relampagos and Rep. Edcel C. Lagman are designated as members of the Conference Committee on the disagreeing provisions of House Joint Resolution No. 26 and Senate Joint Resolution No. 13.

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, I move that we designate the following as members of the Conference Committee on the disagreeing provisions of House Bill No. 8419 and Senate Bill No. 1397, re: Motorcycle Crime Prevention Act, namely: Reps. Cesar V. Sarmiento, Romeo M. Acop, Rozzano Rufino B. Biazon, Ferdinand L. Hernandez, Reynaldo V. Umali, Florida "Rida" P. Robes, Victor A. Yap and Joseph Stephen S. Paduano.

I so move, Mr. Speaker.

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

Representatives Sarmiento (C.), Acop, Biazon, Hernandez, Umali, Robes, Yap (V.) and Paduano are hereby designated as members of the Conference Committee on the disagreeing provisions of House Bill No. 8419 and Senate Bill No. 1397.

The Majority Leader is recognized.

REP. MARCOLETA. Mr. Speaker, I move for the designation of Rep. Salvador B. Belaro Jr. as member of the Conference Committee on the disagreeing provisions of House Bill No. 684 and Senate Bill No. 1255, on revealing the source of published news or information obtained in confidence, vice former Rep. Eugene Michael B. De Vera.

I so move, Mr. Speaker.

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

Representative Belaro is hereby designated

as member of the Conference Committee on the disagreeing provisions of House Bill No. 684 and Senate Bill No. 1255, vice former Rep. Eugene Michael B. De Vera. The Majority Leader is recognized.

PRIVILEGE HOUR

Continuation

REP. PIMENTEL. Mr. Speaker, I move that we continue the Privilege Hour.

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

REP. PIMENTEL. Mr. Speaker, I move that we recognize Rep. Carlos Isagani T. Zarate for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). Representative Zarate of BAYAN MUNA Party-List is hereby recognized to interpellate the distinguished Representative of ACT Teachers Party-List, Rep. France Castro.

REP. ZARATE. Maraming salamat, G. Ispiker. Puwede po bang magtanong sa ating kasama, Rep. France Castro, ng mga ilang paglilinanaw sa kanyang talumpati?

REP. CASTRO (F.L.). Opo, Mr. Speaker.

REP. ZARATE. Kanina po ay nabanggit ninyo na ang inyong sadya sa pagpunta sa Talaingod, Davao del Norte ay para lumahok sa isang solidarity and humanitarian mission. Tama po ba iyon?

REP. CASTRO (F.L.). Tama po, Mr. Speaker.

REP. ZARATE. Nabanggit din ninyo na naka-schedule ito mula November 28, 29, 30 hanggang December 1. Kaya noong November 28, nagkaroon kayo ng courtesy calls sa iba't ibang mga ahensiya, sa opisina ng gobernador, sa DepEd at maging sa local government units. Iyon po ang nabanggit ninyo kanina. So, ito ay pagpapakita na talagang wala kayong layuning masama sa paglulunsad ng humanitarian mission na ito. Kanina po, may ipinakita kayong isang video bago kayo nagsimula ng talumpati at malinaw doon sa video, may nakita po tayong mga tao na naglalakad sa kalaliman ng gabi at may dala-dala silang mga kagamitan, at kung maaalala ko, may binanggit doon o sinabi ng isang lalaki, "Hindi ninyo alam kung ano ang pinagdaanan namin."

Ang katanungan ko po, Kgg. France Castro, Mr. Speaker, kasama po ba kayo doon sa mga naglalakad na mga tao noong gabing iyon na ipinakita na video?

REP. CASTRO (F.L.). Mr. Speaker, hindi po ako kasama doon sa mga taong naglalakad na ipinakita po sa video dahil iyon nasa video, iyon po ang kasalukuyang paglalakad ng mga estudyante at teachers na nanggaling po doon sa Dulian, at naglalakad sila patungo sa kalsada.

REP. ZARATE. Maraming salamat po. So, tama po, kasi sinabi ninyo kanina, pagkatapos ng courtesy calls, bumalik na kayo sa opisina ng Salugpungan Learning Center at doon ay nakatanggap kayo ng tawag na nagpapatulong ang mga estudyante at guro ng Salugpungan school dahil nga isinara ang kanilang eskuwelahan ng mga armadong tao at nagsimula na silang mag-bakwit o maglakad kahit na gabi na at nagpapatulong sila na i-rescue ninyo. Tama po ba iyong pagkakuha ko doon sa usaping ito, Mr. Speaker?

REP. CASTRO (F.L.). Tama po iyon, Mr. Speaker. Noong tumawag po iyong teachers ay nasa Salugpungan Office Center po kami, at sinasabi nga nila na pina-e-evacuate na sila. Ang suggestion ko nga ay baka puwedeng makiusap na kinabukasan na lang kasi, anyway, pupunta naman kami doon sa mayor at pupunta ang DepEd doon sa lugar para makita. Pero, Mr. Speaker, Your Honor, hindi daw po sila pinayagan kaya talagang daglian silang ipina-babakwit mula doon sa lugar.

REP. ZARATE. Maraming salamat po. Ang sunod ko pong katanungan, nabanggit ninyo kanina iyong isa pang eskuwelahan na pag-aari rin or operated by the Salugpungan Ta' Tanu Learning Center at sabi ninyo kanina, bago sila dumating dito sa Dulian, Talaingod ay nanggaling muna sila sa isang eskuwelahan. Nasaan po ba ang eskuwelahan na ito?

REP. CASTRO (F.L.). Mr. Speaker, iyong mga bata po na nanggaling po sa isang eskuwelahan, sa Sitio Nasilaban, ay nakaranas po ng harassment ang teachers nila, may intimidation and threat sa kanilang buhay, kaya po sila po ay napilitan na isara iyong eskuwelahan at pumunta po doon sa kalapit na sitio. Ito po iyong Sitio Dulian na kung saan naririto rin po iyong isang eskuwelahan ng Salugpungan. Dahil ayaw naman nilang matigil ang pag-aaral ng mga bata, dito nila ipinagpatuloy iyong kanilang pag-aaral so, ayun po, nandoon po sila sa Dulian.

Mr. Speaker, ayon po sa aming nakuhang impormasyon, iyong nangyari pong intimidation at harassment sa Nasilaban, ito po ay ipina-blotter ng teachers ng Salugpungan sa PNP Talaingod pero wala pong ginawa ang PNP Talaingod. Hindi man lang po nila pinuntahan, hindi man lamang po pina-ocular at inimestigahan kung totoo ba o hindi iyong ginawang pagsasara ng eskuwelahan at harassment at intimidation ng mga armadong mga kalalakihan doon sa lugar.

REP. ZARATE. Maraming salamat po sa paglilinaw. So, lumalabas ngayon na itong nangyari noong November 28 ay hindi isolated incident, na mayroong mga pagkakataon na hinarass din, at sabi ninyo nga po ay isinara iyong isang campus din ng Salugpungan kaya napilitan silang lumipat doon sa Dulian para ipagpatuloy ang pag-aaral ng mga bata pero ang nangyari, kahit lumipat na sila doon sa Dulian ay dinahas pa rin sila, hinaras at tinakot, at noong ngang November 28 ay ipinasara rin—pilit na isinara ang eskuwelahan na ito ng Salugpungan, ano. Nabanggit ninyo rin po kanina na ang mga paaralang ito ay na-establish way, way back in 2007 at ang mga eskuwelahan na ito ay recognized ng DepEd. Nabanggit ninyo rin po kanina, at sa katunayan, ang sinasabi ng School District Supervisor ay wala silang pinapasarang eskuwelahan. Ang katanungan ko po, ano po ang katangian nitong sinasabi ninyong boarding schools? Bakit sila tinatawag na boarding schools, Mr. Speaker, Representative Castro?

REP. CASTRO (F.L.). Nakausap po namin si SDS o Schools Division Superintendent Josephine Fadul at mula doon nga po sa aming pag-uusap, sinasabi niya na wala silang ipinasasara at kung mayroon man magpapasara ng eskuwelahan, ito ay ang DepEd lang o iyong DepEd Central Office. Kaya po nagtataka siya doon sa mga sinabi na naisara na iyong eskuwelahan na ito.

REP. ZARATE. Maraming salamat po. Naitanong ko po iyan dahil noong maalala ko po, in the summer of 2015, ako po at kasama si Kinatawan Antonio L. Tinio ng ACT TEACHERS Party-List ay naimbitahan kami bilang mga pangunahing bisita or guest speakers, tagapagsalita sa moving-up ceremony ng mga eskuwelahan na ito sa Talaingod, lalung-lalo na doon sa Nasilaban at maging diyan sa Dulian. Nakita nga po natin kung paano na-establish ang mga paaralan na ito sa mga malayong bundok. Hindi ito naaabot ng mga sasakyan at kailangan mong maglakad ng ilang oras, kaya nga pinagpupugayan natin iyong administrator and volunteer teachers dahil sila ay nagese-serbisyo doon sa mga kapatid natin na Lumad na gustong makapag-aral.

Ang sunod ko po na katanungan, nabanggit ninyo kanina na noong makausap na ninyo iyong mga administrator at mga guro pagkatapos ninyo silang nasalubong doon sa daan—na-rescue at nadahas kayo sa daan—pinagbabato ang inyong mga sasakyan at may nagpapatok pa ng baril, kaya nabanggit ninyo na ang isang dahilan kaya napilitan na ring umalis ang mga guro at estudyante ay natatakot sila na baka mangyari sa kanila ang nangyari noon sa isa ring Lumad school. Saan po itong sinasabi ninyong Lumad school na mayroong isang kahindik-hindik na pangyayari, G. Ispiker?

REP. CASTRO (F.L.). Ito po ay nangyari sa isang school sa Lianga, Surigao na kung saan iyong Executive Director noong tinatawag natin na alternative school na ALCADEV—kung saan ang ALCADEV school na ito ay nanalo pa ng mga awards galing sa DepEd, pati international—doon po nangyari iyong kahindik-hindik na pangyayari. Pinatay ng mga armadong kalalakihan ang Executive Director kaya dahil po doon sa pangyayaring iyon, natatakot na po kayo na muling mangyari itong naganap doon sa Lianga, Surigao, dahil sinabi din po ng teachers, noong pinapaalis sila doon sa Dulian, ay hinahasaan na sila ng itak—sa harap nila, hinahasaan ng itak iyong teachers and students at binabantaan sila na kapag hindi pa sila umalis ay may sasampolan silang teacher. Kaya iyon ang natatak sa akin na nangyari doon sa ALCADEV school na maaaring mangyari din ito sa ganitong sitwasyon na, dahil nga doon sa mga armado iyong mga kalalakihan, mayroon silang mga armas kaya madali nilang gawin iyong gusto nilang gawin.

REP. ZARATE. Maraming salamat po, Kinatawang France Castro. Sinasabi ninyo sa pagkakataong iyon—kasi naging usapin na dinala ninyo ang mga minors na ito ng walang consent daw ng kanilang mga magulang, pero nasabi na ninyo kanina na ito ay boarding school kaya sa simula pa lang ng taon ay mayroon nang pagpapayag ang mga magulang na doon makikitira iyong kanilang mga anak na estudyante at sa panahon na iyon noong nag-bakwit sila, ang kasama nila ay ang kanilang mga guro. Ang ibig sabihin, may consent sila sa mga guro sa kanilang pag-bakwit. Ayon sa ating batas, ang substituted parental consent, sumasang-ayon ba kayo, ay nasa mga guro noong panahon na iyon?

REP. CASTRO (F.L.). Opo, tama iyon, Mr. Speaker.

REP. ZARATE. So, malinaw dito, pagkatapos ng insidenteng ito, kayo ay hinuli, sinampahan ng kasong kidnapping, child trafficking, human trafficking at child abuse, pero malinaw dito na kayo ay rumesponde sa isang humanitarian crisis at walang nangyaring kidnapping, walang nangyaring human trafficking, at walang child abuse. Sa katunayan, sa aking tingin, Mr. Speaker, ang dapat sampahan ng kaso rito ay iyong mga armado na sapilitang isinara ang paaralang ito ng Salugpungan, at ang mga armadong ito, ang mga taong ito na nakilalang paramilitar na miyembro ng Alamara ay dapat sampahan ng kaso dahil sila mismo ang naglagay sa alanganin ang buhay ng mga estudyante at ng mga guro.

Bilang panghuli po na tanong ko, ano po ang inyong binabalak ngayon? Ano po ang masasabi ninyo doon sa mga gawa-gawang kaso na ito na isinampa sa inyo ng kapulisan at ng militar doon po sa Talaingod, Davao del Norte? At ano nga po pala ang status ninyo kung

bakit kayo ay nandito na ngayon sa bulwagang ito at isinasalaysay ang nangyari sa inyo?

REP. CASTRO (F.L.). Unang-una, kinokondena namin iyong mga gawa-gawang kaso na ipinataw sa amin ng Philippine National Police. Sa ngayon po, ako po ay naririto dahil doon po isinampa ang kaso sa fiscal at doon po sa unang assessment noong complaint na isinampa doon sa fiscal, nakita po na walang sapat na batayan doon sa human trafficking at iyong sinasabing kidnapping. Maaari daw iyong child abuse kaya po kami po—nag-recommend ang fiscal ng bail na P80,000 bawat isa sa amin. So, sa 18 na mga akusado o respondent, kami ay nagbayad ng more than P1.4 million. Kaya iyon po ang dahilan, Mr. Speaker, kaya nandidito pa rin po ako sa Kapulungang ito.

REP. ZARATE. Maraming salamat po, G. Ispiker. Maraming salamat, Kinatawang France Castro, sa paglilinaw sa bulwagang ito, sa mga kasamahan natin dito sa Kongreso, ang kabuktutan ng kasong ito kung saan nailagay sa kulungan ang ating kasamahan sa Kongreso, at kailangang bilang mga Miyembro ng Kongreso ay manindigan tayo.

Bilang mga lingkod bayan, tayo ay tinatawag na rumesponde sa anumang humanitarian crisis at dapat hindi iyan kini-criminalize. To respond to a humanitarian situation, humanitarian crisis, ay hindi dapat ginagamit ng mga ahente ng Estado na pagkakataon para i-criminalize ang mga ganitong gawain dahil napaka-delikadong precedent ito na sinuman ang magrerespnde sa isang humanitarian crisis, halimbawa, sa panahon ng mga sakuna, panahon ng mga bagyo, at mayroon tayong ni-rescue na mga bata ay puwede palang sampahan ng gawa-gawang kasong kidnapping, ng gawa-gawang kasong human trafficking. Malinaw na naipahayag ngayon dito ng ating kasamahan, G. Ispiker, na iyon ang kanyang sadya sa pagpunta sa Talaingod, Davao del Norte—ang tumulong sa ating mga kapatid na Lumad na sa napakahabang panahon ay pinabayaang sila sa isang batayang serbisyo na dapat ay kanilang tinatamasa at ang serbisyong ito ay ang edukasyon.

Muli, maraming salamat, Mr. Speaker. Maraming salamat, Kinatawang France Castro.

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

REP. GARCIA (J.). Mr. Speaker, I move that we refer the privilege speech of the Hon. France Castro and the interpellation thereon to the Committee on Rules.

I so move, Mr. Speaker.

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

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 8179

Continuation

PERIOD OF SPONSORSHIP AND DEBATE

REP. GARCIA (J.). Mr. Speaker, I move that we resume the consideration of House Bill No. 8179 as contained in Committee Report No. 848, and that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Abu). 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 House Bill No. 8179 for continuation of its consideration on Second Reading.

THE SECRETARY GENERAL. House Bill No. 8179, entitled: AN ACT GRANTING SOLAR PARA SA BAYAN CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN DISTRIBUTABLE POWER TECHNOLOGIES AND MINIGRID SYSTEMS THROUGHOUT THE PHILIPPINES TO IMPROVE ACCESS TO SUSTAINABLE ENERGY.

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

REP. GARCIA (J.). Mr. Speaker, I move that we recognize the Deputy Speaker, Cong. Arthur C. Yap, to sponsor the Bill.

REP. YAP (A.). The distinguished Deputy Speaker, Representative from the Province of Bohol, the Hon. Art Yap, is recognized to continue the sponsorship of House Bill No. 8179 on Second Reading.

REP. YAP (A.). Mr. Speaker, colleagues, good afternoon.

This is basically a continuation of the interpellation on House Bill No. 8179, entitled: An Act Granting Solar Para sa Bayan Corporation a Franchise to Construct, Install, Establish, Operate and Maintain Distributable Power Technologies and Minigrig Systems in certain areas of the Philippines and other areas to be approved by the Department of Energy.

I think, Mr. Speaker, what bears to just be re-emphasized is the fact that Solar Para sa Bayan, as a franchisee, will be non-exclusive and will be serving certain provinces that were requested unanimously by their Congressmen and other unserved and underserved areas upon clearance by the Department of Energy. Solar Para Sa Bayan will also have to undergo the regulatory approval of the ERC for its rates. It will pay

taxes and will receive no subsidies from the national government.

With that, Mr. Speaker, we submit the franchise bill for approval on Second Reading by the honorable Members of the House.

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

REP. GARCIA (J.). Mr. Speaker, I move that we resume the interpellation.

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

The Majority Leader is recognized.

REP. GARCIA (J.). Mr. Speaker, I move that we recognize the distinguished Congressman from the First District of Bulacan, Rep. "Kuya" Jose Antonio R. Sy-Alvarado, for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). The Representative from the First District of the Province Bulacan, the Hon. "Kuya Jonathan" Sy-Alvarado is recognized.

REP. SY-ALVARADO. Maraming salamat po, Mr. Speaker. Mr. Speaker, will the Gentleman from Bohol allow this Representation to interpellate in relation to House Bill No. 8179 under consideration?

REP. YAP (A.). Mr. Speaker, yes. It will be my honor.

REP. SY-ALVARADO. Mr. Speaker, ilang mga katanungan po ito para sa ating kasama. Kasama po ba sa panukalang batas ng Solar Para sa Bayan ang pag-asa ng mas murang kuryente para sa ating mga mamamayan, Mr. Speaker?

REP. YAP (A.). Mr. Speaker, kasama po iyong pag-asang iyan na maipababa po natin ang rates sa pagbabayad po ng presyo sa kuryente. Renewable po iyong technology at minigrig systems ang i-o-operate ng Solar Para sa Bayan. Since renewable energy po, galing sa araw iyong gagamitin na pang-power sa mga bahay at nandiyan po iyong pag-asa na bababa iyong power rates.

REP. SY-ALVARADO. Maraming salamat po, Mr. Speaker. Mr. Speaker, kasama din po sa panukalang batas na ito ang paggamit ng mas malinis na paraan sa pagkakakaroon ng kuryente ng ating mga kababayan?

REP. YAP (A.). Opo, Mr. Speaker. Renewable

energy at solar po ang basehan kaya malinis po ang teknolohiya.

REP. SY-ALVARADO. Mas malinis po kaysa sa ginagamit nating teknolohiya ngayong panahong ito, Mr. Speaker?

REP. YAP (A.). Mas malinis po kung ang pag-uusapan natin ay iyong coal o gasoline po na fossil fuels. Mas malinis po ang teknolohiya.

REP. SY-ALVARADO. Maraming salamat po muli. Mr. Speaker, mayroon po bang mga mamamayan na maaabala sa paglipat nila mula sa nakasanayan na nilang pinanggagalingan ng kuryente dito sa solar, Mr. Speaker?

REP. YAP (A.). Sa palagay ko, Mr. Speaker, tatanggapin po nilang malugod ang pagdating ng Solar Para sa Bayan kasi ang targeted areas nito ay ang underserved at unserved areas. Sa totoo lang po, Mr. Speaker, ito iyong areas na walang kuryente.

REP. SY-ALVARADO. Mr. Speaker, ang mga lugar po ba katulad ng mga isla at parte ng kabundukan na hanggang ngayon ay wala pang linya ng kuryente ay maaaring magkaroon ng pakinabang o maseserbisuhan na dahil dito sa Bill ng Solar Para sa Bayan, Mr. Speaker?

REP. YAP (A.). Opo, Mr. Speaker, iyan po ang target. Kaya po ako na-engganyo na mai-file itong Bill dahil ako po ay taga-Bohol at marami po kaming mga isla doon. Siguro, kagaya po ng ating honorable colleague, si Congressman Alvarado, na nagtatanong ngayon, na baka mayroon din po siyang areas na isolated na kailangan po mabigyan ng kuryente.

REP. SY-ALVARADO. Mr. Speaker, sa aming probinsiya ng Bulacan ay marami rin po kaming coastal areas at marami rin sa aming lugar ang nasasakop ng kabundukan, kaya isang magandang pag-asa po iyong panukalang Solar Para sa Bayan upang iyong mga taong walang linya ng kuryente ay napapanahon na para magkaroon sila ng luwag sa buhay sa pagkakaroon ng kuryente, kasama po sa pag-asa ang mas mababang presyo ng kuryente dahil sa paggamit ng renewable energy, ang pagkakaroon ng mas malinis na kuryente. Hindi na po iyong sumusunog tayo ng coal o ng fossil fuels. Masasabi ko po, Mr. Speaker, at maipapahayag ko po sa kasama natin dito sa ating Kapulungang ito na malinaw at sumusuporta ang Representasyong ito, kasama po ang Unang Distrito ng Bulacan, sa panukalang Solar Para sa Bayan. At nawa po, ito ay isang maging tagumpay para sa sambayanang Pilipino, hindi lamang sa mga lalawigan ng Bulacan at Bohol, kung hindi sa lahat ng mga mamamayan mula po sa

pinakadulo ng Luzon hanggang sa pinakadulo ng Mindanao, Mr. Speaker.

Maraming salamat po, Mr. Speaker. Maraming salamat po, Cong. Arthur Yap.

REP. YAP (A.). Mr. Speaker, marami pong salamat. Salamat din po sa kagalang-galang na kasama natin.

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

REP. GARCIA (J.). Mr. Speaker, the next to interpellate, may we recognize Rep. Arnel U. Ty from the Party-List LPGMA.

THE DEPUTY SPEAKER (Rep. Abu). Rep. Arnel Ty from the Party-List LPGMA is recognized to interpellate the good Sponsor.

REP. TY. Thank you, Mr. Speaker. As much as I want to interpellate now, I do not see much warm bodies and so, I move for an adjournment.

SUSPENSION OF SESSION

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

It was 5:07 p.m.

RESUMPTION OF SESSION

At 5:29 p.m., the session was resumed.

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

The Majority Leader is recognized.

REP. GARCIA (J.). Mr. Speaker, the Hon. Arnel U. Ty has the floor.

THE DEPUTY SPEAKER (Rep. Abu). The Honorable Ty is recognized.

REP. TY. Mr. Speaker, I withdraw my motion.

THE DEPUTY SPEAKER (Rep. Abu). Thank you very much. The Hon. Arnel Ty of the LPGMA Party-List is recognized to interpellate the good Sponsor on House Bill No. 8179.

You may now proceed.

REP. TY. Thank you, Mr. Speaker. May the good Sponsor accept some questions?

REP. YAP (A.). Mr. Speaker, it would be my honor.

REP. TY. Under this Bill on the franchise to construct, install, establish, operate and maintain, for public interest and commercial purposes, distributable power technologies and minigrid systems to provide electric power to consumers and end-users throughout the Philippines, what is the meaning of distributable power technology? May I know?

REP. YAP (A.). Mr. Speaker, as defined in the franchise Bill, distributable power technologies will refer to devices, assets, facilities and other technologies of any capacity that may connect directly to customers or end-users or interconnect with the transmission or distribution systems or minigrid systems such as but not limited to renewable energy facilities. That is the definition according to the Bill, Mr. Speaker.

REP. TY. Yes. So, my interpretation of that, as indicated in the Bill in the description of the DPTs, these are essentially power generation facilities. Will that be an easy interpretation or explanation?

REP. YAP (A.). Considering, Sir, that the distributable power technology is basically a new technology not contemplated in our laws, it has to be read together with the description of the minigrid systems because a minigrid system, Your Honor, is basically generating and connecting the power as the objective of the Bill basically is to supply power to unserved and underserved areas. These are areas that have been neglected by the power cooperatives due to the difficulty of supplying power to these areas. Since it is very difficult to supply power to these areas, that is the reason they remain unserved or underserved. So, in such areas, Mr. Speaker, the company that is applying here will be basically generating, transmitting and distributing power in that small ecosystem. Those are the areas that we are contemplating.

REP. TY. Okay. You explained a few minutes ago that this franchise will not violate any existing rules or laws under the EPIRA. Are you guaranteeing that this franchise will not violate any existing laws?

REP. YAP (A.). Mr. Speaker, I can safely say that this will not violate the EPIRA because this is not even contemplated in the EPIRA. If we look at the concept of the EPIRA, the EPIRA basically broke up the NAPOCOR.

REP. TY. Yes.

REP. YAP (A.). In this case, we are talking about a small system operating independently. Unfortunately, we cannot cut it now into components like generation, distribution or transmission or retailing as the EPIRA

conceptualized because in a small isolated area, Your Honor, Mr. Speaker, you have to do it all. If you merely generate and not distribute, then you will defeat the purpose. If you will merely distribute but wait for the generation to come from another source, it will also be too expensive, so, it will not work out. That is why the minigrid system exists as a concept. It has to do it all because the area is isolated, Mr. Speaker, Your Honor.

REP. TY. Yes, but in the EPIRA, under Section 6, if you are a power provider, you need to be supervised or you need to have a COC. Will Solar Para Sa Bayan still be supervised or need to get a COC from the ERC?

REP. YAP (A.). Mr. Speaker, it will fall within the ERC's jurisdiction for the rates and it still falls under the Department of Energy, of course. So, there will be no exemptions. It will pay taxes, but it will receive no state subsidies. So, regulatory-wise, Sir, there are no exceptions. Certificates of convenience where they will apply must be applied. Local permits must also be sought and it must seek and receive these local permits.

REP. TY. Then, my concern about the existing EPIRA is that you cannot be a power producer or generator and at the same time, be a distributor. How can you align or explain this franchise? As I interpret it, they are the ones producing, they are the ones distributing, and they are the ones selling to the final end-user.

REP. YAP (A.). As I said, Mr. Speaker, the situation is different because when the EPIRA was passed, what it sought was to destroy the old order of a one monolithic generating and distributing entity or behemoth and that was the NAPOCOR. In this case, a minigrid system will operate on a very small scale and as I said, a minigrid system, as it is, is a new creation which was made possible by innovation and technology today. This was not yet conceptualized 10, 20 years ago. That is why when you talk about the minigrid system when the EPIRA was passed into law, the minigrid system did not exist yet. That is why to say that this is going to violate the EPIRA or this is contemplated as violating the EPIRA would not be accurate, Mr. Speaker. To make it, maybe, simpler—for example, the franchise to a telco, a telecom system right now is like Globe and Smart which have a nationwide franchise, but there are certain parts of the country that are not served by these telcos. The question is, if there is somebody who is operating a stand-alone satellite linkup and can receive data signal and distribute it within a certain community, would that be violating the franchise of Smart or Globe when it operates within a small area? In this case, we believe that a minigrid system should be allowed to operate, considering that for 20 million Filipinos, their areas

still remain not electrified in terms of their houses. There are many communities all over the country that are paying power rates higher than the national average of eight to nine pesos per kilowatt-hour. Many are also paying anywhere from P10 to P12 per kilowatt-hour. So, it is akin to somebody operating this satellite linkup.

Innovation and technology did not envision a satellite linkup in the past and in the example, I am only talking about telcos and we are not even talking about a stand-alone satellite linkup asking a franchise from the State. In this case, the microgrid is now before Congress for a franchise. I believe that for somebody who wants to operate alone and as against the company that wants to come to Congress and seeks for this franchise, such an application to Congress must be supported, Your Honor.

REP. TY. Thank you. Mr. Speaker, I just want to shorten my question by asking two more questions. One is that—when we talk about a nationwide franchise and under the EPIRA, there is the so-called “qualified third-party provider” and the task of that group is to serve those unserved areas, energize those which are not energized. Now, my question is, when this Bill asks for a national franchise, should we need a franchise just to serve those unserved areas?

REP. YAP (A.). We asked the Department of Energy to answer the question squarely and in our consultations with the DOE, the DOE said that they believe a franchise must be sought for this kind of an operation. So, they must come to Congress, Mr. Speaker.

REP. TY. Okay. Now, my last question is, with this national franchise and, as you know, there are DUs all over the country and they are holding a franchise to a certain area, will this Bill not violate a non-impairment clause of our Constitution?

REP. YAP (A.). Mr. Speaker, allow me to quote from the Constitution, and allow me to quote this March 22, 2011 decision. The case is *Tawang Multi-Purpose Cooperative vs. La Trinidad Water District*. The case number is G.R. No. 166471, and it deals with the exclusivity or non-exclusivity of franchises. Let me quote:

Plain words do not require explanation. The 1935, 1973 and 1987 Constitutions are clear—franchises for the operation of a public utility cannot be exclusive in character. The 1935, 1973 and 1987 Constitutions expressly and clearly state that, “nor shall such franchise x x x be exclusive in character.” There is no exception.

Therefore, Mr. Speaker, the prior operator rule or the prior investor rule will not apply when public service is the subject. So, my answer, Mr. Speaker, is that it will not violate, it will not impair any contract because in the matter of franchises for public services, there is no exclusivity.

REP. TY. Thank you, Mr. Speaker. My last statement is that, if the time comes for an amendment, may the author, the Sponsor, accept some amendments if these are aligned with the intention of the author?

REP. YAP (A.). Mr. Speaker, it will be our honor to include such amendments when they are aligned with the intention of the House Bill.

REP. TY. Thank you, Mr. Speaker. I have no more questions.

THE DEPUTY SPEAKER (Rep. Abu). Thank you very much, the Honorable Ty.

The Majority Leader is recognized.

REP. GARCIA (J.). Mr. Speaker, I move that we recognize the Hon. Rodel M. Batocabe of the AKO BICOL Party-List for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). The Hon. Rodel Batocabe of AKO BICOL Party-List is recognized.

REP. BATOCABE. Thank you, Mr. Speaker. May I ask the Gentleman from Bohol if he is willing to yield to a few clarificatory questions.

REP. YAP (A.). Mr. Speaker, it will be my honor to yield to the Gentleman.

REP. BATOCABE. Thank you. Is it my understanding that this franchise shall cover only limited areas and not the entire Philippines? Meaning to say, it will only cover those that are unserved or those that are really in need of power.

REP. YAP (A.). Mr. Speaker, as it is worded right now, only the unserved and underserved areas as determined by the Department of Energy.

REP. BATOCABE. And, of course, no businessman in his right sense will go to an area that is already sufficiently served. Is that right?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. In other words, if we give a franchise to Solar Para Sa Bayan, it will only go to

those areas which are not yet served, which have no competition, or where people need the services of an electric power distribution utility. Is it not?

REP. YAP (A.). That is the objective, Mr. Speaker.

REP. BATOCABE. Now, is it also my understanding, Mr. Speaker, that if we give a franchise to Solar Para Sa Bayan, and another company will come to Congress and then apply for a franchise, we can use the argument, "Hey, you cannot apply for a franchise because Solar Para sa Bayan has that franchise."? In other words, is it exclusive to Solar Para Sa Bayan?

REP. YAP (A.). Mr. Speaker, as I quoted from the court decision, as I quoted from the Constitution, that is not allowed. There is no exclusivity in the area of franchises for public services.

REP. BATOCABE. In other words, other like-minded individuals, entities or businesses that can operate solar plants, that can also give cheap, clean and reliable energy, can come to Congress and apply.

REP. YAP (A.). Yes, Mr. Speaker, they can apply.

REP. BATOCABE. And it is upon Congress to decide whether or not to grant such franchise?

REP. YAP (A.). Yes, Mr. Speaker, it is upon Congress to approve or disapprove such franchise application.

REP. BATOCABE. My question, Mr. Speaker, in terms of regulation, do you not think that if a business entity applies for a franchise in Congress, it will be more regulated as compared to other entities, let us say, a solar company giving or retailing its services to consumers?

REP. YAP (A.). Yes, Mr. Speaker, I agree that if we grant the franchise, there is a greater chance for regulation, Sir, than allowing it to operate on its own.

REP. BATOCABE. Yes, because it will be governed by its franchise. Its franchise is the law not only with respect to its existence, but it is also the law that should be respected by our country. Is that not correct?

REP. YAP (A.). Yes, Mr. Speaker. The grant of a franchise, if passed, it becomes a law.

REP. BATOCABE. At the same time, Congress also has its oversight functions and specifically, the Committee on Legislative Franchises can require a

yearly report on the performance or the implementation of the provisions of this franchise. Is that correct?

REP. YAP (A.). Yes, Mr. Speaker, that is correct.

REP. BATOCABE. Are you aware, Mr. Speaker, that there are a lot of solar companies, you know, those generating solar power and then distributing this power to consumers?

REP. YAP (A.). Yes, Mr. Speaker, I am aware of that.

REP. BATOCABE. Are you aware of whether they have a franchise?

REP. YAP (A.). I am not aware but for the most part, I believe, Mr. Speaker, they have not secured legislative franchises.

REP. BATOCABE. In other words, you are aware that there are also solar companies which generate power and distribute this power and yet, they do not have any franchise from the government?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Is it my understanding that this is the first franchise that we are giving to a solar company?

REP. YAP (A.). I believe so, Mr. Speaker.

REP. BATOCABE. Do you not think it is also commendable that a solar company is coming to Congress, subjecting itself to a franchise application so that it will be more regulated, it will be more transparent and accountable to the people?

REP. YAP (A.). Yes.

REP. BATOCABE. Do you not think so that this is commendable?

REP. YAP (A.). Mr. Speaker, it is commendable. I believe so and actually, the opinion of the Department of Energy is that it should be the norm, that it should be the practice that operators must come to Congress and seek a franchise.

REP. BATOCABE. Let us go to statutory construction, Mr. Speaker. The EPIRA is a law, is it not?

REP. YAP (A.). Yes, Mr. Speaker

REP. BATOCABE. Once we pass this franchise, this will also become a law.

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Now, can a law violate another law?

REP. YAP (A.). Per statutory construction, we must move towards the unification of such laws, the harmonization of those laws.

REP. BATOCABE. In other words, what you are saying is harmonization.

REP. YAP (A.). Yes.

REP. BATOCABE. What I am talking here, Mr. Speaker, is a law. We can only consider a law to be violative of the Constitution if the provisions of, let us say, for example, a franchise law are inconsistent or cannot be harmonized with an earlier law. What then would be the effect? Does it not work like an amendment or a revocation of a prior law?

REP. YAP (A.). Yes, Mr. Speaker, that would be the effect. The latest law, the latter law would amend the previous laws as long as it is not violative of the Constitution, Mr. Speaker.

REP. BATOCABE. Precisely and so, is it not my understanding that there can be no issue that this franchise is violative of the EPIRA?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Because a law has the same standing as another law unless, of course, it is the Constitution. When you talk about the Constitution and then we enact a law and if it is inconsistent or violative of the Constitution, then that law is declared unconstitutional. Is that not correct, Mr. Speaker?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. In other words, if, let us say, in the remote possibility that there are provisions here that are inconsistent or contrary to the EPIRA, then the effect here is, this is an exception, an amendment or a repeal of certain provisions of the EPIRA. Is that correct?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Okay. So now, may I ask you—is there any provision in this franchise Bill that

is inconsistent or contrary to the provisions of the EPIRA?

REP. YAP (A.). No, Mr. Speaker. In fact, passing this would clarify the EPIRA.

REP. BATOCABE. In other words, these are all consistent or in accordance with the intent and spirit of the EPIRA. Is that correct?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Okay. Now, let me ask also, awhile ago, the Honorable Ty mentioned a qualified third party.

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. Now, let us say for example, in the event that there is a qualified third party and this franchisee, the Solar Para Sa Bayan, will also go there, is it not good also for the consumers that they will have a choice as to who or which entity should be operating in their locality?

REP. YAP (A.). Yes, Mr. Speaker, it is better to leave it to the consumer to decide.

REP. BATOCABE. So, if the consumers are given the choice, most likely, the consumers will be given the best choice.

REP. YAP (A.). Yes, Mr. Speaker.

REP. BATOCABE. And if they are given the best choice, most likely, the prices will also be reasonable?

REP. YAP (A.). Yes, Sir, that is the objective.

REP. BATOCABE. Now, finally, Mr. Speaker, it is common knowledge that technology is fast advancing and before, 10 years ago, the cost of solar power is quite high compared to the rate now. At the rate it is going, it is most likely that solar power rate will go down. Now, would this also not affect the rate that will be charged by Solar Para Sa Bayan if ever it will be given this franchise?

REP. YAP (A.). Definitely, Sir, it will go down.

REP. BATOCABE. In other words, what you are saying, once we give this franchise, through the years, this will not be a constant, the rate will not be a constant. Historically, the rate for solar power has traditionally gone down and so, most likely, very likely, its rate will also go down.

REP. YAP (A.). It is very likely, considering the advances in battery packs and power storage systems. Yes, it will go down, Mr. Speaker.

REP. BATOCABE. Considering now, based on what you answered, Mr. Speaker, that this franchise will not be exclusive, it will give the consumers a choice and so, the rate will most likely go down. This will also be regulated, this will be more transparent and accountable to the people, and especially to the Representatives of the people, this Congress, to the Committee on Legislative Franchises, and through this august Chamber. Can you now say that this is the best avenue for all businesses like this, to go and ask for a legislative franchise so that they will be checked, they will be made more accountable and transparent to our people?

REP. YAP (A.). Yes, Mr. Speaker, and even the regulators agree so, Sir. Even the Department of Energy had said that this is the avenue to follow.

REP. BATOCABE. With that, Mr. Speaker, I have no more questions. Thank you so much.

REP. YAP (A.). Thank you, Mr. Speaker.

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

REP. YAP (A.). Thank you, Sir.

REP. GARCIA (J.). Mr. Speaker, I move that we recognize the Gentleman from the Second District of Davao Oriental, the Hon. Joel Mayo Z. Almario.

THE DEPUTY SPEAKER (Rep. Abu). The Gentleman from the Second District of Davao Oriental, the Hon. Mayo Almario, is recognized to interpellate the good Sponsor.

REP. ALMARIO. Thank you very much, Mr. Speaker. I would like to summarize the many questions that I have and zero in on just two questions, Mr. Speaker, Mr. Sponsor. It had been asked and answered already—the questions on the exclusivity, the questions on the EPIRA. But I would like to manifest, Mr. Speaker, that when the EPIRA was passed 17 years ago, and that was in 2001, I was a Member of this Congress then and we were all excited that, at long last, there was a solution to the problems that our constituents and we ourselves were facing in our localities. To think that in the different corners of this country, in our districts, we have barangays which are far-flung, we have island barangays and they suffer more than us who mostly live in the center of our districts. It is sad to note that the

EPIRA has not given us the satisfaction of experiencing our excitement that, once and for all, the problems regarding power supply and the quality of power will be solved through the EPIRA.

Mr. Speaker, Mr. Sponsor, I have read in the documents that the stand of the Department of Energy, particularly Secretary Cusi, is to let this franchise be approved as an alternative for the consumers to choose, whether they want to proceed with subscribing their own electric cooperatives or from other providers. In fact, Secretary Cusi said, and I quote, “We cannot let Filipinos wait forever. There are efficient cooperatives and there are inefficient cooperatives. And the entry of another player might be the solution to the problem we are facing now.”

Just to further stress the point that this is not an exclusive franchise, Mr. Speaker, is that, as we speak now, there are already other solar companies smaller than this company, Solar Para Sa Bayan, which are already preparing their application for their own solar franchise. That also will give more choices for our constituents. The PHILRECA or the Philippine Rural Electric Cooperatives Association has claimed that a national franchise from Congress is against the provisions of the Electric Power Industry Reform Act or the EPIRA. As was stated by the Sponsor, Mr. Speaker, I am sure and I agree with him that the framers of that law did not envision a law that will not solve the problem. And, rightfully, the example given earlier was that of the telecoms, that regardless of whether it is Smart or Globe—Globe has franchises all over the country—the people in unserved or underserved areas of these telecoms would definitely welcome another player so that their problems with regard to telecoms will be addressed.

Now, it was also mentioned that the applicant-corporation does not seek any government subsidy or tax incentives or exclusivity. On that, Mr. Speaker, I would like now to ask the Sponsor for a guarantee that what happened in 2001 when we passed the EPIRA will not happen at any time when we already have, hopefully, the franchise for the Solar Para Sa Bayan. What is the guarantee of the Sponsor, Mr. Speaker?

REP. YAP (A.). It will be difficult to answer in that sense but if I may venture, Mr. Speaker, to think that maybe the concern of our honorable colleague may be that this franchise holder will just abandon its franchise. Is that what we are looking at, Sir?

REP. ALMARIO. Well, that could be one, Mr. Speaker, that the franchise holder might pass on the license to another company or might stop operating or might declare bankruptcy, for whatever reason.

To clarify my question, Mr. Speaker, what is the guarantee that the Sponsor can give us that, once

we have this franchise—once the corporation has this franchise, our constituents will feel the positive effects?

In my district, 19 percent is declared as underserved. Now, since I am the Representative of my people, how can I assure them, this 19 percent, that Congress has passed a franchise, has passed a bill which will eventually become a Republic Act through this franchise, and their problems with regard to quality of power and availability of power will finally be solved?

REP. YAP (A.). Well, Your Honor, number one, if it is an issue of bankruptcy, I do not think this can guarantee non-bankruptcy. Your Honor, I received a communication from your office about your concerns in your district and you have actually asked that your province, together with the endorsement of Cong. Corazon T. Nuñez-Malanyaon, be specifically identified as a province that will be prioritized for this franchise to operate in. So, in that respect, Sir, we are willing to accept, in the period of amendments, that proposal especially identifying your province as a priority area for operation. Second, I also noted the concern of many other legislators, especially for one, yourself, and another is Congressman Atienza, that they do not want the franchise holders to just flip this and sell this off to some other interested parties. That is the reason, Your Honor, that in Section 13 on the Sale, Lease, Transfer, Usufruct, or Assignment of Franchise portion, it is very clearly stated therein that “The grantee shall not sell, shall not lease, shall not transfer, shall not grant the usufruct, nor assign this franchise or the rights and privileges acquired thereunder to any person, firm, company, corporation, or other commercial or legal entity,” and so on and so forth. So, we can at least see the clear intent of Congress in not allowing this franchise holder to just sell this franchise and run away from its obligations and the promise that it has made to power the unserved and underserved areas.

REP. ALMARIO. Thank you for mentioning that my district will become a priority, but I am looking at a scenario for the whole Philippines, Your Honor, Mr. Sponsor, Mr. Speaker.

Let me just go to my second and last question. Can you describe for us the picture of a local community which has already a minigrad system working under the Solar Para Sa Bayan?

REP. YAP (A.). Well...

REP. ALMARIO. Now, can you imagine solar panels and if the capacity of each panel is one kilowatt-hour per panel or whatever that is, Mr. Speaker, will we need thousands of hectares for these panels to be located in?

REP. YAP (A.). No, Your Honor. We are not going to require that because the operational area that we are considering would possibly be just a few hundreds to a few thousand households in isolated areas—basically, that is the intent and where a minigrad system works. But if you want to really lower the cost, then, especially in your province, since you are opening up your entire province, then the possibility exists that when you operate this minigrad system in your entire province, then the cost will further go down. If you are asking for an example, there is already an area that it is operating this way in Paluan, Occidental Mindoro, an area that never had power is now enjoying 24/7 power. It is powering about 3,000 individual households.

REP. ALMARIO. Mr. Speaker, last question, let me cite your province in Bohol.

REP. YAP (A.). Yes, Sir.

REP. ALMARIO. How many megawatts do you need to energize the whole of Bohol?

REP. YAP (A.). According to the provincial ...

REP. ALMARIO. Because related to that, Mr. Speaker, para isa na lang iyong sagot, you say a figure and my next question for that is, how many hectares of land would you need for the solar panels to be placed in to energize the whole of Bohol?

REP. YAP (A.). I think, Sir, the rule of thumb is one hectare for one megawatt. Am I correct? Am I correct, Congressman Rod?

REP. ALMARIO. Tama.

REP. YAP (A.). So, if it is about that, then, I am probably looking about a 150 hectares for 150 megawatts to power Bohol.

REP. ALMARIO. Meaning, to power Bohol, you need 150 megawatts, and if that is the ratio, one hectare per megawatt, you will need 150 hectares.

REP. YAP (A.). Yes, Sir.

REP. ALMARIO. All right. Thank you very much, Mr. Sponsor, for the clarification, for educating this Representation, and I wish you luck for the Bill and in your future endeavors in Bohol.

REP. YAP (A.). Yes, Sir.

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

REP. YAP (A.). Thank you, Mr. Speaker. Thank you, Your Honor.

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

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

THE DEPUTY SPEAKER (Rep. Abu). From the Party-List 1-ANG EDUKASYON, the Hon. Salvador “Bong” Belaro is recognized to interpellate the good Deputy Speaker.

REP. BELARO. Good afternoon, Mr. Speaker, my dear colleagues, would the next Governor of the Province of Bohol yield to some questions?

REP. YAP (A.). Mr. Speaker, it will be my honor to yield to the Gentleman.

REP. BELARO. Mr. Speaker, my understanding of the public service laws in relation to other pertinent laws is that a franchise is needed if an entity is selling a service with some public consequence. The word is “service.” Am I correct, distinguished Sponsor?

REP. YAP (A.). Yes, Mr. Speaker.

REP. BELARO. I also understand, from the materials distributed by the Solar Para Sa Bayan Corporation, that they will also be selling solar equipment. Is that correct, Mr. Sponsor, Mr. Speaker?

REP. YAP (A.). Mr. Speaker, all ancillary businesses connected are contemplated under the franchise, Mr. Speaker.

REP. BELARO. Now, since that would be selling equipment, that is not service and that may not require a franchise. Is that correct, Mr. Speaker? That act alone of selling solar equipment would not require a franchise.

REP. YAP (A.). Well, we did hope so, Mr. Speaker, but unfortunately, the Department of Energy told us that we have to seek a franchise.

REP. BELARO. That is because you related it to other acts which are covered by the franchise. So, in short, the contention of this Representation, Mr. Speaker, is that the mere act of selling solar equipment and other paraphernalia is not something that one should ask a franchise for, but what perhaps the good Sponsor is referring to is that he is asking for a franchise for the

act of distribution of electricity which is a service. Is that correct, Mr. Speaker?

REP. YAP (A.). Mr. Speaker, it would not be accurate to just state that this is an act of distribution because as I have said, a minigrid system is defined under the Bill as a system that generates and distributes. So, it is an all-in-one system and is designed to work in isolated areas, Sir.

REP. BELARO. Okay. That is well-taken, Mr. Speaker. I view it from the context that we now view it as an act—as a service but not necessarily on the isolated act of selling equipment. Anyway, these things had already been clarified and the intent is really to sell the system as a whole, that is why the good Sponsor is asking for a franchise from Congress.

REP. YAP (A.). Yes, Your Honor.

REP. BELARO. Now, Mr. Speaker, let me provide a backgrounder on the practice of acquiring a franchise from this honorable Body, and my observation is the fact that there are two requirements that are usually obtained in the matter of granting a franchise by this honorable Body: one, a franchise is territory-bound, that means there is a specific territory being covered by a franchise; and second, the amount of capitalization approximates, more or less, the amount needed to energize the franchise.

In this regard, Mr. Speaker, this Representation notes that, based on the initial materials distributed to us, the capitalization of Solar Para Sa Bayan is only one million pesos and I was informed, albeit belatedly, that in the course of deliberation, the applicant had it upped to one billion pesos. I also noted the observation of the good Congressman Atienza that, in any event, even if we upgraded the amount to one billion pesos, it will still not approximate the amount needed to provide light, energy and other vitalities to such a nationwide franchise. So, those are the two points, Mr. Speaker: one is with regard to territory; and the other one is the amount necessary to cover the applied territory.

In this case, Mr. Speaker, I, again, would like to refer to the fact that Solar Para Sa Bayan is applying for a franchise on a nationwide basis without exception. Am I correct on this observation, Mr. Speaker, on these two points: one is territory and the second is that there is an amount or capitalization requirement for a franchise before this august Body approves any franchise, be it on power, electricity, telecommunications, et cetera? Is that a correct observation, Mr. Speaker, distinguished Sponsor?

REP. YAP (A.). Mr. Speaker, in terms of area, it is provided that the areas where the franchise Bill will operate are specific areas to be designated by the Department of Energy. Second, during the period

of amendments, we would be willing to concede to identifying certain provinces for its operation. In terms of capitalization, the SEC paper states that the capitalization is about a billion pesos and its affiliate, Solar Philippines, can inject additional amounts as needed. So, basically, when you look at the operation of a particular area, it is only about two million pesos for a microgrid; we feel that the capitalization would be enough.

SUSPENSION OF CONSIDERATION
OF H.B. NO. 8179

REP. ANDAYA. Mr. Speaker, I move that we suspend the consideration of House Bill No. 8179.

I so move, Mr. Speaker.

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

The consideration of House Bill No. 8179 is hereby suspended.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8677
ON THIRD READING

REP. ANDAYA. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8677 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move, Mr. Speaker.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8677, entitled: AN ACT INCREASING THE EXCISE TAX RATE ON TOBACCO PRODUCTS, AMENDING FOR THE PURPOSE SECTION 145 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED BY REPUBLIC ACT NO. 10963.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8677
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 187 affirmative votes, seven negative votes and one abstention, House Bill No. 8677 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 6425
ON THIRD READING

REP. MARCOLETA. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 6425, and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 6425, entitled: AN ACT PRESCRIBING AN URGENT, COMPREHENSIVE AND INTEGRATED LAND-BASED TRAFFIC MANAGEMENT TO EFFECTIVELY ADDRESS THE TRAFFIC CONGESTION CRISIS IN METRO MANILA, METROPOLITAN CEBU AND METROPOLITAN DAVAO AND APPROPRIATING FUNDS THEREFOR.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

REP. ZARATE. Mr. Speaker, may I reserve my right to submit a written explanation for the Bill under consideration?

THE DEPUTY SPEAKER (Rep. Abu). It is noted.

REP. ZARATE. Thank you, Mr. Speaker.

* See ANNEX (printed separately)

APPROVAL OF H.B. NO. 6425
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 188 affirmative votes, eight negative votes and no abstention, House Bill No. 6425 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8618
ON THIRD READING

REP. MARCOLETA. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8618, and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8618, entitled: AN ACT AMENDING SECTIONS 141, 142 AND 143 OF REPUBLIC ACT NO. 8424, AS AMENDED, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8618
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Alvarez, M.). With 189 affirmative votes, seven negative votes and no abstention, House Bill No. 8618 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8645
ON THIRD READING

REP. MARCOLETA. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8645

and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8645, entitled: AN ACT AMENDING SECTIONS 22, 24, 25, 27, 28, 29, 30, 32, 34, 37, 38, 39, 42, 51, 52, 54, 56, 57, 73, 108, 121, 122, 123, 174, 176, 179, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 194, 195, 196, 197, 198, AND 199; AND REPEALING SECTIONS 127, 175, 177, 178, 180, 192, AND 193; ALL UNDER REPUBLIC ACT NO. 8424, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8645
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 190 affirmative votes, seven negative votes and no abstention, House Bill No. 8645 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8637
ON THIRD READING

REP. GARCIA (J.). Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8637 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

* See ANNEX (printed separately)

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8637, entitled: AN ACT CREATING THE REGIONAL INVESTMENT AND INFRASTRUCTURE COORDINATING HUB OF CENTRAL LUZON AND PROVIDING FUNDS THEREFOR.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8637
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 198 affirmative votes, no negative vote and no abstention, House Bill No. 8637 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8636
ON THIRD READING

REP. ROA-PUNO. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8636 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8636, entitled: AN ACT INSTITUTIONALIZING A NATIONAL INTEGRATED CANCER CONTROL PROGRAM AND APPROPRIATING FUNDS THEREFOR.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8636
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 198 affirmative votes, no negative vote and no abstention, House Bill No. 8636 is approved on Third Reading.

Congratulations sa mga kasama po natin diyan sa gallery. (*Applause*)

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8649
ON THIRD READING

REP. ROA-PUNO. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8649 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8649, entitled: AN ACT RENAMING CLARK INTERNATIONAL AIRPORT LOCATED IN ANGELES CITY, PROVINCE OF PAMPANGA AS DIOSDADO MACAPAGAL INTERNATIONAL AIRPORT.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8649
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 199 affirmative votes, no negative vote and no abstention, House Bill No. 8649 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8629
ON THIRD READING

REP. GARCIA (J.). Mr. Speaker, I move that we

* See ANNEX (printed separately)

vote on Third Reading on House Bill No. 8629 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8629, entitled: AN ACT INSTITUTIONALIZING AN ENERGY EFFICIENCY AND CONSERVATION PROGRAM.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8629
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 199 affirmative votes, no negative vote and no abstention, House Bill No. 8629 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 7206
ON THIRD READING

REP. GARCIA (J.). Mr. Speaker, I move that we vote on Third Reading on House Bill No. 7206 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 28, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 7206, entitled: AN ACT GRANTING PHILIPPINE CITIZENSHIP TO MOHAMAD WASSIM NANAA.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 7206
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 199 affirmative votes, no negative vote and no abstention, House Bill No. 7206 is approved on Third Reading.

The Majority Leader is recognized.

NOMINAL VOTING ON H.B. NO. 8394
ON THIRD READING

REP. ROA-PUNO. Mr. Speaker, I move that we vote on Third Reading on House Bill No. 8394 and direct the Secretary General to read the title of the measure, and call the roll for nominal voting.

I so move.

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

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on November 29, 2018, pursuant to Section 58, Rule X of the House Rules.

THE SECRETARY GENERAL. House Bill No. 8394, entitled: AN ACT PROVIDING FOR THE FULL AND EFFECTIVE IMPLEMENTATION AND ENFORCEMENT OF INTERNATIONAL MARITIME INSTRUMENTS OF WHICH THE PHILIPPINES IS A STATE PARTY.

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is reflected in Journal No. 36, dated December 3, 2018.*

APPROVAL OF H.B. NO. 8394
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Abu). With 199 affirmative votes, no negative vote and no abstention, House Bill No. 8394 is approved on Third Reading.

The Majority Leader is recognized.

* See ANNEX (printed separately)

REP. ROA-PUNO. Mr. Speaker, I move that the Secretary General be requested to transmit immediately to the Senate all bills approved on Third Reading.

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

The Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 8179

Continuation

PERIOD OF SPONSORSHIP AND DEBATE

REP. ROA-PUNO. Mr. Speaker, I move that we resume the consideration of House Bill No. 8179, as contained in Committee Report No. 848, as reported out by the Committee on Legislative Franchises.

May we request the Secretary General to be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Abu). 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 House Bill No. 8179, under Committee Report No. 848, for the continuation of its consideration on Second Reading.

THE SECRETARY GENERAL. House Bill No. 8179, entitled: AN ACT GRANTING SOLAR PARA SA BAYAN CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN DISTRIBUTABLE POWER TECHNOLOGIES AND MINIGRID SYSTEMS THROUGHOUT THE PHILIPPINES TO IMPROVE ACCESS TO SUSTAINABLE ENERGY.

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

REP. ROA-PUNO. Mr. Speaker, our parliamentary status is that we are still in the period of sponsorship and debate. May we acknowledge once again the Sponsor of the said Bill, the honorable Deputy Speaker Arthur C. Yap, and may we also recognize the Hon. Salvador B. Belaro Jr. from 1-ANG EDUKASYON Party-List to continue with his interpellation.

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

The Honorable Belaro may now continue to interpellate the good Sponsor.

REP. BELARO. May I proceed, Mr. Speaker?

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

REP. BELARO. Before the interregnum caused by the proceedings in the Business for Today, Mr. Speaker, this Representation was trying to lay the general rule that in franchises being applied before this august Body, there is a question of territory and a question of finances which are necessary to approximate the coverage of such territory. That is the general rule, Mr. Speaker. In every rule, Mr. Speaker, there is an exception, and the way I gathered here is that the exception is public interest because of the shortage of electricity, the speed in putting up electric grids in all underserved areas and of course, the lowering of costs.

Mr. Speaker, would the Gentleman, our distinguished Sponsor, agree that the issue here is not really the fact that they are not given—Solar Para Sa Bayan is not given undue preference but rather, public interest calls for an exception in this regard? Is that correct, Mr. Speaker, distinguished Sponsor?

REP. YAP (A.). Mr. Speaker, we agree.

REP. BELARO. Mr. Speaker, the primordial consideration is time because at this time, there is so much underserved areas in the country that need to be given electric power, and Solar Para Sa Bayan Corporation is offering to serve these underserved communities. Is that the public interest consideration here, Mr. Speaker, distinguished Sponsor?

REP. YAP (A.). Mr. Speaker, yes, considering that 17 years after we passed the EPIRA, 20 million Filipinos or around four million households remain without power in their areas.

REP. BELARO. With the manifestation, Mr. Speaker, that this Representation is clarified and has simplified the issues on the matter, I am now ready to vote, Mr. Speaker.

Thank you very much.

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

REP. YAP (A.). Thank you very much, Mr. Speaker. Thank you, distinguished colleague.

REP. ROA-PUNO. Mr. Speaker, I move that we recognize the Hon. Carlos Roman L. Uybarreta from 1-CARE Party-List for his interpellation.

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

The Hon. Caloy Uybarreta from the Party-List 1-CARE is recognized to interpellate the good Sponsor.

REP. UYBARRETA. Thank you, Mr. Speaker. Would the distinguished Sponsor yield to some questions from this Representation?

REP. YAP (A.). Mr. Speaker, yes.

REP. UYBARRETA. Mr. Speaker, the distinguished Sponsor mentioned earlier the need to electrify unserved and underserved areas. Am I correct in hearing the statement of the distinguished Sponsor, Mr. Speaker?

REP. YAP (A.). Yes, Mr. Speaker.

REP. UYBARRETA. You mentioned also that one of the reasons some areas remain unserved and underserved are due to problems being encountered by electric cooperatives in terms of logistics and of getting the power that they need. Is this correct, Mr. Speaker, distinguished Sponsor?

REP. YAP (A.). Yes, Mr. Speaker, we will concede to that.

REP. UYBARRETA. I stand here for and in behalf of the electric cooperatives nationwide. Will the distinguished Sponsor agree that we are in the present state of our nation because of the pioneering acts and sacrifices of the men and women of the electric cooperatives?

REP. YAP (A.). Yes, Mr. Speaker.

REP. UYBARRETA. In fact, we cannot be in any place we are in right now without the sacrifices and hard work of the electric cooperatives.

REP. YAP (A.). Yes, Mr. Speaker.

REP. UYBARRETA. Mr. Speaker, would the distinguished Sponsor also agree that instead of condemning all the electric cooperatives, we should in fact commend them for the hard work and sacrifices that they made in order to electrify and bring progress and prosperity to the rural areas. Will the distinguished Sponsor agree to this statement, Mr. Speaker?

REP. YAP (A.). Yes, Mr. Speaker, with just the qualifying part. I hope it did not come across that we are trying to condemn the power coops in the course of our defense of this Bill—that was never the intention. We commend them for their pioneering spirit, Mr. Speaker.

REP. UYBARRETA. I am happy to hear that, Mr. Speaker. I have been hearing from all those who interpellated ahead of me that there is a need to electrify isolated areas. Are we in agreement here, Mr. Speaker, distinguished Sponsor, that indeed there is a need to electrify but only in unserved and underserved areas found in isolated and far-flung areas in our countryside?

REP. YAP (A.). Yes, underserved and unserved areas as determined and may be determined by the Department of Energy.

REP. UYBARRETA. Would the distinguished Sponsor, Mr. Speaker, also agree that all distribution utilities, be it electric cooperatives or private distribution utilities, are under the mandate of supervision and control of the Energy Regulatory Commission?

REP. YAP (A.). Yes, as this applicant will be, Mr. Speaker.

REP. UYBARRETA. Mr. Speaker, distinguished Sponsor, in any franchise that this august Body grants, there are certain minimum obligations that the grantee of the franchise should undertake. Would the distinguished Sponsor agree to that, Mr. Speaker?

REP. YAP (A.). There are, of course, obligations upon the grantee because the grant of a franchise is a discretion of the State, Mr. Speaker, Your Honor, yes.

REP. UYBARRETA. Mr. Speaker, I am asking all these just to lay the foundation later on when I will interpose and propose several amendments to this Bill. With that, Mr. Speaker, I end my interpellation.

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

REP. ROA-PUNO. Mr. Speaker, I move that we recognize the Hon. Antonio L. Tinio from ACT TEACHERS Party-List for his interpellation.

THE DEPUTY SPEAKER (Rep. Abu). The Hon. Antonio Tinio from ACT TEACHERS Party-List is recognized to interpellate the good Sponsor.

Representative Tinio, you may now proceed.

REP. TINIO. Thank you, Mr. Speaker. Sa kagalangalang na Sponsor, ilang mga katanungan po. Ang unang kailangan o gusto po naming mailinaw dito ay iyong Section 1, Nature and Scope of Franchise. Sa aking pagbasa, masaklaw po ang franchise na ito, so, it deserves a close reading. Binibigyan ng prangkisa dito ang Solar Para Sa Bayan Corporation. It says here, “x

x x a franchise to construct, install, establish, operate and maintain in the public interest and for commercial purposes, distributable power technologies and minigrad systems to provide electric power to customers and end-users throughout the Philippines.” Okay. Mahaba pa po iyan at aabutin natin lahat iyan. So, siguro, unawain natin. Gusto ko pong maintindihan ng lahat kung ano ba exactly iyong prangkisa na binibigay, na hinihingi at nais ibigay ng Kongreso sa Solar Para Sa Bayan Corporation. May binabanggit pong distributable power technologies at minigrad systems, at pagkatapos, may definition po ng mga distributable power technologies dito.

So, nakita ko na masaklaw po ito. Kasi sa pangalan, ang sabi ay solar pero actually, hindi lang po solar ang saklaw ng prangkisa. Apart from solar, apparently, kasama rin dito ang mga genset, wind turbine, hydrogen fuel cells, pati electric vehicle charging stations. Mr. Speaker, could the honorable Sponsor explain such a broad coverage? Ano ang kinalaman, halimbawa, noong electric vehicle charging stations sa pagbibigay ng kuryente sa binabanggit ninyong mga liblib na lugar na hindi maabot ng kuryente sa kasalukuyan? I am citing just one example— why electric vehicle charging stations?

REP. YAP (A.). Mr. Speaker, salamat po sa tanong. I will zero in, Mr. Speaker, doon po sa concept ng minigrad system. Kanina po ay nasagot ko na iyong issue ng minigrad system pero uulitin ko na lang.

Ang minigrad system po kasi is designed to operate on its own, to generate and distribute its own power. Now, the issue as to why it is important to include all possible collateral businesses is the commercial nature of the minigrad system dahil hindi po ito pareho ng regular power generating and distribution systems. This will operate in very difficult situations and considering na renewable technology po ang gagamitin dito, hindi ito tried and tested kagaya po ng ginagamit natin ngayon—coal, bunker fuel—which are already tested, pati iyong profitability nito. Ngayon po, kung hindi natin papayagan iyong franchise applicant to look at all the possible ancillary businesses, baka po ma-bankrupt ang negosyong ito. Tandaan po natin, Mr. Speaker, na sa negosyong ito, ang applicant na ito ay hindi tatanggap ng subsidyo sa gobyerno. Mabuti pa po ang lahat ng power coops ngayon dahil tumatanggap pa rin po ng subsidyo na umaabot ng P20 billion a year. Ito po ay hindi tatanggap ng subsidyo at hindi rin ito exempted sa buwis. Magbabayad sila ng tamang buwis kung may kita.

So, considering mag-o-operate po ito, under renewable technology, sa far-flung and isolated areas, magbabayad pa ng buwis at wala po itong subsidy, kung hindi po natin papayagan na mag-operate ito using all

ancillary businesses, posibleng matumba ito. Hindi po ba dapat ang emerging technologies ang suportahan natin? Kaya po inilagay namin ito. But I will already concede, Mr. Speaker, na doon po sa certain definitions, mamaya po sa period of amendments, tanggalin na nga po iyong rooftop at ground-mounted solar panels, hydrogen fuel cells, hybrid power systems, wires, metering at communication equipment. Iko-concede na namin ang mga iyan, pati na nga ang electric vehicle charging stations ay ipatatanggal na natin, so as not to take away the importance of the Bill and because of our sincere desire to have it approved. Pati iyong mga iba, iyong kailangan na kailangan na lang po talaga, pero hindi natin puwedeng tanggalin iyong issue ng backup genset kasi kahit mayroon tayong solar power, kung wala po tayong backup genset at wala tayong battery packs, hindi po talaga magwo-work iyong system na ito. Ang controllable load ay kailangan talaga; energy storage ay kailangan po talaga. Sa renewable energy facilities, baka posible i-blend po iyong power rate. Kaya nga po iyon na lang ang isasama natin at huwag na natin, kumbaga, dagdagan pa iyong confusion, if you will. So, willing po kami tanggalin natin ang mga ito sa period of amendments just so that we can shorten the interpellation, Mr. Speaker.

REP. TINIO. Okay, to clarify, Mr. Speaker, honorable Sponsor. Ang gusto ko nga ay malinaw ito kasi may binabanggit dito, there is a franchise, it is a franchise to provide certain services, installation, operation, et cetera, of minigrad systems using distributable power technologies. Hindi ba ganoon?

REP. YAP (A.). Opo.

REP. TINIO. We can call that the core of the franchise.

REP. YAP (A.). Opo.

REP. TINIO. However, the franchise also grants or authorizes that Solar Para Sa Bayan Corporation can engage in ancillary businesses and any related businesses. Kaya gusto ko rin po sanang ma-klaro iyon.

REP. YAP (A.). Opo.

REP. TINIO. Ano ba iyong mga ancillary and related businesses? That is why I brought up itong electric vehicle charging stations which seem to stick out, na parang akala ko ba ay providing power to missionary areas, so, why are we talking about electric vehicle charging stations?

REP. YAP (A.). Mr. Speaker.

REP. TINIO. Ang understanding ko nito ngayon, kasama ito siguro doon sa contemplated na ancillary or related businesses and with your explanation, the idea there is to ensure the commercial viability of the grantee, kaya puwede rin siyang mag-set up ng ganitong mga business, for example, electric vehicle charging stations ...

REP. YAP (A.). Opo.

REP. TINIO. ... at some future time when, you know, in the Philippines, we have more electric-powered vehicles. Ngayon, alam ko very limited pa iyan, ...

REP. YAP (A.). Opo.

REP. TINIO. ... at very limited pa iyong mga charging stations. For example, there are certain electric cars like the Toyota Prius, which is a hybrid car, at binebenta na iyan sa Philippine market pero as far as I know, limited pa iyong mga puwede mong pagkargahan dito. So, let me be clarified on what you just said, Mr. Speaker. What the Sponsor just said, you are willing to, during the period of amendments, just limit the language of the franchise to the bare or the core. Ganoon po ba?

REP. YAP (A.). Opo. Mr. Speaker, tama po iyong na-bring up ninyo, considering po iyong term ng franchise ay aabutin po ng 25 years. Posible po talaga na some isolated communities in the future can have a charging station for electric vehicles. Posible po iyon.

REP. TINIO. Okay. Now, posible rin po ba na ang isang legal effect ng ganitong lengguwahe ng franchise na, in effect, ay binibigyan din sila ng monopolyo sa mga electric vehicle charging stations, that by virtue of this law, if it will be passed, sila lang ngayon ang puwedeng magtayo ng electric vehicle charging stations?

REP. YAP (A.). Hindi po puwede, Mr. Speaker, because hindi po puwedeng kunin iyong franchise na ito at protektahan iyong kompanyang ito sa ganyang aktibidades. Kung sa core nga ho ay hindi pupuwede. Ang core po nito is to provide that ...

REP. TINIO. Then, would you not agree that puwede nating tanggalin iyon kasi sabi mo naman ay hindi naman kailangan dapat ng prangkisa.

REP. YAP (A.). Kaya nga po kino-concede po namin. Okay lang po.

REP. TINIO. Okay, klaro po.

REP. YAP (A.). Opo.

REP. TINIO. When the Sponsor included the language of ancillary businesses and any related businesses which maximize utilization, ano pa ba iyong or what are these other possible ancillary businesses that the Sponsor had in mind? Parang isa na dito iyong electric vehicle charging stations. What other businesses could be covered?

REP. YAP (A.). Wala na nga hong makikita, Mr. Speaker. Tinanggal na ho lahat. Basically, iyong distributable power technology definition nga po, adopted na nga po iyan from European at US standards. Since tinatanggal na nga po natin lahat, basically, maiiwan na lang po ang core.

REP. TINIO. Okay. That is clear. Now, paulit-ulit pong binabanggit ninyo, throughout your sponsorship and the interpellation, that the franchise is non-exclusive.

REP. YAP (A.). Opo.

REP. TINIO. I see. So, ano po ang ibig sabihin noon? Could you explain exactly, kapag sinabi nating non-exclusive iyong franchise, what does that mean? Ang ibig sabihin, any other entity interested in engaging in the same business will not be prevented from doing so? Ganoon po ba?

REP. YAP (A.). Opo.

REP. TINIO. But they also have to get a franchise.

REP. YAP (A.). Alam ninyo po, ang view po kasi ng Department of Energy ay kailangan kumuha po ng prangkisa. Pero dahil po bibigyan natin ng prangkisa ang Solar Para Sa Bayan sa ganito pong mga aktibidades, ang ibig po bang sabihin ay wala na pong puwede na mag-file o mag-apply sa prangkisang kapareho po sa kanila? At ang sagot po natin ay hindi. Puwede po pero kailangan pumunta ka sa Kongreso at humingi ka ng prangkisa pero hindi po natin puwedeng sabihin na exclusive po iyon para sa Solar Para Sa Bayan.

REP. TINIO. So, iyong non-exclusivity clause simply means that any other private entity who wishes to engage in the same business is also free to go to Congress and ask for a franchise.

REP. YAP (A.). Yes, Your Honor.

REP. TINIO. Okay. Sinasabi rin po ninyo sa inyong sponsorship at sa inyong mga interpellation that the

scope of the franchise or the focus of Solar Para Sa Bayan will be the underserved areas, iyong missionary areas, and so on. Yet, I do not see that in the language of Section 1, Nature and Scope of Franchise. What it says here is for a franchise throughout the Philippines. So, iyon po ang language. Well, hindi po reflected dito iyong sinasabi ninyong limited to unserved and underserved areas.

REP. YAP (A.). During the period of amendments, Your Honor, we are willing to accept such an amendment that we will define the areas as granted by the Department of Energy. Siyempre, hihintayin natin iyong green light din po ng DOE. They should continue to stay within the regulatory control of the DOE, pagkatapos, ay ide-define po natin iyong unserved and underserved areas. I will yield to that amendment, Your Honor, at the proper time.

REP. TINIO. So, there will be introduced, in Section 1, an explicit language stating that the franchise shall be for ...

REP. YAP (A.). For specific areas that are approved by the Department of Energy, including unserved and underserved areas. But there are also...

REP. TINIO. Including.

REP. YAP (A.). Allow me to state, Mr. Speaker, that there are also some legislators, considering that there are 150 coauthors here, asking for the inclusion of their provinces to be specifically defined in the franchise Bill, to which I will also yield at the proper time, Your Honor.

REP. TINIO. Okay. So, ang pinag-uusapan po natin dito, posibleng sa franchise mismo, in the language of the franchise, the areas will be enumerated. Ganoon ba?

REP. YAP (A.). Opo.

REP. TINIO. Okay.

REP. YAP (A.). There are about six provinces, Your Honor.

REP. TINIO. Six provinces, and the six provinces, obviously, hindi lahat ito underserved or unserved.

REP. YAP (A.). Yes, but these six provinces, Your Honor, suffer from the highest levels of power rates and substantively, by majority, remain unserved and underserved. Malalaki po ang area kung saan wala pong electrification dito.

REP. TINIO. Okay. Now, I would like to be clarified, Mr. Speaker, bakit kasama sa terms ng franchise? Sabi dito, "The grantee shall have the right to open and non-discriminatory access to any transmission or distribution system, x x x" Okay. So, this is actually the specific privilege granted by this franchise. It says, "x x x the right to open and non-discriminatory access to any transmission or distribution system, x x x" So, ang ibig pong sabihin nito, Ang Solar Para Sa Bayan ay maaaring kumonekta sa mga pasilidad, transmission line, et cetera, ng existing electric coops. Iyon po ba ang ibig sabihin noon?

REP. YAP (A.). As lifted from the EPIRA, Mr. Speaker, they have the right to open and non-discriminatory access because they must also yield to such open and non-discriminatory access. That is lifted from the EPIRA po.

REP. TINIO. Okay. As it is now, for example, wala pang amendments, the text as it stands, halimbawa, kung sakaling na-grant ito, puwede silang mag-connect, halimbawa, ngayon sa MERALCO.

REP. YAP (A.). Puwede po pero kailangan po silang magbayad. Hindi po ...

REP. TINIO. Puwede. Magbayad kanino?

REP. YAP (A.). Babayaran po rin nila iyong linya. Basta kung may gagamitin po sila sa distribution ng MERALCO po, kailangan po sila magbayad.

REP. TINIO. Okay. So, puwede.

REP. YAP (A.). Puwede po.

REP. TINIO. Okay. Then, sabi rito, "x x x and shall be eligible to become a member of the wholesale electricity spot market, subject to compensation and existing regulations." Could you explain to me why Solar Para Sa Bayan is being given this right to become a member of the Wholesale Electricity Spot Market.

REP. YAP (A.). That means puwede rin silang magbato because sometimes, if you really want to lower the price of the power, posible na mag-blend po sila. I-blend po nila iyong rate nila. Puwede po silang kumuha at kung may excess sila ay puwede rin silang magbenta, kung posible po, because if they can blend their power rates, they would be able to sell at a lower rate. That is why it is in the better interest of consumers kung isama po natin sila sa WESM. That is only, Mr. Speaker, kung pupuwede kasi sometimes, and I think more often than not, baka hindi rin sila makapagbato ng power sa WESM dahil they are operating in far-flung

areas. Wala pong grid kung saan puwedeng ibato po iyong power doon.

REP. TINIO. Pero I think magka-connect, konektado ang dalawang iyan, and that is why in the franchise they are asking to be given the right to connect to a grid.

REP. YAP (A.). If possible, Mr. Speaker.

REP. TINIO. Open and non-discriminatory access.

REP. YAP (A.). Opo.

REP. TINIO. So that they can participate, become a player in the WESM. Iyon ang intindi ko dito.

REP. YAP (A.). Posible po, puwede po.

REP. TINIO. Okay.

REP. YAP (A.). Iyon nga po iyong intention, so that they can blend.

REP. TINIO. Ngayon, alam ninyo, noong nakita ko itong member of the Wholesale Electricity Spot Market, kumbaga, may mga red flag na sa akin iyan based on our previous experience with the controversy regarding the Malampaya—a few years ago, iyong napakataas na singil sa kuryente na gustong ipataw ng MERALCO na ang dahilan daw ay iyong maintenance or shutdown ng Malampaya. Kailan ba iyon, 2013? I believe that was in 2013. Pagkatapos, oo, nagkaroon ng mahabang imbestigasyon dito sa Kongreso, sa previous Congress, ang Committee on Energy at napag-alaman na iyang Wholesale Electricity Spot Market ay nilalaro pala.

In the words of former Chief Justice Sereno, she said that the players in the WESM are gaming the rules of the spot market para artificially mapataas iyong presyo doon na pinapasa sa porma na napakataas na presyo ng kuryente sa mga consumer. In other words, para sa akin, ano talaga, isang nagiging pamamaraan ng mga power generator ay iyong paglaro sa spot market because there are huge profits that can be made from selling iyong peak power o iyong rates for peak power rather than iyong tinatawag na base load power. Kaya nga po gusto kong maintindihan nang mabuti kung bakit gusto maging player sa Wholesale Electricity Spot Market itong Solar Para Sa Bayan.

REP. YAP (A.). Actually, Mr. Speaker, rather than unahan po natin iyong intensiyon noong kompanya, I think dapat tingnan po natin sa ibang anggulo. Kung ang takot po natin ay gaming, nilalaro po, dapat we should welcome a player like Solar Para Sa Bayan kasi madadagdagan po ang players ngayon sa WESM,

at kapag nadagdagan po, mas mahirap po laruin iyong mga presyo. So, dapat ganoon po sana ang pagtingin po natin dahil ito po ay isang kompanya using a new technology. Gusto naman rin pong makatulong, gusto rin po sigurong kumita to a certain extent, kaya nga may commercial viability but hindi po naman siguro ang intensiyon ay para makapag-participate po sa WESM to take advantage of those rates.

REP. TINIO. Now, Mr. Speaker, can you now explain to me, after talking about all of these generating, iyong terms of franchise, can you talk, can you explain to me the business model of Solar Para Sa Bayan? Paano sila kikita sa negosyong ito, lalo na kung katulad ng sinabi ninyo, pangunahin, ang negosyo nila ay para sa mga unserved or underserved areas? Na kaya nga sila unserved or underserved ay, dahil privatized ang power generation and distribution sa ating bansa, nasa pribadong sektor, sa tingin nila hindi commercially viable iyong mga area na ito. Kaya ngayon, gusto kong maintindihan paano magiging viable na negosyo ito. Anong mayroon sila na hindi magawa noong existing players?

REP. YAP (A.). Kung gagamitin po natin...

REP. TINIO. How do they make money?

REP. YAP (A.). Mr. Speaker, kung gagamitin po natin iyong lumang modelo na may malaking generating factory po tayo ng coal o gagamit po tayo ng diesel, pagkatapos, lalagan po natin ng connecting at distribution lines, posible pong hindi magiging viable doon sa negosyo kung hanggang libliban po siguro ng franchise area nila ay makukuryentehan po nila. Kaya nga po marami po sa mga franchise area po natin all over the country ay hindi na po nabibigyan ng kuryente because the power producers cannot make money from that. This can possibly make money dahil po iyong maliit na isolated at malalayong area na iyon ay stand-alone. Mag-ge-generate po sila ng sariling power nila using solar power or renewable energy, whatever the case may be.

Kasi ang definition po ng minigrad, puwede pong solar, puwede pong geothermal, puwede pong water, puwede hydro— whatever it is po, Mr. Speaker. Doon po sa isolated area na iyon, mag-ge-generate siya doon at mag-di-distribute siya sa area na iyon. Iyon po iyong bagong modelo, bagong teknolohiya na puwede po ngayon. Pero kung gagamitin po natin iyong lumang ehemplo noong malalaking power companies ay talagang gagastos ka nang napakalaki at saka gagastos ka rin sa paglatag ng koneksiyon. So, iyon po ang kaibahan, Mr. Speaker.

REP. TINIO. I understand that.

REP. YAP (A.). Posibleng kumita po iyong isolated dahil mas maliit, may solar panel ka, mayroon kang battery pack, maliit iyong area mo, iyong linya mo ay isang barangay lang o baka hindi pa umabot sa isang barangay. Ganoon lang po iyong phasing dito. So, as a minigrid, posible pong kumita iyong area na iyan.

REP. TINIO. Well, I understand that pero may mga limitasyon din nga ang renewable energies, particularly solar.

REP. YAP (A.). Opo.

REP. TINIO. Halimbawa, let us talk about cost. Kapag may araw, mura ang solar power obviously.

REP. YAP (A.). Opo.

REP. TINIO. Magkano nga po ba ang the cheapest rate?

REP. YAP (A.). Theoretically ho, puwedeng six, puwedeng four, theoretically.

REP. TINIO. Four to six pesos per kilowatt-hour. But that is during daytime, hindi ba?

REP. YAP (A.). Yes, at kung dadagdagan pa po natin, to be realistic, puwede iyong umabot ng eight, nine pesos or P10 per kilowatt-hour.

REP. TINIO. Okay. Pero ang intindi ko rin po, kapag gabi, obviously, wala nang araw, walang solar.

REP. YAP (A.). Kaya nga po may battery pack. Kailangan po may battery pack.

REP. TINIO. Kaya may battery pack, kaya rin kasama sa prangkisa iyong backup gensets. Tama po ba?

REP. YAP (A.). Opo.

REP. TINIO. Para matiyak iyong 24-hour delivery of electricity.

REP. YAP (A.). Operations, opo.

REP. TINIO. Pero kapag pinasukan na natin iyan ng backup gensets, gagamit na po iyan ng krudo, magmamahal na po, hindi po ba?

REP. YAP (A.). Wala po, hindi na po gagamitan ng krudo iyon kapag battery pack po.

REP. TINIO. Hindi, may mga genset dito.

REP. YAP (A.). Actually, Mr. Speaker, kung hybrid system po ay bababa ho iyong presyo kasi mayroon ka pong stability noong main kung krudo at mayroon ka pang solar, kaya babagsak po. Kapag hybrid system po ang laro, ang mangyayari diyan, daytime when there is sunlight, mababa ang power mo. Sa gabi po, kung magswi-switch ka sa backup genset, hybrid system ang pinag-uusapan natin, mas mababa rin po ang electricity rate ninyo dahil po sa gabi, mas mababa po ang electric charge.

REP. TINIO. Yes, pero hindi ito iyong sabi nating four to six pesos per kilowatt-hour. Ngayon, pag-usapan natin iyong actual rates ng Solar Para Sa Bayan sa existing projects niya. Magkano nga po ba iyong actual? I received some information, for example, na sa Paluan sa Mindoro, ang mga rate actually range from P10.40 per kilowatt-hour to as high as P15.31 per kilowatt-hour. Tama po ba ito?

REP. YAP (A.). Alam mo, Mr. Speaker, ipinatawag po namin ang lahat ng kapitan po ng Paluan. Dumating po sila sa isang consultation dito sa House of Representatives at sinabi po nila na iyong rates, may minimum po pero kapag gumamit ka po ng mas maraming power, siyempre magbabayad ka ng additional. So, kino-concede po nila. Iyong minimum po, a certain amount, pagkatapos iyong excess doon, kung gumagamit ka ng mas marami, for example mayroon kang aircon, magbabayad ka ng mas mataas na amount.

REP. TINIO. Okay. However, we are talking about the rate per kilowatt-hour. So, actually, ito iyong sabi sa copies of statements of account, na ganoon po iyong rate from P10.40 to P15.31 per kilowatt-hour. Ang pinupunto ko lang po, hindi ba sa aktuwal, mas mahal ito kaysa sa dini-deliver ng mga coop which is, as far as I know, around eight pesos per kilowatt-hour.

REP. YAP (A.). Ang pag-charge po sa Paluan is eight pesos per kilowatt-hour for the first 40 kilowatt-hours, for the first 40. Kapag sumobra ka doon, then, magbabayad ka ng mas mataas kasi, siyempre, fair lang po iyon, kasi iyong ...

REP. TINIO. Okay, pero ang ...

REP. YAP (A.). ... iyong kasama ninyo ay hindi gumagamit ng aircon.

REP. TINIO. Opo. Ang pino-point out ko lang po rito, o kaya nga iyong question ko po on business model and viability, kasi in practice, mas mahal po iyong kuryente na nade-deliver ng teknolohiyang ito. So, paano kung mas mahal pa pala sila kaysa sa kaya ng

coop? Paano sila—are they, in fact, a viable business? As of now, mukhang hindi.

REP. YAP (A.). Mr. Speaker, kung kakausapin po natin iyong mga kapitan po ng Paluan, Leyte—ng Paluan, Mindoro, kahit na po P20 magbabayad sila dahil po ngayon, wala silang kuryente. Even if the charge is P20 per kilowatt-hour and the national average is eight pesos, they are willing to pay P20 because they have no electricity in the first place.

REP. TINIO. Well...

REP. YAP (A.). Pero, ito nga po, eight pesos per kilowatt-hour for the first 40 at kung dadagdagan pa po kung if you are buying more, e di siyempre, aakyat po. So, to them po, willing po sila to pay at kung ganoon naman po iyong pag-charge noon, iyong Solar Para sa Bayan will be viable po, Sir.

REP. TINIO. Well, pero iyan nga po ang concern natin, na may pangako na sa pamamagitan ng bagong teknolohiya na ito ay makakapag-deliver ng murang kuryente sa mga lugar na hindi kasalukuyang naabot nito. Pero kayo na ngayon ang nagsasabi na kahit na P20 per kilowatt-hour, wala talagang kuryente diyan, ay babayaran iyan ng mga consumers. Well, ang reyalidad po, lalo na sa mga lugar na iyan, iyong karamihan ay hindi kaya iyon. Wala po tayong mapipiga sa bato, wika nga.

So, baka kung ganyan ay hindi rin magkakatotoy iyong sinasabing magkaka-kuryente ang lahat dahil ang mangyayari diyan, iyong may kaya lang. Iyong mga kapitan na sinasabi ninyo, baka kaya nila, pero iyong ordinaryong mga kababayan natin doon, hindi kakayanin ang P20 per kilowatt-hour. Dito sa Metro Manila nga, duda tayo na kaya iyan kahit pa noong mga, sabihin nating, middle class.

REP. YAP (A.). Pero, hindi naman po P20, pero eight pesos per kilowatt-hour lang po for the first 40 hours, and puwede po nating puntahan.

REP. TINIO. Okay. Well, maraming salamat po, Mr. Speaker. Hanggang doon na po iyong clarificatory questions ko. Thank you.

REP. YAP (A.). Maraming salamat po. Thank you, Mr. Speaker.

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

REP. ROA-PUNO. Mr. Speaker, there being no other Member who wishes to interpellate or to speak against the measure, I move that we close

the period of sponsorship and debate. I so move, Mr. Speaker.

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

REP. ROA-PUNO. Mr. Speaker, I move that we open the period of amendments

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

REP. ROA-PUNO. Mr. Speaker, I move to recognize the Hon. Carlos Roman L. Uybarreta of 1-CARE Party-List for his amendments.

THE DEPUTY SPEAKER (Rep. Abu). The Honorable Uybarreta is recognized for his individual amendments.

REP. UYBARRETA. Thank you, Mr. Speaker. Would the distinguished author accept some amendments based on the principles that we discussed earlier during my interpellation?

REP. YAP (A.). Yes, Mr. Speaker.

INDIVIDUAL AMENDMENTS

REP. UYBARRETA. Now, iyon na nga po, iyong sinasabing kinakatakutan ng lahat, na ito ay maging super franchise. Would the distinguished author be amenable to include the word NON-EXCLUSIVE under Section 1, line 4, after the word “assignees,” so it will read: A NON-EXCLUSIVE FRANCHISE.

REP. YAP (A.). Yes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is the Sponsor amenable?

REP. YAP (A.). Yes, Mr. Speaker.

REP. UYBARRETA. At iyon na rin po nga iyong kanina, iyong controlling words natin na laging naririnig from all the interpellators are “unserved,” “underserved,” at “isolated remote areas.” Now, ito rin po iyong kinakatakutan ng karamihan sa atin na sinasabing ang prangkisa na ibibigay ay sakop ang buong Pilipinas. Ngayon po, would the distinguished author accept the amendment that would read: THE FRANCHISEE WOULD ONLY BE ALLOWED TO PUT IN ANY UNSERVED AREAS OR UNDERSERVED AREAS

TO BE DETERMINED BY THE DEPARTMENT OF ENERGY.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). Yes, Mr. Speaker. It says here that “any other areas, as determined by the Department of Energy, which shall include unserved areas and underserved areas.” We yield, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

REP. UYBARRETA. Earlier, you mentioned, Mr. Speaker, that there are certain provinces that you wish to include. May I know from the distinguished author the basis for including these—how many provinces, distinguished author?

THE DEPUTY SPEAKER (Rep. Abu). What is the amendment? Please repeat.

REP. UYBARRETA. May I just know this because I do not know, Mr. Speaker, which provinces the distinguished author was speaking of earlier when he mentioned that he will accept certain amendments as far as the coverage of the franchise is concerned, which will include certain provinces. So, may I know from the Sponsor?

THE DEPUTY SPEAKER (Rep. Abu). The Sponsor will please clarify.

REP. YAP (A.). Mr. Speaker, we have 150 coauthors but there are certain areas which some authors are very insistent na isama po iyong mga probinsiya nila, and that is just six out of 81 provinces in the Philippines—iyon po iyong Aklan, iyong Capiz, Compostela Valley, Davao Oriental, Isabela and Palawan. Iyon po iyong anim lang na humihingi na isama po sila dahil sila po iyong mga areas na mas mataas po at mas nakakarami po sa mga kababayan natin na wala pong kuryente doon at napakamahal po ng kuryente, ng power rates doon.

THE DEPUTY SPEAKER (Rep. Abu). What will be the proposed amendment of the Honorable Uybarreta?

REP. UYBARRETA. I think the amendment I proposed is the one that was accepted by the distinguished author, but he also mentioned several provinces and that is why I am also at a loss because it is not included in the Committee Report that we have here, Mr. Speaker.

SUSPENSION OF SESSION

THE DEPUTY SPEAKER (Rep. Abu). So, what is the suggestion of the Honorable Uybarreta?
The session is suspended.

It was 7:49 p.m.

RESUMPTION OF SESSION

At 7:49 p.m., the session was resumed.

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

The Honorable Uybarreta, kindly state your proposed amendment.

REP. UYBARRETA. To reiterate, Mr. Speaker, my proposed amendment, which was already accepted by the distinguished author, was: THE AREA BE LIMITED TO UNSERVED AREAS AND UNDERSERVED AREAS TO BE DETERMINED BY THE DEPARTMENT OF ENERGY.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Thank you. Next amendment, please.

REP. UYBARRETA. Now, likewise, to allay the fears of other interpellators that basta-basta na lang magko-connect ang franchisee or the grantee of the franchise, under page 2, line number 1, after the word “distribution system,” I propose that the following be included: SUBJECT TO INTERCONNECTION STUDIES REQUIRED BY EITHER THE GRID CODE OR THE DISTRIBUTION CODE WHICH SHALL IN NO WAY DISRUPT THE SYSTEM CURRENTLY IN PLACE.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). The amendment is: SUBJECT TO INTERCONNECTION STUDIES REQUIRED BY EITHER THE GRID CODE OR DISTRIBUTION CODE AS THE CASE MAY BE. That is the amendment I will accept, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment, please.

REP. UYBARRETA. On the same page, page 2, on the definition of Distributable Power Technology, we

delete a portion of line 7, the word “such as”; and to completely delete line 8, line 9, line 10 and thereafter, adjust line 11 to become line 7 and it should read as follows: “Distributable Power Technologies refer to DEVICES, assets, facilities and other technologies of any capacity that may connect directly to customers or end-users or interconnect with transmission or distribution SYSTEM or minigrid SYSTEM AND OTHER TECHNOLOGY AS ARE AVAILABLE OR WILL BE AVAILABLE THROUGH TECHNOLOGICAL ADVANCES OR INNOVATION IN THE FUTURE.”

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). I will just include OTHER RENEWABLE ENERGY FACILITIES. That is all. The amendment is accepted except that we have to include OTHER RENEWABLE ENERGY FACILITIES. That is all.

THE DEPUTY SPEAKER (Rep. Abu). Is the amendment to the amendment acceptable to the proponent?

REP. UYBARRETA. Yes.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment, as amended, is approved.

Next amendment, please.

REP. UYBARRETA. Yes, thank you, Mr. Speaker. On the same page, page 2, line 25, we start with UNSERVED AREAS REFER TO ANY COMMUNITY, BARANGAY, MUNICIPALITY, OR CITIES OR PROVINCES WHERE RESIDENT; we remove “majority of the resident” and continue with RESIDENTS DO NOT RECEIVE ELECTRIC SERVICES; and we remove the phrase “effective electric services from a franchise electric utility.”

REP. YAP (A.). The amendment is accepted, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment.

REP. UYBARRETA. Thank you, Mr. Speaker. Mr. Speaker, we propose the deletion, on page 2, of line 9, line 30, line 31, and line 32; and on page 3, lines 1 to 9.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). Underserved—the entire paragraph on underserved?

REP. UYBARRETA. Yes.

REP. YAP (A.). Yes, that is accepted, the deletion of the entire paragraph on underserved areas.

REP. UYBARRETA. Yes.

THE DEPUTY SPEAKER (Rep. Abu). Is that accepted by the Sponsor?

REP. UYBARRETA. Yes, thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). What does the Majority Leader say?

REP. UYBARRETA. On the same page, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Wait, sandali lang.

What does the House say? Majority Leader?

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

Next amendment.

REP. UYBARRETA. On the same page, page 3, line 11, after the word “all” in the definition of the manner of operation, we insert the word ELECTRIC, so it will be “all ELECTRIC utilities.”

REP. YAP (A.). The amendment is accepted, Mr. Speaker.

REP. UYBARRETA. Thank you.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment.

REP. UYBARRETA. Mr. Speaker, let me put on the record what I have as far as Section 3 is concerned, and it reads as follows: “SECTION 3. AUTHORITY OF THE ENERGY REGULATORY COMMISSION. - THE GRANTEE SHALL SECURE FROM ERC, DOE OR ANY OTHER GOVERNMENT AGENCY, WHICH HAS JURISDICTION OVER THE OPERATION OF THE HEREIN GRANTEE THE NECESSARY CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND OTHER APPROPRIATE PERMITS AND LICENSES FOR THE CONSTRUCTION AND OPERATION OF ITS MINIGRID SYSTEM AS MAY

BE APPLICABLE.” This is also in accordance to the earlier pronouncement of the distinguished Sponsor that the grantee would abide by all existing laws and regulations.

THE DEPUTY SPEAKER (Rep. Abu). Is the Sponsor amendable?

REP. YAP (A.). The amendment is accepted, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment.

REP. UYBARRETA. On page 4, under line 1, after the word “concerned,” we insert the phrase IN ACCORDANCE WITH EITHER THE GRID CODE OR THE DISTRIBUTION CODE AS THE CASE MAY BE.

THE DEPUTY SPEAKER (Rep. Abu). What does the Sponsor say?

REP. YAP (A.). The amendment is accepted, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment, please.

REP. UYBARRETA. Also pursuant to our desire to have minimal provision as far as responsibility of the grantee of the franchise is concerned, we propose that on the same page 4, line 23, after the period (.) after the word “complete,” we put another sentence that reads: THE GRANTEE AND THEIR FRANCHISE SHALL BE SUBJECT TO ANY AND ALL REGULATORY AND APPLICABLE RULES THAT GOVERN PRIVATE AND PUBLIC UTILITIES UNDER THE MAGNA CARTA OF RESIDENTIAL ELECTRIC CONSUMERS AS ADOPTED IN THE RESOLUTION OF ERC DATED JUNE 9, 2014.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). The amendment is accepted, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

Next amendment, please.

REP. UYBARRETA. Thank you, Mr. Speaker. Also to allay all the fears of all the interpellators and our other colleagues as far as the rates are concerned, under Section 6 of the same page, lines 32 to 33, we put a period (.) after the word “ERC.” So, it should read as: “The rate to be charged by the grantee to the end-users shall be regulated by the ERC.” Then, to delete all words thereafter and instead, to include a new sentence: THE ERC SHALL BE GIVEN THREE MONTHS TO DETERMINE THE AUTHORIZED RATES OF THE GRANTEE FOLLOWING WHICH THE GRANTEE SHALL BE AUTHORIZED TO CHARGE THE RATES TO THE END-USERS THAT ARE EQUAL TO OR LOWER THAN THE AVERAGE DISTRIBUTION RETAIL SUPPLY RATES FOR THE PRECEDING SIX MONTHS.

THE DEPUTY SPEAKER (Rep. Abu). What does the Sponsor say?

REP. YAP (A.). Mr. Speaker, subject to style on the phrasing, and on the sin tax, we concede. We accept the amendment.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment, subject to style, is approved.

REP. UYBARRETA. Also, we include another paragraph as far as the obligation of the grantee to unbundle and to make transparent the rate, the entire paragraph be included after line 5, to read as follows: THE GRANTEE SHALL IDENTIFY AND SEGREGATE IN ITS BILL TO THE END-USERS THE COMPONENTS OF THE RETAIL RATES TO THE EXTENT PRACTICABLE. SUCH RATES CHARGED BY THE GRANTEE TO THE END-USERS SHALL BE MADE PUBLIC AND TRANSPARENT. THE GRANTEE SHALL IMPLEMENT LIFELINE RATES TO MARGINALIZED END-USERS SUBJECT TO THE GUIDELINES TO BE PROMULGATED BY THE DOE.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). Subject to “THE GRANTEE SHALL IMPLEMENT LIFELINE RATES TO MARGINALIZED END USERS subject to”—can I get the ...

REP. UYBARRETA. It reads: x x x SUBJECT TO GUIDELINES TO BE PROMULGATED BY THE DOE. The rationale here, Mr. Speaker, is that all distribution utilities ...

THE DEPUTY SPEAKER (Rep. Abu). Wait. Let us first have the reply of the Sponsor.

REP. YAP (A.). Can we just say there—because this could probably lie with another regulatory agency. That is just my concern, Mr. Speaker. Let the appropriate regulatory agency determine that.

THE DEPUTY SPEAKER (Rep. Abu). Do you accept or not?

REP. YAP (A.). I would just like to state if it is possible to just limit it to: THE GRANTEE SHALL IMPLEMENT LIFELINE RATES TO MARGINALIZED END USERS followed by a period (.).

REP. UYBARRETA. I am amenable, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is accepted.

Next amendment, please.

REP. UYBARRETA. Last major amendments, Mr. Speaker. We want to insert a tax provision on the franchise to be numbered as SECTION 10. So after Section 9 on page 5, and on page 6, we insert another section to read as: SECTION 10. TAX PROVISION. THE GRANTEE, ITS SUCCESSORS OR ASSIGNEES SHALL BE SUBJECT TO THE PAYMENT OF ALL DUTIES, FEES OR CHARGES AND OTHER IMPOSITIONS APPLICABLE TO THE PRIVATE ELECTRIC UTILITIES UNDER THE NIRC OF 1997, AS AMENDED BY THE TRAIN LAW, THE LOCAL GOVERNMENT CODE, AND OTHER APPLICABLE LAWS. PROVIDED, THAT NOTHING HEREIN SHALL BE CONSTRUED AS REPEALING ANY SPECIFIC TAX EXCEPTION OR INCENTIVE...

SUSPENSION OF SESSION

THE DEPUTY SPEAKER (Rep. Abu). The Honorable Uybarreta, will you kindly—the session is suspended for one minute.

It was 8:03 p.m.

RESUMPTION OF SESSION

At 8:04 p.m., the session was resumed.

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

Please repeat your amendment, the Honorable Uybarreta.

REP. UYBARRETA. Mr. Speaker, I withdraw my latest amendment.

THE DEPUTY SPEAKER (Rep. Abu). Okay. The next amendment.

REP. UYBARRETA. On page 6, line 28, after the word “entity,” we incorporate the phrase WITHOUT THE PRIOR APPROVAL OF THE CONGRESS OF THE PHILIPPINES.

THE DEPUTY SPEAKER (Rep. Abu). What does the good Sponsor say?

REP. YAP (A.). Forgive me, Mr. Speaker, can I please ask for a repetition of the amendment.

THE DEPUTY SPEAKER (Rep. Abu). Please repeat.

REP. UYBARRETA. Mr. Speaker, I am referring to page 6, line 28, after the word “entity” we insert the phrase WITHOUT THE PRIOR APPROVAL OF THE CONGRESS OF THE PHILIPPINES.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). Mr. Speaker, we will yield to that amendment.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

The next amendment, please.

REP. UYBARRETA. On the same page 6, we propose that after the word “limitation,” we totally delete the sentence “Any person or entity to which this franchise is sold, transferred or assigned shall be subject to the same conditions, terms, restrictions and limitations of this Act.”

THE DEPUTY SPEAKER (Rep. Abu). What does the good Sponsor say?

REP. YAP (A.). We agree, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

The next amendment, please.

REP. UYBARRETA. Thank you, Mr. Speaker. On page 7, under Section 15, Reportorial Requirement, on line 11, after the word “Legislative Franchise,” we include the phrase: AND ENERGY OF THE HOUSE OF REPRESENTATIVES.

THE DEPUTY SPEAKER (Rep. Abu). What does the good Sponsor say?

REP. YAP (A.). We yield, Mr. Speaker. We accept.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

The next amendment, please.

REP. UYBARRETA. On Section 16 of the same page, line 25, we change the word “Five Hundred Pesos (P500.00)” to FIVE THOUSAND PESOS (P5,000.00).”

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). The amendment is accepted, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

The next amendment, please.

REP. UYBARRETA. We propose also an equity clause as Section 17—equality clause rather, sorry, Mr. Speaker; to read as follows: IN THE EVENT THAT ANY COMPETING INDIVIDUAL, PARTNERSHIP OR CORPORATION SHALL RECEIVE A SIMILAR PERMIT OR FRANCHISE WITH TERMS AND/OR PROVISIONS MORE FAVORABLE THAN THOSE HEREIN GRANTED OR WHICH TENDS TO PLACE IN THE HEREIN GRANTEE ANY DISADVANTAGE, SUCH TERM AND/OR PROVISION SHALL BE DEEMED PART THEREOF AND SHALL OPERATE EQUALLY IN FAVOR OF THE HEREIN GRANTEE. PROVIDED, THAT ANY TERMS AND/OR PROVISIONS HEREIN GRANTED WHICH ARE NOT CONTAINED IN OTHER FRANCHISES THAT MAY HEREAFTER BE GRANTED, SHALL LIKEWISE BE ENJOYED BY THE FUTURE GRANTEES.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). I am amenable, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

The next amendment, please.

REP. UYBARRETA. That will be all, Mr. Speaker. Thank you.

REP. YAP (A.). Thank you.

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

REP. ROA-PUNO. Mr. Speaker, I move that we recognize the Hon. Mark O. Go for his individual amendments.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Hon. Mark Go of the Lone District of Baguio is recognized for his individual amendments.

REP. GO (M.). Thank you, Mr. Speaker.

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

REP. GO (M.). On page three, line 30, I would like to request, if this is okay with the Sponsor, to delete the words “equal to or” and insert BY AT LEAST 10 PERCENT (10 %) after “lower,” Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is the good Sponsor amenable?

REP. YAP (A.). Mr. Speaker, unfortunately we cannot agree to the amendment because if it is equal or lower less 20 percent, it might ...

REP. GO (M.). Then, 10 percent, Mr. Speaker.

REP. YAP (A.). Mr. Speaker, can I please ask for reconsideration. We cannot agree to lower any further because the commercial viability of the enterprise will be affected.

THE DEPUTY SPEAKER (Rep. Abu). The amendment was not accepted.

REP. GO (M.). Can we just remove, if it is okay, the words “equal to or”? We just put “CHARGE RATES LOWER THAN THE AVERAGE ERC” so we are assured that it will be lowered because you put the word “equal to or lower,” we might end up having always the same price as that of the existing ERC-approved distribution retail supply rates, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). What does the Sponsor say?

REP. YAP (A.). We will yield, Your Honor.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection from the Body? (*Silence*) The Chair hears none; the amendment is approved.

REP. GO (M.). Thank you, Mr. Speaker.

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

REP. ROA-PUNO. Mr. Speaker, there being no other Member who wishes to introduce individual amendments, I move that we proceed to the Committee amendments.

I so move, Mr. Speaker.

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

REP. ROA-PUNO. Mr. Speaker, there being no Committee amendments, I move that we close the period of amendments.

I so move, Mr. Speaker.

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

SUSPENSION OF CONSIDERATION OF H.B. NO. 8179

REP. ROA-PUNO. Mr. Speaker, I move that we suspend the consideration of House Bill No. 8179 under Committee Report No. 848.

I so move, Mr. Speaker.

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

The consideration of House Bill No. 8179 is hereby suspended.

REP. ROA-PUNO. Mr. Speaker, I move that we proceed to the Additional Reference of Business.

I so move, Mr. Speaker.

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

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

ADDITIONAL REFERENCE OF BUSINESS

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

RESOLUTIONS

House Resolution No. 2340, entitled:

“A RESOLUTION DIRECTING THE APPROPRIATE HOUSE COMMITTEE TO INVESTIGATE, IN AID OF LEGISLATION, THE BRUTAL KILLING OF BUSINESSMAN DOMINIC SYTIN AS WELL AS TO IDENTIFY THE PERPETRATORS RESPONSIBLE FOR HIS DEATH AND BRING THEM TO THE BAR OF JUSTICE WITH THE END IN VIEW OF ADOPTING A MORE AGGRESSIVE INTERDICTION OPERATIONS AGAINST CRIMINALS RIDING ON MOTORCYCLES, AND FOR OTHER PURPOSES”

By Representative Robes

TO THE COMMITTEE ON RULES

House Concurrent Resolution No. 23, entitled:

“CONCURRENT RESOLUTION APPROVING THE TRANSFER, SALE, OR ASSIGNMENT OF THE CONTROLLING INTEREST OF MINDANAO ISLAMIC TELEPHONE COMPANY, INC.”

By Representative Cua

TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

COMMITTEE REPORTS

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 982), re H.B. No. 398, entitled:

“AN ACT ESTABLISHING A SENIOR HIGH SCHOOL IN BARANGAY TANDANG SORA, QUEZON CITY, METRO MANILA TO BE KNOWN AS TANDANG SORA SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment

Sponsors: Representatives Durano, Zamora (M.C.) and Belmonte (J.C.)

TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 983), re H.B. No. 8187, entitled:

“AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY AMBIONG, MUNICIPALITY OF LA TRINIDAD, PROVINCE OF BENGUET TO BE KNOWN AS AMBIONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment
Sponsors: Representatives Durano, Zamora (M.C.)
and Cosalan
TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 984), re H.B. No. 6105, entitled:

“AN ACT ESTABLISHING AN ELEMENTARY SCHOOL IN SITIO CABAGAAYAN, BARANGAY SIBULAN, TORIL DISTRICT, DAVAO CITY TO BE KNOWN AS THE CABAGAAYAN ELEMENTARY SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment
Sponsors: Representatives Durano, Zamora (M.C.)
and Ungab
TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 985), re H.B. No. 5947, entitled:

“AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY FRANCISCO HOMES-MULAWIN, CITY OF SAN JOSE DEL MONTE, PROVINCE OF BULACAN TO BE KNOWN AS MULAWIN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment
Sponsors: Representatives Durano, Zamora (M.C.)
and Robes
TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 986), re H.B. No. 5948, entitled:

“AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAN RAFAEL I, CITY OF SAN JOSE DEL MONTE, PROVINCE OF BULACAN TO BE KNOWN AS SAN RAFAEL NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”

recommending its approval without amendment
Sponsors: Representatives Durano, Zamora (M.C.)
and Robes
TO THE COMMITTEE ON RULES

Report of the Committee on Basic Education and Culture and the Committee on Appropriations (Committee Report No. 987), re H.B. No. 8693, entitled:

“AN ACT SEPARATING THE VILLAMAYOR NATIONAL HIGH SCHOOL – BAGOLATAO ANNEX IN BARANGAY BAGOLATAO, MUNICIPALITY OF MINALABAC, PROVINCE OF CAMARINES SUR FROM THE VILLAMAYOR NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS BAGOLATAO NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 956

Sponsors: Representatives Durano, Zamora (M.C.)
and Villafuerte
TO THE COMMITTEE ON RULES

Report of the Committee on National Defense and Security (Committee Report No. 988), re H.B. No. 7421 in consolidation with H. B. No. 8037, entitled:

“AN ACT STRENGTHENING THE EMPLOYMENT RIGHTS OF MEMBERS OF THE CITIZEN ARMED FORCES OR THE RESERVE FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES”

recommending its approval without amendment
Sponsor: Representative Espino
TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 989), re H.B. No. 8696, entitled:

“AN ACT DECLARING FEBRUARY 1 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF CAMARINES NORTE, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9090, ENTITLED: ‘AN ACT DECLARING FEBRUARY FIRST OF EVERY YEAR AS ‘JOSE MARIAC. PANGANIBAN DAY’ AND A SPECIAL WORKING PUBLIC HOLIDAY IN THE PROVINCE OF CAMARINES NORTE’ ”

recommending its approval in substitution of House Bill No. 4968

Sponsors: Representatives Primicias-Agabas and Unico
TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 990), re H.B. No. 8697, entitled:

“AN ACT DECLARING NOVEMBER 26 OF EVERY YEAR A SPECIAL NONWORKING

HOLIDAY IN THE CITY OF DASMARIÑAS, PROVINCE OF CAVITE, AND ALL ITS BARANGAYS TO BE KNOWN AS THE 'FOUNDATION DAY OF THE CITY OF DASMARIÑAS' ”

recommending its approval in substitution of House Bill No. 7741

Sponsors: Representatives Barzaga and Sy-Alvarado

TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 991), re H.B. No. 8698, entitled:

“AN ACT DECLARING JUNE 16 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE CITY OF BAYBAY, PROVINCE OF LEYTE, TO BE KNOWN AS BAYBAY CITY CHARTER DAY”

recommending its approval in substitution of House Bill No. 8066

Sponsors: Representatives Primicias-Agabas and Cari

TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 992), re H.B. No. 8699, entitled:

“AN ACT DECLARING MARCH 1 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF DAVAO, PROVINCE OF DAVAO, TO BE KNOWN AS THE 'ARAWNG DABAW', REPEALING FOR THE PURPOSE REPUBLIC ACTS NUMBERED 7551 AND 7685”

recommending its approval in substitution of House Bills Numbered 8215 and 8261

Sponsors: Representatives Primicias-Agabas, Garcia-Albano and Ungab

TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 993), re H.B. No. 8700, entitled:

“AN ACT DECLARING DECEMBER 27 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF BAYBAY, PROVINCE OF LEYTE, IN CELEBRATION OF ITS 'BINAYBAYON FESTIVAL' ”

recommending its approval in substitution of House Bill No. 8293

Sponsors: Representatives Primicias-Agabas and Cari

TO THE COMMITTEE ON RULES

Report of the Committee on Public Works and Highways

and the Committee on Appropriations (Committee Report No. 994), re H.B. No. 8702, entitled:

“AN ACT CONVERTING THE STA. IGNACIA-GUIMBA PROVINCIAL ROAD IN THE PROVINCES OF TARLAC AND NUEVA ECIIA VIA GERONA-PURA ROAD STRETCHING FROM BARANGAY NAMBALAN, MUNICIPALITY OF STA. IGNACIA TO BARANGAY BUENAVISTA, MUNICIPALITY OF PURA, ALL IN THE PROVINCE OF TARLAC INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 6157

Sponsors: Representatives Fernando, Zamora (M.C.), Yap (V.) and Cojuangco

TO THE COMMITTEE ON RULES

Report of the Committee on Civil Service and Professional Regulation and the Committee on Appropriations (Committee Report No. 995), re H.B. No. 8703, entitled:

“AN ACT ESTABLISHING A PROFESSIONAL REGULATION COMMISSION (PRC) OFFICE IN THE CITY OF BACOLOD, PROVINCE OF NEGROS OCCIDENTAL, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 3808

Sponsors: Representatives Mariño and Zamora (M.C.)

TO THE COMMITTEE ON RULES

Report of the Committee on Small Business and Entrepreneurship Development and the Committee on Appropriations (Committee Report No. 996), re H.B. No. 8714, entitled:

“AN ACT FURTHER PROMOTING ENTREPRENEURSHIP BY STRENGTHENING, EMPOWERING AND ENHANCING THE FINANCING PROGRAMS FOR MICRO, SMALL AND MEDIUM ENTERPRISES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6977, AS AMENDED, OTHERWISE KNOWN AS THE 'MAGNA CARTA FOR MICRO, SMALL AND MEDIUM ENTERPRISES' ”

recommending its approval in substitution of House Bills Numbered 4498 and 5540

Sponsors: Representatives Laogan, Zamora (M.C.), Limkaichong, Garcia (J.E.), Rodriguez (M.) and Pineda

TO THE COMMITTEE ON RULES

Report of the Committee on Small Business and Entrepreneurship Development and the Committee

on Appropriations (Committee Report No. 997), re H.B. No. 8715, entitled:

“AN ACT ADOPTING INNOVATION AS VITAL COMPONENT OF THE COUNTRY’S DEVELOPMENT POLICIES TO DRIVE INCLUSIVE DEVELOPMENT, PROMOTE THE GROWTH AND NATIONAL COMPETITIVENESS OF MICRO, SMALL AND MEDIUM ENTERPRISES, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bills Numbered 5618, 5701, 6227 and 6476

Sponsors: Representatives Laogan, Zamora (M.C.), Yap (V.), Gatchalian, Villafuerte and Yap (A.)
TO THE COMMITTEE ON RULES

Report of the Committee on Revision of Laws (Committee Report No. 998), re H.B. No. 7856, entitled: “AN ACT DECLARING SEPTEMBER 8 OF EVERY YEAR AS A SPECIAL WORKING HOLIDAY IN THE ENTIRE COUNTRY TO COMMEMORATE THE FEAST OF THE NATIVITY OF THE BLESSED VIRGIN MARY”

recommending its approval without amendment
Sponsors: Representatives Primicias-Agabas and Fariñas

TO THE COMMITTEE ON RULES

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

SUSPENSION OF SESSION

REP. ROA-PUNO. I move for the suspension of the session, Mr. Speaker.

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

It was 8:14 p.m.

RESUMPTION OF SESSION

At 8:15 p.m., the session was resumed.

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

The Majority Leader is recognized.

DESIGNATION OF MEMBERS TO THE CONF. CTTEE. ON CERTAIN HOUSE BILLS

REP. MARCOLETA. Mr. Speaker, the Senate has passed with amendments, several House Bills seeking to grant/renew franchises of certain companies, namely:

House Bills No. 6169, 6170, 6315, 6316, 6431, 6707, 6708, and 8302. We have been informed that the Committee on Legislative Franchises, the sponsor of the said bills, is not in agreement to the amendments introduced by the Senate to the said measures.

In accordance with our rules, I move that we designate the following as members of the Conference Committee on the disagreeing votes on the said House Bills: Reps. Franz E. Alvarez, Sherwin N. Tugna, Jose “Pingping” I. Tejada, Johnny Ty Pimentel and Alfredo A. Garbin Jr.

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

REP. MARCOLETA. Mr. Speaker, we are in receipt of a message from the Senate informing the House that the Senate passed with amendments House Bill No. 6331, reapportioning the Province of Southern Leyte to two Legislative Districts. We have been advised that the Committee on Local Government, the sponsor of the said House Bill, as well as the author thereof, has no objections to the amendments introduced by the Senate.

Mr. Speaker, in accordance with our rules, I move that we concur with the Senate amendments to House Bill No. 6331.

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

REP. MARCOLETA. Mr. Speaker, the Senate has passed with amendments, several House Bills seeking to grant franchises of certain companies, namely ...

SUSPENSION OF SESSION

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

It was 8:16 p.m.

RESUMPTION OF SESSION

At 8:18 p.m., the session was resumed.

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

The Majority Leader is recognized.

CONSIDERATION OF R.B.H. NO. 15 *Continuation*

PERIOD OF SPONSORSHIP AND DEBATE

REP. ROA-PUNO. Mr. Speaker, I move that we

resume the consideration of Resolution of Both Houses No. 15, as contained in Committee Report No. 923, and that the Secretary General be directed to read only the title of the measure.

I so move, Mr. Speaker.

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

The Secretary General is hereby directed to read the title of Resolution of Both Houses No. 15 for the continuation of its consideration on Second Reading.

THE SECRETARY GENERAL. Resolution of Both Houses No. 15, entitled: RESOLUTION OF BOTH HOUSES PROPOSING THE REVISION OF THE 1987 CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES.

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

REP. ROA-PUNO. Mr. Speaker, may we recognize the author and Sponsor of the said resolution, the Hon. Vicente “Ching” S. E. Veloso.

THE DEPUTY SPEAKER (Rep. Abu). What is the parliamentary status of the said Resolution of Both Houses No. 15?

REP. MARCOLETA. Mr. Speaker, we have consulted the records, Mr. Speaker, as to the parliamentary status of R.B.H. No. 15. It appears from the records, Mr. Speaker, that there were already speeches—three speeches for the particular Resolution and there were more than two speeches against.

Mr. Speaker, on the basis of the existing records...

REP. TINIO. Mr. Speaker, Mr. Speaker, Mr. Speaker.

REP. MARCOLETA. I would like to...

REP. TINIO. Mr. Speaker.

REP. MARCOLETA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). The Majority Leader has the floor.

REP. TINIO. I raise a question of quorum.

THE DEPUTY SPEAKER (Rep. Abu). The Majority has the floor.

REP. MARCOLETA. Mr. Speaker, I am invoking Section...

REP. TINIO. Mr. Speaker, I raise a question—Mr. Speaker, I move to adjourn.

REP. MARCOLETA. I still have the floor, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). You have the floor.

REP. TINIO. Mr. Speaker, my motion trumps other motions. It is a privileged motion, Mr. Speaker. I move to adjourn.

THE DEPUTY SPEAKER (Rep. Abu). Majority Leader, please proceed.

REP. MARCOLETA. Mr. Speaker, under Section 54 of our rules...

REP. TINIO. Mr. Speaker, I move to adjourn.

REP. MARCOLETA. I move to close the period of sponsorship and debate on the measure because of the satisfaction of the records that...

REP. TINIO. Mr. Speaker, I move to adjourn.

REP. MARCOLETA. ...there were...

REP. TINIO. This is a privileged motion...

REP. MARCOLETA. ...three speeches for and...

REP. TINIO. Mr. Speaker.

REP. MARCOLETA. ...there were more than two speeches against, Mr. Speaker.

REP. TINIO. Mr. Speaker, I am moving to adjourn, Mr. Speaker.

REP. MARCOLETA. I insist on the motion, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). There is a motion coming from the Majority Leader.

REP. TINIO. Mr. Speaker, my motion is a privileged motion. I move to adjourn.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Abu). There is a

motion to adjourn. As many as are in favor to adjourn, please say *Aye*. (*Silence*) As many as are against, please say *Nay*.

SEVERAL MEMBERS. *Nay*.

THE DEPUTY SPEAKER (Rep. Abu). The *nays* have it; the motion to adjourn is lost. Please proceed.

REP. TINIO. Mr. Speaker, I raised a question of quorum. Mr. Speaker, quorum.

THE DEPUTY SPEAKER (Rep. Abu). Please proceed, Majority Leader.

REP. TINIO. There is no quorum. We cannot conduct business without quorum, Mr. Speaker.

REP. MARCOLETA. The motion stands, Mr. Speaker.

REP. TINIO. Mr. Speaker, very clearly, there is no quorum.

THE DEPUTY SPEAKER (Rep. Abu). There is a motion coming from the Majority Leader and the motion is that—we have already discussed the matter. We have three speeches coming from the...

REP. TINIO. Mr. Speaker.

REP. MARCOLETA. The motion, Mr. Speaker, is only to close the period of sponsorship and debate.

REP. TINIO. I raised a question of quorum, Mr. Speaker.

REP. MARCOLETA. That is all, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection?

REP. TINIO. Mr. Speaker, quorum...

THE DEPUTY SPEAKER (Rep. Abu). The Chair hears none; the motion is approved.

The Majority Leader is recognized.

REP. TINIO. Mr. Speaker, I raised a question of quorum, Mr. Speaker.

ADJOURNMENT OF SESSION

REP. MARCOLETA. Mr. Speaker, I move to adjourn the session until tomorrow, December 4, at three o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Abu). Is there any objection? (*Silence*) The Chair hears none; the session is adjourned until Tuesday, December 4, 2018, at three o'clock in the afternoon.

It was 8:22 p.m.