



# Congressional Record

PLENARY PROCEEDINGS OF THE 14th CONGRESS, FIRST REGULAR SESSION

## HOUSE OF REPRESENTATIVES

Vol. 3

Monday and Tuesday, February 4 and 5, 2008

No. 54-a

### CALL TO ORDER

*At 4:00 p.m., the Deputy Speaker, Rep. Ma. Amelita C. Villarosa, called the session to order.*

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

### NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Villarosa). Everybody will please rise to sing the Philippine National Anthem.

*Everybody rose to sing the Philippine National Anthem.*

THE DEPUTY SPEAKER (Rep. Villarosa). Everybody will please remain standing for the Invocation to be led by Representative Edelmiro Amante of the Second District of Agusan del Norte.

*Everybody remained standing for the Invocation.*

### INVOCATION

REP. AMANTE. O Lord, our God, as we bow our heads in prayer, we raise our hearts to You, seeking for Thy love and Thy affection, to guide us as we discharge our duties. What is wanting in minds, our hearts must be full. O Lord, so that we can serve our people well with love and affection.

*In Jesus name, we pray. Amen*

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

REP. ROMULO. Mme. Speaker, I move to call the roll.

### ROLL CALL

THE DEPUTY SPEAKER (Rep. Villarosa). The Secretary General will call the roll.

THE SECRETARY GENERAL, *reading*:

Abante ..... Present

Abaya ..... Present  
Ablan ..... Present\*  
Agbayani ..... Present  
Aggabao ..... Present  
Agyao ..... Present  
Albano ..... Present  
Alcala ..... Present  
Alfelor ..... Present  
Almario ..... Present  
Alvarez, Antonio C. .... Present  
Alvarez, Genaro  
    Rafael III K. .... Present  
Amante ..... Present  
Amatong ..... Present  
Angara ..... Present  
Angping ..... Present  
Antonino ..... Present  
Antonino-Custodio ..... Present  
Apostol ..... Present  
Aquino, Agapito A. .... Present  
Arago ..... Present  
Arbison ..... Present  
Arenas ..... Present  
Arnaiz ..... Present  
Arroyo, Diosdado  
    Macapagal ..... Present  
Arroyo, Ignacio "Iggy" T. ....  
Asilo ..... Present  
Bagatsing ..... Present  
Balindong ..... Present  
Barzaga ..... Present  
Bautista ..... Present  
Belmonte ..... Present  
Beltran ..... Present  
Biazon ..... Present  
Bichara ..... Present  
Binay ..... Present  
Biron ..... Present  
Bondoc .....  
Bonoan-David ..... Present  
Bravo ..... Present  
Briones ..... Present  
Bulut ..... Present  
Cabilao ..... Present  
Cagas ..... Present  
Cajayon ..... Present  
Cajes ..... Present

\* Appeared before/after the roll call

Cari .....	Present	Garay .....	Present
Casiño .....	Present	Garcia, Albert S. ....	Present
Castelo-Daza .....	Present	Garcia, Pablo P. ....	Present
Castro .....	Present	Garcia, Pablo John F. ....	Present
Cayetano .....	Present	Garcia, Vincent J. ....	Present*
Celeste .....	Present	Garin .....	Present
Cerilles .....	Present	Gatchalian .....	Present
Chatto .....	Present	Gatlabayan .....	Present
Chavez .....	Present	Go .....	Present
Chiongbian .....	Present	Golez .....	Present
Chipeco .....	Present	Gonzales, Aurelio	
Chong .....	Present	"Dong" Jr. D. ....	Present
Chungalao .....	Present	Gonzales, Neptali II M. ....	Present
Clarete .....	Present	Gonzalez .....	Present
Climaco .....	Present	Guingona .....	
Codilla .....	Present	Gullas .....	Present
Cojuangco, Mark O. ....	Present	Gunigundo .....	Present*
Coquilla .....	Present	Hataman .....	Present
Coscolluela .....	Present	Hofer .....	Present
Crisologo .....	Present	Hontiveros-Baraquel ....	Present
Cruz-Gonzales .....	Present	Ilagan .....	Present
Cua, Guillermo P. ....	Present	Jaafar .....	Present
Cua, Junie E. ....	Present	Jala .....	Present
Cuenco .....	Present	Jalosjos .....	
Dangwa .....	Present*	Jalosjos-Carreón .....	Present
Datumanong .....	Present	Javier .....	Present
Dayanghirang .....	Present	Jikiri .....	Present
Daza .....	Present	Joson .....	Present
De Guzman .....	Present*	Kho .....	Present
De Venecia .....	Present	Labadlabad .....	
Defensor, Arthur Sr.D. ....	Present	Lacson .....	Present
Defensor, Matias Jr. V. ....	Present	Lagbas .....	Present
Del Mar .....	Present	Lagdameo .....	Present
Del Rosario .....	Present	Lagman .....	Present
Diasnes .....	Present	Lapus .....	Present
Díaz .....	Present	Lazatin .....	Present
Dilangalen .....	Present	Ledesma .....	Present *
Dimaporo .....	Present	Lim .....	Present
Dominguez .....		Limkaichong .....	Present
Domogan .....	Present*	Locsin .....	Present
Duavit .....	Present	Lopez, Jaime C. ....	Present
Dueñas .....	Present	Macapagal Arroyo M. ....	Present
Dumarpa .....	Present	Madrona .....	Present
Dumpit .....	Present	Magsaysay, Ma.	
Durano .....	Present	Milagros "Mitos" H. ....	Present
Dy, Faustino		Malapitan .....	Present
"Bojie" III G. ....	Present	Mamba .....	Present*
Ecleo .....	Present	Mandanas .....	Present
Emano .....	Present	Mangudadatu .....	Present
Enverga .....	Present	Marañon .....	Present
Ermite-Buhain .....	Present*	Marcos .....	Present
Escudero .....	Present	Matugas .....	Present
Estrella, Conrado III M. ....	Present	Maza .....	Present
Estrella, Robert		Mendoza .....	Present
Raymund M. ....	Present	Mercado .....	Present
Fabian .....	Present	Miraflores .....	Present
Fernandez .....	Present	Mitra .....	Present
Ferrer .....	Present	Nava .....	Present
Fua .....	Present	Nicolas .....	Present
Fuentebella .....	Present	Noel .....	Present

\* Appeared before/after the roll call

Nograles ..... Present\*  
 Ocampo ..... Present  
 Olaño ..... Present  
 Ong ..... Present  
 Ortega ..... Present  
 Pablo ..... Present  
 Padilla ..... Present  
 Pancho ..... Present  
 Pancrudo ..... Present  
 Piamonte ..... Present  
 Pichay ..... Present  
 Pingoy ..... Present  
 Piñol ..... Present  
 Plaza ..... Present  
 Ponce-Enrile ..... Present  
 Prieto-Teodoro ..... Present  
 Puentevella ..... Present  
 Puno ..... Present  
 Ramiro ..... Present\*  
 Remulla, Jesus Crispin C. .... Present  
 Reyes, Carmencita O. .... Present  
 Reyes, Victoria  
     Hernandez ..... Present  
 Robes ..... Present  
 Rodriguez ..... Present  
 Rodriguez-Zaldarriaga ..... Present  
 Roman ..... Present  
 Romarate ..... Present  
 Romualdez ..... Present  
 Romualdo ..... Present  
 Romulo ..... Present  
 Roxas ..... Present  
 Salimbangon ..... Present  
 Salvacion ..... Present  
 San Luis ..... Present  
 Sandoval ..... Present\*  
 Santiago, Joseph A. .... Present  
 Santiago, Narciso III D. .... Present\*  
 Seachon-Lanete ..... Present  
 Seares-Luna ..... Present  
 Silverio ..... Present  
 Singson, Eric D. .... Present\*  
 Singson, Ronald V. .... Present  
 Solis ..... Present  
 Soon-Ruiz ..... Present  
 Suarez ..... Present  
 Susano ..... Present  
 Sy-Alvarado ..... Present  
 Syjuco ..... Present  
 Taliño-Mendoza ..... Present  
 Tan ..... Present  
 Tañada ..... Present  
 Teodoro ..... Present  
 Teves .....  
 Tieng ..... Present  
 Tupas ..... Present  
 Umali, Alfonso Jr. V. .... Present  
 Umali, Czarina D ..... Present  
 Ungab ..... Present  
 Uy, Edwin C. .... Present\*

Uy, Reynaldo S. .... Present  
 Uy, Rolando  
     “Klarex” A. .... Present  
 Valdez ..... Present  
 Valencia .....  
 Vargas ..... Present  
 Velarde ..... Present  
 Villafuerte ..... Present  
 Villanueva ..... Present  
 Villar ..... Present\*  
 Villarosa ..... Present  
 Vinzons-Chato ..... Present  
 Violago ..... Present  
 Yap ..... Present  
 Yu ..... Present  
 Zamora, Manuel  
     “Way Kurat” E. .... Present  
 Zamora, Ronaldo B. .... Present  
 Zialcita ..... Present  
 Zubiri ..... Present\*

The House is in receipt of the official advice of absence of the following Members: Representatives Dominguez and Teves. Representatives Arroyo (I.) and Bonoan-David are on official mission abroad.

The Speaker is present.

THE SECRETARY GENERAL. The roll call shows that 214 Members responded to the call.

REP. MITRA. Mr. Speaker, I move that we declare the position of Speaker vacant.

REP. PLAZA. Mr. Speaker, I object.

REP. DEFENSOR (A.). Mr. Speaker.

THE SPEAKER. With 214 Members of the House responding to the call of the distinguished Secretary General, the Chair hereby declares the presence of an overwhelming quorum in the House of Representatives.

The distinguished Majority Leader is recognized.

#### SUSPENSION OF SESSION

REP. DEFENSOR (A.). Mr. Speaker, I move for a suspension of session.

REP MITRA. Mr. Speaker, may I move that we declare the position of the Speaker vacant.

THE SPEAKER. It has been moved by the distinguished Majority Leader that the session be suspended for a few minutes. The session is suspended.

*It was 4:12 p.m.*

#### RESUMPTION OF SESSION

*At 4:23 p.m., the session was resumed with Deputy Speaker Simeon A. Datumanong presiding.*

\* Appeared before/after the roll call

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

The Floor Leader is recognized.

#### APPROVAL OF THE JOURNALS

REP. ROMULO. Mr. Speaker, I move that we approve Journal No. 52, Tuesday, January 29, 2008 and Journal No. 53, Wednesday, January 30, 2008.

THE DEPUTY SPEAKER (Rep. Datumanong). Is there any objection to the approval of Journals No. 52 and 53? (*Silence*) The Chair hears none; the Journals are so approved.

REP MITRA. Mr. Speaker.

REP. ROMULO. Mr. Speaker.

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

REP. ROMULO. I move that we proceed to the Reference of Business. For that purpose, I ask that the Secretary General be directed to read the same.

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

The Secretary General will please read the Reference of Business.

#### REFERENCE OF BUSINESS

*The Secretary General read the following House Bills and Resolutions on First Reading, Message from the Senate, and Communication, and the Deputy Speaker made the corresponding references:*

#### BILLS ON FIRST READING

House Bill No. 3417, entitled:

“AN ACT PROVIDING FOR THE MANDATORY PREGNANCY TESTING OF ALL WOMEN OF CHILDBEARING AGE WHO WILL UNDERGO COSMETIC PROCEDURES THAT ARE HARMFUL TO PREGNANT WOMEN AND UNBORN CHILDREN, AND DISCLOSURE OF THE POTENTIAL RISKS OF SUCH PROCEDURES AND FOR OTHER PURPOSES”

By Representative Cajayon  
TO THE COMMITTEE ON HEALTH

House Bill No. 3418, entitled:

“AN ACT MAKING MANDATORY THE REGISTRATION OF COMPUTER USERS IN INTERNET CAFES AND OTHER SIMILAR ESTABLISHMENTS”

By Representative Cajayon  
TO THE COMMITTEE ON INFORMATION AND COMMUNICATIONS TECHNOLOGY

House Bill No. 3419, entitled:

“AN ACT CHANGING THE NAME OF REAL STREET IN DUMAGUETE CITY TO MAYOR RAMON TEVES PASTOR SR. STREET”

By Representative Arnaiz  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 3420, entitled:

“AN ACT ALLOCATING THE TRAVEL TAX COLLECTION TO THE PHILIPPINE TOURISM AUTHORITY, AMENDING THEREBY PRESIDENTIAL DECREE NO. 1183, AS AMENDED, AND REPUBLIC ACT NO. 7722, AND FOR OTHER PURPOSES”

By Representative Rodriguez  
TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 3421, entitled:

“AN ACT LIBERALIZING THE CIVIL AVIATION INDUSTRY AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED 776 OTHERWISE KNOWN AS ‘THE CIVIL AERONAUTICS ACT OF THE PHILIPPINES AND FOR OTHER PURPOSES”

By Representative Rodriguez  
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 3422, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 6657, ALSO KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW, SECTION 3 (C)”

By Representative Rodriguez  
TO THE COMMITTEE ON AGRARIAN REFORM

House Bill No. 3423, entitled:

“AN ACT PROFESSIONALIZING THE GOVERNMENT ACCOUNTING SERVICE TO SERVE AS A TOOL FOR EFFECTIVE MANAGEMENT AND CONTROL OF GOVERNMENT RESOURCES, CREATING FOR THE PURPOSE THE GOVERNMENT ACCOUNTANCY OFFICE UNDER THE DEPARTMENT OF BUDGET AND MANAGEMENT AND FOR OTHER PURPOSES”

By Representative Rodriguez  
TO THE COMMITTEE ON GOVERNMENT REORGANIZATION AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 3424, entitled:

“AN ACT SETTING LIMITS ON THE POWER OF THE PRESIDENT TO REAPPOINT BYPASSED NOMINEES”

By Representative Rodriguez  
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3425, entitled:

“AN ACT REQUIRING THE USE OF PHILIPPINE-MADE MATERIALS IN CONTRACTS FOR PUBLIC WORKS AND PROVIDING FOR THE

BLACKLISTING OF CONTRACTORS VIOLATING  
SUCH REQUIREMENT”

By Representative Rodriguez  
TO THE COMMITTEE ON PUBLIC WORKS AND  
HIGHWAYS

House Bill No. 3426, entitled:

“AN ACT PROHIBITING THE MANUFACTURE  
AND SALE OF IMITATION FIREARMS”

By Representative Rodriguez  
TO THE COMMITTEE ON PUBLIC ORDER AND  
SAFETY

House Bill No. 3427, entitled:

“AN ACT TO PROHIBIT ANY EMPLOYER,  
LABOR CONTRACTOR AND LABOR  
ORGANIZATION FROM DISCRIMINATING  
AGAINST ANY INDIVIDUAL BECAUSE OF  
THE INDIVIDUAL’S AGE”

By Representative Rodriguez  
TO THE COMMITTEE ON LABOR AND  
EMPLOYMENT

House Bill No. 3428, entitled:

“AN ACT PENALIZING DISOBEDIENCE TO THE  
WRIT OF HABEAS CORPUS AND OTHER  
ACTS AND FOR OTHER PURPOSES”

By Representative Rodriguez  
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3429, entitled:

“AN ACT PROVIDING FOR AVIATION NOISE  
MANAGEMENT AND REDUCTION IN  
RESIDENTIAL AREAS”

By Representative Rodriguez  
TO THE COMMITTEE ON ECOLOGY

House Bill No. 3430, entitled:

“AN ACT TO INSTITUTIONALIZE THE BASIC  
SERVICE OF INTEGRATED SOLID WASTE  
COLLECTION AND DISPOSAL IN ALL LOCAL  
GOVERNMENT UNITS, AMENDING FOR THE  
PURPOSE THE ‘LOCAL GOVERNMENT CODE  
OF 1991’, REPUBLIC ACT NO. 7160, AND FOR  
OTHER PURPOSES”

By Representative Rodriguez  
TO THE COMMITTEE ON ECOLOGY

House Bill No. 3431, entitled:

“AN ACT PROVIDING FOR AN EXPANDED  
VOUCHER SYSTEM IN THE ELEMENTARY  
AND SECONDARY EDUCATION,  
AMENDING FOR THE PURPOSE REPUBLIC  
ACT NO. 6728, AS AMENDED”

By Representative Rodriguez  
TO THE COMMITTEE ON BASIC EDUCATION  
AND CULTURE

House Bill No. 3432, entitled:

“AN ACT CREATING ONE CIRCUIT SHARI’A COURT  
IN THE MUNICIPALITY OF KALAMANSIG,  
SECOND DISTRICT OF SULTAN KUDARAT”

By Representative Go  
TO THE COMMITTEE ON JUSTICE AND THE  
COMMITTEE ON MUSLIM AFFAIRS

House Bill No. 3433, entitled:

“AN ACT REPEALING REPUBLIC ACT 9337,  
OTHERWISE KNOWN AS THE ACT  
AMENDING SECTIONS 27, 28, 34, 106, 107, 108,  
109, 110, 111, 112, 113, 114, 116, 119, 121, 148,  
151, 236, 237 AND 288 OF THE NATIONAL  
INTERNAL REVENUE CODE OF 1997, AS  
AMENDED, AND FOR OTHER PURPOSES”

By Representatives Maza, Ilagan, Beltran, Ocampo and  
Casiño

TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 3434, entitled:

“ISANG PANUKALANG BATAS NA NAG-  
AAMYENDA SA SEK. 2 NG BATAS  
REPUBLIKA BLG. 1827 UPANG MAKAPAGTAKDA NG MAS MABIGAT NA PARUSA  
SA MGA KASANGKOT SA DI-PATAS AT DI-  
ETIKAL NA ASAL SA PAGLA-LOBBY”

(“AN ACT AMENDING SEC. 2 OF REPUBLIC ACT  
NO. 1827 SO AS TO IMPOSE HIGHER  
PENALTIES FOR THOSE ENGAGED IN  
UNFAIR AND UNETHICAL LOBBYING  
PRACTICES”)

By Representative Joson  
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 3435, entitled:

“ISANG PANUKALANG BATAS NA  
MAGSASAINSTITUSYON SA SISTEMANG  
VOUCHER O VOUCHER SYSTEM PARA SA  
PAGKAIN, GASOLINA, GAMOT AT  
TRABAHONG PANG-EMERGENCY, PAGLA-  
LAAN NG PONDO PARA RITO, AT PARA SA  
IBA PANG LAYUNIN”

(“AN ACT INSTITUTIONALIZING THE VOUCHER  
SYSTEM FOR FOOD, FUEL, MEDICINE AND  
EMERGENCY EMPLOYMENT, APPROPRIATING FUNDS THEREFOR AND FOR  
OTHER PURPOSES”)

By Representative Joson  
TO THE COMMITTEE ON SOCIAL SERVICES

House Bill No. 3436, entitled:

“ISANG PANUKALANG BATAS NA NAG-  
AAMYENDA SA SEKSIYON 32 NG BATAS  
REPUBLIKA BLG. 9211 UPANG MAGTAKDA  
NG MAS MABIGAT NA PARUSA SA  
PAGBEBENTA AT/O DISTRIBUSYON NG  
SIGARILYO AT IBA PANG PRODUCKTONG  
TABAKO SA MGA MENOR DE EDAD AT  
PARA PA SA IBANG LAYUNIN”

(“AN ACT AMENDING SECTION 32 OF REPUBLIC  
ACT NO. 9211 SO AS TO IMPOSE STIFFER  
PENALTIES FOR THE SALE AND/OR  
DISTRIBUTION OF CIGARETTE AND OTHER  
TOBACCO PRODUCTS TO MINORS AND FOR  
OTHER PURPOSES”)

By Representative Joson  
TO THE COMMITTEE ON TRADE AND INDUSTRY

House Bill No. 3437, entitled:

“AN ACT PROVIDING FOR EARLY HOLDING OF REGULAR NATIONAL AND LOCAL ELECTIONS IN THE AUTONOMOUS REGIONS IN MUSLIM MINDANAO AND FOR OTHER PURPOSES”

By Representative Romualdo  
TO THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

House Bill No. 3438, entitled:

“AN ACT DECLARING AUGUST 28 OF EVERY YEAR AS A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF CAGAYAN DE ORO TO BE KNOWN AS ‘CAGAYAN DE ORO CITY DAY’”

By Representative Uy (R.A.)  
TO THE COMMITTEE ON REVISION OF LAWS

#### RESOLUTIONS

House Resolution No. 418, entitled:

“RESOLUTION STRONGLY OPPOSING PRESIDENT GLORIA MACAPAGAL ARROYO’S TERM EXTENSION OF ARMED FORCES CHIEF-OF-STAFF HERMOGENES ESPERON JR., UNDER WHOSE WATCH THE ARMED FORCES OF THE PHILIPPINES HAS BEEN GRAVELY IMPLICATED IN THE COMMISSION OF EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES OF MEMBERS OF MILITANT AND ORGANIZATIONS UNDER THE COUNTER-INSURGENCY PROGRAMS OPLAN BANTAY LAYA I AND II, FOR BEING A VIOLATION OF THE CONSTITUTION AND GRAVE THREAT TO DEMOCRACY AND HUMAN RIGHTS IN THE COUNTRY”

By Representatives Ocampo, Casiño, Beltran, Maza and Ilagan  
TO THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY

House Resolution No. 419, entitled:

“A RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE PROPOSAL TO IMPLEMENT A NATIONAL IDENTIFICATION (ID) SYSTEM IS REPRESSIVE AND UNCONSTITUTIONAL AND WILL NOT SOLVE THE PROBLEM OF CRIMINALITY, TERRORISM AND THE LACK OF ACCESS TO SOCIAL SERVICES IN THE COUNTRY”

By Representatives Maza, Ilagan, Beltran, Ocampo, and Casiño  
TO THE COMMITTEE ON JUSTICE

House Resolution No. 420, entitled:

“RESOLUTION URGING THE HOUSE OF REPRESENTATIVES THROUGH THE

COMMITTEE ON POPULATION AND FAMILY RELATIONS AND COMMITTEE ON LOCAL GOVERNMENT TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE ISSUANCE OF BIRTH CERTIFICATE TO MINORS FOR DEPLOYMENT AS DOMESTIC HELPERS IN THE MIDDLE EAST”

By Representative Abante  
TO THE COMMITTEE ON RULES

House Resolution No. 421, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON GOOD GOVERNMENT TO CONDUCT AN INQUIRY ON THE PROLIFERATION OF SMUGGLED VEHICLES AND GOODS IN THE COUNTRY AND TO DETERMINE THE EXTENT OF LIABILITY OF THE AGENCIES AND THE PERSONNEL INVOLVED IN THESE ILLEGAL ACTIVITIES AND FOR OTHER PURPOSES”

By Representative Romualdo  
TO THE COMMITTEE ON RULES

House Resolution No. 422, entitled:

“A RESOLUTION URGING THE HOUSE COMMITTEE ON ENERGY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MEMORANDUM OF AGREEMENT BETWEEN THE PHILIPPINE NATIONAL OIL CO. AND NORTHERN MINDANAO ELECTRIC COOPERATIVE TO FACILITATE THE DEVELOPMENT OF BULANOG-BATANG HYDROPOWER PROJECT IN BUKIDNON”

By Representative Rodriguez  
TO THE COMMITTEE ON RULES

House Resolution No. 424, entitled:

“RESOLUTION URGING THE COMMITTEE ON EDUCATION TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE REPORTED ANOMALOUS PRACTICE OF SOME OFFICIALS IN THE DEPARTMENT OF EDUCATION IN ASSIGNING/APPOINTING DIVISION SUPERINTENDENTS, DISTRICT SUPERVISORS, SCHOOL PRINCIPAL, AND OTHER SCHOOL OFFICIALS WITHOUT CONSULTING THE LOCAL SCHOOL BOARDS IN TOTAL DISREGARD OF THE LOCAL GOVERNMENT CODE AND TO RECOMMEND APPROPRIATE MEASURES THEREOF”

By Representative Ferrer  
TO THE COMMITTEE ON RULES

House Resolution No. 425, entitled:

“RESOLUTION STRONGLY URGING PRESIDENT GLORIA MACAPAGAL- ARROYO TO IMMEDIATELY TRANSMIT TO THE PHILIPPINE SENATE FOR RATIFICATION THE 1998 ROME STATUTE CREATING THE INTERNATIONAL CRIMINAL COURT (ICC)

FOR THE PROSECUTION OF THE GRAVEST  
CRIMES UNDER INTERNATIONAL LAW”

By Representatives Ocampo, Casiño, Beltran, Maza and  
Ilagan

TO THE COMMITTEE ON FOREIGN AFFAIRS

House Resolution No. 426, entitled:

“RESOLUTION CALLING FOR THE REJECTION  
OF THE STATUS OF VISITING FORCES  
AGREEMENT BETWEEN THE PHILIPPINE  
AND AUSTRALIAN GOVERNMENTS  
SIGNED ON MAY 31, 2007 WHICH ALLOWS  
THE ENTRY OF AUSTRALIAN DEFENSE  
FORCES IN THE COUNTRY UNDER THE  
GUISE OF CONDUCTING JOINT MILITARY  
EXERCISES IN VIOLATION OF PHILIPPINE  
SOVEREIGNTY AND THE EXPLICIT  
CONSTITUTIONAL BAN ON THE  
PRESENCE OF FOREIGN TROOPS IN THE  
COUNTRY WITHOUT A TREATY  
CONCURRED IN BY THE SENATE”

By Representatives Ocampo, Casiño, Beltran, Maza and  
Ilagan

TO THE COMMITTEE ON FOREIGN AFFAIRS AND  
THE COMMITTEE ON NATIONAL DEFENSE

House Resolution No. 427, entitled:

“RESOLUTION PROVIDING FOR AN  
AMENDMENT TO THE LEGISLATIVE  
CALENDAR FOR THE FIRST REGULAR  
SESSION OF THE FOURTEENTH CONGRESS  
OF THE PHILIPPINES”

By Representatives Ocampo, Casiño, Beltran, Maza and  
Ilagan

TO THE COMMITTEE ON RULES

House Resolution No. 428, entitled:

“A RESOLUTION DIRECTING THE HOUSE  
COMMITTEE ON ECONOMIC AFFAIRS TO  
LOOK INTO THE POSSIBLE REPERCUSSIONS  
OF THE ONGOING ECONOMIC SLOWDOWN  
IN THE UNITED STATES WITH THE END IN  
VIEW OF DETERMINING THE PHILIPPINE  
GOVERNMENT’S LEVEL OF PREPAREDNESS  
IN IMPLEMENTING REMEDIAL MEASURES  
AND THE NECESSARY LEGISLATION  
NEEDED TO MITIGATE ANY NEGATIVE  
EFFECT”

By Representatives Ocampo, Casiño, Beltran, Maza and  
Ilagan

TO THE COMMITTEE ON ECONOMIC AFFAIRS

House Resolution No. 429, entitled:

“RESOLUTION GIVING CONSENT TO THE  
HONORABLE HILARIO G. DAVIDE JR.  
PHILIPPINE AMBASSADOR AND  
PERMANENT REPRESENTATIVE TO THE  
UNITED NATIONS, TO ACCEPT THE PAPAL  
AWARD OF KNIGHT OF THE GRAND CROSS  
OF THE ORDER OF ST. SYLVESTER”

By Representative Gullas

TO THE COMMITTEE ON RULES

MESSAGE FROM THE SENATE

Message dated January 30, 2008 informing the House of  
Representatives that the Senate on even date passed  
Senate Bill No. 1874, entitled:

“AN ACT DECLARING MAY 7 OF EVERY YEAR  
AS ‘HEALTH WORKERS’ DAY’ ”

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

TO THE COMMITTEE ON RULES

COMMUNICATION

Letter dated January 23, 2008 of Armando L. Suratos,  
Officer-in-Charge, Office of the Governor, Bangko  
Sentral ng Pilipinas, submitting a Report to  
Congress on Public and Publicly-Guaranteed  
Private Sector Foreign Loans Approved by the BSP  
in the Fourth Quarter of 2007 and the whole of  
2007

TO THE COMMITTEE ON BANKS AND  
FINANCIAL INTERMEDIARIES

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

SUSPENSION OF SESSION

REP. ROMULO. Mr. Speaker, I ask for a suspension of  
session.

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

*It was 4:30 p.m.*

RESUMPTION OF SESSION

*At 4:32 p.m., the session was resumed.*

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

REP. ROMULO. Mr. Speaker.

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

REP. ROMULO. Mr. Speaker, I move that we recognize  
the Honorable Baham Mitra from Palawan.

THE DEPUTY SPEAKER (Rep. Datumanong). The  
Gentleman from Palawan is recognized.

For what pleasure does he rise?

REP. MITRA. Mr. Speaker, I would like to present  
a motion. I move to declare the position of Speaker  
vacant.

REP. SOLIS. I second the motion.

REP. DILANGALEN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Datumanong). The Minority Leader is recognized.

REP. ZAMORA (R.). Mr. Speaker, I would like to ask a number of questions and I hope the son of the first Speaker of the House of Representatives under this Constitution will be prepared...

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

#### SUSPENSION OF SESSION

THE DEPUTY SPEAKER (Rep. Datumanong). With the permission of the Gentlemen on the floor, the session is suspended.

*It was 4:33 p.m.*

#### RESUMPTION OF SESSION

*At 6:27 p.m., the session was resumed with Deputy Speaker Arnulfo P. Fuentebella presiding.*

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

REP. DEFENSOR (A.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). Will the Majority Leader please state the parliamentary situation.

REP. DEFENSOR (A.). Before the session was suspended, the distinguished Minority Leader was about to take the floor. He wanted to seek recognition. But before he could be recognized by the Speaker and state the reason for his rising, the distinguished Gentleman from Agusan del Sur raised a point of order. But after conferring with the distinguished Gentleman from Agusan del Sur, the Honorable Plaza, he informed this Representation that he is no longer pursuing his point of order.

That is the parliamentary situation.

THE DEPUTY SPEAKER (Rep. Fuentebella). All right. Let us go step by step and dispose of these pending actions. The point of order was raised by the Gentleman from Agusan del Sur.

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

THE DEPUTY SPEAKER (Rep. Fuentebella). He is now standing up.

What is the pleasure of the Gentleman from Agusan?

REP. PLAZA. Yes, Mr. Speaker.

Mr. Speaker, earlier, there was a motion from the distinguished colleague from Palawan, Congressman Baham Mitra, to declare the position of the Speaker vacant and duly seconded by another Member, Congressman Solis. Immediately thereafter, my distinguished colleague, Congressman Zamora from San

Juan stood up to speak.

To my mind, Mr. Speaker, the issue of that motion duly seconded is non-debatable. However, if the issue is totally different from the issue raised by my distinguished colleague from San Juan is totally different from the motion, I am withdrawing my point of order in order to facilitate and expedite the proceedings.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman's withdrawal is conditional.

REP. PLAZA. Of course.

THE DEPUTY SPEAKER (Rep. Fuentebella). Can the Gentleman now withdraw absolutely so that we can push through with our proceedings?

REP. PLAZA. Yes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). All right. The Gentleman from Agusan del Sur has withdrawn his point of order.

The Majority Leader is recognized.

REP. ZAMORA (R.) Thank you, Mr. Speaker.

Thank you, Mr. Speaker.

REP. MITRA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Palawan is recognized.

REP. MITRA. Mr. Speaker, with due courtesy to the Minority Leader and the Speaker of the House, I would like to object and I would like to ask that we resolve the pending motion. I so move, Mr. Speaker.

#### SUSPENSION OF SESSION

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

*It was 6:31 p.m.*

#### RESUMPTION OF SESSION

*At 6:34 p.m., the session was resumed.*

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

REP. CASIÑO. Point of order, Mr. Speaker

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from the party list, the Honorable Casiño, is recognized.

REP. CASIÑO. Mr. Speaker, under Section 126 of our Rules, Questions of Privilege, questions of privilege are those affecting the duties, conduct, rights, privileges, dignity,

integrity or reputation of the House or of its Members, collectively or individually. Subject to the 10-minute rule, every Member has the right to raise a question of personal or collective privilege. (*Applause*) However, prior to availing of this right, a Member shall seek the permission of the Chair, which shall, in turn, allow the Member to proceed upon a determination that the request is in order. On Mondays, a Member who has registered to speak on a specific subject matter in the Privilege Hour cannot rise on a Question of Personal or Collective Privilege on the same subject matter.

Mr. Speaker, given Section 126...

THE DEPUTY SPEAKER (Rep. Fuentebella). The Chair would like to interrupt the Gentleman—he is reading from the old Rules. Does he have a copy of the new Rules? He is citing a different section.

REP. GARCIA (P.). Mr. Speaker, I have a copy of the new Rules.

REP. CASIÑO. In the new Rules, Mr. Speaker,....

REP. GARCIA (P.). May I read.

REP. CASIÑO. ... that is Section 100 ...Question of Privilege. I am sorry, Mr. Speaker, I have the old Rules. But the same thing is stated in the new Rules, Section 100.

Mr. Speaker, on that light, I think it is but proper and decent for us to allow the Speaker of the House to rise on a question of personal privilege. (*Applause*)

THE DEPUTY SPEAKER (Rep. Fuentebella). Order, order.

REP. CASIÑO. Huwag naman ho tayong masyadong malupit. (*Applause*)

THE DEPUTY SPEAKER (Rep. Fuentebella). Order, order.

REP. CASIÑO. Tatarakan na natin sa likod, hindi pa nating pagsasalitain, Mr. Sepaker. Thank you.

REP. DEFENSOR (A.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). Persons in the gallery are please requested to refrain from clapping. Let us maintain the solemnity and the dignity of the proceedings of the House as an institution.

REP. GARCIA (P.). Mr. Speaker.

REP. DILANGALEN. Parliamentary inquiry, Mr. Speaker.

REP. GARCIA (P.). Parliamentary inquiry, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). Just a minute, there is a point of order raised by the Gentleman, the Honorable Casiño. Will the Gentleman complete his point of order.

REP. CASIÑO. My point of order, Mr. Speaker, is that, the objection of the Gentleman from Palawan is not in order because it is the Chair who has the right and the duty to allow any Member of the House to rise a question of personal privilege.

REP. GARCIA (P.). May I ask for a point of order, Mr. Speaker.

REP. DEFENSOR (A.). May I ask for the ruling of the Chair.

REP. GARCIA (P.). Point of order, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). We have to first rule on the point of order raised by the Gentleman from the party-list and then we will recognize the Gentleman from Cebu thereafter.

REP. GARCIA (P.). Yes.

THE DEPUTY SPEAKER (Rep. Fuentebella). With the Gentleman's permission.

REP. GARCIA (P.). Rule 106, cited earlier...

THE DEPUTY SPEAKER (Rep. Fuentebella). Just a minute. Is this in connection with the point of order raised by the Honorable Casiño?

REP. GARCIA (P.). Yes.

THE DEPUTY SPEAKER (Rep. Fuentebella). Or the Gentleman is raising a new point of order?

REP. GARCIA (P.). It is in connection with the point of order raised by ...

THE DEPUTY SPEAKER (Rep. Fuentebella). So, the Gentleman is just supplementing the point of order raised by the Honorable Casiño?

REP. GARCIA (P.). It is not supplementing, it is contradicting.

THE DEPUTY SPEAKER (Rep. Fuentebella). All right. In other words, the Gentleman is objecting to the point of order raised by the Honorable Casiño.

REP. GARCIA (P.). Yes.

THE DEPUTY SPEAKER (Rep. Fuentebella). All right, the Gentleman may please proceed with his objection.

REP. GARCIA (P.). It is true that question of personal privilege can be raised at any time by any Member. However, there is a limitation and that is found in the last sentence of Section 100. It says:

A Member shall not also rise on a Question of Personal or Collective Privilege to speak on concerns that are the principal subject matter of measures pending in the committee or in plenary.

Mr. Speaker, the motion of the distinguished Gentleman Mitra from Palawan, duly seconded, is a matter pending before the plenary. And, therefore, no Member can avail of his personal privilege because this is something which pertains to a matter before the Body; and which the Body has not yet considered.

Since the motion is before the Body, the parliamentary situation is that it is subject to debate.

REP. DEFENSOR (A.). Mr. Speaker.

REP. VILLAFUERTE. Mr. Speaker.

REP. GARCIA (P.). If the exception of the rule here is to prevent a Member from preempting the discussion or debate on the pending matter, on the guise of the question of personal privilege but the matter pending before the Body filed by the distinguished Gentleman from Palawan is subject to debate and therefore any Member wishing to speak, and the distinguished Speaker is a Member, he can speak not on a question of personal privilege but in opposing the motion.

REP. CASIÑO. Mr. Speaker, may I reply.

REP. DEFENSOR (A.). Mr. Speaker.

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

REP. DEFENSOR (A.). Mr. Speaker, a question of personal and collective...

THE DEPUTY SPEAKER (Rep. Fuentebella). We are still in the process of debating the point of order raised by the Gentleman.

REP. DEFENSOR (A.). Yes, may I make a statement on the point of order raised by the distinguished Gentleman from Cebu.

A question of personal and collective privilege is a privileged motion. It is number three in the order of priority. The first is, in the order of precedence, it is number three. Even if an end to object to a question of personal and collective privilege at this point against the intention of Speaker De Venecia is premature because we still do not know what he is going to talk about. How can we object that it is not against his honor or how can we say that it is covered by a subject matter pending in the plenary? He has not yet said what he wanted to say. So, Mr. Speaker, even if the subject matter of a question of personal and collective privilege is the subject matter pending in plenary but it affects his personal integrity and his honor, I think that takes precedence and he should be given the right to speak on a question of personal and collective privilege.

REP. LOCSIN. Mr. Speaker.

REP. VILLAFUERTE. Mr. Speaker.

REP. LOCSIN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The honorable Gentleman from Makati is recognized.

REP. LOCSIN. At any rate, Mr. Speaker, we would like to have consistency in the practice of this House.

When we were discussing the Cheaper Medicines Act, the honorable Gentleman from Cebu delivered a privilege speech on the subject of the Cheaper Medicines Act, when it was on the floor for voting. We would like the same kind of consistency to be applied in this case. That if he can speak on the Cheaper Medicines Act while it is on the floor, the Speaker can speak about his political career while it is on the block. Thank you.

REP. VILLAFUERTE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Camarines Sur is recognized.

REP. GARCIA (P.). Mr. Speaker, may I ... by way of rejoinder.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Camarines Sur has earlier been recognized unless he wishes to withdraw temporarily his motion.

REP. VILLAFUERTE. Yes, I will concede temporarily to the Gentleman from Cebu provided that it is understood that I will be allowed to make my own statement.

THE DEPUTY SPEAKER (Rep. Fuentebella). By all means, the Chair has always been fair to everybody. We will recognize at the proper time the Gentleman from Camarines Sur.

REP. DILANGALEN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Cebu may now proceed.

REP. GARCIA (P.). Yes.

REP. DILANGALEN. Mr. Speaker, before the honorable Gentleman from Cebu, just for a while.

THE DEPUTY SPEAKER (Rep. Fuentebella). Let us allow first the Gentleman...

REP. GARCIA (P.). I would like to respond to the remarks of the distinguished Gentleman from Makati. When I spoke on a question of personal privilege on the Cheaper Medicines Bill, the Cheaper Medicines Bill was no longer before the plenary because we have already voted on it on Third and final Reading. That is why, Mr. Speaker, it is incorrect to say that I rose on a personal privilege on the Cheaper Medicines Bill. It was no longer subject to debate, having been voted on Third and final Reading.

REP. LOCSIN. Mr. Speaker, if I may answer that.

REP. GARCIA (P.). Mr. Speaker, and also, when I said that any Member can speak in opposition to the motion of

the distinguished Gentleman and that includes the distinguished Speaker, they can speak against that motion to declare vacant because that is subject to debate but no longer on a question of personal and collective privilege because that privilege of voting on that motion is with the plenary.

Thank you, Mr. Speaker.

REP. LOCSIN. Mr. Speaker, may I reply.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Camarines Sur is now recognized.

REP. VILLAFUERTE. May I be allowed to proceed.

THE DEPUTY SPEAKER (Rep. Fuentebella). After the Gentleman from Camarines Sur, we will recognize the Gentleman from Makati and then the Honorable Dilangalen will follow.

REP. VILLAFUERTE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. VILLAFUERTE. Mr. Speaker, while it may be conceded that when a Member of the House rises on a question of personal and collective privilege, then that is also of a privileged tenor, but I must re-emphasize that a resolution declaring vacant the Office of the Speaker is presented as a matter of high constitutional privilege. A resolution removing officials of the House as presented and entertained is a privileged matter. Therefore, if we are talking of hierarchy of privileges, a motion to declare the position of the Speaker vacant is higher than a motion to speak on a question of personal and collective privilege. Both are privileged matters but a motion to declare the position of the Speaker's Office vacant is of higher privilege. But when the election of Speaker De Venecia was made in July last year, this question that it is a matter of high constitutional privilege was also invoked. And speaking of consistency, again, we must apply this principle whether it is to elect or remove a Speaker. But that notwithstanding, would like to prevail upon the movant of the motion to declare the position of Speaker vacant to allow the Speaker to deliver a privilege speech notwithstanding that it is not of a higher order than a motion to declare his position vacant, provided, that subject to the limitations in our Rules, he should be allowed to speak for not more than 10 minutes so as not to unduly prolong this proceedings. And also, that the subject matter of the speech is relevant to the motion to declare the position vacant and not on matters that are not germane to the pending issue. So that after the period of 10 minutes, we can now proceed to vote on the motion to declare his position vacant.

Thank you, Mr. Speaker.

REP. DEFENSOR (A.). Mr. Speaker.

REP. LOCSIN. Mr. Speaker if I may, please.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman from Makati will now ....

REP. DEFENSOR (A.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). We will recognize first the Gentleman from Makati.

REP. LOCSIN. Mr. Speaker, on the subject of consistency which has been expanded by the honorable Gentleman Villafuerte. The honorable Gentleman from Cebu spoke twice on privilege. When the bill was on the floor, he spoke at long and excruciating length. When the bill had been passed on Third Reading and it was over, he spoke at excruciating length. I ask only for consistency. On the question of the highest constitutional privilege, it was invoked at a time when the House had no Speaker and the President was about to deliver her constitutional duty to deliver the State-of-the-Nation Address, that was the highest constitutional privilege. We now have a Speaker at this moment. Where is the privilege, where is the constitutionality?

Thank you.

REP. DEFENSOR (A.). Mr. Speaker.

REP. GARCIA (P.). A reference has been made to my humble person.

THE DEPUTY SPEAKER (Rep. Fuentebella). May I request the Members to just speak one at a time.

REP. GARCIA (P.). Yes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). We have made a commitment to recognize the Honorable Dilangalen after the Gentleman from Makati. He may please proceed.

REP. DILANGALEN. Thank you very much, Mr. Speaker. Mr. Speaker, earlier, the Minority Leader, the honorable Congressman Ronny Zamora of San Juan City, gave way to the honorable Speaker of the House of Representatives to deliver a speech. As I understand it, the honorable Speaker, JDV has not yet requested for recognition on the floor.

We are debating here on a matter very prematurely and I think those people, Members of the House, who are debating on non-existent matters are all out of order. *(Laughter)*

Mr. Speaker, just to set the record straight, I would like to inquire, first, whether or not, the honorable Speaker Joe De Venecia would like to deliver a privilege speech. And if he wants to deliver a privilege speech, then he must be recognized because that is a privileged motion.

Remember, Mr. Speaker, just for the record, a motion to declare the position of a Speaker of the House of Representatives vacant is not at all a privileged motion. Please put that on record. There is no such thing as "high constitutional privilege" in this regard. Anybody who says that is out of order. *(Laughter)*

THE DEPUTY SPEAKER (Rep. Fuentebella). That is properly recorded, Mr. Speaker.

REP. DEFENSOR (A.). Mr. Speaker.

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

REP. DEFENSOR (A.). A point of order is not debatable. May I now ask for a ruling from the Chair on the point of order raised by the distinguished Gentleman from Shariff Kabunsuan.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Chair allowed a debate on this matter while it is not really debatable for the reason that we are now confronted with a very big issue on the leadership of the House, such that, we will have to consider that the issue raised before the Chair is whether a question of personal and collective privilege is more superior to the motion to declare the position of Speaker vacant.

It has been time and again said, even in previous elections of Speakers, that we have to distinguish the election of a Speaker in each organizational stage. When there is no Speaker to be recognized or to speak of, we recognize the Secretary General to temporarily preside over our sessions. And then when a Speaker has already been duly elected, while we have provisions in the Rules as well as in the Constitution, it specifically states certain conditions:

First, the Constitution, paragraph 1, Section 16, Article VI, and I quote:

The Senate shall elect its President and the House of Representatives its Speaker by a majority vote of all its respective Members. This means that we need 121 votes to elect a Speaker.

That stage of electing a Speaker, after a Speaker has already been elected, cannot be considered the same privilege in the organizational stage because we require a preceding motion. We have a preliminary stage to undergo or undertake which is, first, to declare the position of Speaker vacant.

It is so provided in the Rules of the Fourteenth Congress that to declare the position of a Speaker vacant, we need the same absolute majority of the entire Members of the House. So, we have to go through with that first stage before we go into the next stage of electing a Speaker which many would consider of highest constitutional order. So, the motion to declare the position of Speaker vacant is subservient to the motion of question of personal and collective privilege because question of collective and personal privilege is a privileged motion.

Please bear in mind that as Members of the House, we have the highest authority granted by the Constitution to speak before this Chamber without even being charged of libel when we speak in this institution and when we speak of anything under the sun. That is the highest privilege of a Member of the House. We should not diminish nor even degrade this privilege and the fundamental right of a Member to free speech. And in so many occasions, the Chair has been very candid in trying to allow with liberality in recognizing Members to participate and speak especially when it involves their personal integrity.

So, the Chair rules that the point of order raised by the Honorable Casiño is in order.

REP. MITRA. Mr. Speaker.

REP. ESCUDERO. Mr. Speaker.

REP. MITRA. Mr. Speaker, I was ahead.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Honorable Escudero of Sorsogon is recognized.

REP. ESCUDERO. Thank you, Mr. Speaker.

Mr. Speaker, we have been talking about highest constitutional consideration, but it is of the highest spiritual consideration to have a sense of fairness especially in the House of Representatives

REP. MITRA. Mr. Speaker, that was what I was trying to say.

REP. ESCUDERO. The Minority Leader already gave way to the Speaker, the Gentleman from Camarines Sur also gave way to the Speaker, pagsalitin na ho natin para matapos na.

REP. MITRA. Mr. Speaker, that was what I was trying to say but the Chair recognized the Honorable Escudero ahead of me.

REP. DEFENSOR (A.). Mr. Speaker.

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

REP. DEFENSOR (A.). Mr. Speaker, I now move that the distinguished Speaker of the House of Representatives be recognized. I was made to understand that he intends to rise on a question of personal and collective privilege.

THE DEPUTY SPEAKER (Rep. Fuentebella). The honorable Speaker Jose de Venecia is recognized. *(Applause)* And traditionally, the Speaker as the highest official of this institution is given 10 long minutes.

He may proceed.

#### QUESTION OF PRIVILEGE OF SPEAKER DE VENECIA

THE SPEAKER. Mr. Speaker, my beloved colleagues in the House.

I rise tonight on an issue of personal and collective privilege. I am even amazed that in such a conventional request from the Speaker of the House, it seems there are persons orchestrating movements in this House now, that even the Speaker of the House cannot stand on an issue of personal and collective privilege. This is precisely why I am now standing because when I moved to launch our movement for a moral revolution in this country in order to cleanse our society—our Congress, the Cabinet, the Senate, the Judiciary, the local government units, the Armed Forces and the Philippine National Police—of corruption so that this country can change. I was attacked immediately because they said I was not fit even to make such a suggestion and call for moral revolution and moral renewal in this country. And I said, but I am a sinner, all of us are sinners in this House and in this country, and the time has come now for

us to transform our hearts, because in changing our hearts then we can change the country, and then we can change the world.

My friends, ladies and gentlemen, one of our colleagues stood up to ask that the seat of the leadership of this House be declared vacant. I ask that I be recognized precisely because I want to reply to this motion to declare the seat of the Speaker vacant.

Mr. Speaker, by way of background, in 1998, Senator Gloria Macapagal-Arroyo came to my house at Christmas night, and requested me if she could run as my vice-presidential candidate. She came with her classmates from Assumption. And with my wife, Gina, present, she said: "Please consider me as your vice-presidential running mate." And I said to her: "I will. Just give me chance to ask Senator Barbers, then Secretary of the Interior and Local Government, to give way to you. And I will ask Senator Guingona to give way to you. And I will also ask Senator Alvarez to give way to you." And thus, I said to her: "Now, I will call up President Ramos, in your presence, and I will ask him to also endorse you to run for Vice-President of the Philippines as my running mate in the 1998 elections." I lost the presidency. Gloria Macapagal-Arroyo won the vice-presidency of the Philippines. And I thank the Lord that she won as Vice-President of the Philippines.

The time came to proclaim Joseph Estrada as President of the Philippines. And I was still sitting there as Speaker of the House even if I lost the election for presidency of the land. At a meeting in Manila Bay proposed by President Ramos, President-elect Joseph Estrada and I met with President Ramos and then I told President-elect Estrada: "When Congress convenes on Monday, unlike President Ramos who was held hostage by Congress for 29 days before he was proclaimed on the opening day of Congress. I will ask that you be proclaimed, and I will talk to Senate President Neptali Gonzales that he and I will proclaim you President of the Philippines—but on one condition. Not for me do I seek any favor, but I request you to appoint Gloria Macapagal-Arroyo (GMA) as Secretary of Social Welfare." It was then that I proposed a government of national unity so that the new President of the Philippines can begin on a high note.

From then on, Mr. Speaker, every challenge in the life of Gloria Macapagal-Arroyo, I was there standing beside her. And when she won the presidency of the land, I was one of her campaign managers. And in the battle for proclamation of the presidency, I again, as Speaker of the nation, proclaimed Gloria Macapagal-Arroyo after more than 25 days of battle here on the floor of the House. I stood there where you now sit at three in the morning and we raised the hand of Gloria Macapagal-Arroyo as President of the Philippines.

From that moment on, Mr. Speaker, with all the difficulties of running the President seat, and organizing the government, I have always stood by her. And in the various coup attempts against her presidency, I was there with many of you, to ensure that she continues and stays in the seat of power of Malacañang.

When members of the Cabinet rose to demand her resignation as President of the Philippines, former President Ramos and I joined forces and mobilized many of you who are here today, in order that we could come to the rescue and succor of President Gloria Macapagal-Arroyo. We succeeded that in spite of the call of the bishops, the archbishops, the

cardinals, the leaders of civil society and many of the leaders of cabinet who demanded that she resigns from her post, we saved President Gloria Macapagal-Arroyo.

Year after year, impeachment complaints were filed against the President in this House. And all of us together, out of duty to preserve the stability of this nation and to ensure that our President continues to rule because she would be more preferable than any military junta that takes over the leadership of this country, rallied to her cause three times to dispel and defeat any proposals, initiatives or motions to remove her from the presidency of the land.

I have not sinned even once against President Gloria Macapagal-Arroyo. And my conscience is clear, with the good Lord listening, that I have not hurt even once the President of the Philippines, Gloria Macapagal-Arroyo, because I loved her, I invested so much in her, and I want her to continue in power until the year 2010. I was precisely pushing for constitutional change so that we could install in this country a new government that would approximate the parliamentary governments in Europe and Asia: so that we could put an end to coup attempts, destabilization and EDSA I, II, III, IV and V. These are inherent problems of the presidency.

And so, my friends, ladies and gentlemen, there came a time a few months ago, when a major crisis exploded in this country. Because in spite of the fact that I as principal author of the Build-Operate-and-Transfer Law that has enabled this government and this nation to build power plants, highways, airports, seaports, hospitals and irrigation projects at no cost to the government and to the Filipino people, a proposal is being made to the government and to the Filipino people, a proposal is being made to create a telecommunications infrastructure for this country to incur an indebtedness of \$329 million. A separate proposal was also equally made to do the same project at less cost and without even one centavo of government expense risked or sovereign risk. Yet, they insisted that this so-called "ZTE project" from China, which would cost you and me and the entire Filipino people an external indebtedness of \$330 million, be approved.

And my son—who sits there now—they called him. The media called him, and the Senate called him. And he stood there in the Senate at great risk to himself, to me and to his family, to denounce this project with an overprice of \$200 million. I said, "Son, please don't do that." And he said to me, "Papa, would you allow that an overprice of \$200 million be foisted on the Filipino people? As a Speaker of the land, would you allow that from the appropriations, the budget of the Republic of the Philippines, there will be an overprice of \$200 million that each and every Filipino must pay?" I said, "I cannot in conscience stop you."

Right at this moment, I am crafting a movement to launch a moral revolution in this country. And here I am, the Speaker of the land, did the first step to stop my son from speaking the truth. And all he is asking is that I allow him to speak the truth.

Since that moment, a lawyer came to this House and filed an ethics case against me. That very day, after filing an ethics case against me here in the Committee on Ethics, where some Members of the House in collusion with Malacañang were saying, "Go ahead, proceed with the ethics case against Speaker De Venecia." And the charge was that I led them, as Speaker of the House, to give a franchise to my son.

It is farthest from the truth because when my son's company applied for a franchising, he was not an officer of the company, he was not even a shareholder of the company. He only joined the company several years later because they needed his expertise to run this company. Yet they filed an ethics case against the Speaker, to ridicule him and put him in a bad light.

Thank God! Before Christmas, all the members of the committee—Congressman from Romblon, Congressman Madrona, dismissed the case against me unanimously, overwhelmingly for lack of jurisdiction and, in the language of Congressman Rufus Rodriguez, for “utter lack of merit.”

This same lawyer hired by the minions of Malacañang filed also an impeachment case against the President. You know the impeachment case against the President, three pages long. It was like a rehash of the ethics case filed against me. And of this three-page complaint—versus the Suplico complaint of 65 pages, two pages were an attack against my person, one page against the President.

And therefore, I refused to endorse such a sham, a ridiculous complaint to the Committee on Justice. Why? Because of conflict of interest. Why? Because if I presented it to the Committee on Justice, I would be accused of or if I prevented it, I might be accused of obstructing justice. And so I decided not to make a decision. And I said, “Raul del Mar, please do your duty and transmit this sham of an impeachment complaint to the Committee on Justice.” Not realizing that it saved the President for one year from another impeachment complaint.

The following day, this same lawyer hired by Malacañang, hired by the First Gentleman, filed a case against my son before the Ombudsman. And in the afternoon, he filed an Ombudsman case against me, again on the same basic complaint, that the Committee on Ethics later dismissed.

Mr. Speaker, not content with the series of allegations, accusations and charges, they even revived the case against Landoil Resources Corporation which was the Philippine pioneer prime contractor in infrastructure projects in the Middle East and North Africa that led to the employment of millions of Filipinos. They filed again a case and tried to revive it with the Philippine Commission on Good Government (PCGG), in spite of the fact that the PCGG dismissed it in 1994, the Ombudsman dismissed it in 1995, the Sandiganbayan dismissed it two years thereafter and the Supreme Court dismissed it two years after the dismissal by the Sandiganbayan. Dismissed by the Ombudsman, dismissed by the PCGG, dismissed by the Sandiganbayan, dismissed by the Supreme Court; now they are trying to revive it once more.

Mr. Speaker, I stand here today because there is a new move now to remove me as Speaker of the House of Representatives.

Five times I was elected Speaker of the House.

I fought in the battle for the speakership in 1992 against my friend, Peping Cojuangco, by a direct vote on the floor of this House, in spite of the fact that at that time, his sister was President of the Philippines until June 30 of 1992. In 1995, the distinguished Majority Leader Ronnie Zamora and I fought for the highest position in this House. It was not, as being demanded now, that we go on straw voting in the A and B Caucus Rooms of the House. I said, “No, there has to be voting on the floor of the House of Representatives in the

same way that I defeated Congressman Cojuangco, in the same way that I contended with Ronnie Zamora in 1999.”

They are asking that we take this motion to declare the position of Speaker vacant by deciding in caucus to elect my friend, Congressman Nograles, as the new Speaker of the House. They are proposing that we take it now in caucus. Or failing to take it up in caucus, in spite of the agreement by the Pasig River, they want us now to vote on it here on the floor of the House.

But before doing so, let me say that after losing the presidency in 1998, I was a private citizen. And in the year 2001, I ran for my old district in Pangasinan and won overwhelmingly. And then I ran again for Speaker of the House. And many of you here enabled me to win as Speaker of the House against my friend, then Congressman Abad of Batanes, who later disengaged; and then I ran in this same Chamber for the speakership of the House against my friend, Carlos Padilla.

In the elections of 2004, I was challenged once again by Congressman Chiz Escudero, now Senator of the Republic. And it was not decided in caucus, it was not decided in some shady corridor of the hotels in Manila but here, before the blazing searchlight of public scrutiny, here in the Chamber of the House of Representatives. And, again, thank God, and with your support, I won—and won overwhelmingly.

In the year 2007, another challenge was mounted against me by my friend, Congressman Pablo Garcia, launched by my other friend, Congressman Louie Villafrute. I won overwhelmingly as the Speaker of the House only a few months ago. But before that voting on the floor, I insisted that we take a vote in caucus in order that we do not bring the battle for the speakership on the floor of the House of Representatives. Or if they want because many of them are friends of the Palace, I said, then, let us hold our caucus in Malacañang. I was turned down; caucus at one of the hotels, turned down; caucus in my house—they turned it down; caucus in Malacañang, turned it down. They insisted that we put it to a vote here on the floor of the House of Representatives. I was worried because it was the day of the opening of Congress, it was also the day that the President of the Philippines would deliver her State-of-the-Nation message at four o'clock in the afternoon. And the voting began—and we would assemble here at 10 o'clock in the morning. One o'clock, two o'clock—still Congress could not decide on the Speaker of the land because there were so many challenges and debates here in the House of Representatives. But, when the time came for voting, I won overwhelmingly as Speaker of the House with God's benediction and God's grace for the fourth or fifth time and the first and only time in Philippine history for a Speaker to reign five times as a Speaker. By your grace, by your vote, by your support, because I could not have done it without your blessings, benediction and support.

This morning they were insisting that again, we should do the voting in a smoke-filled room and not before the scrutiny of this House. I was insisting that, no, we should vote for the new Speaker of the House in full, frank, transparent, fair and democratic voting. No. They insisted that it be done in a caucus tomorrow afternoon.

Voting would be done by all the member parties of the Rainbow Coalition, which I had the privilege to organize in 1992, and on motion of Deputy Speaker Sim Datumanong,

seconded by Majority Leader Art Defensor, where Louie Villafuerte, Ed Zialcita and Ed Gullas were present, where the leaders of the Liberal Party and the Nacionalista Party were all present, as well as the leaders of KAMPI led by President Villafuerte, the leaders of the Nationalist People's Coalition led by Congressmen, Art Cojuangco, Duavit and Estrella, we all agreed, with President Gloria Macapagal-Arroyo officiating as referee and broker. We all agreed that there should be a caucus, or we consult our respective political parties and that we would take the vote tomorrow in the afternoon, one hour or two hours before four o'clock. That was the gentlemen's agreement blessed by the President of the Philippines although we did not want her to bless it because under normal conditions, the President of the Philippines should not interfere in any election in the House of Representatives. But because of the invitation, so we came, out of respect for the President of the Philippines.

All of a sudden, they came here and they are saying that we take the vote now, even if the agreement is that we take the vote tomorrow. I was supposed to stand up here on the floor of Congress tomorrow so that I will have a chance to write my speech and consult my notes, and I have a chance to consult my family, and to consult with other friends in the Rainbow Coalition. But, no, it must be now. It cannot wait; it shall not wait.

And so I came down from my office, I came down from the rostrum, Mr. Speaker, where I was presiding a while ago in order that I can stand here before you, before the Filipino people to tell them the story of how this came about. To give them the background of the corruption and perfidy and the double-cross, and the triple-cross that you and I, Members of the House of Representatives, entitled to what they called the "pork barrel" system as they call it in America, in Europe or in Japan, where we have to beg the President of the Philippines for our own share of public works in order that we could build our irrigation systems, some clinics airports, mass housing and little hospitals and provide medicines for our people. We have to beg the President of the Philippines and you have to go through her two sons to ask for your share of the port barrel system, taking advantage of the innocence of the first-termers who are led to believe that these things cannot be done without the President of the Philippines acting through her sons. This is painful because godmother in the weddings of Congressmen Mikey and Datu is my wife Gina, twice they asked that she be their godmother. It pains me to cast aspersions on my friend, Boy Nograles, because when his two children got married, their godmother was also my wife.

But my friends, ladies and gentlemen, this "pork barrel system" now is controlled by the Palace. Before the road-users' tax which allows us to build and repair our highways can be released, you must now go to certain agents of the Palace and they already provide the contractors in advance.

This Transco project of the brother of Congressman Zamora, Buddy Zamora, was prepared to bid \$6 billion. It would have been a tremendous achievement for the National Power Corporation. It would have been a big push for economic sufficiency; it could have reduced the external indebtedness of the Philippines and reduced our external borrowings. But the winner was a company that is closely affiliated to the Arroyos. And I make this statement with Congressman Guingona making the accusations earlier;

Congressman Zamora making the same allegations; Congressman Teddy Boy Locsin, making the same allegations earlier.

What is happening to our country? Everything is for sale. Bribery and corruption. Is this the Philippines we want for our people? Are we going to beg the Palace for everything that is needed by the Members of this House? I was proposing to my own colleagues in the Rainbow Coalition and even to our friends in the minority, that now, we must create our new majority in this House, a new minority in the House that is not beholden like beggars to Malacañang, so that we can deal with Malacañang on grounds of mutual respect and we could be more like the Senators dealing with equal potency and respect vis-à-vis the Palace by the Pasig River. So that you and I can avail of our entitlements as a matter of right, not because we have to beg our people, not because we have to beg the sons of the President who are here.

My friends, ladies and gentlemen, it pains me to say these things, but when will you and I change? When are we going to transform our hearts, our souls, our beings—so that we can stand here as proud sovereign Representatives of the Filipino people? So that we can build and create laws, edifices and institutions that our sons, daughters and grandchildren can be proud of.

That is why I launched the movement for moral revolution, because I said, this is perhaps the only hope for the Philippines and for the Filipino people. I begged President Gloria Macapagal-Arroyo, and I said, "Do it, Madame President, then you will be a great President, then you will have a great legacy for the Filipino people. Then, all of these accusations will fall aside and we can concentrate now on solving the many problems of the Filipino people"

I am so happy that after I delivered my call for a moral revolution I said, "I will not lead because I am a sinner, I could just provide the idea on the impetus, but let the others who are more qualified than I take the lead." And I am happy to report to you that one week after I made the call for a moral revolution, Cardinal Vidal of Cebu, one of the most respected senior cardinals of the nation came to my house at midnight and said, "Speaker Joe, I will support your call for a moral revolution, and I will ask my two anti-corruption units in Cebu to join."

I called up Bishop Eddie Villanueva, one of the most respected honest leaders of religious society in this country. I could not find him but after two days, he called me up; he was in Virginia and he said to me, "Joe, I will join and support your call for a moral revolution." His son is here, one of our ablest Congressmen, Congressman Joel Villanueva.

Three days after, Brother Mike Velarde, who heads the El Shadai, and I had lunch with him and he said to me, "Joe, I will support your call for a moral revolution."

Bishop Benny Abante and his brother Bishop Ruben Abante and 29 pastors of the Baptist Church came to my house for lunch for or five weeks ago, they said that they will lead in the movement to push our moral revolution.

Father Intengan, one of the great Jesuits, founder of Social Democracy in the Philippines, and with Secretary Bert Gonzales said, "I will support your call for a moral revolution."

Buboy Macapagal, Bert Gonzales and I flew to Vietnam a couple of weeks ago so that they could write the principles of the moral revolution. Buboy Macapagal, Diosdado

Macapagal Jr., this honest young man, young brother of the President, and Secretary Bert Gonzales and I wrote the provisions of our call for a moral revolution.

And the most important of all, Archbishop Lagdameo, president of all the Catholic bishops and archbishops of this country, at a meeting attended by many of us in this House of Representatives, including Rufus Rodriguez, Ed Zialcita and Senator Pimentel, said, "We, the bishops of the Philippines, are indorsing your call for a moral revolution."

Last week, the national Breakfast Prayer Meeting led by Joe Tan Ramirez and many of the evangelicals decided by standing ovation to support our call for moral revolution.

And I am very happy to report to you that last week, Chief Justice of the Supreme Court Puno decided to lead or co-lead the moral revolution.

What is surprising about all of these is, normally, when we, politicians and Congressmen, and Senators, make a proposal to the leaders of the church and the leaders of civil society, they would say, "Ibasura natin iyan. Walang kalalabasan iyan." But here, it is they who approved it quickly and immediately. It is they who encouraged us to move and move immediately so that we can transform the Philippine society and by transforming it, we can move from a Third-World society to a Second-World society and eventually, become a First-World society, like what Lee Kuan Yew did when he transformed the corrupt society of Singapore. And in Singapore, Lee Kuan Yew said: "Now, the time has come for us to reform; otherwise, all of us will go to prison." And Singapore changed and today, it is the richest nation in Asia and one of the richest nations of the world.

Mr. Speaker, I mentioned this pork barrel issue, the Transco issue—here, a few years ago, this hall was converted into a committee function room. I was in the Netherlands negotiating with Jose Ma. Sison and Luis Jalandoni, and the other leaders of the New People's Army. But this hall was converted into a meeting room on the "Garci Tape Scandal". I wish I could discuss this at another time because this is a very delicate issue. But I know there were many attempts to tamper with the elections in the year 2004 (*Applause*) and I shall speak on this in greater detail at some other opportunity to rise on a call of personal and collective privilege.

When my son spoke in the Senate, three generals tried to assassinate him and me. General Santos, commanding general of the Philippine Army, commander of the United Nations Forces in East Timor, came to my house, accompanied by Atty. Raul Lambino who is his friend and is also my friend and he said to me, "Mr. Speaker, you and your son keep quiet because they want to kill you and I know they can kill you, and I know they have killed other people."

My son reported this to the Makati Police and on the same day, following, General Santos, such a respected general of the armed forces, changed his tune and said he never said such a thing.

How could he say that he never said such a thing when he came to my house to ask me to listen his story, accompanied by Atty. Raul Lambino, in the presence of my son Joey and my wife Gina? And do you know what he said the following day? "Yes, I went to the house of the Speaker but I went there to discuss the moral revolution"—a man who testified and confirmed that they were going to assassinate my son and me. And so, I wrote a letter to President Gloria Macapagal-Arroyo:

"Dear Madam President, I write to you because General Santos came to see me that they wanted to kill my son and myself, and that they have killed other people. I ask you because these three generals belong to your government, please do something."

That was late October last year. Do you think up to now Malacañang has lifted a finger to arrest or to investigate these attempts on my life and of my son? A simple arrogance, just plain arrogance that Malacañang and the people occupying the Palace are above the law. Someday, this can happen to you! (*Applause*)

I chose to ignore Satur Ocampo, Ted Casiño and the other Gentlemen of the left who are with us here in the House of Representatives. But when the armed forces were going to arrest them, I gave them shelter in my office for three months to show that the Speaker of this House will not allow any Congressman or Congresswoman to be arrested, for which I was criticized extensively by leaders of the armed forces. But they could not do anything against me because they know that in my heart I was with the armed forces, and all I did want to do was to bring about a peace agreement between the New People's Army and the Communist National Fronts and the National Democratic Front with the Armed Forces of the Philippines. They knew in their heart of hearts that my heart was pure and sincere to bring about peace between the Armed Forces and the New People's Army. (*Applause*) But now the left has spoken and stood up and said that they are victims of all kinds of killings and abuse of human rights in this country.

Mr. Speaker, we should not allow these wanton killings of our citizens. I ask that the Committee on Human Rights of this House of Representatives investigate extensively the findings of the United Nations, the Melo Commission and the various civil society organizations in this country, in the same way that we have given all our support to the Armed Forces of the Philippines, because the Armed Forces too needs support from the Members of the Congress of the Republic of the Philippines.

So, my friends, ladies and gentlemen, how can the complaint against threats of assassination, mass killings whether by the left or by the right and murders and crimes against persons and property be investigated and given due attention in this country properly when the President of the Philippines as the President of the land and Commander-in-Chief of the Armed Forces chose to ignore my own appeal or official letter of complaint against three generals of the Armed Forces and the Philippine National Police?

One of the highest-ranking officials of this Chamber, whose name I will not now mention without his permission, told me, "Mr. Speaker, I cannot go with you", and I asked "Why not?" "Because you are on the target list and if I am near you, I might also be killed." This leader of the House got a note from one of the prisoners in Zamboanga del Sur, which said: "One of the leaders of the Abu Sayyaf who is in this prison was released to go to Manila so that he can kill you and he will be beyond suspicion because he will go back to his cell after they have killed Joey, your son, and you."

So, this message was given to me by a senior official of the House of Representatives whose provincemate was in prison in Zamboanga City and gave him this information to feed to me and for him, as well, so that he should not be seen

with me the next few days because I am a target of a serious assassination attempt.

Even assuming, for the sake of argument, that the report is an exaggeration, should the President of the Philippines not direct the Chief of the Armed Forces or the Chief of the Philippine National Police to order an investigation and to render unto me a written report in the same way that I took the initiative and the courage to write to her and expose myself and my son because of a bona fide and genuine assassination attempt?

There are so many things I would like to discuss with you, my dear friends, Mr. Speaker, and my dear brothers and sisters in this House. I know, and I have fought long and hard before I came down here to present my case to you, my dear colleagues, and to the Filipino people. I have given copies of my letter on the assassination attempt against me to some Members and leaders of the House of Representatives. Many Members of the House of Representatives have advised me not to cross swords with Malacañang. It pains me grievously to hurt the President and the First Family because I have invested so much more than any of you in this Chamber to have the President become Vice-President, President and many things to us.

And I congratulated her, as well, for achieving a growth rate of 7.3 percent in the gross domestic product (GDP), one of the great achievements in Southeast Asia and of this nation after 21 years of languishing. I reminded her that this is precisely what I wrote about when I crafted the “747” strategy for economic growth—7 percent GDP growth for seven years—in order that we can break and make an impact in the battle against poverty—so that we can begin to enlarge and expand the frontiers of the Filipino middle class.

I am a peacemaker. I have been a coalition builder all my life. Never have I stood in this Chamber to hurt anyone. Never in my life. Never have I participated in any of the committee hearings of this House to denigrate any person or individual, institution or unit of government because my idea of being a public official is to build, to nurture. How many Members of Congress have I recommended to the Cabinet to the President of the Philippines—to President Ramos, to President Estrada, now to President Gloria Macapagal-Arroyo? How many Members of this Congress of the Philippines have I helped build up—because of this that we want to build and not to destroy?

But, Mr. Speaker, Members of Congress, I am full to the brim—here, here, here and here. The time has now come for us to speak out—to put an end to bribery and corruption, to abuse of power and arrogance. So that perhaps you and I can still make a difference for our people, so that you and I can help bring about moral renewal, moral change and moral revolution—so that we can cleanse our society, the Cabinet, Malacañang, the Senate, the House of Representatives, the local government units, the armed forces, the Philippine National Police, the media, the academe, and the leaders of civil society, together—and not just find fault with one sector.

I repeat, I have been a sinner. I am a sinner. We are all heirs to the normal margins of human error and mortal sin. But the time has come for us to make a change. All around us are leaving us by: Vietnam is leaving us by, Laos is beginning to leave us by, Cambodia is beginning to leave us by, Bangladesh is beginning to leave us by. Singapore is too far out. When I first went to Singapore 40 years ago, it was

poorer than Cebu. When I first went to Kuala Lumpur in Malaysia 40 years ago, it was poorer than Pangasinan or Davao. Today, they are achieving rates of growth of eight, nine, 10, 11 or 12 percent.

From the eastern seaboard of China, from Hong Kong and Macau and Shenzhen, going up the eastern seaboard, going beyond Shanghai, Beijing and the northeastern part of China, 350 million Chinese rose from poverty to join the ranks of the middle class—in the largest economic transformation in human history. Of course, work ethics, discipline, renewal and change—these are what you and I must possess if we have to make a difference, if we have to change the society, if we have to change the world.

And so, Mr. Speaker, with your permission, I ask that I be given opportunities in the future to speak once more—because I came here without preparation or notice. I thought that tomorrow would be the day for reckoning and that today, we will agree to vote on a motion to declare the position of Speaker as vacant and then to elect a new Speaker.

Mr. Speaker, let me just say that when I made all of these charges, there was one man, his name is Ricky Razon, one of the most powerful businessmen in this country, one of the most powerful movers in Philippine society, partner in the corridors of power in Malacañang. He is also part of this control of the pork barrel system, the road user’s tax, the public works and many projects in this country.

Let me say, Mr. Speaker, ladies and gentlemen, that if we want to change the House and the Philippine society, if we want to have reforms in this government, let us begin with ourselves. And, therefore, with your permission, I would like to move that we amend the motion of the distinguished Gentleman from Palawan, and I move that we declare all positions vacant in the House of Representatives. *(Applause)*

REP. VILLAFUERTE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). What is the pleasure of the Gentleman from Camarines Sur?

REP. VILLAFUERTE. Speaker De Venecia was given 10 minutes and we allowed him almost an hour to speak.

GALLERY AUDIENCE. *(Shouting boooooo)*

REP. VILLAFUERTE. No, I did not object.

GALLERY AUDIENCE. *(Shouting boooooo)*

REP. VILLAFUERTE. I did not object.

THE DEPUTY SPEAKER (Rep. Fuentebella). Order! Order!

REP. VILLAFUERTE. In fact, if he wants more time, we will give him at least 10 more minutes.

GALLERY AUDIENCE. *(Shouting boooooo)*

REP. VILLAFUERTE. But we object to his motion to amend the pending motion to declare his seat vacant.

THE DEPUTY SPEAKER (Rep. Fuentebella). We will do that at the proper time.

REP. VILLAFUERTE. The motion, Mr. Speaker, is ...

THE DEPUTY SPEAKER (Rep. Fuentebella). Let the Speaker wind up his ...

REP. VILLAFUERTE. ... only to declare the Office of the Speaker vacant and no other. I just want to put that objection on the record.

GALLERY AUDIENCE. (*Shouting boooooo*)

THE DEPUTY SPEAKER (Rep. Fuentebella). We will put that into a vote. The Speaker may still proceed if he wants to wind up and then we will tackle his motion at the proper time.

THE SPEAKER. Mr. Speaker, I have made my statement. I ask the permission of the Chair and of my colleagues that at the proper time, with your permission, I would like to rise once more and speak on issues that are related to these general statements we have made in the hope that we can bring enlightenment to our country and to our people.

For the moment, I have nothing more to say.

Thank you, Mr. Speaker.

Thank you, my dear colleagues. (*Applause*)

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

GALLERY AUDIENCE. (*Still applauding*)

#### SUSPENSION OF SESSION

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

*It was 7:56 p.m.*

#### RESUMPTION OF SESSION

*At 8:15 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Fuentebella). The session is resumed. The Members are requested to take their respective seats and the persons from the gallery will please clear the aisle so that we can start with our proceedings.

Order, please. Sergeant-at-Arms, please comply with the order of the Chair, clear the aisle before we start with our proceedings.

The Majority Leader is recognized.

REP. DEFENSOR (A.). Mr. Speaker, the parliamentary situation is that there was a motion to declare the position of the Speaker vacant and it was duly seconded. But subsequently, a motion was presented by the distinguished Speaker of the House that the motion to declare the position of the Speaker vacant be amended to include all other

positions to be declared also vacant. If we look at the Rules, I believe the motion presented by Speaker De Venecia should be treated as a separate motion because it requires a different quantum of vote.

So, this Representation takes the position that we should first dispose of the motion to declare the position of the Speaker vacant which requires a vote of all the Members of the House and that it shall be a nominal voting. In this regard, Mr. Speaker, I move that the Secretary General be directed to call the roll for nominal voting.

THE DEPUTY SPEAKER (Rep. Fuentebella). Before we call the roll...

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

THE DEPUTY SPEAKER. (Rep. Fuentebella). ...the Chair would first like to make a ruling on the motion of the Majority Leader and the Chair completely agrees with him that these two motions should be treated separately and cannot be amended and taken up jointly. Because a motion to declare the position of the Speaker vacant requires a majority of all the Members. And a motion to declare all positions vacant would simply require a simple majority of a quorum being present.

So, to abbreviate the proceedings and avoid much debate, the Majority Leader will please proceed with his motion.

REP. DEFENSOR (A.). I reiterate my motion that the Secretary General be directed to call the roll for nominal voting on the motion to declare the position of the Speaker vacant.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Secretary General is directed to call the roll to conduct a nominal voting on the motion to declare the position vacant.

Is there any objection to the motion?

REP. DEFENSOR (A.). Mr. Speaker, just to clarify, the vote is yes or no. If you vote yes, you are in favor of declaring the position of the Speaker vacant, if you vote no, you are against it.

THE DEPUTY SPEAKER. (Rep. Fuentebella). And to further clarify, for that motion to be carried, we need 121 yes votes.

REP. DEFENSOR (A.). And in addition, Mr. Speaker, it is also perfectly a right of a Member to abstain.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Can we now proceed?

The Secretary General will please proceed.

#### FIRST ROLL CALL

THE SECRETARY GENERAL. *Reading:*

Abante .....

REP. ABANTE. Mr. Speaker.

I would like to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

REP. ABANTE EXPLAINS HIS VOTE

REP. ABANTE. Mr. Speaker, as I see it, the motion to declare the position of the Speaker vacant is anchored on the provision of Section 11 of the Rules of this House, Fourteenth Congress, which provides that the position of the Speaker may be declared vacant through nominal voting by a majority vote of all the Members.

Mr. Speaker, I would like to believe that rules are never intended to destroy, divide, create instability or sow disorder but to build, unite, create stability and provide order.

Mr. Speaker, my dear colleagues, I observe that every time there is exposé especially on irregularities, whether true or perceived, involving multimillion transactions of the government, more often than not, there is political maneuverings. Admittedly, such maneuverings are detrimental to our economy and political stability, and are clearly divisive, thus adversely affecting our standing even in the international community. If not for this exposé on such questionable transactions which are now the subject of congressional investigations, I honestly doubt if this motion before us would have ever been conceived of, much less filed. I believe that this is purely politically motivated and never an honest desire for genuine change for the better.

Mr. Speaker, I do not believe in the wisdom of removing a leader just for somebody else to survive. This is the very reason, as the records of this august Chamber would show, I did not support the impeachment moves against the President.

Today, I rise, though uncertain of what lies ahead in my political career, to declare my vigorous, yet unqualified objection to the motion to declare the position of the Speaker vacant. Political maneuverings have caused many of us to change loyalty. This I cannot do. I cannot, in conscience, allow myself to be a party to the removal of a leader who I honestly believe has not wronged our country and our people the way others have. I cannot be double-minded for the Sacred Book that I have believed since childhood, which the very Book that changed my life and brought me to where I am today, has taught me that a double-minded man is unstable in all his ways—James 1:8. Mr. Speaker,....

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman is reminded ...

REP. ABANTE. I am winding up, Mr. Speaker.

And I submit the said reality that double-mindedness has brought our country towards this day. I do not have the temerity and audacity to bite the hands of a man who once held the spoon for me. Be that as it may, may I once again plead for sobriety, sincerity, honesty and unity for today, this august Chamber is at center stage and the Filipino people are watching us as evidenced by this crowd.

Hence, Mr. Speaker, I object to the motion declaring the position of the Speaker vacant. I am glad I believe in God who ordains leaders. May God have mercy on all of us. *(Applause)*

THE SECRETARY GENERAL, *reading*:

Abaya ..... *Yes*  
Ablan ..... *No*  
Agbayani ..... *No*

THE DEPUTY SPEAKER. (Rep. Fuentebella). May we request those who vote to please go to the microphone so that we can properly record their votes.

Can we go back to Abaya? We would like to know exactly, not by signs but by actual vice vote.

What is the vote of the Honorable Abaya?

REP. ABAYA. Yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Next.

THE SECRETARY GENERAL, *reading*:

Ablan .....

THE DEPUTY SPEAKER. (Rep. Fuentebella). Ablan, no.

THE SECRETARY GENERAL, *reading*:

Agbayani .....

REP. AGBAYANI. Mr. Speaker, I vote no, I vote against the motion to declare the seat of the Speaker vacant. *(Applause)*

THE SECRETARY GENERAL, *reading*:

Aggabao .....

REP. AGGABAO. I cast an affirmative vote, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Agyao .....

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote of the Gentleman? Can he please take the microphone for the record.

REP. AGYAO. Yes.

THE SECRETARY GENERAL, *reading*:

Albano .....

REP. ALBANO. Yes.

THE SECRETARY GENERAL, *reading*:

Alcala .....

REP. ALCALA. Yes.

THE SECRETARY GENERAL, *reading*:  
Alfelor .....

REP. ALFELOR. Yes.

THE SECRETARY GENERAL, *reading*:

Almario .....

REP. ALMARIO. Yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote of the distinguished Lady, the Honorable Almario?

REP. ALFELOR. Yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Please speak louder.

THE SECRETARY GENERAL, *reading*:

Alvarez, Antonio .....

REP. ALVAREZ (A.). Yes.

THE SECRETARY GENERAL, *reading*:

Alvarez, Genaro .....

REP. ALVAREZ (G.). Yes.

THE SECRETARY GENERAL, *reading*:

Amante .....

REP. AMANTE. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

#### REP. AMANTE EXPLAINS HIS VOTE

REP. AMANTE. All right, I will limit myself to three minutes unlike the other that will take one hour.

If there is anything that does not change is change itself. The beautiful sunrise would not be there if we leave it only at the darkness of the night. But we need that sunrise to banish the darkness away and we have that faith that the newness of leaders can bring out newness also in a man's life, for we have stayed too long in the putrid redundancy of being in power. That power must be tempered with a certain degree of repentance. Like the thief on the cross who he said to the Lord: "Lord, please remember me when you shall go to your paradise." And the word "remember" is taken from the Greek word which means: "I will return to you and be part of you." I hope that is also the sentiment expressed today so that the Lord will answer: "Verily, today, you shall be with me in paradise."

Even with a feeling for sentimental reason, I vote for the motion, yes.

THE SECRETARY GENERAL, *reading*:

Amatong .....

REP. AMATONG. My vote is no.

THE SECRETARY GENERAL, *reading*:

Angara .....

REP. ANGARA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

#### REP. ANGARA EXPLAINS HIS VOTE

REP. ANGARA. Mga ginagalang na kasama, Mr. Speaker, and boto ko ay yes para sa mosyon na ideklarang bakante ang posisyon ng Speaker. Not so much because I think Speaker de Venecia has been a bad leader. On the contrary, I think, the Fourteenth Congress has been run quite efficiently compared to the Thirtieth Congress when I first served my constituents in Aurora. Except that, I vote this way because it is clear that the Speaker has lost the confidence of the majority of our Members and I fear that the work of the House may suffer as a result of it. Ngunit medyo emosyonal tayo ngayon. Huwag nating isipin, mga iginagalang na mga kasama, na marami tayong nagawa sa botong ito. Ang ginawa lamang po natin ay nagbago tayo ng Speaker. Pero paglabas natin sa bulwagan ito, nandiyan pa rin ang mahihirap, mayroon pa ring mga gutom, mayroon pa ring natutulog sa kalye, nandiyan pa rin ang mga problema natin sa edukasyon at sa kalusugan. Huwag po nating kalilimutan iyan. At sa bagong oportunidad na ito, we have a new opportunity, Mr. Speaker, I think for the Members, not only to improve the image of our institution, but also to improve the lives of our countrymen. Iyong lang po at sana gamitin natin itong oportunidad at tingin ko naman sa bagong liderato ng Kamara ay malaki ang pag-asa nating matupad ito. Maraming salamat po. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Angping .....

REP. ANGPING. Yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote of the Lady from Manila?

REP. ANGPING. Yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Very good.

THE SECRETARY GENERAL, *reading*:

Antonino .....

REP. ANTONINO. I vote yes, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote of the Honorable Antonino?

REP. ANTONINO. I vote yes, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Oh.

THE SECRETARY GENERAL, *reading*:

Antonino-Custodio .....

Apostol .....

REP. APOSTOL. Mr. Speaker, I am in favor of the motion to declare the seat of the Speaker vacant. Thank you.

THE SECRETARY GENERAL, *reading*:

Aquino .....

REP. AQUINO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Arago .....

REP. ARAGO. I vote yes.

THE SECRETARY GENERAL, *reading*:

Arbison .....

REP. ARBISON. I vote yes, Mr. Speaker

THE SECRETARY GENERAL, *reading*:

Arenas .....

REP. ARENAS. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Arnaiz .....

THE SECRETARY GENERAL, *reading*:

Arroyo, Diosdado .....

REP. ARROYO (D.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed. He has three minutes.

REP. ARROYO (D.) EXPLAINS HIS VOTE

REP. ARROYO (D.). Mr. Speaker, I have known Speaker de Venecia since I was a young man. And I have shown him nothing but respect because he is my godfather.

When his son attacked our family without any basis, and devoid of any truth, I said nothing. When the Speaker decided to openly criticize the President thinking that he had moral authority over her, I remained silent. When his son accused our father again, without proof or evidence, and put my father's already precarious health at risk, I opted to keep quiet knowing that the truth would set us free.

Lahat po ng iyan ay tinanggap ko nang walang kibo sapagkat sa aking pag-i-isip, hindi po dapat maging personal ang aking pagtingin sa mga bagay na iyan.

Ako po ay Kinatawan ng aking distrito at ako po ay gumagawa ng batas para sa buong bansa. Hindi nararapat na ang aking pananaw ay pang-personal lamang bagama't totoo pong ako ay nasasaktan din sa lahat ng mga paratang na walang basehan laban sa aking pamilya.

When the Speaker went on television relishing his resurrected image as a political kingmaker, I said: "Perhaps, this too shall pass." But no, Congressman de Venecia did not stop there. Political maneuvering and manipulation continued to this very day in the House of Representatives. He thinks of Congress as his kingdom and treats us according to class or rank. He doles out favors but only after much begging and pleading from those who are not as influential in his eyes. He refuses to open the books of accounts by delaying it as long as he can because of the many secrets that he does not want to reveal. The moral revolution that he speaks of, the corruption that we are supposed to fight, and the transparency that we advocate have not transpired, are not happening and will not occur any time in the near future.

Kung talaga pong gusto natin ng pagbabago at tamang pamamahala, di po ba dapat ay mag-umpisa tayo sa ating bakuran? Ang lahat ng pag-uusap sa korapsyon dito sa Kongreso ay hindi po dapat na maging hanggang pag-u-usap lamang. Ipakita natin ang katotohanan sa pondo ng Kongreso at ituwid natin ang katiwalian na nangyayari sa ngayon. Pero hindi po para sa ating sarili lamang kundi para sa ating mga kababayang pinagsisilbihan. Bakit ayaw pang buksan ang libro ng pondo na dapat ay nalalaman ng lahat ng mga Kasapi ng Mababang Kapulungan? Ito ang hinaing ng karamihan ng mga bago at nakababatang kasama natin sa Kongreso.

The Speaker speaks of a merger of parties, but only if he will remain lord to us all. He is quick to remind our colleagues here of what he has done for them and dangles funds and benefits that are long deserved and due to us.

Five terms, Mr. Speaker, five unprecedented terms under his leadership. What image does Congress have that has led people to distrust Congressman De Venecia as Speaker and Congress as an institution? We are perceived as a Chamber of deals, illicit transactions and misused pork barrels. Where has he taken us, Mr. Speaker, and where exactly are we headed?

It is unfortunate, but all we hear now are the threats that a change in leadership will erode our economic gains. This is, of course, ironic because we achieved all these inroads despite what the House has recently turned into, all because of one man's narration of his own failed attempt at influence-peddling.

Again, there is that proverbial sword of Damocles that will fall on our heads should we change the Speaker of the House. However, Mr. Speaker, we will not be threatened and we will not be blackmailed.

Esteemed colleagues, I stand before you now not as the President's son but as a duly elected Member of Congress and as a Representative of the people of the First District of Camarines Sur. I battle with you not because of revenge but because of the urgent and imperative call for true reform, change that all of us and all our people thirst for, reform not in words and lip service but reform in deeds and real action. I am with you because Congress as an institution deserves a

new leader who will treat us with dignity, who will usher in a progressive and productive House of Representatives.

Yes, Mr. Speaker, we need a moral revolution, and it starts here and now. Our moral revolution is founded on integrity and is forged by unity. Our moral revolution is bound by our commitment to transform Congress into an institution that we can all be proud of. This is our moral revolution, and this is for our people.

That is why I, Mr. Speaker, along with an overwhelming majority of first termers who are all filled with hope, vote to declare the position of Speaker vacant. His peers have spoken, and his time is up. *(Applause)*

THE SECRETARY GENERAL, *reading*:

Arroyo, Ignacio .....  
Asilo .....

REP. ASILO. Abstain.

THE SECRETARY GENERAL, *reading*:

Bagatsing .....

REP. BAGATSING. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Balindong .....

REP. BALINDONG. Mr. Speaker, may I briefly explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

REP. BALINDONG EXPLAIN HIS VOTE

REP. BALINDONG. The Fourteenth Congress has existed for only six months. We have just completed our organization. To declare the position of Speaker vacant is certainly unproductive. It is divisive and untimely.

I therefore vote no, no, no, but consider my three nos as one vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Count the three no's as one vote. *(Applause)*

THE SECRETARY GENERAL, *reading*:

Barzaga .....

REP. BARZAGA. Mr. Speaker, may I be permitted to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. BARZAGA EXPLAINS HIS VOTE

REP. BARZAGA. Mr. Speaker, I vote in favor of the motion not because I am against the moral revolution being

advocated by Speaker Jose De Venecia, not because of the exposé on the ZTE deal which transaction has already been cancelled without any pecuniary damage to our country, not because I was persuaded by the people in Malacañang. I support the motion because I want change.

Last January 30, 2008, no less than our friend from Manila, Congressman Abante, in his privilege speech, has categorically stated, "The latest survey showed that the House has become more unpopular." We should care when this House is morally sinking and our integrity is being questioned. It is my hope and aspiration that with a new leader in the House, we would be able to restore the damage which had been badly tarnished insofar as the image of this august Body is concerned.

Thank you very much, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Bautista .....

REP. BAUTISTA. My vote is yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Belmonte .....

REP. BELMONTE. Mr. Speaker, I vote yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Pardon. Could the Gentleman please state his vote.

REP. BELMONTE. Yes.

THE SECRETARY GENERAL, *reading*:

Beltran .....

REP. BELTRAN. Mr. Speaker, may I explain my vote

THE DEPUTY SPEAKER. (Rep. Fuentebella). Would the Gentleman like to explain his vote?

REP. BELTRAN. Yes, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

REP. BELTRAN EXPLAINS HIS VOTE

REP. BELTRAN. I vote no to declare the Office of the Speaker vacant for four reasons: One, the speakership is an internal squabble between and within the ruling coalition. And there will be not much difference in policy as two factions challenging each other for the upper hand in Congress are both loyal to the President, Gloria Macapagal-Arroyo.

Two, as far as the basic sector represented by Anakpawis Party-list is concerned, the showdown between Lakas and KAMPI camps in Congress is just a battle between the ruling elite. It is a mad competition over the country's economic spoils and a shameful display of elite democracy. Nag-aaway-sila at ang naiiwanan sa ere ay ang mga mamamayang

naghihintay na maisabatas ang mga panukalang makabebenepisyo sa mga nakararami sa ating kababayan.

Three, with the test, President Arroyo's blatant interference in the legislative branch as an effort to entrench and prolong her political survival through her two sons and brother-in-law, who do not have the qualms to be obtrusive and are very visible in their campaigning against House Speaker De Venecia.

Four, as in a boxing match, I dare call on the combatants to prove their integrity and independence by acting on priority bills for the marginalized masses like the Genuine Agrarian Reform Act of 2007, the proposal of 125 legislated wage hike and the P3,000 per month for the public employees, repeal of Oil Deregulation Law, repeal of E-VAT and other pro-people legislations like the protest of demolitions of squatters, squatters' homes without relocation, upgrade of education, health, housing and other social services.

Above all, I challenge the two combatants to show respect for human rights and give justice to about 900 extrajudicial killings and 189 enforced disappearances and hundreds. . .

THE DEPUTY SPEAKER. (Rep. Fuentebella). Will the Gentleman please wind up within three minutes.

REP. BELTRAN. Thank you, Mr. Speaker. And hundreds of those who are thrown to jail who are just speaking for their rights in criticizing the administration of President Arroyo.

Mr. Speaker, I vote no in protest against Malacañang attack against the independence of Congress.

Thank you.

THE SECRETARY GENERAL, *reading*:

Biazon .....

REP. BIAZON. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. BIAZON EXPLAINS HIS VOTE

REP. BIAZON. At the start of this leadership crisis. I had wished that we did not have to undergo this kind of divisive action that we have to take now. I had wished that this would be resolved at the top levels of the majority coalition. Because I believe that it would not hamper the work of Congress and the fostering of good relations among Members of this House.

Pero, Mr. Speaker, dumating na tayo rito sa pagkakataong ito. Ang akin pong hinahanap—dahil lahat tayo ay naghahanap ng pagbabago—ay iyong pagbabago patungo sa isang siguradong patakaran. Sa mga nangyari po nitong mga nakaraang araw, hindi po ako nag-attend ng kahit na anong meeting ng bawat panig. Dahil kung ako ay gumagawa ng desisyon, nais kong ito ay sarili kong conviction at paninindigan. Ang hinahanap natin sana ay mayroong isang programang ipipresenta. Ngunit sa bilis ng mga pangyayari, hindi po natin narinig iyon.

Totoo, nagkaroon ng mga pagpupulong sa bawat partido. Pero po ang sinasabi natin, ang Speaker of the House ay hindi lamang accountable sa ating mga Congressman kundi accountable din po siya sa public. Kaya kung ano pang programa ang ihaharap niya, dapat po sa publiko sinasabi upang malalaman ng taong-bayan kung siya ay tumutupad sa kanyang mga pangako, sa kanyang paghangad sa puwesto na "Speaker." Kulang lamang nga tayo ng pagkakataon, Mr. Speaker. Mabilis ang pangyayari. Bago mabigyan ng pagkakataong magpaliwanag ang mga kandidato ay mayroon na kaagad tayong botohan na ganito. Kaya po sabi ko nga, kung tayo ay kailangang bumoto kailangan iyong sarili nating conviction, Mr. Speaker. Hindi po tayo sumama sa kahit na anong meeting.

Seven years na po akong Congressman. This is my third term. In my first term, I was with the minority. And not once did I give up on being a minority in my first term. Ilang beses po akong inaanyayahan ni Speaker De Venecia na sumama sa kanyang partido, ilang beses ko rin siyang tinanggihan. Pagdating ng second term ko, ganoon din po. Sa tuwing ako ay inaanyayahan ni Speaker De Venecia na sumama sa kanyang partido ay palagi ko siyang tinatanggi. Mabibilang po sa daliri ng aking mga kamay ang ilang beses kung ako ay bumisita sa kanyang opisina o tanggapan, o kaya ay sa kanyang bahay. Seven years po iyan, Mr. Speaker. Kaya po sinasabi ko nga, ang aking desisyon ay sarili ko lamang, hindi influence ng kahit na sino.

Ang aking hinahanap po ay isang Kongreso na independiyente—para po sa mga first termers. Iyan na lang po sana ang legacy na makuha natin—ang Kongresong independiyente. Kaya po kung tayo ang magdedesisyon, sana ay sarili lang ho natin at mayroon po sana tayong basehan na matibay.

Maliwanag naman po sa simula kung ano ang dahilan, kung ano ang motibo ng pagpapalit ng Speaker natin ngayon. Hindi ho ba ito ay, sinasabi nga nag iba, "family feud?" Kaya po sa palagay ko, sa pagkakataong ito, hindi pa panahon na tayo ay magkaroon ng ibang pagkakataong magpalit at pumili ng Speaker.

Kaya po sa motion na inihain, my vote is no. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Bichara .....

REP. BICHARA. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. BICHARA EXPLAINS HIS VOTE

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

After listening to the speech of Speaker Joe de Venecia, I was impressed and I said to myself, "Why just now?" He had been Speaker for how many years. And with all due respect to Speaker Joe de Venecia, I have worked with him during the Ninth Congress and we were together in the party. I highly respected him and he is a good man. He has contributed a lot to our country. But, I feel that it will be difficult for him to pursue his moral recovery advocacy if he will still be the Speaker. I think, to me, he will be more

effective as an advocate of moral recovery if he is no longer the Speaker.

I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Binay .....

Biron .....

REP. BIRON. I vote no, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Bondoc .....

Bonoan-David .....

REP. BONOAN-DAVID. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). She may please proceed. The distinguished Lady has three minutes.

REP. BONOAN-DAVID EXPLAINS HER VOTE

REP. BONOAN-DAVID. Yes, I want to have changes done in this House.

I want to have six more staff. Six staff is not enough to be able to serve my country with responsibility, integrity and efficiency. I need more lawyers to help me in my legislative duties and responsibilities. I need more people to serve my constituency well to uplift them from poverty and ignorance. I would do my best to love my people, to have moral renewal in the executive, the legislative, the judiciary, the police and the media. But this is a gargantuan job for me. I can do small things in my own small ways. Moral renewal to my mind means to use our pork barrel, our priority development assistance fund (PDAF) and countrywide development fund (CDF) for the people to uplift them from poverty, to lift them from hunger and darkness. Hence, we should hold hand in hand to help our people and our government.

The President won the 2005 election, and she has the mandate to rule our country. Remember, the voice of the people is the voice of God. In the Bible, we are given one leader by God to be respected. Now, one leader, one voice. And our leader is President Gloria Macapagal-Arroyo (GMA). Why challenge each and everyone? We have to unite for peace, for progress, for a better Philippines.

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote of the distinguished Lady? Please clarify. Is it yes?

REP. BONOAN-DAVID. Yes, I want to have changes done in this House.

THE DEPUTY SPEAKER. (Rep. Fuentebella). All right.

THE SECRETARY GENERAL, *reading*:

Bravo .....

REP. BRAVO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Briones .....

REP. BRIONES. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Bulut .....

REP. BULUT. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Cabilao .....

REP. CABILAO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Cagas .....

REP. CAGAS. Mr. Speaker, may I be allowed to explain my vote please.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

REP. CAGAS EXPLAINS HIS VOTE

REP. CAGAS. Thank you.

Mr. Speaker, I vote yes because it has been a dream of ours, people from Mindanao, to finally have somebody who hails from our land, the island of Mindanao, to be able to represent not only its Congressmen but more importantly its people. And, therefore, since we have a chinaman's chance here, we have an opportunity that we will have a Speaker who comes from Mindanao. For this reason, I vote yes.

THE SECRETARY GENERAL, *reading*:

Cajayon .....

REP. CAJAYON. My vote is yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Cajes .....

REP. CAJES. I vote yes.

THE SECRETARY GENERAL, *reading*:

Cari .....

REP. CARI. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Casiño .....

REP. CASIÑO. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. CASIÑO EXPLAINS HIS VOTE

REP. CASIÑO. Thank you, Mr. Speaker.

The motion to declare the position of the Speaker vacant is being made because the Speaker's son decided to tell the truth, the whole truth and nothing but the truth about the anomalous NBN-ZTE contract. He is being replaced unceremoniously because the Arroyo block in the House which includes three Congressmen and the President herself wants to discard a loyal lieutenant whose hands they suspect to have dipped itself into the cookie jar once too often, and whose differences with the President and his personal ambition caused Malacañang and the First Family sleepless nights.

Let us call a spade, a spade. Magpakatotoo po tayo. Ang pagpapataksik kay Speaker De Venecia ay pakana ng Malacañang para higit pang kontrolin ang Kamara. *(Applause)* Anumang reporma o pagbabago raw na itinutulak ng mga kakampi ng Presidente ay pagbabago para sa kapakanan ng administrasyon, para sa kapakanan ng Presidente. Ayaw ng Malacañang ng impeachment, ayaw ng Malacañang ng mga congressional investigations, ayaw ng unang pamilya ng kaagaw sa mga kontrata mula sa China, kaya ayaw na rin nila kay Speaker De Venecia.

Mr. Speaker, hindi po simpleng away o grudge fight ang kaganapang ito sa pagitan ng mga pamilyang Arroyo at De Venecia, although that is what it initially appears to be. Ito po ay labanan para sa kontrol sa Kamara. Gusto ng Malacañang na kontrolin ang Kamara ng higit pa sa kontrol nila sa ilalim ng liderato ni Speaker De Venecia. Bakit? Alam na nating lahat kung bakit. They want to get away with murder and all the crimes caused by this administration. Iyan po ang tunay na issue rito. Ano ba ang pakinabang ng karaniwang tao kapag natanggal si Speaker at napalitan ng isang loyal sa Malacañang? Wala. Iisa lang ang sigurado, mas malaki ang magiging utang na loob sa Malacañang ng papalit kay Speaker De Venecia. In this light, I vote no to the motion not because I want a De Venecia leadership and the records will show that we in the progressive party-list have consistently opposed this leadership but we are voting no to send our outrage and to show our opposition to a plot that would make Congress not only Malacañang's rubber stamp but its partner in crime. I have always believed that Congress should be independent from the executive and serve as a check and balance against its abuses. Today, we bury the House's integrity as a separate branch of government. That is why I am wearing my black Barong Tagalog to mourn for this House. Thank you, Mr. Speaker, I vote no.

THE SECRETARY GENERAL, *reading*:

Castelo-Daza .....

REP. CASTELO-DAZA. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Castro .....

REP. CASTRO. I vote yes, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Pardon, can the Gentleman please state his vote?

REP. CASTRO. The Chair wants to hear it, Mr. Speaker?

THE DEPUTY SPEAKER. (Rep. Fuentebella). Yes.

REP. CASTRO. I vote yes.

THE SECRETARY GENERAL, *reading*:

Cayetano .....

Celeste .....

REP. CELESTE. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. CELESTE EXPLAINS HIS VOTE

REP. CELESTE. Mr. Speaker, ako po ay nalulungkot at humantong sa ganito na kayo po ay magbibigay ng isang mabigat na desisyon, but in this hall of Congress, alam ko po na irerespeto ang bawat desisyon natin. When I first ran for Congress during my first term as an independent, I fought with a Lakas candidate and after that election, no less than the Speaker of the House, the honorable Speaker Jose De Venecia, invited me to join Lakas. So, sa atin pong pag-aakala na tayo po ay mabibigyan ng tulong at suporta ng partidong Lakas. Pero hindi po iyon nangyari dahil wala pong suporta na dumating not only on my person as a Congressman of the First District but in my entire district sa Primero Distrito dahil po noong 2004 election, wala po akong kalaban doon kundi another Lakas candidate. So I decided to leave the party, and I joined KAMPI and it is in this party that naramdaman po natin ang tulong hindi lang po sa inyong lingkod kundi pati na rin sa aking distrito especially in terms of social services. Sana po ay maintindihan ako ng aking kababayan. Hinahangaan ko po ang liderato ni Speaker Jose De Venecia, noong tatlong beses ko na pong ibinoto ang ating kababayan. Last July, wala pong stand ang partido natin, we are free to choose the Speaker, tinulungan ko po ang ating kagalanggalang na Speaker, but this time, nagdesisyon po ang partido KAMPI and according to its leadership, we will vote as one. So, Mr. Speaker, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Cerilles .....

REP. CERILLES. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

## REP. CERILLES EXPLAINS HIS VOTE

REP. CERILLES. At the start of this Congress, we formed the so-called Reform Bloc. And we indorsed the candidates, hoping that we can come out with a constructive change to keep this Congress going.

As correctly observed by my colleague in the Eighth Congress, the Honorable Bagatsing, and he was then the chairman of the Committee on Accounts, "What is this, I have been up for quite sometime and it has been 20 years, still we have the same number of personnel." The budget of the Eighth Congress was increased, as well as that of the Ninth, Tenth, Eleventh, Twelfth and Thirteenth Congresses, and now, in the Fourteenth Congress. And there seems to be no change. In fact, as correctly stated by the good bishop from Manila, the rating of this Congress is very low. Maybe because we have a leadership problem.

I am from Mindanao. You are from Manila. We have so many dreams from Mindanao. It has only been promised, always a land of promise. This time I see that everybody wants a constructive change, not a change according to his impression or a change according to the people of the Philippines, not a change according to his perception but it should be based on what the people want. That is with the kind of change. You can note that there is a deal on this leadership issue. No less than the President, the highest leader of the land, drops this deal, that is a deal. What corruption are we talking here? So, let us restate the changes we would like for this country. Then I vote no—yes, I am sorry, yes. *(Laughter)*

THE SECRETARY GENERAL, *reading*:

Chatto .....

REP. CHATTO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Chavez .....

REP. CHAVEZ. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Chiongbian .....

REP. CHIONGBIAN. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Chipeco .....

REP. CHIPECO. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

## REP. CHIPECO EXPLAINS HIS VOTE

REP. CHIPECO. Thank you, Mr. Speaker. Unang-una, Mr. Speaker, ang inyo pong lingkod ay miyembro po ng

minorya noong Thirteenth Congress at gayon din po, ngayong Fourteenth Congress, miyembro pa rin ho tayo ng minorya. I have never voted for Speaker De Venecia because I have always been a consistent member of the minority. And since then, I have always wanted change here in the House of Representatives, especially that I grew up here, since my dad was a four-time Member of this Congress.

Nakita ko noong 1987, 1992, 1995, 2001, up to 2004 kung ano po ang Kongresong ito. Kaya po, Mr. Speaker, marahil ang issue pong ito ay hindi dapat marahil ma-involve ang members ng minority sapagkat anuman ang mangyari, kami po ay magiging miyembro pa rin ng minorya, kami rin po ay magiging oposisyon. Kaya ako po ay naniniwala sa demokrasya at sa karapatan ng bawat isang naririto po na bumoto at ipakita kung sino ang kanilang iboboto.

That is why, Mr. Speaker, in this particular issue with respect to the voting on declaring the seat of the Speaker vacant to allow Members to vote, I agree that we allow them to vote and see who they want to vote. Hindi pa naman po tapos ang labanan, meron pa hong mga kandidatong lalaban, tama po ba iyan? Ang sinasabi lamang po natin ay buksan lamang para magkaroon ng botohan. Pero ako po, even if I agree that the Office of the Speaker should have an election—with respect to the Speaker's Office—I would like also to tell this humble Chamber that I am also abstaining with respect to the actual voting of Speaker because I wish to maintain my alliances with the minority.

So, Mr. Speaker, with this particular issue alone, to declare the seat of the Speaker vacant, I vote yes.

Thank you very much.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman votes yes?

THE SECRETARY GENERAL, *reading*:

Chong.....

REP. CHONG. Just a short explanation, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

## REP. CHONG EXPLAINS HIS VOTE

REP. CHONG. Leaders establish the vision for the future and set the strategy for getting there. They cause change, they motivate and inspire others to go in the right direction and they, along with everyone else, sacrifice to get there. Actually, more is demanded from a leader.

If leaders lose the trust and confidence of the people they are supposed to lead, sacrifice is called for them to give way for the greater good of all especially this institution. I believe we have reached that point. As a general rule, people do not risk this change. They resist being changed. But I believe that the current Speaker is a true statesman, a good leader and will not resist being changed.

I vote yes accordingly to declare the Office of the Speaker vacant.

Thank you.

THE SECRETARY GENERAL, *reading*:

Chungalao .....

REP. CHUNGALAO. May I ask for time to explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. CHUNGALAO EXPLAINS HIS VOTE

REP. CHUNGALAO. Thank you, Mr. Speaker.

Today is February 4. What is happening here in Congress brings me back to another important date that affects my political career. That was July 8, 2005, when our party, the Liberal Party, solid and vibrant at that time, was one and united when suddenly, after pledging allegiance to Malacañang a week before, decided to break and go for the impeachment of the President. On that date, some of us, along with this Representative, decided for a status quo because we believe in the leadership of GMA. We supported it and continue to support it.

Today, I did not expect that I will be faced with another decision. Indeed, there is nothing permanent in this world except change. But there are two faces of change—change for the better or change for the worse. I am not prepared to make a decision. In fact, we or I opted for status quo considering the fact that after six years into elections, our sacrifice with this leadership of President GMA is bearing fruit. Economically, we are getting stable. Politically, we are trying to address the problems. I do not see any major national reason to change the leadership of this House which has been very supportive of the administration.

For this cause, I vote no, Mr. Speaker, not as a challenge or an opposition to this administration that we continue to support, but I do not think we are prepared for the consequences or whether our decision for change will be for the better or for the worse.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Clarete .....

REP. CLARETE. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Climaco .....

REP. CLIMACO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Lady may please proceed.

REP. CLIMACO EXPLAINS HER VOTE

REP. CLIMACO. I vote yes and as a neophyte Member of the House of Representatives, we need a Speaker who will guide, listen and help the new Members of the House.

I was very honored last November 20, when I was designated as caretaker of the District of Basilan but my pleas to help the district and the unpaid employees fell on deaf ears. I feel that Basilan deserves its share as any district in the country, and we should not deny what is due to it, since this is an entitlement of any other district. We need to uphold the dignity of the House of Representatives by giving every Member his share and a chance to have their voices heard in Congress.

And so, Mr. Speaker, my yes vote will be a vote to give not only Basilan but all the other districts of the country the chance to have its equal representation in this House of Representatives.

*Muchas gracias y vaya con Dios.*

THE SECRETARY GENERAL, *reading*:

Codilla .....

THE SECRETARY GENERAL, *reading*:

Cojuangco .....

REP. COJUANGCO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. COJUANGCO EXPLAINS HIS VOTE

REP. COJUANGCO. Mr. Speaker, I am having great difficulty in deciding what to vote tonight. I feel that I am a bystander here who was caught up between two sides. A bystander who really has nothing to do with what has been happening.

It was my wish that my last term as Congressman would be spent working for my constituents in my district finishing initiatives that I have started and working on legislations that I would like to push in the House.

Tonight, I was ready to vote no on whether or not we should declare the position of the Speaker vacant. I sincerely believe that status quo would be good for the stability of this administration, an administration that I want to see in place until 2010, because we need stability for the good of the country. But with what has been said tonight, I do not think I can vote no, and so, I would like to fall back on my original position as a bystander who has nothing to do with this trouble that we have here in the House, and so, Mr. Speaker, I abstain.

THE SECRETARY GENERAL, *reading*:

Coquilla .....

REP. COQUILA. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Coscolluela .....

REP. COSCOLLUELA. Mr. Speaker, I vote yes.

Crisologo .....

REP. CRISOLOGO. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed, the Gentleman has three minutes.

#### REP. CRISOLOGO EXPLAINS HIS VOTE

REP. CRISOLOGO. Thank you very much.

Up to the last moment I was ready to vote no, Mr. Speaker, because I feel that the leadership of the Speaker is very vital, and I believe that he is the only man who would hold respect of most, if not all, of the Congressmen. But I feel that a House leadership which is not in good terms with the President would not be effective at all. And as I look forward, I would like to see the welfare of our constituents and our country. And it is a sad thing, but it is with a sad heart that I vote yes.

THE SECRETARY GENERAL, *reading*:

Cruz-Gonzales .....

Cua, Guillermo .....

REP. CUA (G.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

#### REP. CUA (G.) EXPLAINS HIS VOTE

REP. CUA (G.). Mr. Speaker, I vote yes, with the hope that this change will create more dynamism, more opportunities for growth, development and also better accountability in this House.

Thank you.

THE SECRETARY GENERAL, *reading*:

Cua, Junie .....

THE SECRETARY GENERAL, *reading*:

REP. CUA (J.). Yes.

THE SECRETARY GENERAL, *reading*:

Cuenco .....

REP. CUENCO. Mr. Speaker, mine is a conscience vote. I find no need to explain the dictates of my conscience. I vote a vigorous no. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Dangwa .....

REP. DANGWA. Mr. Speaker, I vote no to the motion. Thank you.

THE SECRETARY GENERAL, *reading*:

Datumanong .....

REP. DATUMANONG. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Deputy Speaker has three minutes.

#### REP. DATUMANONG EXPLAINS HIS VOTE

REP. DATUMANONG. Mr. Speaker, Speaker De Venecia has just been serving six months of the term for which he was elected in July 2007. But within that period of six months, he has done so well. He has introduced some reforms in the House, some of them have been implemented and some are about to be completed. These include some fiscal policies.

I know Speaker De Venecia as a man of peace because, personally, I had the opportunity to accompany him to the mountains in Mindanao to enable him to have dialogue with the group of secessionists in order that he could help facilitate this group to have a bigger dialogue with the government of the Philippines to provide peace to the people, not only of the affected areas but in a larger stint, Mindanao itself. And that would also save the nation precious millions of pesos. He has been having great efforts in facilitating the peace talks between the government and the Communist Party of the Philippines/New People's Army (CPP/NPA) which also indicates his being a man of peace.

I know Speaker De Venecia has not done wrong to anyone in this Chamber especially that which would create hatred to the extent of ousting him as Speaker of the House of Representatives.

During the time that he has been Speaker of this House in four and half speakership terms, he has facilitated the enactment of laws that greatly helped our country to recover economically and to provide space for peace. I do not see any good reason to put him out of the speakership.

Mr. Speaker, let it be known, however, that I have no personal objection to the speakership of Congressman Boy Nograles because, in fact, I, together with the Mindanao Solons, should be happy that Mindanao may have the opportunity to hold the fourth highest position in the land. But it is simply that at this time, I see that there is no urgent reason to oust Speaker de Venecia.

And for all these reasons, Mr. Speaker, I vote no to the motion. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Dayanghirang .....

REP. DAYANGHIRANG. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Daza .....

REP. DAZA. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

De Guzman .....  
De Venecia .....  
Defensor, Arthur .....

REP. DEFENSOR (A.) EXPLAINS HIS VOTE

REP. DEFENSOR (A.). I vote yes, Mr. Speaker, but my vote should not be interpreted as indicative of my vote in the election for the Speaker. I vote yes because I do not want to deny my colleagues in the House the opportunity to decide whether they would want to change the Speaker or not.

THE SECRETARY GENERAL, *reading*:

Defensor, Matias .....

REP. DEFENSOR (M.). May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DEFENSOR (M.) EXPLAINS HIS VOTE

REP. DEFENSOR (M.). When they say that they want a change, the question that will always arise is whether or not it is a change for the better. I feel that the Speaker, although with all his faults, has done a good job in running this House. I saw the fiscal crisis in the Thirteenth Congress, and it is the cooperation of the House through its leadership that we were able to rebound and gain our economic prosperity that we are enjoying now.

But, Mr. Speaker, we all know that when we ran as Representatives of our people, we say that we belong to the opposition and we also say that we belong to the administration. And the people voted overwhelmingly for an administration-controlled House. And when I heard the Speaker spoke tonight with accusation hurled at the presidency that never did I even hear such a bombastic attack even from the staunchest opposition, then I say that that Speaker is no longer capable to run an administration-controlled Congress. Many of those accusations, sorry to say, are half-truths if not downright lies because I was one of the witnesses in all those occasions, and the President never interfered with the affairs of the House. It was the majority coalition which requested that.

And with that note, Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Del Mar .....

REP. DEL MAR. Mr. Speaker, may I briefly explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DEL MAR EXPLAINS HIS VOTE

REP. DEL MAR. Mr. Speaker, I truly believe that Speaker Joe De Venecia has been a good Speaker of this

House. Otherwise, I would not have voted for him five times in as many times that he ran for the position.

I therefore vote no.

THE SECRETARY GENERAL, *reading*:

Del Rosario .....

DEL. ROSARIO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Diasnes .....

REP. DIASNES. Mr. Speaker, can I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DIASNES EXPLAINS HIS VOTE

REP. DIASNES. Two years ago, before I decided to run for Congress in the far province of Batanes, mayroon po akong inumpisahan na slogan na "Campaign for Change CFC," So noong nagkampanya po ako sa Batanes, hindi nila ako kilalang si Carlo Oliver Dono Diasnes. Hindi nga nila ma-spell ang aking last name. Ang pagkakilala po sa akin doon ay si C4C, "Campaign for Change."

And I always believe that when you vote for a status quo, you get more of the same. So I would like to vote yes.

And my last prayer is:

"Grant me the serenity to accept the things I cannot change;

Courage to change the things I can;

And the wisdom to know the difference."

Gusto ko pong i-challenge ang aking kasamahan lalo pa iyong mga first termers. Iyong change po natin, sana hindi lang maiiwan po rito sa Kongreso. Magtulungan po tayo that the change should also trickle out of this august hall.

Thank you very much.

I vote yes.

THE SECRETARY GENERAL, *reading*:

Diaz .....

REP. DIAZ. Yes.

Dilangalen .....

REP. DILANGALEN. Mr. Speaker, ipaliliwanag ko po sa wikang pambansa ang aking posisyon.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Ipagpatuloy po ng Ginoo.

REP. DILANGALEN EXPLAINS HIS VOTE

REP. DILANGALEN. Gusto ko pong mailabas kung ano ang nasa kaibuturan ng aking puso. Alam ninyo, Mr. Speaker, kahit kailan man hindi ko binoto iyang si Speaker

Joe de Venecia. Wala akong tiwala sa kanya. Pero nang marinig ko iyong talumpati niya kanina, parang naiba ang aking damdamin.

Bakit? Sinabi ni Speaker Joe De Venecia na makasalanan siya. Lahat tayo rito ay makasalanan, kahit malapit kayo sa simbahan. Makasalanan tayong lahat dito. Pero sa palagay ko, siguro hindi na niya matiis na hindi magsabi ng katotohanan kaya nangumpisal siya. Sa bagay na iyan, saludo po ako kay Speaker Joe De Venecia.

Pero kanina, banat siya nang banat laban sa Presidente, sa First Gentleman at sa buong pamilya. Pero alam ninyo, Mr. Speaker, magkakasama sila dati. Bakit ngayon lang? Ngayon, sabi niya, gusto niyang magsalita. Sana, ipagpaliban muna natin ang botohan ngayon. Gusto niyang pagbigyan pa siya ng mga pagkakataon para maipaliwanag pa at maisambulat sa sambayanan kung ano talaga ang mga katiwalian ng administrasyong ito. Ngayon, bakit hindi natin pagbigyan?

Bakit? Bakit kailangang magbobotohan ngayon? Pagbigyan natin si Speaker Joe De Venecia, baka marami pang sasabihin. Ngayon, mayroon pa akong gustong ipaliwanag pero hindi niya ipinaliwanag kanina. Puro sumbat laban sa Presidente. Pero, si Speaker Joe De Venecia, sangkot ito sa North Rail. Kasama siya sa negotiation. Parang ZTE rin ito, overpriced. Dapat ipaliwanag niya ito.

Gusto rin niyang magsalita, e di ipaliwanag niya. Kasi lumalabas, santo siya pag katabi ang Presidente. Palagay ko, hindi tama iyon. This is the best time for Speaker Joe De Venecia to prove that although he is a sinner like most or all of us, siguro magsasabi siya ng katotohanan.

Ngayon, kaya nga ako ay hindi po sang-ayon na magkaroon ng botohan dito sa ngayon o kaya ay sibakin si Speaker Joe De Venecia mag-isa sapagkat kung gusto talaga natin ng pagbabago rito sa House of Representatives, lahat ng puwesto simula sa Speaker, Deputy Speakers, committee chairmanships at committee membership, dapat ibakante lahat iyan.

Bakit si Speaker Joe De Venecia? Bakit kayo, wala kayong mga kasalanan? Hindi ba ninyo nakikita ang sarili ninyo? Tumingin kayo sa salamin. (*Applause*) Iyan ang dapat nating gawin.

Noong mga nakaraang Kongreso, alam kong may kasalan si Joe De V. Alam kong may ginawa siyang katiwalian. Wala lang akong ebidensya. Kaya palagi po akong nangunguna para patalsikin siya, para sibakin bilang Speaker.

I always lead the move to declare the position of Speaker vacant, pero pinagtatawanan po nila ako. Mangyari po, oposisyon po ako noon. Kasama ko po ang aming Minority Leader—pangatlong beses na ito, Congressman Ronny Zamora. Pero hindi siya kasali roon sa aking mungkahi. Ako lang mag-isa.

Ngayon, iyong mga taong sumusuporta kay Joe De V noon, sila rin ang nangunguna ngayon para patalsikin siya. Bakit? Eto namang problema kay Joe De V, ang daming kasalanan; ngayong patatalsikin na siya, ngayon pa siya nangumpisal. Dapat noon pa. Kaya ito ang pagkakataon para maniwalang ang taumbayan sa kanya, na nagsasalita siya para hindi takutin ang Presidente, para hindi i-blackmail ang buong pamilya, kundi para sa ikabubuti ng ating bayan, para sa pambansang kapakanan or national interest.

Kaya ito po ay isang hamon kay Joe De V at sa inyong lahat: Kung maaari sana ay ipagpaliban natin ang botohan ngayong gabing ito. Kung maaari sana. Ano kaya kung bigyan

natin si Joe De V ng isang araw, dalawang araw o isang linggo? Magsasalita siya. Pag hindi siya magsasalita, maniwala kayo sa akin hindi lang iyan ang aabutin niya. Hindi na natin siya sisibakin sa kanyang puwesto. Patatalsikin natin siya for disorderly conduct sapagkat siya ay saksakan pala ng sinungaling.

Lahat ng iyan ay nasa Saligang Batas. Noong pinagtatawanan ninyo ako akala ninyo hindi seryoso ito—but this is the best time to show to the Filipino people that we mean business. We have to let Mr. Joe De Venecia explain all the charges of corruption, all the secrets or “State secrets” na sinasabi niyang gusto niyang sabihin. Kapag pinatalsik natin siya ay hindi na iyan magsasalita. Bakit? Tapos na ang usapan . . .

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman, please, he has already consumed five minutes.

REP. DILANGALEN. . . . so, this is my challenge to all of you: Ipagpaliban natin ito.

Mr. Speaker, I vote no. Pero kung lahat-lahat, yes. Thank you very much.

(*Laughter*)

THE SECRETARY GENERAL, *reading*:

Dimaporo .....

REP. DIMAPORO. Mr. Speaker, may I please explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DIMAPORO EXPLAINS HIS VOTE

REP. DIMAPORO. Mr. Speaker, I would like to say that no one in Malacañang told me how to vote. And believe that no one in Malacañang told any one of us here how to vote.

Yesterday at 1:30 p.m., I called a meeting of all municipal and provincial Lakas leaders and some other leaders of Lakas in Lanao del Norte. We discussed how I should be voting if a situation like this would come. And, it was with a heavy heart for many of them that they decided that I should vote for what is good for us and what is good for our country—and that is to vote yes. Had my leaders heard earlier the privilege speech of Speaker Jose de Venecia, I think they would have decided easier for me to vote yes.

So, therefore, Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Dominguez .....

Domogan .....

REP. DOMOGAN. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DOMOGAN EXPLAINS HIS VOTE

REP. DOMOGAN. Thank you, Mr. Speaker.

In no less than two different occasions, the officials and members of Northern Alliance, where I belong, signed a resolution and a manifesto expressing our continuous and solid support to our President as well as to Speaker De Venecia.

We have seen that it is only when there is unity and teamwork that we can achieve progress. To the credit of this administration, as has already been published, we had reached 7.3 percent Gross National Product (GNP) because of teamwork and unity. It is unfortunate, Mr. Speaker, that we have resorted to the situation we are in.

I am afraid, Mr. Speaker, that what we are doing tonight may result in a titanic eruption that we might not be able to predict its repercussion. And I pray that with the blessing of the Lord, It will not result to that. Despite those charges and countercharges, it will lead us to a situation for the sake of the country and the Filipino people.

So, since we are for unity and status quo, I vote no, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Duavit .....

THE SECRETARY GENERAL, *reading*:

Dueñas .....

REP. DUEÑAS. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. DUEÑAS EXPLAIN HIS VOTE

REP. DUEÑAS. Mr. Speaker, my vote does not mean that the Speaker is not capable or not worthy of his office. Great is my respect and admiration for him for his long years of exemplary service with his profound sense of responsibility and wisdom, with understanding and patience as the Speaker of the House of Representatives. However, we are a party of innovations or changes. We do not reject or forget our traditions but we are willing to adapt to changing circumstances. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Dumarpa .....

REP. DUMARPA. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Lady may please proceed.

REP. DUMARPA EXPLAINS HER VOTE

REP. DUMARPA. Mr. Speaker, much as I want to preserve the unity in diversity that we now have in this Chamber, however, public interest specifically in my constituency in the First District of Lanao del Sur can best be served if I vote yes. Therefore, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Dumpit .....

REP. DUMPIT. Mr. Speaker, as a member of the Reform Bloc in the House of Representatives, and an advocate for change, I vote yes.

THE SECRETARY GENERAL, *reading*:

Durano .....

REP. DURANO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Dy .....

REP. DY. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Ecleo .....

Emano .....

REP. EMANO. Mr. Speaker, I vote yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please clarify his vote.

REP. EMANO. Mr. Speaker, I vote yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Yes?

REP. EMANO. Yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Enverga .....

REP. ENVERGA. Mr. Speaker, I vote yes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Can the Gentleman restate?

REP. ENVERGA. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Ermita-Buhain .....

REP. ERMITA-BUHAIN. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Escudero .....

Estrella, Conrado .....

REP. ESTRELLA (C.) EXPLAINS HIS VOTE

REP. ESTRELLA (C.). Mr. Speaker, I have been praying hard for these past few days asking for guidance in addressing

this issue. Perhaps the best recourse for me is to be consistent—consistent in the way that I have always considered two things in the past. One is party stand and the other, the recommendation of my constituents with regard to our party stand.

I need not elaborate on the stand of the Nationalist People's Coalition when my colleague Congressman Jack Duavit voted, and the decision of the party. In the past few days, I have been going around my district and consulted my constituents. After all, I am just the mouthpiece of my constituents, and, there were many remarks that came out from my constituents. One is, kababayan natin yan, baka hindi maganda na kontrahin mo. And the other one is, with due respect to the Speaker, medyo may edad na iyan, bakit kailangan pa nating labanan o i-oust? And then the other one is, sinasabi nila, baka naman Congressman, iyong momentum dito sa distrito with regard to development, kapag ikaw ay sumalungat baka maapektuhan. And they have been saying also, "Anyway, siguro, Congressman, hindi naman magagalit sa iyo si Speaker dahil apat na beses kang bumoto sa kanya. Doon sa limang beses kang umupo na Congressman, apat na beses mong binotohan si Speaker De Venecia." And then, may nagsabi pa, "Siguro, ang mabuti, payagan mo na siyang ma-oust, for all you know iyan ang magiging ticket niya sa Senado sa 2010." Ngunit, noong sinuma total, the net score is that, I should consider sticking to our party stand, and this is very painful on my part especially so, that my wife is very close to Tita Gina. But as I have said, I have to be consistent and I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Estrella, Robert .....

REP. ESTRELLA (R.). Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Fabian .....

REP. FABIAN. Mr. Speaker, please allow me to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. FABIAN EXPLAINS HIS VOTE

REP. FABIAN. Mr. Speaker, I am neither a member of the LAKAS, nor of the KAMPI. I belong to a party of only three or four Members in this House. And I am not very certain if our votes would make a difference.

Speaker Jose De Venecia tried his best to serve us well here. But sometimes, you just have to face the actual realities of what politics is all about, Mr. Speaker. I hope this change that we are all talking about will be for the benefit of practically everybody especially for my beloved Zamboanga City. I guess we are on nationwide TV, please allow me to address my constituents in my native dialect or tongue. Mga vecinos, amigos alli na Ciudad de Zamboanga ese desisyon de mio para tiene on poco cambio aque na Camara baja especialmente liderato ohala para bien di aton todo alli na

Ciudad de Zamboanga. May I register my affirmative vote. Gracias, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Fernandez .....

REP. FERNANDEZ. May I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Abstain?

REP. FERNANDEZ. No, may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. FERNANDEZ EXPLAINS HIS VOTE

REP. FERNANDEZ. As much as I wanted to vote no, but I think and I believe that I have to vote yes. I have nothing against the Speaker, in fact, ninang ko po si Gina de Venecia. And I believe that Speaker Joe de Venecia is the best Speaker that this Congress has ever produced. But we, the new Congressmen and women, 102 in all, were being treated like mere spectators in this Congress. We would like to find out if we can ever produce a Speaker who has the same caliber and qualities as the Speaker have. Ang akin lang pong hiling sana ay huwag maliitin at huwag balewalain ang atin pong mga neophyte Congressmen and Congresswomen because we believe, and I think, that nobody knows what tomorrow brings. We might have a Speaker, three months, five months or soon, who will come from neophyte Congressmen. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). What is the vote?

REP. FERNANDEZ. Yes.

THE SECRETARY GENERAL, *reading*:

Ferrer .....

REP. FERRER. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Fua .....

REP. FUA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. FUA EXPLAINS HIS VOTE

REP. FUA. We have witnessed the improvement of our economy, with a GDP growth of 7.3 percent. We have seen the reduction of poverty in the countryside. We have

practically improved our international relationship with foreign communities. All of these successes in the administration of government cannot be duly credited to one department only. Congress plays a vital role on the successes of these aspects of governance. And since Congress has always been in a coordinative collaboration in the prosecutions of program and projects of the government, we shall also attribute the successes of these programs to them. And it was under the stewardship of no less than Speaker De Venecia. If all of these successes can be attributed to Congress under the stewardship of Speaker De Venecia, what would then be the reason that we remove him as a Speaker of the House? He practically worked with the President and urged all Members of Congress to cooperate by passing vital measures in the House for the prosecution of projects. And then suddenly, the Speaker has become the subject of a move to be ousted from his post. Until today, I cannot understand why he should be removed. I cannot understand why he should be rewarded with punitive actions such as the removal from his position. Instead of praising him or what he did, why do we have to oust him? It is in this sense that I believe removing Speaker Jose De Venecia from his post as Speaker of the House is unconscionable. And it is on this stand that I have to vote no to the motion to declare the position of Speaker vacant.

I vote no. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Garay .....

REP. GARAY. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Garcia, Albert .....

REP. GARCIA (A.). Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Garcia, Pablo .....

REP. GARCIA (P.). With sadness and regret, I vote yes.

THE SECRETARY GENERAL, *reading*:

Garcia, Pablo John .....

REP. GARCIA (P.J.). With hope in my heart, I vote yes.

THE SECRETARY GENERAL, *reading*:

Garcia, Vincent .....

REP. GARCIA (V.). Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). Yes, does the Gentleman want to explain his vote?

REP. GARCIA (V.). Yes, Mr. Speaker, if the Chair will allow me, it will just take me a few minutes.

THE DEPUTY SPEAKER. (Rep. Fuentebella). He may please proceed. The Gentleman has three minutes.

REP. GARCIA (V.) EXPLAINS HIS VOTE

REP. GARCIA (V.). Mr. Speaker, I am from Davao and the probable candidate for Speaker of the administration is Congressman Nograles, who happens to be my third cousin. However, Speaker De Venecia is the father-in-law of my older brother. So, I am placed in a quandary I will have to admit it. So, in order not to ruffle the feathers on both sides, I will have to abstain. Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Garin .....

REP. GARIN. Yes.

THE SECRETARY GENERAL, *reading*:

Gatchalian .....

REP. GATCHALIAN. Mr. Speaker, if I may be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. GATCHALIAN EXPLAINS HIS VOTE

REP. GATCHALIAN. Eight months ago, the people, most particularly the youth of the First District of Valenzuela, took their chances on this new 29-year old congressional candidate over a political veteran. They voted for this Representation because of my platform of change and hope. I cannot fail them now. The status quo simply does not work, conforming to traditions and age-old practices does not sit well with this Valenzuelano. Change is sweeping into this country and into this Chamber, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Gatlabayan .....

REP. GATLABAYAN. Mr. Speaker, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Go .....

REP. GO. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Golez .....

REP. GOLEZ. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

## REP. GOLEZ EXPLAINS HIS VOTE

REP. GOLEZ. Mr. Speaker, I am with the minority and its general position is to abstain and this is understandably so. It is the majority members who elect the Speaker, not the minority. And it is also the members of the majority who should declare the position of the Speaker vacant, not the minority. And therefore, my vote is to abstain. But having said that, let me continue by saying that I was hoping that the motion, which is a very important motion, should have been subjected to a more lengthy and comprehensive debate because we are making a very important vote that will affect not only the House and the government but the entire country. The entire country is watching the conduct of the House right now. But the movant did not even explain why he wants the position of the Speaker to be made vacant. I think we deserve to be given that explanation.

I have heard and read from the newspapers that those who would like a change would like to pursue a reform agenda. But no one has explained to us what is this reform agenda. Because it is very important that those who are in favor of change should explain what this reform agenda is all about so that we can bind them in the event that they succeed in getting the leadership of the House. Does this reform agenda, for example, include the management of funds? Does it include asserting the dignity and power of the House in relation to the executive branch? Does it include committee assignments? Is it going to tackle Charter change, Mr. Speaker? I think these are all very important. But very sadly, we did not discuss this and this should have been discussed because, as I said, this is an issue that is very important and we cannot vote on this without proper debate.

And again, Mr. Speaker, I would like to reiterate, my vote is to be with the general position of the minority and that is to abstain.

Thank you very much.

THE SECRETARY GENERAL, *reading*:

Gonzales, Aurelio .....

REP. GONZALES (A.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman has three minutes.

## REP. GONZALES (A.) EXPLAINS HIS VOTE

REP. GONZALES (A.). Mr. Speaker, I am not supposed to stand and explain my vote but I think the former Speaker's statements are dragging the President's name and hurling false accusations against my cabalen, President Gloria Macapagal-Arroyo, thus hurting me and my constituents in the Third District of Pampanga.

I am thus compelled to rise not only to explain my vote but to defend my cabalen. I do not believe the half-truths and inaccuracies that Speaker De Venecia mentioned uncertainly. His dragging the President's name was uncalled for and was meant to divert our attention, the real issue, which was our lack of confidence in his leadership, Mr. Speaker.

Mr. Speaker, as a neophyte Congressman, I stand for change, I stand for more transparency in running the affairs of the House. But most of all, I stand as one of my party, the President's party, with Louie Villafrute, in our desire to push for reforms in the House leadership. As a member of the party, I believe it is high time for the House of Representatives to have a new leader who will usher in fresh ideas and a new level of zeal, a dynamism into the bigger Chamber.

Mr. Speaker, I therefore vote yes to declare the seat of the Speaker vacant.

Dakal pong salamat ke kayungan.

THE SECRETARY GENERAL, *reading*:

Gonzales, Neptali .....

REP. GONZALES (N.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

## REP. GONZALES (N.) EXPLAINS HIS VOTE

REP. GONZALES (N.). G. Ispiker, sa mga pagkakataon pong ito ay buhay sa aking diwa ang aking ama, dating Senate President Neptali Gonzales, nang siya, sa kauna-unahang pagkakataon, matapos mahirang bilang Pangulo ng Senado, ay pakitaan ng resolusyon ng kasama niya sa partidong Laban ng Demokratikong Pilipino, na out of 14 LDP members sa Senado ay walo ang nagsasabing wala nang kompiyansa sa kanyang panunungkulan bilang Pangulo ng Senado. At matapos makita ng aking ama ang nasabing resolusyon ay agad siyang pumayag na bumaba sa kanyang posisyon at ni hindi tinanong ang kanyang mga kasama ano ang rason sa pagpapatalsik sa kanya bilang Senate President. May mga ilan sa kanyang kasamang nagsabi na, "Tali, huwag kang sumuko, dahil labing-apat lang naman tayong LDP, mayroon pang sampu na mga kasama sa Senado na hindi kasama ng LDP at maaring bumoto para sa iyo." Ngunit, ang sabi ng aking ama, "Kung ang aking sariling kasama sa partido ay wala nang tiwala sa aking panunungkulan, hindi ako tatagal sa aking puwesto nang kasinghaba ng isang segundo."

Napag-alaman ko kanina sa ating kasama na si Sonny Angara na ganoon din ang ginawa ng kanyang ama, matapos na mahirang ang dating Senate President Angara bilang Senate President, noong nagpakita na ng resolusyon ang kanyang mga kasama na wala nang kompiyansa sa kanya, voluntary din po, Mr. Speaker, na ni-relinquish ang post.

Sa akin pong pagkakaalam, sa lahat ng parlyamentaryo po sa buong mundo, ang pinag-uusapan po rito ay bilang. Sino man ang namumuno sa isang kowalisyon, particularly sa isang kowalisyon, dahil hindi kaya ng iyong sariling partido na i-elect ka bilang pangulo ng parlyamentaryo, ang buhay mo lamang bilang lider ay ayon doon sa suporta ng higit na nakararami. At kapag ang suportang iyon ay nawala, we do not have to have a reason. Ni hindi natin kailangang tanungin ang isa't isa, "Ano ba ang rason mo, bakit mo ba pinapalitan ang lider?" Because that is unparliamentary to do so, and we have to respect our own opinion on the matter. We do not have to have a reason. For at the end of the day, it is only a question of numbers, and I do believe in my heart

na sa pagkakataon pong ito ay wala na po ang number sa atin pong kasalukuyang Speaker. At dahil po rito, ako po ay naniniwala na ang kowalisyon ay nagpapatuloy, regardless kung sinuman ang namumuno roon. Any position in the House is not a position that is given to us as a matter of a vested right. At any given time po, iyon ay mawawala. Kung wala nang suporta sa atin ang ating mga kasama, regardless of the reason, and as I have said, we do not even have a reason, at the end of the day, it is only a question of numbers. And for this reason, Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Gonzalez .....

REP. GONZALEZ (R.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. GONZALEZ EXPLAINS HIS VOTE

REP. GONZALEZ. Kagalang-galang na Speaker, akin pong mga kasama.

Ang gabi pong ito ay isa sa mga pinakamalungkot na gabing naranasan ko po bilang isang kasama ng Mababang Kamara.

Nitong araw pong ito ay nakapagdesisyon na po ako na boboto in favor of status quo, in favor po kay Speaker JDV. Alam po ito ni Speaker at ng ilang mga kasamahan natin. Alam po nina Dr. Garin at Dr. Biron ang stand ko. Twice ko pong tinanggihan ang request ni Congressman Mikey na sumama sa kanilang panig, at nasabi ko na na kahit nasa kanila na ang numbers ay mananatili pa rin akong kasama ni Speaker. Nanalo po ako na sinuportahan niya. Ilang beses na po. Galing pa po sa father ko, ang Secretary of Justice ngayon, hanggang po noong tumakbo ako for reelection, sinuportahan po ako ni Speaker. Malaki po ang utang na loob ko sa kanya. Pero, hindi ko po talaga in-expect na gagawa po ng talumpati si Speaker na sisira po ng relasyon ng office niya at ng Malacañang. He burned his bridges. It was totally unexpected. At dahil po roon, kahit ilang beses ko na pong tinanggihan mismo si Congressman Mikey at ilang mga kasamahan ko na lumapit din sa akin nitong araw na ito, ay napakasakit po ng gagawin ko ngayon. I will be voting yes to declare the position of Speaker vacant.

THE SECRETARY GENERAL, *reading*:

Guingona .....

Gullas .....

REP. GULLAS. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. GULLAS EXPLAINS HIS VOTE

REP. GULLAS. It is with a heavy heart that I must register an affirmative vote, Mr. Speaker, for two reasons.

First, for what transpired tonight; and second, for what transpired 38 years ago.

The Speaker came into Congress with this humble Representation 38 years ago. We were neophytes. In fact, in this Chamber, there are only four of us who are left from the Seventh Congress, Congressmen Ablan, Diaz, the honorable Speaker and your humble servant.

This evening, Speaker Jose De Venecia filed a motion to amend the motion of Congressman Mitra. Mr. Speaker, I believe that, although this motion was later on ruled by the Chair to be treated as another motion, impliedly, by filing a motion to amend, the honorable Speaker, in effect, is in favor of the motion to declare the seat of Speaker vacant. He only wants a change. He only wants an amendment.

And the second reason transpired 38 year ago, Mr. Speaker. I recall that seven or eight of us, neophytes in the Seventh Congress, started a move for reforms and to change the leadership of the House. The movement snowballed. The senior Members of the Seventh Congress joined us, the neophytes, and Agurang Kune, Congressman Cornelio Villareal, got the numbers. When Agurang Kune had the numbers, then Speaker Pepito Laurel nominated him and raised his hand.

For these two reasons, Mr. Speaker, despite a heavy heart because of the long association I had with the Speaker—I also owe many things from him, as I believe many of our colleagues owe him a favor—I would like to register an affirmative vote. Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Gunigundo .....

REP. GUNIGUNDO. May I be allowed to explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. GUNIGUNDO EXPLAINS HIS VOTE

REP. GUNIGUNDO. Magandang gabi po sa ating lahat. Ako po ay nagpapasalamat sa pagkakataong ipinagkaloob sa akin ni Speaker De Venecia na maging kabahagi ng Lakas-CMD, magmula pa noong 1998 hanggang 2004. At kami ay nagpapasalamat sapagkat naging mahusay siyang Speaker nang siya ay nahalal noong 2001 at nitong nakaraang taon, 2007.

Tulad nga ng sinabi ni Speaker at ni Manong Digs Dilangalen, ako rin po ay isang makasalanan at kinakailangang humingi ng tawad sa ating Panginoong Diyos sa lahat ng aking mga pagkukulang at pagkakamali. Kaya po bagama't nais kong ibigay ang negative vote, ako po ay naniniwala na dapat manaig ang sentimyento ng mas nakararaming kasamahan sa administrasyon.

Kaya ako po ay bumoboto ng yes.

THE SECRETARY GENERAL, *reading*:

Hataman .....

Hofer .....

REP. HOFER. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Hontiveros-Baraquel .....

REP. HONTIVEROS-BARAQUEL. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Lady may please proceed.

REP. HONTIVEROS-BARAQUEL  
EXPLAINS HER VOTE

REP. HONTIVEROS-BARAQUEL. Akbayan had planned to abstain on this motion because neither retaining Speaker De Venecia nor declaring his position vacant would have transformed us from an administration-controlled Congress and paved the way for an independent, opposition and anti-establishment leadership to emerge in the House.

Akbayan's record shows that we have been on opposite sides of Speaker De Venecia on almost all issues. Yet, this motion is more than an issue of JDV. This is about the reasons for his removal: NBN-ZTE, the North Rail, Transco, the Garci tapes and others. Gusto naming malaman kung ano ang nangyari tungkol sa mga katiwalian at pandarayang iyon.

I wish that Speaker De Venecia's prophetic speech had been delivered many months ago. But I still appreciate it. But, most of all, Mr. Speaker, after hearing the explanations of vote of the allies of the administration tonight, the line is clearly drawn. Sinasabing reporma, pero gaano marereporma kung higit na hawak na ang House ng palasyo?

Akbayan's vote is against vile cynicism. Our people already know that the move to change the Speaker has nothing to do with reforms. The line tonight is between administration and opposition. Mr. Speaker, in a vote of independence as a Member of the House and as an opposition and anti-establishment party, Akbayan votes no to this motion.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Ilagan .....

REP. ILAGAN. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Lady may please proceed.

REP. ILAGAN EXPLAINS HER VOTE

REP. ILAGAN. In human endeavors for supremacy, whether in an ordinary game of chess or in a pivotal struggle for power such as now, pawns and soldiers are pushed, moved and even sacrificed.

Today, we are witness to an intricate and complicated game, tactical maneuverings played by a hand beyond the walls of this august Body. This is the strong hand of Malacañang.

This Representation and the Gabriela Women's Party believe that this is a grand strategy to ensure the survival of

the queen, a machination that will cloud issues confronting our country and to divert attention from the scandals already mentioned—ZTE, North Rail, South Rail, Transco, the past elections and hello Garci—rocking the pillars of governments and ultimately to deprive our people of the services they so justly deserve. But personalities are not the issue, Mr. Speaker. The most pressing issue is that the independence of the House is being challenged.

The full control of the House by Malacañang is imminent, to be consistent with the principles that Gabriela Women's Party stands for. And with my conscience, my vote is no.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Lady may please clarify her vote.

REP. ILAGAN. No to the motion.

THE DEPUTY SPEAKER. (Rep. Fuentebella). All right.

THE SECRETARY GENERAL, *reading*:

Jaafar .....

REP. JAAFAR. Mr. Speaker, can I explain my vote?

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. JAAFAR EXPLAINS HIS VOTE

REP. JAAFAR. I know, Mr. Speaker that it is difficult for me to make a decision in tonight's contest. Nevertheless, considering that I am from Mindanao, and in the interest of my constituents and my people that I represent, I know that I have no other choice except to declare the position vacant. And I vote yes. (*Applause*)

THE SECRETARY GENERAL, *reading*:

Jala .....

REP. JALA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. JALA EXPLAINS HIS VOTE

REP. JALA. Mr. Speaker, I vote yes.

Mr. Speaker, I am a neophyte Congressman. I was but a student before I was elected and even now, I still feel like I am a student. For the last seven months. I have worked hard to learn more about this form of public service, since I owe it to my constituents to do so.

As I served my office here for the past seven months, I began learning about the political ills in this very House. Hence, Mr. Speaker, I have a dream, I have a dream that one day, the public perception of this Lower House will rise from its death and will be a beacon of hope and inspiration to the Filipino people.

I have a dream that one day, this House will truly be a House of Representatives, a house that represents the true will of the people. I have a dream that one day, the political monopoly existing in this House even among fellow Representatives will cease to exist and that the first-termers like this Representation will be given the equality that we deserve as fellow elected Representatives.

I have a dream that there will be transparency in this House. My dream, Mr. Speaker, is my constituents' dream. And I must support a change in leadership in the hope that my dream and the dream of the people of the Third District of Bohol will be fulfilled.

Daghang salamat, Mr. Speaker.

I vote yes.

THE SECRETARY GENERAL, *reading*:

Jalosjos .....

REP. JALOSJOS. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Jalosjos-Carreon .....

REP. JALOSJOS-CARREON. Yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Javier .....

REP. JAVIER. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. JAVIER EXPLAINS HIS VOTE

REP. JAVIER. Mr. Speaker, with the trend of the votes now, I think the result is inevitable. It is with deep regret and with a heavy heart that I have to vote yes to the motion.

THE SECRETARY GENERAL, *reading*:

Jikiri .....

REP. JIKIRI. Mr. Speaker, I am for yes.

THE SECRETARY GENERAL, *reading*:

Joson .....

REP. JOSON. Mr. Speaker, I vote yes and may I be allowed to explain my vote.

THE DEPUTY SPEAKER. (Rep. Fuentebella). The Gentleman may please proceed.

REP. JOSON EXPLAINS HIS VOTE

REP. JOSON. Mr. Speaker, I am an independent Member of this House. I am not a member of Lakas or KAMPI nor of any other party in this House.

I vote yes, Mr. Speaker, because the reputation and integrity of this House is in tatters. Our House has become a house of ill-repute. With the bombing of this House, resulting in deaths and injuries to its Members and staff, even the physical safety of its Members has been compromised. And in the principle of command responsibility, the Speaker is responsible for the reputation, integrity and safety of its Members. Sad to say, Speaker Joe de Venecia is a failure in all these, yet he would blame others.

You only have yourself to blame, Mr. Speaker.

When you spoke of changes and reforms, you are right. Changes and reforms must begin now. When you spoke of moral revolution, again, you are right. We must have a moral revolution now if our beloved country is to survive. And now, a new beginning starts when you vacate the Office of the Speaker.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Kho .....

Labadlabad .....

Lacson .....

REP. LACSON. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Lagbas .....

REP. LAGBAS. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Lagdameo .....

REP. LAGDAMEO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Lagman .....

REP. LAGMAN. Mr. Speaker, may I explain my negative vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. LAGMAN EXPLAINS HIS VOTE

REP. LAGMAN. The overriding issue before us, Mr. Speaker, transcends personal relationships and partisan motivations. At stake is the state of the country and the prospect of a better economic growth.

Following are among the reasons for my no vote:

One, there is a critical need for political unity inside and outside the halls of Congress to help sustain the economic growth. This intramural is bound to hurt the economy. The Philippines has achieved unprecedented economic growth last year. And the horizon this year remains bright and promising.

The following statistics are virtually incontestable:

1. We have achieved a gross domestic product growth

of 7.3 percent in 2007, which is the highest in 31 years or more than three decades;

2. The Philippine peso has been consistently robust, with exchange rate ending at P40.50 to a dollar last weekend, and is projected to appreciate up to P38 to \$1 by midyear this year;

3. The inflation rate has been contained to 2.5 percent, a level which is better than some Asian countries like Indonesia and Vietnam;

4. The country's international reserve has grown to US\$33.75 billion, an increase over that of 2006;

5. Unemployment rate has gone down to 7.3 percent while underemployment rate has likewise decreased to 18.1 percent;

6. The country's credit rating has been recently upgraded to stable by Moody's Investors Service;

7. Surveys conducted by Social Weather Station (SWS) reveal that nationwide self-rated poverty fell from 57 percent in December 2006 to 46 percent in December 2007.

All of these positive economic indicators are put at jeopardy because this political strife could be continuing. May I caution therefore that this political upheaval to change the leadership of the House may derail our economic growth. We will or we might unwittingly throw to the wind our economic gains under the pretext of winds of change.

Two, there is no overriding reason of national import to change the performing leadership of the House of Representatives. It is said that change is the passage to progress and reform is the catalyst of development. But change for the sake of change or change motivated by less than patriotic intentions could be deleterious.

For the record, Mr. Speaker, the House of Representatives under the present leadership during the six months of the Fourteenth Congress has concrete achievements. It has delivered successfully the executive-legislative agenda. I cast, therefore, a negative vote, despite the emerging, overwhelming yes votes.

THE SECRETARY GENERAL, *reading*:

Lapus .....

REP. LAPUS. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Lazatin .....

REP. LAZATIN. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Ledesma .....

REP. LEDESMA. Mr. Speaker, may I explain my vote, please.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. LEDESMA EXPLAINS HIS VOTE

REP. LEDESMA. Naalala po ninyo ang nangyari noong February 2001, Mr. Speaker? Kayo po ang Speaker noon, naalala ba ninyo?

THE DEPUTY SPEAKER (Rep. Fuentebella). Yes.

REP. LEDESMA. Do you remember what happened in February 2001? I believe you were the Speaker then, were you not, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed with his explanation of vote.

REP. LEDESMA. All right. I do not get it, Mr. Speaker. Paano natin papalitan ang isang organisasyon when you only change the leader but retain all the leadership? Isang istraktura, papalitan ang kinatawan o ang pangulo subalit ang buong infrastructure or the organizational framework ay mananatili. If we believe that there has been a failure in his leadership, then by extension, his subordinates running their respective committees are also responsible, or therefore, perhaps, have not been able to discharge their duties as committee chairmen, so that the neophyte Congressmen, perhaps, felt this way. I do not get it. Noong panahon po natin, pinalitan lahat. At least, medyo naintindihan ko iyon whatever the reason was. Isasantabi ko lang muna ang speech ni Speaker De Venecia tonight, because I would like to believe that my vote has nothing to do with what was said but with what it means as far as the House is concerned. What is the point of all these? I do not get it. Who benefits? Is there going to have a change? We constituted our committees in September, we started with the budget. So, what has been done? Paano natin puwedeng gawing batayan iyon to judge his performance as a Speaker of this particular Congress? Noong ako po ay neophyte noong 1995, the Speaker, in fact, gave me a lot of opportunities to learn how to become a proper legislator. I could not understand that Manong Sonny Escudero said that the Speaker is sending you to the TESDA Chief; please do the Bureau of Finance guidelines, you know; do look for the Funding Act. That was my first exposure to inter-parliamentary relations. Many of our opportunities were given by the Speaker. Because of that, I would like to believe that it qualified me to be able to chair three different committees during my first term. And so, the reasons I heard tonight do not make sense. What I have read from the papers for the past few weeks does not make sense. I do not get it. Hindi ko po maintindihan kung bakit ganito ito. So, the question begs to be asked, who benefits? Does the House benefit? How? Show me. If you retain everything else except him, I do not see the difference. I do not believe there would be change. If that is the point, if that is the case...

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman is reminded that he has consumed three minutes, may he please wind up.

REP. LEDESMA. Yes. I am sorry. It is a different latitude. This is the second time that this happened and I find it sad. My negative vote is because I believe that this thing has nothing to do with the House and therefore it is out of our continuum and should have been tackled in another fashion. Finally, tayong mga Pilipino, siguro may puso rin naman tayo. Perhaps if this is really the intent or the wishes by whoever for whatever, we could have done it, just as in your case, perhaps, in a softer way. That is all, Mr. Speaker. Thank you.

THE DEPUTY SPEAKER (Rep. Fuentebella). So, the vote of the Gentleman is...

REP. LEDESMA. It is a negative vote, a very negative vote, definitely negative.

THE SECRETARY GENERAL, *reading*:

Lim .....

REP. LIM. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

#### REP. LIM EXPLAINS HIS VOTE

REP. LIM. Mr. Speaker, as I stand here in this great moment and as we prepare ourselves for what lies ahead, let us remain steadfast with bold determination that we are going to stick together and work together, right here, right now. When the history books are read in the future, somebody will have to say that the Members of the Fourteenth Congress remained vigilant cavaliers of democracy, Members of the Parliament who had the moral courage to stand up and gave a new meaning into the veins of history and of civilization. There will be nobody among us who will stand up and defy the Constitution of this nation. We only assemble here because of our desire to see right exists. I am an engineer by trade, I build, I construct. I put together assemblies and edifices. It is in this context that I am taking part in reinventing the spirit and bravado of this august Chamber and erecting towers of strength that will house a progressive, dynamic and organized alliance of diverse political sensibleness and wisdom. And for this reason, Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Limkaichong .....

REP. LIMKAICHONG. Mr. Speaker, let me explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

#### REP. LIMKAICHONG EXPLAINS HER VOTE

REP. LIMKAICHONG. Mr. Speaker, distinguished colleagues, first and foremost, I stand here today as a genuine Representative of my constituents, the citizens of the First District of Negros Oriental. Hence, my vote should be for the general welfare of those people to whom my public service is primarily offered. Equally important for me is my loyalty and commitment to the Lakas-CMD Party which believed in me during my candidacy when all the odds were stuck against me and until now continues to support me in my pursuit of service to my constituents. When my loyalty for the party convicts me more than anything, it is also equally important to consider the movement that calls for change and reform. Therefore, I would like to state that I will respect whatever the outcome in the House

will be because more importantly, the voice of the people whom we represent must be heard. Therefore, I would like to abstain.

THE SECRETARY GENERAL, *reading*:

Locsin .....

REP. LOCSIN. If I may explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

#### REP. LOCSIN EXPLAINS HIS VOTE

REP. LOCSIN. Believe it or not, the only ones who have acted from a disinterested motive in this mess are the President's sons. It would be dishonorable for sons to stand by while their parents are vilified. Most of the Congressmen on the sidelines, even those who will stick it out with the present leadership, see things this way. But let us not allow anyone else to hide behind the sincerity of the sons. This is a power struggle plain and simple. It is mental dishonesty to say that the fight for speakership today has anything to do with the way the House finances have been handled. And the reason the House under JDV has a lower public standing than the Senate is that the De Venecia House has always defended the President from the ceaseless attacks of the Senate. Joey de Venecia spoke in the Senate and not in the House. Except for the tyranny of numbers I see no reason for change, I vote no.

THE SECRETARY GENERAL, *reading*:

Lopez .....

Macapagal Arroyo .....

REP. MACAPAGAL ARROYO. Yes.

THE SECRETARY GENERAL, *reading*:

Madrona .....

REP. MADRONA. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Magsaysay .....

REP. MAGSAYSAY. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

#### REP. MAGSAYSAY EXPLAINS HER VOTE

REP. MAGSAYSAY. We have been hearing the ouster moves for Speaker De Venecia since late last year. I did not put any meaning into the ouster moves but I quietly observe how the House was proceeding after that rumor broke out. I saw that things in the House were kind of affected by all these talks.

I vote yes not because I do not believe in the Speaker's competency. I know that Speaker De Venecia is a competent man and I have been with him to so many parliamentary conferences abroad and I saw how the other leaders respected Speaker De Venecia for his brilliance. But sometimes, a man's brilliance is not enough for him to be retained as Speaker of the House. There have been a lot of talks about his personal problem, his family's problems which should have been left as personal problems. It should have been set aside from his professional life as a Speaker. But I saw that he could not keep his personal problems out of the halls of Congress. And so, his leadership as Speaker has been affected and I saw that he cannot effectively lead and rule this House the way we want it to be because of that.

And so, Mr. Speaker, I feel that he should at least fix his problems first and not involve all the Members of the House with whatever they are experiencing now.

We Congressmen come here to work, to legislate and to push the legislative agenda and interests of our constituents. We should not be held hostage to whatever reasons or dealings that his family and the First Family make. We should be independent. We should be left alone to do our job. For that very reason, I feel that since he has already lost my confidence as Speaker because he cannot effectively lead this House, I decided to vote yes.

THE SECRETARY GENERAL, *reading*:

Malapitan .....

REP. MALAPITAN. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Mamba .....

REP. MAMBA. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Mandanas .....

REP. MANDANAS. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. MANDANAS EXPLAINS HIS VOTE

REP. MANDANAS. Mr. Speaker, I am for change but only if it is done at the right time, for the right reasons, towards the right direction and in the right way.

Now, is it the right time? Are we going to open the floodgates of uncontrollable current of political emotions as we have observed especially right now when there are so many issues that are much more important, affecting the basic needs of our constituents? Are we doing this proposed change for the general welfare and the common good? Will it help in our fight for poverty? Will it provide food to the poor, education and health?

Mr. Speaker, if there will be change, is there a strong probability that the change will be for the better?

And lastly, Mr. Speaker, are we doing it in the right way? Are we preserving the dignity of the House of Representatives? Are we defending the free democratic system that we have?

Mr. Speaker, with the executive being implicated the way President Gloria Macapagal-Arroyo was implicated in so many issues, I think that our process in making decision has irreparably damaged, or impaired the necessary advice and consent or relationship required between Congress and the executive. And therefore, I vote yes.

Thank you.

THE SECRETARY GENERAL, *reading*:

Mangudadatu .....

REP. MANGUDADATU. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Marañon .....

REP. MARAÑON. Mr. Speaker, I vote yes, and will explain my vote in writing.

THE SECRETARY GENERAL, *reading*:

Marcos .....

REP. MARCOS. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. MARCOS EXPLAINS HIS VOTE

REP. MARCOS. As has been mentioned, it is the inclination of those of us in the opposition to abstain from this vote as this is after all a conflict within the majority parties.

The reason those of us in opposition are in opposition is that we oppose the policies, the questionable practices and the corruption of the administration. We are, therefore, glad that Speaker De Venecia has told us today in some detail some of the background of those questionable practices we have opposed and criticized for so long. However, one inescapable conclusion to his pronouncements today is that he was party to all that he now criticizes.

Therefore, much as I would like to stand in solidarity with the other members of the minority, my conscience dictates that I vote yes to the motion that the position of Speaker be vacated. *(Applause)*

THE SECRETARY GENERAL, *reading*:

Matugas .....

REP. MATUGAS. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Maza .....

REP. MAZA. Mr. Speaker, maaari ba akong pahintulatang magpaliwanag ng aking boto?

THE DEPUTY SPEAKER (Rep. Fuentebella). Maaari po.

REP. MAZA EXPLAINS HER VOTE

REP. MAZA. Marami pong salamat.

Mr. Speaker, ang Partidong Gabriela ay bumoboto ng no sa mosyong ito. Naniniwala ang aming partido na ang nasa likod ng pagpapalit ng Speaker ay hindi ang sinasabing repormang magbibigay ng benepisyo sa mas nakararaming nasa labas ng Kapulungang ito, ang mas nakararaming mahihirap at nagugutom. Hindi ito tungkol sa Mindanao, hindi ito tungkol sa kung magkakaroon nga ng tunay na reporma, maging ang Kongresong ito. Sapagkat hanggang ngayon, wala pa pong inilalabas at inihahapag kung ano nga ang repormang gusto ng mga nagsusulong o liderato ng nagsusulong ng mosyong ito. Ano ba ang posisyon ng mga nagsusulong ng reporma sa isyu ng pagtataas ng sahod? Sa isyu ng pagresolba ng dayaan noong nakaraang eleksiyon? Ano ba ang posisyon sa pangungurakot? Sa bribery at kurapsyon? Mayroon bang inihapag na alternatibong solusyon sa mga isyung ito ng kahirapan, kagutuman, kurapsyon at dayaan? Nakalulungkot na wala.

Wala dahil malinaw na nasa likod ng mosyong ito na ideklarang bakante ang posisyon ng Speaker ay para mas mapalakas pa ang control ng Malacañang sa Kongresong ito.

What is really behind the proposed change in leadership is to cover up the ZTE scandal, the corruption and bribery, to protect the President whose sons are in the forefront of this brazen act.

Mr. Speaker, my no vote is not to condone what the Speaker considers as his sins. We have a lot of disagreements with the Speaker, very major ones and minor ones.

Ang boto pong no ng partidong Gabriela ay protesta laban sa atake ng Malacañang sa institusyong ito. Ang botong no ay paggigiit ng independensya ng Kongreso. This well-funded and organized Malacañang instigated coup is condemnable.

Again, I vote no.

THE SECRETARY GENERAL, *reading*:

Mendoza .....

REP. MENDOZA. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Mercado .....

REP. MERCADO. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Miraflores .....

REP. MIRAFLORES. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Mitra .....

REP. MITRA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. MITRA EXPLAINS HIS VOTE

REP. MITRA. Mr. Speaker, let us put things in their proper perspective.

The Speaker is just the highest paid casual in the House. His tenure is coterminous with the trust reposed upon him by his colleagues. His electorate of 240, even for no rhyme nor reason, can withdraw their confidence anytime. And the one installed in the rostrum has no choice but to come down. Any Congressman who rises to become Speaker should not forget, for one moment, the terms of his employment, that such mandate is temporary and should not treat his post as shuttle for he sits there not by right but by the tolerance of his peers. The speakership is a legislative franchise that can be withdrawn anytime. Longevity in power is no argument for staying in power longer. Sometimes, it is an argument against. For one, complacency and arrogance set in the longer one stays in power and this House was fossilized in the five terms of the present leadership.

For example, we have become permanent seller dwellers in surveys after surveys taken. Men who enter this institution smelling roses are soon contaminated by the stink that awaits them, and that emanates not from the dump near this building but in a room in this building.

It is no wonder why we have become not only the country's punching bag but we have also become a punch line. Can there be an end to the penury of our integrity? Yes there is.

The House has a surplus of Speaker-material, and I believe that any one of them, given the break, has the potential of surpassing the performance of their predecessors.

It has been said that I am doing this to avenge the wrongs the current Speaker had wrought upon my father. No, I am not. I am calling for change because of the wrongs the current Speaker had inflicted on this institution, cheapening the memory of those who toiled during the long dark nights to have it restored together with the democracy denied of our people.

Mr. Speaker, in 2001, we were granted the faith, trust and confidence by the Second District of Palawan, joined the minority and lasted for three years, hearing complaints left and right. Together with Congressman Digs Dilangalen, we launched several attempts but failed. Luckily, we were given a second term in 2004, the bigger mandate, joined the majority, had a hard time, a harder time.

Anyway, Mr. Speaker, now that we are on our last term, seven years in office, we are hearing first-termers

complaining, hearing the same things, going into Congress wanting to effect change and hearing second-termers complain for the past four years. Now, on my last term in Congress, two more years to go, I would like to be for change.

So, a message to the Speaker is—the moral recovery and bribery charge—look who is talking.

I vote yes.

THE SECRETARY GENERAL, *reading*:

Nava .....

REP. NAVA. I call for change, Mr. Speaker, I have been endemic among neophytes. Being one among them, I join the call. I vote yes.

THE SECRETARY GENERAL, *reading*:

Nicolas .....

REP. NICOLAS. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Noel .....

REP. NOEL. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Nogralles .....

Ocampo .....

REP. OCAMPO. I vote no, Mr. Speaker. But may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. OCAMPO EXPLAINS HIS VOTE

REP. OCAMPO. Bago pa man po natin hinarap ang usaping ito ngayong gabi, sapat nang naiulat at nakomentaryohan sa mass media ang katotohanang kinumpirma ni Speaker Joe De Venecia sa kanyang talumpati ngayong gabi na ang pagkilos na palitan siya sa liderato ng House ay bilang pagganti sa matapang at kapani-paniwalang pagsisiwalat ng kanyang anak sa Senado sa pagkakasangkot ng asawa ng Pangulo sa eskandalosong kontratang ZTE-NBN. Higit dito, Mr. Speaker, naniniwala ang Kinatawang ito na ang pagpapalit sa Speaker ay may layuning higit pang paghigpitin ang control ng Pangulo sa liderato ng Kamara at sa mismong Kamara—hindi nagpapakasya na naging masunurin ang liderato mismo sa pamumuno ni Jose De Venecia. At ngayon, gusto pang sikilin ang alinmang pagsuway sa hanay ng mayorya lalo na ang tipo ng pagsuway tulad ng ginawang pagsuporta ni Speaker sa isiniwalat ng kanyang anak sa Senado.

For this, this Representation and my party, Bayan Muna, these twin grounds for changing the House leadership are unacceptable. Kung kailangan nating magbago ng liderato sa Kamara, at sinasabi naming hindi kami tutol dito, Mr.

Speaker, ang pagbabago ay dapat tutungo roon sa paglalagay natin o pagtatalaga natin ng Speaker na kayang igiit at ipagtanggol ang independensya, ang kalayaan ng Kamara mula sa Malacañang, hindi ang lalong ipapailalim ito sa kontrol ng Executive.

As matters stand now, the Filipino people do not stand to gain from this initiative to change this leadership of the House.

I vote no, Mr. Speaker. At sa aking pagboto ng no, gusto ko sanang umasa na anuman ang kasapitan ni Jose De Venecia rito sa pinakamalaking laban na ito sa kaniyang mahabang buhay-pulitika, sana ay hanguin niya ang kaniyang sarili, redeem himself from his weaknesses and his admitted sins, join the opposition by making good his vow to expose more banalities and corruption in government and to oppose decisively the anti-democratic and anti-people policies like political repression that he has denounced tonight against the Arroyo government.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Olaño .....

REP. OLAÑO. Mr. Speaker, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Ong .....

REP. ONG. Mr. Speaker, My vote is yes.

THE SECRETARY GENERAL, *reading*:

Ortega .....

REP. ORTEGA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. ORTEGA EXPLAINS HIS VOTE

REP. ORTEGA. In this particular issue, a vote of yes would be perceived as a vote against Speaker De Venecia. I cannot find any reason at all in my heart nor in my mind to vote against Speaker De Venecia.

However, a vote of no would be perceived also as a vote against the administration, and neither can I find any reason at all in my heart and in my mind to vote against my good friend, President Gloria.

So I am constrained to abstain from voting.

THE SECRETARY GENERAL, *reading*:

Pablo .....

REP. PABLO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

## REP. PABLO EXPLAINS HIS VOTE

REP. PABLO. How I wish the majority of us would have maintained the status quo because I believe that by maintaining such, there will be continuity in the leadership of the Speaker. And considering our economy, as I have heard from the different speakers that we are attaining a very good economic growth, and leadership dictates and I have been an executive for 20 years, continuity is very important in a leadership. Continuity of policies should also be maintained.

However, I know that this will not happen because my vote is already defeated. But the Speaker is a good man. I have been with him in some several visits in foreign countries. Natulungan na po niya nang malaki ang aming partido. Ang mga ipinaglalaban po namin noong unang term, and this is my third term already, how I wish, sana na maipagpatuloy ng ating Speaker. But it is imminent that in tonight's voting, he will not be our Speaker in a few hours.

Alam ko rin po na talo na po ang boto ko. And I have been keeping the tab of the different votes. But my conscience dictates that I have to vote no, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Padilla .....

REP. PADILLA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

## REP. PADILLA EXPLAINS HIS VOTE

REP. PADILLA. Mr. Speaker, when it was not yet fashionable to vote against Speaker Joe de Venecia, this Representation was already agitating for a change in the leadership simply because I thought it was necessary to institute reforms in the House. Therefore, by voting yes does not mean that I am voting for the administration but simply because I would want to continue and hopefully tonight it would be the start of what we have been fighting for since day one, reform within the House of Representatives.

I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Pancho .....

REP. PANCHO. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Pancrudo .....

REP. PANCRUDE. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

## REP. PANCRUDE EXPLAINS HIS VOTE

REP. PANCRUDE. Mr. Speaker, event has its own time and time has its own event.

I am happy, Mr. Speaker, that we discuss change in this august Body—change in totality, not change of a person because sometimes we want the person to change but within ourselves, it is hard to change.

I said, Mr. Speaker, that time has its own event because a hundred years ago, today, we celebrate the centennial. And what failure we have a hundred years ago will be discussed by the change that we are planning to have in this august Body.

So, I voted for yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Piamonte .....

REP. PIAMONTE. No, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Pichay .....

REP. PICHAY. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Pingoy .....

REP. PINGOY. I vote in the affirmative, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Piñol.....

REP. PIÑOL. May I be allowed to explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

## REP. PIÑOL EXPLAINS HIS VOTE

REP. PIÑOL. Mr. Speaker, after taking my oath as neophyte Member of this House, I was looking forward to the realization of my commitment to my beloved people in North Cotabato.

Mr. Speaker, I am committed to uplift the quality of life of my people the soonest time possible through sustainable agriculture. And I am happy to report that our efforts are gaining grounds. It is for this reason that despite utter hopelessness and massive poverty, my provincemates and I have now seen the light at the end of the tunnel and all because of the programs and projects in agriculture that we are trying to introduce in my district.

But as we are trying to work in our respective tasks, as each committee buckles down to work, Mr. Speaker, tonight, we are faced with this very sensitive question of whether to change the speakership or not.

I am from Mindanao, Mr. Speaker. And having a Mindanaoan as Speaker of this House is a great honor to me and my people. But there are far many things to consider in voting for speakership. And this, outweighs or transcends personal relationship.

There are questions to consider: Is this good for this House? Is this good for the country? Mr. Speaker, I vote no because to my mind the answer to these questions are negative.

Mr. Speaker, I vote no because I cannot afford to punish this easy a statesman, a leading political figure this country ever had. Above all I want harmony and continuity in the House. For it is in political harmony that we can achieve unity and focus. It is in political harmony and continuity in programs and projects that we can realize the dream—the dream of my people for a better life.

For these and many other reasons, Mr. Speaker, I vote no.

THE SECRETARY GENERAL, *reading*:

Plaza .....

REP. PLAZA. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. PLAZA EXPLAINS HIS VOTE

REP. PLAZA. Mr. Speaker, how I wish there was a status quo. But it is already water under the bridge. Why and why not?

Why do we have to replace the Speaker? To my mind, it is no longer an issue.

Why not? Why not move on? Why not move forward?

I guess, let us also give the others the chance to serve as our Speaker.

I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Ponce-Enrile .....

REP. PONCE-ENRILE. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Prieto-Teodoro .....

REP. PRIETO-TEODORO. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Puentevella .....

REP. PUENTEVELLA. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. PUENTEVELLA EXPLAINS HIS VOTE

REP. PUENTEVELLA. By next year, I would have spent 20 years of my political life as a loyal soldier of the dominant majority party of Lakas. This is how long I have worked and served with the Speaker, starting from councilor of Bacolod up to where I am tonight.

For the last seven years, being on my last term, ako po ay nagpapasalamat kay Speaker Joe and his lovely wife, Gina, for all the friendship, support and love we have had together. We have come a long way, Speaker Joe. Marami tayong pinaglabanan and I have never left your side. This is a tragic night, not only for Lakas but for most of us, because of our friendship with Speaker Joe.

However, after listening to the Speaker's valedictory speech—which, I regret, had a lot of hatred tonight—I do not see any more logic in how we can continue together in this House if we want to improve our country's economy. Sabi ng dyaryo the other day, maganda ang ating ekonomiya. Sabi ng National Economic and Development Authority (NEDA), 7.3 percent ang akyat. Kulang na lang na umabot ito sa ating mga probinsiya at lalo na sa countryside. After hearing you tonight, kung itutuloy natin ito, paano tayo uunlad kung panay away at walang katahimikan?

Regretfully, Mr. Speaker, before Christmas—three months ago—nag-one-on-one tayo at sinabihan kita: “Sana mahinto ang nangyayari noon.” Because I predicted na baka may mangyayari sa ating institusyon. Tonight, ikinalulungkot ko—I am sorry to admit, that by the end of this night, I would have been proven right. I did that because I was your friend and I told you then, “Sana huwag matuloy ang mangyayari noon.” At nangyari naman. So, I am sorry, walang personalan ito; mahal ka namin; trabaho lamang; I vote yes.

THE SECRETARY GENERAL, *reading*:

Puno .....

REP. PUNO. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Ramiro .....

Remulla .....

REP. REMULLA. I vote yes.

THE SECRETARY GENERAL, *reading*:

Reyes, Carmencita .....

REP. REYES (C.). My vote is yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Reyes, Victoria .....

REP. REYES (V.). I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Robes .....

REP. ROBES. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Rodriguez .....

REP. RODRIGUEZ. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

#### REP. RODRIGUEZ EXPLAINS HIS VOTE

REP. RODRIGUEZ. At the outset, let me state that Speaker De Venecia had been good and fair to me and the minority members of Congress. Let me state that Speaker De Venecia had been a good father of the entire House of Representatives whether you are with the majority or with the minority.

Our Speaker led us to the approval of the General Appropriations Bill in record time. He made sure that foreign debt repayments will be reduced so that the budget will implement the social justice principle of our Constitution by giving more to health and education. His fiery speech tonight makes him a possible top recruit of the opposition. And when a man is angry and hurt, he is at his best and that was Speaker De Venecia.

On the other hand, Mr. Speaker, if the majority decides that there should be a change in the speakership, Mindanao is in the threshold of securing the speakership position that has been denied over a hundred years. In 1898, in the Malolos Congress, the revolutionary Congress which was called "The Assembly of Representatives", Pedro Paterno from Luzon became the President of the Assembly of Representatives. In 1907, in the First Philippine Assembly, Don Sergio Osmeña from the Visayas was the Speaker. In 1916, during the First Philippine Legislature, with the Senate and the House, the neophyte Congressman from Capiz, Manuel Roxas, became the Speaker. Then, changes from Luzon—Perez and Macalintal—we have then also from the Visayas, but never a Speaker from Mindanao, the second largest island of our country, 22 percent of the population of our country giving gross domestic product of 23 percent of our country and Mindanao receiving only for the past 10 years based on the Department of Budget and Management (DBM) figures 10 percent of the budget of the Republic of the Philippines.

*At this juncture, Deputy Speaker Arnulfo P. Fuentebella relinquished the Chair to Deputy Speaker Simeon A. Datumanong.*

So, therefore, we, the Mindanao Bloc of 59 Congressmen, which was nurtured and organized in the Fourteenth Congress in Cagayan de Oro City during the Mindanao Peace and Security Summit, have been pushing hard that Mindanao would have its share of development so that we can have peace and security in our country. And so, tonight, if the majority decides for change, a Mindanaonon, Congressman Boy Nograles, would possibly become the historical figure of the 21<sup>st</sup> century because you, from Luzon, Bicol and the Visayas, would give a chance to Mindanao for the first time in a hundred years.

However, Mr. Speaker, the minority is a group of people who would have a caucus before we would come to a floor like this.

THE DEPUTY SPEAKER (Rep. Datumanong). The Gentleman is reminded that his time is about to lapse.

REP. RODRIGUEZ. I will end, Mr. Speaker. We have two caucuses of the minority, yesterday and today. It was agreed, Mr. Speaker, that the retention or the replacement of a Speaker is rightly and solely the prerogative of the majority. And therefore, it was agreed on principle, on a general consensus of the minority, that although we want to have our own views and carry them out on the floor, that since this motion to declare the position of the Speaker vacant is solely a prerogative and within the province of the majority, the general consensus was to abstain. And therefore, in line with the decision of the general majority of the minority that we abstain, your humble Representative from the Second District of Cagayan de Oro abstains from voting. Thank you very much, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Rodriguez-Zaldarriaga .....

REP. RODRIGUEZ-ZALDARRIAGA. Mr. Speaker, my vote is yes.

THE SECRETARY GENERAL, *reading*:

Roman .....

REP. ROMAN. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Datumanong). The distinguished Lady has three minutes.

#### REP. ROMAN EXPLAINS HER VOTE

REP. ROMAN. I would have voted no, because I am for *status quo* and besides, I am close to Gina De Venecia and the Speaker has been close to the Roman family since the time of Don Pablo Roman and also because I know that the Speaker is very capable. But when I heard his speech this afternoon, I changed my mind. Therefore, I am voting yes.

THE SECRETARY GENERAL, *reading*:

Romarate .....

REP. ROMARATE. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Romualdez .....

REP. ROMUALDEZ. Mr. Speaker, may I explain my vote?

*At this juncture, the Deputy Speaker, Rep. Simeon A. Datumanong relinquished the Chair to Deputy Speaker Arnulfo P. Fuentesbella.*

THE DEPUTY SPEAKER (Rep. Fuentesbella). The Gentleman has three minutes.

REP. ROMUALDEZ EXPLAINS HIS VOTE

REP. ROMUALDEZ. As a Member of the House of Representatives and a member of the KAMPI Party, I hereby manifest my loss of confidence in the present leadership in the House of Representatives under Speaker Jose De Venecia because of the following reasons: His inability to push through with competence urgent priority legislations, to institutionalize the policy of regular disclosure of the financial allocations and disbursement of the budget of the House of Representatives to institute reforms in the various internal rules and procedures of the House of Representatives to render its operations more efficient and effective, and to establish harmonious working relationships with the Senate, thereby resulting in the low public acceptance rating of the incumbent Speaker and the House of Representatives itself.

Mr. Speaker, it is unfortunate that Speaker Jose De Venecia has dragged the names of the First Family and private individuals and to defray the allegations to his data which are unproven and are just mere allegations and may be unfounded. Some of my colleagues here might in part have been swayed for his call for moral recovery, but these attacks have merely denigrated the allies and supporters, and sympathizers of Speaker Jose De Venecia. More so, I ask, why only now, Mr. Speaker? Your timing is off at best and suspect at least, I vote yes.

THE SECRETARY GENERAL, *reading*:

Romualdo .....

REP. ROMUALDO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentesbella). The Gentleman may please proceed.

REP. ROMUALDO EXPLAINS HIS VOTE

REP. ROMUALDO. Thank you, Mr. Speaker.

Mr. Speaker, this morning, I was one of those present in Malacañang, across the Pasig, for possible proper deliberation if ever there will be a change of speakership. And it was agreed, in fact, that it was the Speaker who wanted this exercise. Seven times he said that. But many said, no, so it was agreed that there should be consultation first among parties first, like the Speaker, he will make consultations with Lakas. And then, the others will likewise do so. And tomorrow afternoon, there will be consultation of all the coalition members. That was the agreement. It is sad to note that this afternoon, that agreement was not followed despite this Representation. Congressman Raul del Mar is my living witness, I asked the President, "Ma'am, just one word and everything will be solved." And the President told this Representation, with Congressman Raul Del Mar around.

"No, Congressman, the process must go on because I have to be neutral." I took the words of the President because I believe in her as I did believe in her when she was first with the Department of Trade and Industry (DTI) until the time when she ran for President. I was always for her in all her political activities.

Now, we want change. The House wants change. Can we really change when we did not even follow the agreement we have had this afternoon?

So, my vote, Mr. Speaker, is no.

THE SECRETARY GENERAL, *reading*:

Romulo .....

REP. ROMULO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentesbella). The Gentleman may please proceed.

REP. ROMULO EXPLAINS HIS VOTE

REP. ROMULO. Mr. Speaker, as a first-term Member of the House of Representatives, I entered the Fourteenth Congress with high hopes and dreams and I was not disappointed. Of course, it has gone largely unnoticed by the public. But this Fourteenth Congress is something that we can be proud of. Each session day, we have had a quorum. We passed the General Appropriations Bill on time. We passed the Revised UP Charter. We extended the Agricultural Competitiveness Enhancement Fund (ACEF) Law. We, Members of the the Fourteenth Congress, have done many good things for this country. And I am proud of it.

Unfortunately, Mr. Speaker, in order for us to continue with these achievements, we must have a leader who enjoys the confidence of a majority of its Members. Tonight, a motion has been presented before this Body seeking or asking that the position of the Speaker be declared vacant. And so I believe that it is fair to each Member that he and she be given the opportunity to voice out whether or not the Speaker still enjoys the confidence of the majority of the Members.

Thus, Mr. Speaker, I vote yes to the motion.

THE SECRETARY GENERAL, *reading*:

Roxas .....

REP. ROXAS. Very briefly, Mr. Speaker, I would like to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentesbella). The Gentleman has three minutes.

REP. ROXAS EXPLAINS HIS VOTE

REP. ROXAS. Thank you, Mr. Speaker

Mr. Speaker, in order to finally put to rest once and for all whether Speaker Jose De Venecia still has the mandate of his peers or not, this Representation will vote yes to declare the position of Speaker vacant so we will all find out,

including Speaker Jose De Venecia himself, if he still has the mandate given to him last July or if he has lost that mandate already.

That is how we do it in Pasay, Mr. Speaker. That is what I would like to do here.

Again, Mr. Speaker, I vote yes.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL. *reading:*

Salimbangon .....

REP. SALIMBANGON. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. SALIMBANGON EXPLAINS HIS VOTE

REP. SALIMBANGON. Mr. Speaker, when the controversy of the leadership of the House came out in the media, I was asked several times by our people in the Fourth District of Cebu. What will happen to the coalition? And I told them that nothing will happen. But I prayed hard that this day will not come when we have to decide which way to go and whom to follow between two friends and leaders. How I prayed that we have the unity we once enjoyed way back in 1998 when I first ran for Congress with Speaker Joe De Venecia as my President and President Macapagal-Arroyo as my Vice-President. Though both the Speaker and myself lost in the elections, my respect to the Speaker and to the President has remained strong in me.

But it seems the inevitable has come and a decision has to be made. And as a neophyte in this Congress and as a partyman, I respect very highly the leadership of the KAMPI Party.

And as an advocate for change, with all humility, I vote yes, Mr. Speaker.

THE SECRETARY GENERAL. *reading:*

Salvacion .....

REP. SALVACION. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. SALVACION EXPLAINS HIS VOTE

REP. SALVACION. Mr. Speaker, this is just for the record. This Representation belongs to the PDSP so I voted yes.

THE SECRETARY GENERAL. *reading:*

San Luis .....

REP. SAN LUIS. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. SAN LUIS EXPLAINS HIS VOTE

REP. SAN LUIS. Thank you, Mr. Speaker.

Distinguished colleagues, "Kings have horror of wrongdoing for by righteousness the throne endures" – Proverbs 16:12.

Mr. Speaker, I have always been vocal about the need for reforms in the House of Representatives. Its credibility has dipped so low in the perception of our people. The Jesuit historian, Father Horacio dela Cuesta, put it thus: "Let us have a change in men and not of men."

In the House, we need a change, both in and of men, and leaders must show the way as moral betterment proceeds from those above to those below.

Let us all strive to bring back more transparency in the way business is conducted in this House, proportionate budgetary allotment for all districts for projects that benefit our people, greater efficiency in the processing and passage of bills for a more productive Congress, and promote and enable the people's agenda for reform and development as mandated by the Constitution.

Our people are tired and weary of hypocritical protestations of pro-people lip-serving, never-ending scheming and calibrated strategizing for political aggrandizement. What we need now is a transforming leader to bring change to this House and restore its shine and luster.

Mga kagalang-galang na kasama sa Mababang Kapulungan, para po sa inyong kaalaman, ang maliit na lingkod po ay lumaban bilang Kinatawan ng Ikaapat na Distrito ng Lalawigan ng Laguna bilang Independyente. Nakalaban ko po ang magkasanib na puwersa ng Lakas at Kampi. Nakalaban ko po ang nakaupong oposisyon under sa Genuine Opposition (GO). Tinaas nina Presidente Erap at Susan Roces ang kamay niya, ngunit hindi nila alam na noong 2004, ako po at ang aking kapatid na dating Miyembro ng Mababang Kapulungan na si Congressman Boy San Luis, itinaas namin ang kamay ni Fernando Poe Jr., hanggang sa mga material na bagay, kami po ang sumagot sa Lalawigan ng Laguna. Pero, bakit po lumabas pa rin na ako po ang nanalo at pinili ng aking mga kababayan sa Ikaapat na Distrito? Hindi po ang Lakas at Kampi, hindi po ang GO. Dahil naghahanap din po sila ng pagbabago, dahil po ang aming distrito, ang Ikaapat na Distrito ay nabiktima ng sobrang pulitika. Ginantihan po ang aking pinalitan na Congressman sa pamamagitan ng pag-ipit ng mga proyekto at programang kailangan. Ngunit sa kabila ng lahat ng ito, Lakas at Kampi, sinalubong ko po ang lakas nila at ng GO, nagwagi po ako. Bakit? Ang sagot po ng Ikaapat na Distrito ay pagbabago.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please wind up, he has already consumed three minutes.

REP. SAN LUIS. Kaya po ngayon, dala ko ang pangarap at pananaw ng Ikaapat na Distrito na magkaroon ng pagbabago, sa loob ng puso't damdamin ng tao, hindi po ang tao. Kaya po, ako ay bumoboto ng yes para po malaman natin kung tunay na may pagbabago at mayroon pong pag-

asa ang sambayanang Pilipinas. Mahal ko kayo. God bless po ang mahal nating Bayang Pilipinas.

THE SECRETARY GENERAL, *reading*:

Sandoval .....

REP. SANDOVAL. Mr. Speaker, I would like to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. SANDOVAL EXPLAINS HIS VOTE

REP. SANDOVAL. Alam naman nating lahat na sa ngayon, ang buong bansa ay nakatingin sa atin at nakikita kung ano ang nangyayari rito. Sa susunod na mga araw, siguradong maraming magtatanong sa atin sa ating mga distrito kung ano ang mga sinabi rito at kung ano ang mga explanation. Dati, lagi tayong nakatingin sa Senado dahil naroon sa kanila ang karamihan ng gulo, kaya lang ngayon, tayo na mismo ang masasama sa gulo. Hindi natin puwedeng taguan ito. Kaya sa pangyayari ngayong gabi, ang iboboto ko ay yes para mapaikli ang gulo rito at makabalik tayo sa trabahong dapat ginagawa natin, na gumagawa ng batas na kailangang-kailangan ng ating bansa.

Maraming salamat.

THE SECRETARY GENERAL, *reading*:

Santiago, Joseph .....

REP. SANTIAGO (J.). Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. SANTIAGO (J.) EXPLAINS HIS VOTE

REP. SANTIAGO (J.). Mr. Speaker, the spell innuendoes as to the reason for a change in leadership, since my first term in 2001, this Representation patiently waited for six years, seven months, and twelve days for this day to happen. A day when we will see a Speaker who can lead and inspire with all sincerity the Members of this august Chamber.

I vote in favor of the motion.

THE SECRETARY GENERAL, *reading*:

Santiago, Narciso .....

REP. SANTIAGO (N.). I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Seachon-Lanete .....

REP. SEACHON-LANETE. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Seares-Luna .....

REP. SEARES-LUNA. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Silverio .....

Singson, Eric .....

REP. SINGSON (E.). Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Deputy Speaker may proceed.

REP. SINGSON EXPLAINS HIS VOTE

REP. SINGSON. Mr. Speaker, I am the president of the so-called Northern Alliance in the House of Representatives. As president of this group, my concern is to look into the welfare of my members.

This morning, I went to fetch the Speaker. I went there to explain to him and tell him the inevitable—that tonight, he might be replaced as Speaker. And so, Mr. Speaker, as president of this group, I do not want to abandon a member of the Northern Alliance. And so, I vote no.

THE SECRETARY GENERAL, *reading*:

Singson, Ronald .....

REP. SINGSON (R.). Mr. Speaker, instead of explaining my vote, can I make an appeal.

My vote is to the affirmative. However, as a neophyte Congressman, I hope my colleagues will listen—I appeal to the new majority. I say new majority because apparently, there is a new majority. I hope and appeal that there will be no witch-hunting for those people who voted on the negative or abstained just because of their position. Huwag po sanang magkaroon ng hatred campaign dito sa mga nagsabi ng kanilang hinaing, particularly, of course, to the group where I belong, the Northern Luzon Alliance, to which the current Speaker hails from.

And I make another appeal, for proper representation. I appeal that they maintain Congressman Eric Singson as Deputy Speaker of the House.

I hope you heed these appeals. I still vote for the affirmative. Thank you.

THE SECRETARY GENERAL, *reading*:

Solis .....

REP. SOLIS. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman has three minutes.

REP. SOLIS. Thank you.

## REP. SOLIS EXPLAINS HIS VOTE

REP. SOLIS. Mr. Speaker, 33 years ago, I met a young man in the person of Minister Joe De Venecia in a foreign country, Vietnam. He was working in the Philippine Consulate and I was a struggling lieutenant of the Philippine Army. We became friends and in 1992, we, together with President Ramos, founded the party Lakas ng Tao which later became Lakas-CMD. I found him as a very good person, a very good friend and a very good leader. However, ang kabaitan niya siguro ang nagtulak sa kanya sa gaging ito. Mabait, na walang tinatanggihan maski ano ang request natin, kaibigan man, Member ng Congress man, o sino man. In the military parlance, we call him “promising officer”—promise nang promise na hindi naman natutupad ang karamihan. Dahil sa kanyang kabaitan, ayaw niyang tumanggi.

And so, when I became a Congressman in 2001, may mga bagay akong gustong gawin na makatutulong sa ating pamahalaan at sa ating bansa. Reporma. Mga gawaing hindi dapat, mga dapat baguhin. So, bago po maghalalan noong 2007, pagkatapos po at tayo ay pipili ng isang leader, I found an alternative in the person of Pabling Garcia. I campaigned so hard to make him the Speaker, but we failed. I was not even given a chance to nominate the good guy from Cebu.

That very day, I joined the group we called Reform Bloc. And it is not secret, several speeches have been done here about the reform. We confronted the Speaker. We asked him, and he promised that within 100 days, reform shall be initiated. Eight months ago. Hanggang ngayon po, wala tayong nakikita.

That is why that Reform Bloc snowballed into what we called objective na magkaisa para sa kabutihan ng lahat.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please wind up. He has already consumed three minutes.

REP. SOLIS. So, tonight, with a heavy heart, I vote yes.

THE SECRETARY GENERAL, *reading*:

Soon-Ruiz .....

REP. SOON-RUIZ. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

## REP. SOON-RUIZ EXPLAINS HER VOTE

REP. SOON-RUIZ. I vote in favor of the motion to declare the position of the Speaker vacant, optimistic that a change in leadership of the House would bring it to higher heights in the service to our people who voted us into office.

I must stress that a change in the speakership is not intertwined on any other issues as the Speaker so eloquently pictured in his privilege speech earlier. The pressing issue that must be addressed immediately is the nosedive in the House image before the bar of public opinion, which has degenerated to its worst under the Speaker’s watch. Add to that some issues hounding the Speaker’s leadership bordering

on transparency and accountability in the disbursement of this Chamber’s funds. I found even more telling reasons to yearn for a change in leadership not personally against the Speaker but for the greater good of this Chamber and the country in general.

With due respect to the Speaker, I honestly believe that a change in leadership is long overdue. He has already served this Chamber for an unprecedented four terms, and for him to complete a fifth would already be too much. It is now high time for other emerging leaders to show their brand of leadership.

I must state for the record that I am one of those coming from the Reform Bloc who pushed for a change in leadership at the start of the Fourteenth Congress, and I just want to be consistent in my personal stand to seek for a fresh leadership in this august Body. In my opinion, tonight is another good opportunity to effect that long overdue change as we now have someone from Mindanao who has what it takes to be a good Speaker, if not even better.

The issue at bar before us at this very moment is whether or not we still have confidence in the leadership of Speaker Jose De Venecia Jr. Unfortunately, I found nothing left in my heart even before the Fourteenth Congress opened. Hence, I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Suarez .....

REP. SUAREZ. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman has three minutes.

## REP. SUAREZ EXPLAINS HIS VOTE

REP. SUAREZ. Outside of my party affiliation, Mr. Speaker, I am a member of the Southern Tagalog Alliance. And for this Fourteenth Congress, I was named by the members to be their head.

In our discussions and meetings, we decided to be cohesive and united and to vote on the best effort as one on sensitive issues and other bills presented. We have conducted several discussions in the day. Facts were presented. Everyone was heard, why and why not. But at the end of the day, we must come up with a vote.

Therefore, the Southern Tagalog Alliance Congressional Districts representing the Provinces of Palawan, Mindoro, Marinduque, Romblon, Cavite, Laguna, Batangas, Quezon and our two honorary party-list members and our honorary member of Aurora is voting as one, solid yes to the present motion on the floor.

THE SECRETARY GENERAL, *reading*:

Susano .....

REP. SUSANO. Mr. Speaker, can I explain my vote?

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Lady has three minutes.

## REP. SUSANO EXPLAINS HER VOTE

REP. SUSANO. One fundamental attitude of a servant leader is humility, trustfulness and accountability in every step of the way in his life. Sometimes, we have to make a little sacrifice for a great change.

My friend Gina, Speaker, family of De Venecia, my gratitude and love. Thanks for everything. I prayed very hard in the past few days and even some of my colleagues in Lakas threatened me to be sanctioned as Lakas member. I am not afraid. Matagal na po akong takot.

For this decision makes enlightenment of God's blessing. You have known me for a long time, and I always play the game of life, fair and square, very independent in many ways. Kahit na noong last election, hindi ako umasa kahit kanino, sarili ko lang kayod. Dalawang Congressmen, isang mayor at marami pang mayors, I survived because I believe in God.

To my friend Gina, this is only a trial for us. We will survive. And my decision is not on maneuvering of the Palace. I decide with all my conscience, with all my heart. I vote yes because I have to protect my district, the biggest district in the entire Philippines.

THE SECRETARY GENERAL, *reading*:

Sy-Alvarado .....

REP. SY-ALVARADO. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Lady is recognized. She has three minutes.

## REP. SY-ALVARADO EXPLAINS HER VOTE

REP. SY-ALVARADO. Maraming salamat po. Nais ko pong ipaliwanag ang aking boto. At nais ko rin pong samantalain ang pagkakataon na sabihin kay Speaker at kay Ma'm De Venecia ang aking taos-pusong pasasalamat sa lahat ng kabutihan nila.

Kaya lamang po, ako ay may katungkulan sa aking distrito at sa ating bansa. Hindi po nangangahulugan na if I vote yes, ako po ay mayroong personal na galit or indifference sa kanila. At hindi rin po ako bumoboto dahil ako po ay dinidiktahan ng kung sino. Ito po ay conscience vote para sa kabutihan ng aking mga kababayan at sa kabutihan ng ating bansa.

Nakikita ko po na kailangan nating makakita ng bagong liderato upang mabigyan ng pagkakataon ang iba nating kasama rito sa Kongreso na makapagpakita ng kabutihan at dedikasyong maipakita ang pagkakaisa at kaliwanagan sa nagkakaisang Kongresista rito sa ating Kapulungan. Sa kanina po na sinabi ng ating Speaker, hindi po ako naniniwala na lahat ng kanyang sinabi ay totoo. Sapagkat kung may katotohanan po ito, sa tagal po ng kanilang pinagsamahan, sana po ay noon pa lamang ay naghabla na o pumunta na tayo sa Supreme Court upang maghanap tayo ng tunay na katarungan para sa sambayanang Pilipino.

So, I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Syjuco .....

REP. SYJUCO. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

## REP. SYJUCO EXPLAINS HER VOTE

REP. SYJUCO. My vote is personal. I am a parent. When a child cannot be asked to protect his father, when he insists on bringing down our President and her family and the father allows him to do so, in some instances, you cannot separate a child from a parent or a parent from a child. But this is clearly one of the situations because it involves national welfare.

I vote yes, Mr. Speaker, and thank you.

THE SECRETARY GENERAL, *reading*:

Taliño-Mendoza .....

REP. TALIÑO-MENDOZA. I vote yes to the motion.

THE SECRETARY GENERAL, *reading*:

Tan .....

REP. TAN. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Tañada .....

REP. TAÑADA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman has three minutes.

## REP. TAÑADA EXPLAINS HIS VOTE

REP. TAÑADA. Thank you, Mr. Speaker.  
With change comes real challenges.

Mr. Speaker, I rise tonight not to challenge those who voted no but to challenge those who stand in favor of changing the leadership of this House of Representatives to ensure that the change that we are advocating for becomes a reality.

What are these?

1. Transparency in the way the billions of pesos is being allocated and spent in this House;

2. Having a lean and professional bureaucracy and permanent secretariat staff devoid of any political debt to any sitting Speaker or for that matter, any past or incumbent Representative;

3. A more rational basis for choosing and appointing committee chairmanships; and hopefully,

4. Greater independence from the executive.

I have seen how the image of this institution of which we are all part of deteriorate in credibility and integrity under the past and current leadership. That I am and we are all part of the reason for this deterioration, is without question.

But shall we still allow the status quo?

This questionable situation persists. Is it business as usual after a Congressman takes his oath as the next Speaker of the House?

Mr. Speaker, those who were advocating for a change in the leadership in this House are being accused of simply playing into the game of the so-called “elites.” It is a mere lip service and a revolving door exercise—that we are effectively not changing anything, we are just changing the head but the same rotten system remains underneath. If we are indeed serious in reforming the House, let us not abuse the words “change” and “reform” but let us actually change and reform not only the system but ourselves.

Let me be clear with regard to my party support for the change that we have already placed in our agenda in the beginning of the Fourteenth Congress last July 2007. We supported Congressman Garcia but we did not make it. We have to be consistent with our calls. While we cannot simply shun the intramurals behind the drama that is unfolding before us, the four concerns that I have earlier enumerated: 1) Transparency in our very own budget process; 2) A lean professional bureaucracy within this institution; 3) Rationality in the appointment of committee chairmanships, and 4) Independence from the executives, are real challenges that I posed to those who openly support the change and more importantly to the Congressman who offers himself as a viable alternative to the current leadership.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman is reminded, his three minutes is over.

REP. TAÑADA. Yes, I will end, Mr. Speaker. This is indeed a historic moment for this institution whose image is badly tarnished. It is an opportunity we should not waste. And if we do so, we are only to be blamed for the failure of reform in this institution. I challenge those who stand up to advocate for change and reform but once we have changed our leader, the real work begins—the real work to truly reform ourselves, the real work to truly reform our institution.

I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Teodoro .....

REP. TEODORO. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. TEODORO EXPLAINS HIS VOTE

REP. TEODORO. Maraming salamat, Mr. Speaker, magandang gabi.

Sa anumang pag-uusap sa lahat ng pagkakataon, kapakanan ng bayan ang dapat mangibabaw. Dapat maiwasan na ang pagkakahati-hati sa usapin ng speakership sa bahagi ng mga Congressmen ngayong gabi. Maraming mga nabibinbing mga panukalang batas, mga gawain dito sa Kongreso dahil sa usaping ito. Hindi kailanman dapat mangibabaw ang mga personal at interes politikal bagkus kung ano ang magaling para sa bayan at kung ano ang

maganda para sa ating mga distrito. Obligasyon ito ng bawat Representanteng naririto ngayong gabi. Una ang bayan, bago ang sarili.

Mr. Speaker, considering the aforementioned premises, it is my personal belief that maintaining the status quo is practicable for this House in pursuing, undertaking and completing the legislative measures, the legislative agenda that we hope will benefit the Filipino people.

Mr. Speaker, I vote no to the motion.

THE SECRETARY GENERAL, *reading*:

Teves .....

Tieng .....

REP. TIENG. I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Tupas .....

REP. TUPAS EXPLAINS HIS VOTE

REP. TUPAS. Mr. Speaker, as a member of the Liberal Party as well as member of the Reform Bloc advocating changes in this Chamber, I vote yes.

Thank you, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Umali, Alfonso .....

REP. UMALI (A.). I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Umali, Czarina .....

REP. UMALI (C.). I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Ungab .....

REP. UNGAB. Mr. Speaker, may I explain my vote.

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

REP. UNGAB EXPLAINS HIS VOTE

REP. UNGAB. Like most of us, neophyte Members of this august Body, I want to settle the leadership issue once and for all. I believe we can work better with a harmonious relationship between the executive and the legislative branch of the government and I support the programs of the President, most especially those that will benefit my district.

For this, I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Uy, Edwin .....

REP. UY, (E.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. UY (E.) EXPLAINS HIS VOTE

REP. UY (E.). Mr. Speaker, it is really very difficult to make a decision on the matter. I was ready to vote no to the motion to declare the position of the Speaker vacant on the ground that no valid reason related to the performance of duties was presented by the movant. I am of the position that status quo would have been for the best interest of this country but having heard the Speaker deliver his privilege speech, I now fear that the respect, cordiality and working relationship between the House and the executive department has been shattered. For the good of governance and the best interest of our country, I am constrained to vote yes, instead.

THE SECRETARY GENERAL, *reading*:

Uy, Reynaldo .....

REP. UY (R.S.). Mr. Speaker, I vote yes to the motion.

THE SECRETARY GENERAL, *reading*:

Uy, Rolando .....

REP. UY (R.A.). Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. UY (R.A.) EXPLAINS HIS VOTE

REP. UY (R.A.). Thank you. I vote yes, because I believe that transformation must be pursued vigorously and we should start in the leadership of this Chamber. I vote yes to end the divisiveness that is happening now and start a new era of unity and trust, so that we would be able to do our work as legislators of this country and not as political clown.

THE SECRETARY GENERAL, *reading*:

Valdez .....

REP. VALDEZ. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman has three minutes.

REP. VALDEZ EXPLAINS HIS VOTE

REP. VALDEZ. Mr. Speaker, there is a song, "Torn Between Two Lovers." There is a proverbial saying of being caught between the devil and the deep blue sea. There is also an oft-quoted cliché which says, "Damn if you do, damn if you don't." This Representation, is confronted tonight between the love for a father that he has respected, and a brother from Mindanao. How I wish we did not have to make a choice tonight but certainly in this august hall, we have to

make a choice at one time or another no matter how painful or difficult it may be. That is why, as I took the plane from General Santos City this morning to Manila and in fact I did not attend the meeting last night, as I read the newspaper and the speakership issue was not yet settled, I can only close my eyes in prayer and say, "Lord give me the courage to change the things I can change, the humility to accept the things that I cannot change, and the wisdom to know the difference." I vote yes, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Valencia .....

Vargas .....

REP. VARGAS. Mr. Speaker, I vote yes.

THE SECRETARY GENERAL, *reading*:

Velarde .....

REP. VELARDE. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may do so.

REP. VELARDE EXPLAINS HIS VOTE

REP. VELARDE. Thank you very much, Mr. Speaker. Let me start by saying that my love, respect, admiration and gratitude for Speaker Jose De Venecia Jr. remain solidly intact. It is not an easy thing we do tonight. This humble Representation of Buhay Party-List has worked, hoped and prayed long and hard to preserve and maintain the status quo not only because we remain confident in the leadership of Speaker JDV Jr. but more so because we believe that by preserving the status quo, we would be avoiding a further deterioration of an existing political instability. But alas, this further deteriorating political instability has evolved into a clamor for change, and has overtaken the intervening events and miraculous breakthroughs. We prayed so hard for that would avoid us into coming into this moment. This being so, it now becomes our obligation to grab this clamor for change by the horns and to make sure we can make it a change for the better. My heart sinks to the bottom of the ocean as I vote in the affirmative, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Villafuerte .....

REP. VILLAFUERTE. Mr. Speaker, may I be allowed to briefly explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. VILLAFUERTE. My affirmative vote, Mr. Speaker, represents the 167<sup>th</sup> vote in favor of the declaration of the motion to declare the position of the Speaker vacant. That is more than the majority required of 121 and it is expected that

as we reach the letter “Z”, there will be at least 175 votes in favor of the motion to declare the position of the Speaker vacant.

Our process tonight, Mr. Speaker, is in two stages: the first step is precisely to declare the position of the Speaker vacant, and the second is a roll call vote without need for further explanation by each one of us.

I have many things to say to justify my vote and to explain the types of reforms that we advocate but I will not do so tonight, Mr. Speaker. I do not want to add any further hurt to anybody because I am confident that in spite of what Speaker Jose De Venecia said tonight, he will be magnanimous enough after we end our vote to declare his position vacant that he will rise to the occasion and nominate my acclamation Congressman Nograles as our new Speaker.

With that, Mr. Speaker, I end my remarks and reconfirm my affirmative vote in favor of the motion.

THE SECRETARY GENERAL, *reading*:

Villanueva .....

REP. VILLANUEVA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman has three minutes.

REP. VILLANUEVA EXPLAINS HIS VOTE

REP. VILLANUEVA. Thank you, Mr. Speaker.

Mr. Speaker, although I agree that this issue is not about being a member of the minority or of the majority, I still thank God for putting me in the minority bloc.

*At this juncture, Deputy Speaker Arnulfo P. Fuentebella relinquished the Chair to Deputy Speaker Eric D. Singson.*

Mr. Speaker, what we have here is a question of, is the incumbent Speaker really after the independence of this institution. Is he for this institution?

Mr. Speaker, I have known Speaker Jose De Venecia since I was a child. I have learned to idolize him. In fact, I supported him when he ran for President. I, together with my father comforted him when he lost the presidency. Sad to say, we parted ways dahil na rin po sa politika. At siguro, alam po ng Diyos, how very easy it would be for this Representation to vote yes.

Mr. Speaker, kailanman, hindi po ako nagtanim ng sama ng loob sa ating Speaker of the House bagama't maraming issues na tingin ko ay nasa tama naman o dapat bigyan ng pansin.

A while ago, I was listening attentively to his speech and just like the majority of the members of the minority, we could not help but be reminded of this famous song, “Bakit Ngayon Ka Lang ?” Without a doubt, I believe every single thing that the Speaker exposed this afternoon. If you ask me, am I surprised? Not at all, Mr. Speaker. Lagi na po naming sinasabi ang mga walang habas na korapsyon na nangyayari sa gobyernong ito. Hindi na bagong tugtugin ang ZTE, ang Transco, pork barrel, moral revolution, institutional entitlements, et cetera.

I think, Mr. Speaker, the records of this august Chamber would bear me out. For many times, this Representation rose and for many times, I spoke with the Speaker. “Mr. Speaker, let us not surrender the sovereignty of this institution. Huwag nating ibigay sa Malacañang. Huwag nating hayaang i-hold ang mga proyekto ng mga taga-oposisyon.”

Mr. Speaker, I am not saying this because I feel that projects are important. Tatlong taon po akong hindi nakatikim ng proyekto pero pinatunayan ng mamamayang Pilipino na hindi proyekto ang kailangan para magtagumpay sa pulitika. Isang seat ang CIBAC Party List noon, ngayon dalawang seat, Mr. Speaker.

Mr. Speaker, kahit kailan hindi po ako nagkulang para i-remind ang Speaker natin to fight for this institution. Did Speaker De Venecia fight for this institution? Marahil, kung may bago po tayong narinig ngayong hapon ito is that Speaker Jose De Venecia affirmed everything that we have been raising in this august Chamber, dito po sa plenary, doon po sa mga committee hearings.

Today, Mr. Speaker, as he stood his ground and valiantly delivered a powerful and inspirational speech, I cannot help but challenge him again. Please prove yourself that you are dead serious in pursuing moral revolution. Kanina po nasabi ninyo, you learned that loyalty should only be to the Filipino people and not to anyone, not to Malacañang. Siguro po mas maganda na maipakita ninyo iyan. Magandang signal kung kayo po ay magbo-volunteer sa pag-iimbestiga as witness sa ZTE, sa Transco, doon po sa nangyayaring imbestigasyon sa Senado.

THE DEPUTY SPEAKER (Rep. Singson, E.). May I remind the Gentleman that his three minutes ....

REP. VILLANUEVA. Yes, Mr. Speaker, I am about to wind up.

Mr. Speaker, the bottom line here is that lessons should be learned. Lessons should be learned today and I hope the Speaker learned his lessons. This is a lesson and a warning to all the Members of this House of Representatives. We will reap what we sow. The powers-that-be in the future today will not always be the powers-that-be in the future.

Mr. Speaker, being consistent again, we have been clamoring for change and reforms that Speaker Jose De Venecia failed to bring in but I do not believe, either that Malacañang will allow this House to be independent and free.

Mr. Speaker, I manifest my abstention.

THE SECRETARY GENERAL, *reading*:

Villar .....

REP. VILLAR. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Singson, E.). The Lady has three minutes.

REP. VILLAR EXPLAINS HER VOTE

REP. VILLAR. I experienced a similar situation as this as the wife of a former Speaker. It is so painful. I do not want to be a party to this. Therefore, I vote no.

*At this juncture, Deputy Speaker Eric D. Singson, relinquished the Chair to Deputy Speaker Arnulfo P. Fuentebella.*

THE DEPUTY SPEAKER (Rep. Fuentebella). The vote is no.

THE SECRETARY GENERAL, *reading*:

Villarosa .....

THE DEPUTY SPEAKER (Rep. Fuentebella). What is the vote of the distinguished Lady from Mindoro? Please use the microphone for the record. Yes.

THE SECRETARY GENERAL, *reading*:

Vinzons-Chato .....

REP. VINZONS-CHATO. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Lady may proceed.

REP. VINZONS-CHATO EXPLAINS HER VOTE

REP. VINZONS-CHATO. I belong to the Reform Bloc since the time I joined as a neophyte in July of this year, and I remain to be with them.

As a Chinese-Filipino, I have always made reference to the Chinese character representation of change. It is danger and opportunity. And I believe that if we do not have danger in our lives, very often, we remain complacent and we do not move. So, this is a great opportunity for us, when we have this change in this Chamber, and I do believe that in fact, if we Congressmen have term limitations, the President has a term limit, the Senators also, probably, it is about time we think about the possibility of also having term limitations for the Speaker of the House.

So, I would just want to remind everybody that it is very opportune for us. Chinese New Year is just around the corner, I would say, *Kung Hei Fat Choi* to everyone here, and I vote yes.

Thank you.

THE SECRETARY GENERAL, *reading*:

Violago .....

REP. VIOLAGO. May I explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. VIOLAGO EXPLAINS HIS VOTE

REP. VIOLAGO. Mr. Speaker, bilang isang neophyte at miyembro ng partido Lakas-CMD, naging mahirap po sa akin ang aking naging desisyon. Sapagkat sinuportahan po ng aming pamilya si Speaker Jose De Venecia mula pa ho

noong Ninth, Tenth, Twelfth at Thirteenth Congresses. And with respect to Speaker De Venecia, he is a very good leader and a very efficient Speaker. Para po sa amin, marami po siya talagang nagawa at talagang nakapag-introduce ng maraming reporma mula po nang siya ay naging Speaker, sapagkat nasa kanya po ang tiwala ng mga Miyembro ng Mababang Kapulungan at ang tulong at suporta ng mga Presidente, tulad po ni President Ramos at saka po ni Pangulong Arroyo.

Mr. Speaker, nagsalita na po ang karamihan sa atin, at ang sinasabi, kailangan daw po ay pagbabago.

Mr. Speaker, naniniwala po ako na magiging epektibo lamang ang Mababang Kapulungan sa paggawa ng mga batas at reporma kung ang maraming bilang ng Kinatawan ng Mababang Kapulungan ay nagtitiwala sa pamunuan nito, kaya, I vote yes.

THE SECRETARY GENERAL, *reading*:

Yap .....

REP. YAP EXPLAINS HIS VOTE

REP. YAP. Mr. Speaker, masyado pong mahirap na buhay ito. My colleagues in Tarlac and I have agreed to vote as one. So, with heavy heart really, because everybody knows that the Speaker is a very good friend of mine, and as the saying goes, that sometimes politics can really be too cruel, I have no choice but to vote with my colleagues in favor of the motion.

Thank you.

THE SECRETARY GENERAL, *reading*:

Yu .....

REP. YU. My vote is yes, Mr. Speaker, yes.

THE SECRETARY GENERAL, *reading*:

Zamora, Manuel .....

REP. ZAMORA (M.). Yes.

THE SECRETARY GENERAL, *reading*:

Zamora, Ronaldo .....

REP. ZAMORA (R.). Mr. Speaker, may I take three minutes to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. ZAMORA (R.) EXPLAINS HIS VOTE

REP. ZAMORA (R.). Mr. Speaker, when the original motion to declare the position of Speaker vacant was made, let me remind the Speaker that I was the first to stand to ask specific questions. Unfortunately, after two hours, I ended up with not a question asked, and not a question answered.

What would have been my questions, Mr. Speaker? I would have asked three of them. One, why only the Speaker? Why not the rest of the leadership? For after all, do they not share the responsibilities of running this Congress? And, of course, do they not enjoy the benefits that come with these responsibilities?

Two, reform has been mentioned throughout these last five hours as the reason for this change. But how do you reform when you are changing only one person? What are precisely his sins? And are they so serious that changing him alone will bring about this new regime of change and reform?

Mr. Speaker, are we so cynical that we actually believe this? O baka naman ginagago na natin hindi lang ang pangkaraniwang mamamayan ng bayang Pilipinas. Baka naman ginagago na rin natin ang gating sarili.

And, therefore, Mr. Speaker, I wanted to ask a third question. Why should we now participate in this which more and more begins to look like a personal, a vengeful and a vindictive act but changes nothing in the lives of the ordinary citizens of the Philippines?

Do not get me wrong, Mr. Speaker. I am not here to defend Speaker De Venecia. He is old enough. And I presume he is strong enough to defend himself. I have not voted for him for any position in 16 years.

Personally, Mr. Speaker, I do not care who the majority chooses as the leader of the House of Representatives. I can work with him or work against him because I can work with any Speaker and I can work against any Speaker. But I care deeply about the reasons our institution should now be subjected to this latest attack, not just on its leaders, but on its structures and on its independence.

I ask now, Mr. Speaker, what has brought this now to a head? What overriding reason of a national import has caused the movant to move as he has moved?

Mr. Speaker, in answer to my own question, I find no reason, overriding or otherwise, other than the basis of reasons.

I choose not to participate in a sham proceeding. And to the leaders of the contending factions within the majority, I can only offer the words of Shakespeare in *Romeo and Juliet*, "a pox on both your houses".

Together with many in the minority, Mr. Speaker, I vote no.

THE SECRETARY GENERAL, *reading*:

Zialcita .....

REP. ZIALCITA. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. ZIALCITA (R.) EXPLAINS HIS VOTE

REP. ZIALCITA. Mr. Speaker, during the darkest moments of the President, I stood by her, not only once but twice, because I believe in her and up to this very minute, I still do believe in President Gloria Macapagal-Arroyo.

At the same time, tonight, I cannot abandon my many years of friendship with Speaker Joe De Venecia, who has been my friend, my mentor, my trainor, my inspiration.

At the end of the day, we want the truth to come out of all of these. We cannot find out the truth tonight. Perhaps it will take us many more months. But at the end of the day, we are accountable to find out the truth, not only for ourselves but most specially to God. That, to me, should be our covenant tonight. As we change our leaders, because it is obvious that the next Speaker is about to be elected tonight, that must be our covenant, to find out and get to the bottom of the truth.

I just wish to read my favorite prayer, which I do in moments of crisis, and I take this from Mother Teresa of Calcutta:

Man is unreasonable, illogical, self-centered. It does not matter; love him.

If you do good, they will attribute it to selfish motives. It does not matter; do good.

If you achieve your goals, you will find false friends and real enemies. It does not matter; achieve them.

The good you do will be forgotten tomorrow. It does not matter; do them.

Honesty and sincerity make you vulnerable. It does not matter; be frank and honest.

What you have been building for years can be destroyed in an instant. It does not matter; build.

If you help people, they will resent it. It does not matter; help them.

Give the world your best and they will kick you. It does not matter; give your best.

I vote no, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Zubiri .....

REP. ZUBIRI. I would like to explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. ZUBIRI EXPLAINS HIS VOTE

REP. ZUBIRI. In reference to *Romeo and Juliet*, the first stanza goes as thus:

"Two households, both alike in dignity  
(In fair Verona, where we lay our scene,) From ancient grudge break forth to new mutiny  
Where civil blood makes civil hands unclean."

I warned both Houses about where this was going to go, and I truly believe what I said when I asked, "Is this in the national interest?" "And is this in the President's interest?" for those of us who support the President. And have you studied all possible outcomes?

Having said that, I would like to explain my vote, which is thus: I support the President and it appears that she wants this. And I am not going to vote against a member of the Mindanao bloc. But I am also a member of Lakas, and my brother is the Secretary General of Lakas. Our Speaker, for he is still our Speaker, is the President of Lakas, and I am not going to slap him on the face.

I abstain, Mr. Speaker.

## SECOND ROLL CALL

THE SECRETARY GENERAL, *reading*: Second call of Members for the consideration of the motion to declare the position of the Speaker vacant, honorable Congressmen and Congresswomen:

Ablan .....

REP. ABLAN. I do not know if the Chair heard my vote a while ago. But I would like to explain my vote, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

## REP. ABLAN EXPLAINS HIS VOTE

REP. ABLAN. As you well know, I have been with Joe De Venecia from 1965 to 1967. We were together in Vietnam. He was in the Foreign Office, and I used to be a weekend soldier. After my service in Vietnam, I came back to the Philippines and he also, and in 1967 or 1969, he ran for Congress, and I was then a Member of Congress.

We survived a lot of problems during those times and up to today. But I have to admit, Mr. Speaker, that I am just like a man who is caught between two ladies who are both kind and good to a person like me. But I have to be loyal also to my district. I have to be loyal to my friends.

When I ran in 1992, we were called for a Lakas meeting in Malacañang. I was asked who the best President your country has ever had. I stood up, brave enough to say, that the only President I respect is Ferdinand Marcos. But Ferdinand Marcos is no longer here. And I have to continue doing many things for my province and my district.

And when I was asked again, "Who among these Presidents would you prefer?" I said, "Not Aquino, not Ramos, not Estrada, but Gloria Arroyo." Today, I am torn between two lovers—my loyalty to my good friend Joe De Venecia and my loyalty to a President, who has done many things for my province.

It is for that reason, Mr. Speaker, in fairness and my respect to all, that I would like to change my vote from "no" to "abstention".

THE SECRETARY GENERAL, *reading*:

Antonino-Custodio .....

REP. ANTONINO-CUSTODIO. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

## REP. ANTONINO-CUSTODIO EXPLAINS HER VOTE

REP. ANTONINO-CUSTODIO. Listening intently to the explanations I have heard left and right, yes and no and abstention, it has become clear to me that indeed, even in the explanation of the votes of a lot of our colleagues from majority, this is not a fight on whoever will be put as the new

Speaker but indeed, this is a fight of Speaker Joe de Venecia and the President.

I have always firmly believed in and love the institution where I am right now. I have always loved the fact that we represent each and every Filipino, that in this hall, democracy is alive, opinions are given left and right and at the end of the day, we still respect each other.

I believe that this institution indeed needs reform. It needs people, warm bodies to actually stand for it. The Speaker, I believe, has not stood for this institution and neither will anyone who will come next to him, being beholden to the President's will.

Mr. Speaker, I have always believed that to respect the institution that is Congress, we must respect as well the traditions of the House. I am from the minority. And logic as well as tradition dictates that this is indeed the fight among administration's Solons for reforms. I have yet to hear what exact reforms we will finally now stand with the majority and say, Executive Order (EO) No. 464 is against the independence of the House.

Will we finally say that we will all stand up having a reformed leadership in the House and having a reformed membership of the House? Because, Mr. Speaker, the reason Congress, as an institution, is shed as such in bad light in the public eye is not because of one person alone. It depends on the membership of the House how the public will perceive us.

Mr. Speaker, it is my third term. I am glad I am still young because if I was any older, I would have lost all chance of hoping for a better future and a better institution we call the "House of Representatives." But I still have a little hope in me. And I indeed hope that those clamoring for reforms will a month, two months or three months from now report proudly to the Filipino people that they have reformed this House and stood up for the institution, that is Congress.

Mr. Speaker, as a member of the Minority, I abstain.

THE SECRETARY GENERAL, *reading*:

Arroyo, Ignacio .....

Binay .....

REP. BINAY. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Lady may do so.

## REP. BINAY EXPLAINS HER VOTE

REP. BINAY. Thank you.

Mr. Speaker, I choose to abstain not because I do not want change in this House but because this is obviously a fight between the Speaker and the First Family. It is sad that we are actually confirming the fact that this House has never been an independent Body.

To the next Speaker, whoever he may be, I appeal to him, let us try to salvage the reputation of this House. And to all of us, let us not lose sight that we are not here to serve just one person who lives in the Palace but we are here to serve the people who place their trust on us. Otherwise, we do not deserve to be called Representatives.

Mr. Speaker, I choose to abstain.

THE SECRETARY GENERAL, *reading*:

Bondoc .....

Cayetano .....

REP. CAYETANO. Mr. Speaker, may I be allowed to explain my vote.

THE DEPUTY SPEAKER (Rep. Fuentebella). The distinguished Lady may proceed.

REP. CAYETANO EXPLAINS HER VOTE

REP. CAYETANO. Maraming salamat po, Mr. Speaker. Nais ko pong ipaliwanag, lalo na po sa aking mga kababayan sa Unang Distrito ng Taguig at Pateros, na bagama't ipinagpapasalamat ko po kay Speaker Jose de Venecia ang pagbubunyag niya ng mga iregularidad at anomalya ng administrasyong ito, subalit ito po ay nahuli. Pero bagama't huli, malaking bagay pa rin ito sapagkat nakumpirma na lehitimo ang mga isyung ipinaglaban noon ng mga miyembro ng minorya.

Ang distrito po ng Taguig at Pateros ay biktima ng iregularidad ng Kongresong ito. Sapagkat may prinsipyo kang ipinaglalaban na taliwas sa mayorya, hindi makatatanggap ng alokasyon ang iyong distrito. Sa loob po ng tatlong mahabang taon, hindi po natanggap ng Taguig at Pateros ang benepisyong dapat sa kanya.

Hindi po kami naipaglaban ng institusyong ito. Salamat na lamang po at ang amin pong mga kababayan ay hindi tumitingin sa proyekto kundi po sa prinsipyo. Sa awa po ng Diyos, ang inyo pong lingkod, bagama't wala ho tayong mga proyekto, tayo po ay nahalal bilang Representante ng Unang Distrito ng Taguig at Pateros.

Ngayong nais kong baguhin ang liderato ng Mababang Kapulungan, ako po ay maraming pangamba: Ang liderato po ba na papalit ay makikinig sa mga mamamayang Pilipino o ito po ba ay susunod na lamang sa dikta o kumpas ng Malacañang? Ang papalit po ba ay nakahandang irespeto ang bawat isang Miyembro ano man ang prinsipyo nito? Kung may pagbabago, sana ito po ay tunay—hindi lamang po pagbabago sa mukha o personalidad, kung hindi po pagbabago na magbibigay solusyon sa napakarami pong problema ng ating bansa. Marami po tayong kinakaharap.

Sa huli, kung sino man ang maging lider ng Kongreso, pamunuan po sana nang buong tapat at magawa sanang ibangon ang ating institusyon—maayos at independyente.

Mr. Speaker, I abstain. Thank you.

THE SECRETARY GENERAL, *reading*:

Cruz-Gonzales .....

REP. CRUZ-GONZALES. Mr. Speaker, I concur with my colleagues in the minority for the reason stated, I, therefore, abstain.

THE SECRETARY GENERAL, *reading*:

De Guzman .....

REP. DE GUZMAN. I vote no.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please clarify his vote.

REP. DE GUZMAN. No.

THE SECRETARY GENERAL, *reading*:

De Venecia .....

Dominguez .....

Ecleo .....

Escudero .....

REP. ESCUDERO. Mr. Speaker, may I be given three minutes.

THE DEPUTY SPEAKER (Rep. Fuentebella). The Gentleman may please proceed.

REP. ESCUDERO EXPLAINS HIS VOTE

REP. ESCUDERO. Five-term Speaker of the House of the Representatives. Bakit ho ito nangyayari? Tatlumput-limang boto na hindi sang-ayon sa mosyon.

Mr. Speaker, sa lahat po ng paliwanag na ibinigay, ang hindi po kapani-paniwala, na ang Malakanyang ay hindi po nakialam. Hindi na ho dapat ipaliwanag. The separation of the executive, the legislative and the judiciary is only for students in politics. Mahilig tayong magdaldal na hindi naman sinusunod. It is a fallacy. There is no need to explain. Be that as it may, I urge the incoming Speaker to find out why this is happening to a five-term Speaker para tumagal naman siya sa posisyon. Baka naman pagkalipas ng tatlong buwan, botohan na naman tayo rito. Alamin kung bakit. And I urge the incoming Speaker to get a transcript of the explanation of the votes. To those who voted yes, my respect. To those who voted no, barely 35, my admiration especially the explanation of the first-termers mentioning that very popular term this evening "change" o pagbabago. Siguruhin ho natin it is a genuine change. Tama na ho ang plastikan; ang pinakamasama ang loob ay ang mga first-termers, the most idealistic amongst us.

The region is immaterial for as long as the Speaker will really do his/her job. Enough of this regionalism. That is why we are not yet considered a nation, we are only considered a country. Kaya mga kasama, sana hindi na ho ito maulit. Kung ang Pangulo ay humihingi na patapusin hanggang 2010, I was hoping iyong napakalaking partido, coalesced majority, bibigyan din ang leader nila ng co-terminus sa Pangulo. Kaya sa susunod na Speaker, uulitin ko po, basahin ninyo ang transcript, ang mga kadahilanan na ibinigay ng mga kasamahan natin. Klarung-klaro naman ho, iyong 10 o 12 kasama natin na ang apelyido ay may direct link sa Malacañang, lahat, yes ang boto. Kaya huwag nang ulit-ulitin na ang Malakanyang ay hindi nakikialam. It is normal, I am not aware of any House of Representatives that has been genuinely independent of Malacañang. Based on the agreement of the minority, I abstain, Mr. Speaker.

THE SECRETARY GENERAL, *reading*:

Guingona .....

Hataman .....

Kho .....

Labadlabad .....  
 Lopez .....  
 Nograles .....  
 Ramiro .....

REP. RAMIRO. Mr. Speaker, may I be allowed to submit in writing the explanation of my vote. My vote is yes.

#### EXPLANATION OF VOTE OF REP. RAMIRO

Mr. Speaker, ladies and gentlemen:

How I wished that this would happen only in my dreams!

But in one's life, one must always expect the unexpected. Everything that happens, whether it is against your will or not, is always according to the will of God.

This situation has brought tremendous pressures to me, and my family. For how can I turn against this man, who has been widely known to be the architect of the Rainbow Coalition that lumped together into a united bond all the leaders of various colors and shades within our political spectrum?

He is the man who has been our political ally for decades, the very same man responsible for having me elected as Chairperson of the widely regarded as powerful Committee on Accounts.

But, Mr. Speaker, I had consulted political elders and my constituents, and they are shouting in unison: Only a Mindanaoan can help Mindanao.

Yet, I agonized for days before I arrived at this conclusion: as a Mindanaoan, I am pinning my hopes on a fellow Mindanaoan.

Indeed, this decision has brought not only tears in my eyes but excruciating pains in my heart. But I have no choice. I have to make a stand and the time is now.

My only consolation is that my decision, which was based on collective opinions, can withstand the test of time.

For it is mainly guided by the Quezonian doctrine that my loyalty to Speaker De Venecia ends when my loyalty to my constituents begins. I therefore vote yes.

Thank you.

#### THE SECRETARY GENERAL, *reading*:

Silverio .....

REP. SILVERIO. Mr. Speaker, may I be allowed to explain my vote?

THE DEPUTY SPEAKER (Rep. Fuentebella). The Lady may please proceed.

#### REP. SILVERIO EXPLAINS HER VOTE

REP. SILVERIO. My vote to declare the speakership of this Chamber vacant is anchored not on political interest nor on friendship, definitely not on profit nor on personal benefits and consideration. Hearing the Speaker before us tonight, I think a clear line has been drawn between him and President Arroyo and the stability of this country. I am sad over this divisiveness which I think would not achieve

any good for this country. I have been agonizing this past week and this is the day that I feared most, that I would be made to choose between two partymates at that. It is really sad because it is a fight between allies. I therefore choose to abstain.

#### THE SECRETARY GENERAL, *reading*:

Teves .....  
 Valencia .....

REP. ESCUDERO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Fuentebella). The results of the voting are as follows, after comparing the notes of the Chair with that of the Secretariat.

Everything tallied: Abstention-16; Negative votes-35; Affirmative votes-174.

The motion to declare the position of the Speaker vacant is therefore carried.

REP. ESCUDERO. Mr. Speaker.

#### SUSPENSION OF SESSION

THE DEPUTY SPEAKER (Rep. Fuentebella). The Chair declares a suspension of the session.

*It was 12:43 a.m.*

#### RESUMPTION OF SESSION

*At 12:45 p.m., the session was resumed with Rep. Simeon A. Datumanong presiding.*

THE DEPUTY SPEAKER (Rep. Datumanong). The session is resumed. The Majority Leader is recognized.

REP. ESCUDERO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Datumanong). What is the pleasure of the Gentleman from Sorsogon?

REP. ESCUDERO. Mr. Speaker, the whole nation heard our votes because we were asked by the Presiding Officer. May this Representation be informed how the Presiding Officer voted. Yes, the Presiding Officer.

THE DEPUTY SPEAKER (Rep. Datumanong). So, the Presiding Officer did not vote.

REP. ESCUDERO. Thank you, Mr. Speaker.

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

REP. DEFENSOR (A.). Mr. Speaker, I now move that the nomination for the position of Speaker be declared open.

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

The nomination for the position of Speaker is now open.

REP. DEFENSOR (A.). Mr. Speaker.

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

REP. DEFENSOR (A.). I move that the distinguished Speaker of the House of Representatives be recognized.

THE DEPUTY SPEAKER (Rep. Datumanong). The distinguished Speaker of the House of Representatives is recognized.

REP. DE VENECIA. Mr. Speaker, in concert with high tradition and in order to set an example for Philippine democracy, so that we can move rapidly to unite this divided House and in order to give primacy to the neglected region of the nation, the man I will nominate today for the position of the Speaker of the House is a man whom I proposed to become chairman of the Committee on Housing and we unanimously elected him as Chairman thereof, the man who we elected as chairman of the Committee on Rules and Majority Leader of the last Congress. And after the last elections and upon consultations because of his outstanding qualities, we moved and I personally recommended him to become chairman of the House contingent to the powerful Commission on Appointments, my colleague in the 1998 elections when I ran for mayor and who like your humble servant failed in the elections of that year.

Mr. Speaker, I just hope and I am certain that he will continue the reforms that we have set in motion in this House. In the next 10 days, this House will be among the first parliaments in Southeast Asia to have electronic voting and we have completed this process by lifting the flooring of this plenary hall by at least six inches and two electronic signboards are already in place. And in a few days, all of us will have our fingerprints taken so that when we press the button, the lights will go up for either yes, no or abstain. And therefore, voting such as what happened now will not take hours or perhaps even a day as in the last impeachment battle but rather, voting can be completed in one minute.

It came out in the newspapers that this electronic vote facility would cost P15 billion. It would cost only P15 million or slightly above \$300,000 to put this process in place which we are able to achieve because of the savings of this House. And I am happy to report to you that I hope our new Speaker would complete the transmittal of computers and laptop machines for each of you because we have already acquired these laptop machines for distribution to each one of you in the next few days.

Further, as you remember, this House returned to the National Treasury more than P60 million, the first House of Representatives to return such amount to the national government and to the National Treasury to set an example for all the other units of the government.

And finally, with the additional P70 million that we saved, the Committee on Bids and Awards in this House has now approved to begin the construction of a new building because now, we have run out of space.

And I would like to thank as well Congressman Edcel Lagman, Chairman of the Committee on Appropriations,

for succeeding in allocating P300 million in order that we can move towards the construction of a new building in addition to the P70 million in savings that we had achieved, including the new gymnasium that we built out of our savings of P28 million last year, considered by the Commission on Audit (COA) as one of the most beautiful gymnasiums and constructed at least cost.

And I nominate our dear friend and colleague, one of the outstanding leaders of this country and of this House, to become our next Speaker, Rep. Boy Nograles of Davao City. *(Applause)*

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

REP. CUENCO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Datumanong). What is the pleasure of the Gentleman from Cebu City?

REP. CUENCO. I rise in order to present a motion to close the nomination for the Speaker immediately. *(Applause)*

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Datumanong). Is there any objection? *(Silence)* The Chair, hears none; the motion to close the nomination for the position of the Speaker is approved. *(Applause)*

The Majority Leader is recognized.

#### ELECTION OF REP. NOGRALES AS SPEAKER OF THE HOUSE OF REPRESENTATIVES

REP. DEFENSOR (A.). Mr. Speaker, there being only one nomination, unless there is any objection, I move that the election of Congressman Prospero Nograles be declared unanimous.

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

Therefore, the honorable Congressman Prospero Nograles is elected by more than absolute majority of all the Members of the House.

The Majority Leader is recognized.

#### SUSPENSION OF SESSION

REP. DEFENSOR (A.). Mr. Speaker, I move for a suspension of session.

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

*It was 12:55 a.m.*

#### RESUMPTION OF SESSION

*At 1:01 a.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. DEFENSOR (A.). Mr. Speaker, I move that a committee be created to officially notify the newly-elected Speaker of the House of Representatives, the Honorable Prospero Nograles, and the committee to be composed of the following: the Honorable Luis Villafuerte, the Honorable Rodolfo Antonino, the Honorable Martin Romualdez, the Honorable Monico Puentevella, the Honorable Rufus Rodriguez, and last but not the least, the Honorable Rene Velarde.

THE DEPUTY SPEAKER (Rep. Datumanong). Is there any objection? (*Silence*) The Chair hears none; the committee is formed and the members thereof are duly selected.

#### SUSPENSION OF SESSION

REP. DEFENSOR (A.). I move for a suspension of session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Datumanong). The session is suspended for a few minutes.

*It was 1:03 a.m.*

#### RESUMPTION OF SESSION

*At 1:07 a.m., the session was resumed.*

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

REP. DEFENSOR (A.). Mr. Speaker.

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

#### CONSIDERATION OF CONF. CTTEE. RPT. ON H.B. NO. 3156

REP. DEFENSOR (A.) Mr. Speaker, I move that we consider the Conference Committee Report on the disagreeing provisions on House Bill No. 3156.

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

Consideration of the Conference Committee Report on the disagreeing provisions of House Bill No. 3156 is now in order. With the permission of the body, the Secretary General will read only the title of the consolidated bill without prejudice to inserting in the Record the whole text thereof.

THE SECRETARY GENERAL. Conference Committee Report on House Bill No. 3156, entitled: AN ACT CREATING THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES, AUTHORIZING THE

APPROPRIATION OF FUNDS THEREFOR, AND FOR OTHER PURPOSES.

*The following is the text of the conference committee report:*

#### CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of the amendments agreed upon by the Senate and the provisions of the third reading copy of House Bill No. 3156, entitled:

AN ACT CREATING THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES, AUTHORIZING THE APPROPRIATION OF FUNDS THEREFOR, AND FOR OTHER PURPOSES

after having met and discussed the subject matter in full and free conference, has agreed and does hereby recommend to their respective Houses that the amendments agreed upon by the Senate in consolidation with the third reading copy of House Bill No. 3156, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees.

Approved,

CONFEREES ON THE PART OF  
THE HOUSE OF REPRESENTATIVES:

(Sgd.) MONICO O. PUENTEVELLA  
Chairman

(Sgd.) ERICO BASILIO A.  
FABIAN

(Sgd.) FELIX R. ALFELOR

(Sgd.) EDCCEL C. LAGMAN

(Sgd.) ELEANDRO J. F.  
MADRONA

(Sgd.) JUAN EDGARDO  
M. ANGARA

(Sgd.) MANUEL E. ZAMORA

(Sgd.) FLORENCIO GABRIEL  
G. NOEL

CONFEREES ON THE PART  
OF THE SENATE:

(Sgd.) JUAN PONCE ENRILE  
Chairman

(Sgd.) GREGORIO B. HONASAN

(Sgd.) JUAN MIGUEL F. ZUBIRI

(Sgd.) RICHARD J. GORDON

(Sgd.) PANFILO M. LACSON

(Sgd.) BENIGNO C. AQUINO III

AN ACT CREATING THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES, AUTHORIZING THE APPROPRIATION OF FUNDS THEREFORE, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the Civil Aviation Authority Act of 2008.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide safe and efficient air transport and regulatory services in the Philippines by providing for the creation of a civil aviation authority with jurisdiction over the restructuring of the civil aviation system, the promotion, development and regulation of the technical, operational, safety, and aviation security functions under the civil aviation authority.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the terms:

(1) “Aerial work” refers to an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

(2) “Aerodrome” refers to an airport, a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

(3) “Aeronautics or aviation” refers to the science and art of flight.

(4) “Aeronautical telecommunication” refers to and includes any telegraph or telephone communication signs, signals, writings, images and sounds of any nature, by wire, radio or other systems or processes of signalling, used in the aeronautical service.

(5) “Aeronautical telecommunication station” refers to any station operated to provide telecommunications for aeronautical purposes.

(6) “Air carrier or operator” refers to a person who undertakes, whether directly or indirectly, or by a lease or any other arrangements, to engage in air transportation services or air commerce. The term may likewise refer to either a “Philippine air carrier” or a “foreign air carrier” as indicated by the context.

(7) “Air commerce or commercial air transport operation” refers to and includes scheduled or non-scheduled air transport services for pay or hire, the navigation of aircraft in furtherance of a business, the navigation of aircraft from one place to another for operation in the conduct of a business, or an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

(8) “Aircraft” refers to any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface. The term “aircraft”, when used in this Act or in regulations issued under this Act, shall refer to civil aircraft only, and will not include State or public aircraft.

(9) “Aircraft accident” refers to an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which:

(a) Any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft of anything attached thereto; or

(b) The aircraft receives substantial damage.

(10) “Aircraft radio station” refers to a radio station on board any aircraft.

(11) “Aircraft engine” refers to any engine use, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers.

(12) “Aircraft incident” refers to the occurrence, other than an accident, which is associated with the operation of an aircraft when the safety of the aircraft has been endangered, or is a situation which could endanger an aircraft and if it occurred again in other circumstances.

(13) “Aircraft piracy” refers to any actual or attempted seizure or exercise of control, by force or violence, or by any other form of intimidation, with wrongful intent, of an aircraft within the jurisdiction of the Philippines.

(14) “Airman” refers to any individual who engages, as the person in command or as pilot, mechanic, aeronautical engineer, flight radio operator or member of the crew, in the navigation of aircraft while under way and any individual who is directly in charge of inspection, maintenance, overhauling, or repair of aircraft, aircraft engine, propellers, or appliances; and individual who serves in the capacity of aircraft dispatcher or air traffic control operator.

(15) “Airman license” refers to a written authorization or permission issued to any person for the exercise of the privileges of flying, maintaining, controlling, directing, dispatching, instructing or any other civil aviation activity which is regulated and supervised by the Authority.

(16) “Air navigation” refers to the practice of controlling, guiding and operating aircraft from airport of departure to pre-determined airport of destination, including alternate airports. To ensure safety, regularity and efficiency of civil aviation operations, standardization and common understanding among all parties involved are essential in all matters affecting the operation of aircraft and the numerous facilities and services required in their support, such as airports, telecommunications, navigation aids, meteorology, air traffic services, search and rescue, aeronautical information services and aeronautical charts, in accordance with the procedures, rules and regulations contained in the appropriate Annexes to the Chicago Convention.

(17) “Air navigation facility” refers to any facility used in, available for use in, or designed for use in aid of air navigation, including airports, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electromagnetic communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft.

(18) “Air navigation services” refers to and includes information, directions and other facilities furnished, issued or provided in connection with the navigation or movement of aircraft, and the control of movement of vehicles in any part of any part of an airport used for the movement of aircraft.

(19) “Air operator” refers to any organization which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly, or by a lease or any other arrangement.

(20) “Air Operator Certificate (AOC)” refers to a certificate authorizing an operator to carry out specified commercial air transport operations.

(21) “Air route” refers to the navigable airspace between two points and the terrain beneath such airspace identified, to the extent necessary, for application of flight rules.

(22) “Air route and airway facilities” refers to facilities provided to permit safe navigation of aircraft within the airspace of air routes and airways, including:

(a) Visual and non-visual aids along the air routes and airways;

(b) Visual and non-visual aids to approach and landing at airports;

- (c) Communication services;
- (d) Meteorological observations;
- (e) Air traffic control services and facilities; and
- (f) Flight services and facilities.

(23) "Airport" refers to any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically.

(24) "Air transport" refers to the transportation of persons, property, mail or cargo by aircraft.

(25) "Air transport service" refers to the act of transporting persons, property, mail cargo, in whole or in part, by aircraft to points within or outside of the Philippines.

(26) "Airworthiness" means that an aircraft, its engines, propellers, and other components and accessories, are of proper design and construction, and are safe for air navigation purposes, such design and construction being consistent with accepted engineering practice and in accordance with aerodynamic laws and aircraft science.

(27) "Annexes to the Chicago Convention" refers to the documents issued by the International Civil Aviation Organization (ICAO) containing the standards and recommended practices applicable to civil aviation.

(28) "Appliances" refers to instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including parachutes and including communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight), and which are not part or parts of aircraft, aircraft engines, or propellers.

(29) "Authority" refers to the Philippine Civil Aviation Authority created pursuant to the provisions of this Act and shall, as indicated by the context, include the Board of Directors and/or Director General created pursuant thereto.

(30) "Aviation certificate" means any airworthiness certificate, airman certificate, air operator certificate, certificate authorizing the operation of an aviation school or approved maintenance organization or other document issued by virtue of the provisions of this Act in respect of any person, aircraft, airport or aviation-related service.

(31) "Board of Directors" means the board of the civil aviation authority created under this Act.

(32) "Chicago Convention" refers to the international basis for civil aviation agreements.

(33) "Citizen of the Philippines" refers to one of the following:

- (i) An individual who is a citizen of the Philippines;
- (ii) A partnership of which each member is a citizen of the Philippines; or
- (iii) A corporation or association created or organized and authorized under the laws of the Philippines.

(34) "Civil aircraft" refers to any aircraft other than a state or public aircraft.

(35) "Civil aviation" refers to the operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations.

(36) "Crew member" refers to a person assigned to perform duties on an aircraft in flight.

(37) "Dangerous goods" refers to articles or substances that are capable of posing significant risks to health or safety of property when transported by air.

(38) "Director" refers to the Director General appointed under this Act.

(39) "Domestic air commerce" means and includes air commerce within the limits of the Philippine territory.

(40) "Domestic air transport" means air transportation within the limits of the Philippine territory.

(41) "Foreign air carrier or foreign air operator" means any operator, not being a Philippine air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of the Philippines, whether on a scheduled or chartered basis.

(42) "Foreign air transport" refers to air transportation between the Philippines and any place outside it or wholly outside the Philippines.

(43) "General aviation operation" refers to an aircraft operation of a civil aircraft for other than a commercial air transport operation or aerial work operation.

(44) "ICAO" - where used in this Act, refers to the abbreviation for the International Civil Aviation Organization.

(45) "International commercial air transport" refers to the carriage by aircraft of persons or property for remuneration or hire or the carriage of mail between any two (2) or more countries.

(46) "Navigable airspace" refers to the airspace above the minimum altitude of flight prescribed by regulations under this Act and includes airspace needed to insure safety in the takeoff and landing of aircraft.

(47) "Navigation of aircraft" refers to a function that includes the piloting of aircraft.

(48) "Person" refers to any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative of these entities.

(49) "Philippine air carrier" means an air carrier who is a citizen of the Philippines.

(50) "Philippine aircraft" means an aircraft registered in the Philippines in accordance with the requirements of this Act.

(51) "Propeller" refers to an inclusive term for all parts, appurtenances, and accessories of a propeller.

(52) "Public aircraft" refers to an aircraft used exclusively in the service of any government or of any political jurisdiction thereof, including the Government of the Philippines, but not including any government-owned aircraft engaged in operations which meet the definition of commercial air transport operations.

(53) "Rules of the air" means those provisions for securing the safety of aircraft in flight and in movement on the surface and the safety of persons and property on the surface. These provisions include:

- (a) Lights and signals to be shown by aircraft;
- (b) General, visual and instrument flight rules;
- (c) Airport traffic rules; and
- (d) Airport signals and markings.

(54) "Spare parts" refers to any parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), aircraft engines (other than propellers), propellers, and appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto.

(55) "Special aircraft jurisdiction of the Philippines" – This includes:

- (i) Civil aircraft of the Philippines; and
- (ii) Any other aircraft within the jurisdiction of the Philippines, while the aircraft is in flight, which is from the moment when all external doors are closed following embarkation until the moment when one such door is opened for disembarkation or, in case of a forced landing, until the competent authorities take over the responsibility of the aircraft and the persons and property aboard.

(56) "Validation" refers aboard to the written acceptance of an action of the civil aviation authority of another country in lieu of an action that this Act assigns to the Director General.

(57) "Landing fees" refers to all charges for the use of any landing strip or runway by any aircraft landing or taking off at an aerodrome.

(58) "Terminal fees" refers to charges for parking at or near the ramp, terminal area, or building, for purposes of loading or unloading passengers and/or cargo.

(59) "Royalties" refers to all charges based on gross business or sales, or gross or net profit.

(60) "Supplies" includes any and all items of whatever nature or description which may be necessary for, or incidental to, the operation of an aircraft.

## CHAPTER II ORGANIZATION OF AUTHORITY

SEC. 4. *Creation of the Authority.* – There is hereby created an independent regulatory body with quasi-judicial and quasi-legislative powers and possessing corporate attributes to be known as the Civil Aviation Authority of the Philippines (CAAP), hereinafter referred to as the "Authority", attached to the Department of Transportation and Communications (DOTC) for the purpose of policy coordination. For this purpose, the existing Air Transportation Office created under the provisions of the Republic Act No. 776, as amended, is hereby abolished.

Notwithstanding the foregoing, nothing in this Act shall diminish the powers and functions of the Civil Aeronautics Board (CAB) as provided for under Republic Act No. 776, also known as "The Civil Aeronautics Act of the Philippines", as amended.

(a) Establishment of Authority Headed by a Director General – The Authority shall be headed by a Director General of Civil Aviation, referred to in this Act as the "Director," who shall be appointed by the President of the Philippines and shall be responsible for all civil aviation in the Philippines and the administration of this Act. The Director shall be appointed based on the qualifications herein provided and shall have a tenure of office for a period of four (4) years. His appointment may be extended for another non-extendible term of four (4) years and shall only be removed for cause in accordance with the rules and regulations prescribed by the Civil Service Commission.

(b) Responsibility of Director General – The Director General shall be responsible for the exercise of all powers and the discharge of all duties of the Authority and shall have control over all personnel and activities of the Authority.

SEC. 5. *Composition of the Board Members.* – The corporate powers of the Authority shall be vested in a board, which is composed of seven (7) members:

- (a) The Secretary of the Department of Transportation and Communications shall act as chairman *ex officio*;
- (b) The Director General of Civil Aviation (DGCA) shall automatically be the Vice-Chairman of the Board;
- (c) The Secretary of Finance;
- (d) The Secretary of Foreign Affairs;
- (e) The Secretary of Justice;
- (f) The Secretary of the Interior and Local Government; and
- (g) The Secretary of the Department of Labor and Employment.

The Directors listed under Subsections (a) to (g) shall be *ex officio* members of the Board of Directors: *Provided*, that, in the absence of the Director appointed in Subsections (c) to (g), the Director concerned shall designate the officer next in rank to him in his department or office to act on his behalf as a Director.

SEC. 6. *Prohibited Interests.* – All members of the Board or any of their relatives within the fourth civil degree of consanguinity or affinity, legitimate or common law, shall be prohibited from holding any interest whatsoever, either as investor, stockholder, officer or director, in any company or entity engaged in air commerce, whether scheduled or unscheduled, passenger or cargo, domestic or international, or in any business providing support services to persons engaged in air commerce (i.e. general sales agencies, travel agencies, cargo forwarders, ground handling, catering, fuel servicing, aircraft maintenance, etc.) and must therefore divest, through sale or legal disposition, of any and all interests in such undertakings upon the member's assumption of office. Any violation of this section shall subject the member concerned to removal from Authority for cause as well as administrative, civil or criminal prosecution under applicable laws.

SEC. 7. *Limitation of Subsequent Employment.* – No member of the Board or any employee of the Authority shall accept employment or enter into a contract of service with an entity regulated by the Authority until the expiry of one (1) year from the termination of his appointment, whether by resignation or revocation or otherwise.

SEC. 8. *Quorum.* – The presence of at least four (4) members of the Board shall constitute a quorum and the majority vote of three (3) members in a meeting where a quorum is present shall be necessary for the adoption of any rule, ruling, order, resolution, decision or other act of the Board in the exercise of its functions.

SEC. 9. *Qualifications of Director General.* – No person shall be appointed or designated as the Director General unless he is a Filipino citizen, at least thirty-five (35) years of age, of good moral character, unquestionable integrity, recognized competence and a degree holder with at least five (5) years supervisory or management experience in the field of aviation.

SEC. 10. *Board Meetings.* – The Board shall meet regularly once a month and may hold special meetings to consider urgent matters upon call of the Chairman or upon the initiative of four (4) members. Internal rules of procedure in the conduct of Board meetings shall be as prescribed by the Board.

SEC. 11. *Per Diems.* – The members of the Board shall receive a *per diem* for each meeting actually attended. The *per diems* of the members of the Board shall be determined pursuant to a resolution adopted by the Board subject to compliance of the guidelines duly existing and applicable by the Commission on Audit.

SEC. 12. *Personnel.* – Qualified existing personnel of Air Transportation Office (ATO) shall be given preference in the filling up of plantilla positions created in the Authority, subject to existing civil service rules and regulations.

SEC. 13. *Principal Office.* – The Authority shall have its principal office in Metro Manila and may hold hearings on any proceedings at such time and places within the Philippines, as it may provide by order in writing.

SEC. 14. *Capitalization.* – The Authority shall have an authorized capital stock of Fifty Billion Pesos (PhP50,000,000,000.00) which shall be fully subscribed by the Republic of the Philippines. The subscription of the National Government shall be paid as follows:

(a) The unexpended balances of appropriations in the current General Appropriations Act and other acts in force upon approval hereof, pertaining to, held or used by, the ATO;

(b) The value of existing assets of the ATO, which shall be determined by an independent and qualified appraiser or appraisers within six (6) months from the effectivity of this Act, and after deducting the loans and other liabilities of the ATO at the time of the takeover of the assets and properties; and

(c) Such amounts as may be appropriated from time to time from the funds of the National Treasury, including any outlay from the infrastructure program of the National Government.

SEC. 15. *Fiscal Autonomy.* – The Authority shall enjoy fiscal autonomy. All moneys earned by the Authority from the collection/levy of any and all such fees, charges, dues, assessments and fines it is empowered to collect/levy under this Act shall be used solely to fund the operations of the Authority.

The utilization of any funds coming from the collection and/or levy of the Authority shall be subject to the examination of the Congressional Oversight Committee.

SEC. 16. *Exemption from Taxes, Customs and Tariff Duties.* – (a) The importation of equipment, machineries, spare parts, accessories and other materials including supplies and services used solely and exclusively in the operations of the Authority not obtainable locally shall be exempt from all direct and indirect taxes, wharfage fees and other charges and restrictions, the existence of pertinent laws to the contrary notwithstanding.

(b) All obligations entered into by the Authority and any income derived therefrom, including those contracted with private international banking and financial institutions, shall be exempt from all taxes, both principal and interest. The Authority is also exempt from the payment of capital gains tax, documentary stamp tax, real property estate tax and all other local government-imposed taxes and fees.

SEC. 17. *Schedule of Fees and Charges.* – The Authority shall adopt and publish its schedule of fees and charges. The Authority shall hold such public hearings or consultative meetings with stakeholders in the industry before adopting its schedule of fees and charges. The Authority shall not revise its schedule of fees and fines more often than once every three (3) years.

SEC. 18. *Compensation and Other Emoluments of Authority Personnel.* – Within six (6) months from the effectivity of this Act, the Board shall determine the new schedule of salaries of the employees of the Authority subject to the compliance with the existing compensation laws; Provided, that, the Board shall determine and fix the compensation and fringe benefits of employees holding technical positions that are not common to the other agencies of the government which shall be specified in the Implementing Rules and Regulations.

SEC. 19. *Transfer of Properties.* – The funds and appropriations, records, equipment and property of the ATO is hereby transferred to the Authority.

SEC. 20. *Annual Report.* – The Authority shall prepare and submit an annual report to the President of the Philippines, to the Senate and to the House of Representatives on its accomplishments at the close of each calendar year.

### CHAPTER III GENERAL POLICIES

SEC. 21. *Policies.* – In the exercise and performance of its powers and duties under this Act, the Authority shall consider the following, among other things, as being in the public interest and in accordance with the public convenience and necessity:

(a) The development and utilization of the air potential of the Philippines;

(b) The encouragement and development of an air transportation system properly adapted to the present and future of foreign and domestic commerce of the Philippines;

(c) The regulation of air transportation in such manner as to support sound economic condition in such transportation and to improve the relations between air carriers;

(d) Ensuring the safety, quality, reliability, and affordability of air transport services for the riding public; and

(e) The encouragement and development of a viable and globally competitive Philippine aviation industry.

### CHAPTER IV POWERS OF THE AUTHORITY

SEC. 22. *Powers and Functions.* – The Authority shall have such powers as are granted to the Board and the Director General under the provisions of this Act.

SEC. 23. *Corporate Powers.* – The Authority, acting through the Board, shall have the following corporate powers:

(a) To succeed in its corporate name, to sue and be sued in such corporate name, and to adopt, use and alter its corporate seal, which shall be judicially noticed;

(b) To adopt, amend or repeal its bylaws;

(c) To enter into, make, perform and carry out contracts of every class, kind and description, which are necessary or

incidental to the realization of its purposes, with any person, domestic or foreign private firm, or corporation, local or national government office, agency and with international institutions or foreign government;

(d) To raise money, contract loans, indebtedness, credit and issue commercial papers and bonds, in any local or convertible foreign currency from any other international financial institutions under terms and conditions prescribed by law, rules and regulations;

(e) To execute any deed of guarantee, mortgage, pledge, trust or assignment of any property for the purpose of financing the programs and projects deemed vital for the attainment of its goals and objectives;

(f) To construct, acquire, own, hold, operate, maintain, administer and lease personal and real properties, including buildings, machinery, equipment, other infrastructure, agricultural land, and its improvements, property rights, and interests therein, and to encumber, mortgage, dispose, sell, or alienable or otherwise dispose the same at the fair market value it may deem appropriate; to lease its plant, machinery, equipment or goods not immediately required by it: *Provided That*, no real property thus acquired and any other real property shall be sold without the approval of the President of the Philippines;

(g) To receive gifts, donations, grants, bequests, services, properties, whether personal or real, and assistance of all kinds, from private and public sources, firms, institutions, domestic and foreign governments, and international institutions, and utilize the same for the purposes set forth in this Act;

(h) To invest its funds and other assets in such areas, ventures, and projects as it may deem wise;

(i) To settle, under such terms and conditions most advantageous to it, any claim by or against it;

(j) To determine and keep its own system of accounts following generally accepted principles of accounting, as well as the forms and contents of its contracts and other business documents;

(k) To perform such other acts, as are necessary or convenient in connection with the performance of its functions, to carry out the purposes of this Act.

## CHAPTER V

### POWERS AND FUNCTIONS OF THE BOARD

SEC. 24. *Powers of the Board.* – The Board shall have the following general powers:

(a) Provide comprehensive policy guidance for the promotion and development of the Philippine aviation industry, as provided for in this Act;

(b) Ensure that the Authority performs its functions in a proper, efficient and effective manner;

(c) Decide the objectives, strategies and policies of the Authority in accordance with the provisions of this Act;

(d) Determine the organizational structure of the Authority in accordance with the provisions of this Act, establish a human resources management system based on merit an fitness, and adopt a rational compensation and benefits scheme;

(e) Exercise appellate powers on any decisions, findings and rulings of the Director General, to issue *subpoena ad testificandum* or *subpoena duces tecum* requiring the attendance and testimony of witnesses in any matter or inquiry

pending before the Board and require the production of books, papers, contracts, agreements and all other documents submitted for purposes of this section to be under oath and verified by the person in custody thereof as to the truth and correctness of data appearing in such books, papers, tariffs, contracts, agreements and all other documents;

(f) Exercise appellate powers to order the taking of depositions in any proceeding, or investigation, pending before the Board at any stage of such proceeding or investigation;

(g) Use available services, equipment, personnel and facilities of other agencies of the Philippine Government, on a reimbursable basis when appropriate and, on a similar basis, to co-operate with those agencies in the establishment and use of services, equipment and facilities of the Authority;

(h) Use the property of the Authority in such a manner as may appear to the Authority to be requisite, advantageous or convenient with a view to making the best use of any of the property of the Authority in relation to its functions under this Act;

(i) Invest such of the Authority's funds that are not immediately required for operating expenses, or other immediate obligations in any business venture the Board may deem appropriate, or in such secured note, government securities, and other negotiable instruments that satisfy the guidelines prescribed by the Board. Funds of the Authority shall be deposited in such commercial and universal banks as the Board may determine, subject to the requirements of existing laws. The Board shall designate the officials authorized to deposit in or withdraw funds from such depository banks;

(j) Promulgate rules and regulations as may be necessary in the interest of safety in air commerce pertaining to the issuance of the airman's certificate including the licensing of operating and mechanical personnel, type certificate for aircraft, aircraft engines, propellers and appliances, airworthiness certificates, air carrier operating certificates, air agency certificates, navigation facility and aerodrome certificate; air traffic routes; radio and aeronautical telecommunications and air navigation aids; aircraft accident inquiries; aerodromes, both public and private-owned; construction of obstructions to aerodromes; height of buildings; antennae and other edifices; registration of aircrafts; search and rescue; facilitation of air transports; operations of aircrafts, both for domestic and international, including scheduled and non-scheduled; meteorology in relation to civil aviation; rules of the air; air traffic services; rules for prevention of collision of aircrafts; identification of aircraft; rules for safe altitudes of flight; and such other rules and regulations, standards, governing other practices, methods and/or procedures as the Director General may find necessary and appropriate to provide adequately for safety regularity and efficiency in air commerce and air navigation;

(k) Impose and fix reasonable charges and fees for the use of government aerodromes or air navigation facilities; for services rendered by the Authority in the rating of any aerodrome or air navigation facilities, civil aviation schools and instructors, aircraft repair stations, and aircraft radio and aeronautical telecommunications stations;

(l) Fix the reasonable charges to be imposed in the use of privately-owned air navigation facilities and aerodromes;

(m) Adopt a system for the registration of aircraft as hereinafter provided;

(n) Determine and fix, landing fees, parking space fees, royalties on sales or deliveries, direct or indirect, to any aircraft for its use of aviation gasoline, oil and lubricants, spare parts, accessories and supplies, tools, other royalties, fees or rentals for the use of any of the property under its management and control;

(o) Approve the annual and supplementary budget plan and utilization of retained revenue;

(p) Exercise the corporate powers granted to the Authority;

(q) Upon its own initiative or the recommendation of the Director General or an application of a private person, grant exemption from the requirements of observing rules or regulations issued in accordance with this Act: *Provided*, That said grant of exemption is not prejudicial to flight safety;

(r) Formulate rules and regulations concerning compliance of the carrier and the public for the safe transport of goods and materials by air pursuant to international standards or Annexes to the Chicago Convention; and

(s) In coordination with the appropriate government agency tasked to provide airport security, shall:

(1) Prescribe reasonable regulation requiring that all passengers and all property intended to be carried in the aircraft cabin in commercial air transport be screened by weapon-detecting procedure or facilities employed or operated by employees or agents of the air operator or foreign air operator prior to boarding the aircraft for such transportation;

(2) Prescribe such other reasonable rules and regulations requiring such parties, methods and procedures as the Director General may find necessary to protect persons and property aboard aircraft operating in commercial air transport against acts of criminal violence and aircraft piracy; and

(3) To the extent practicable, require uniform procedures for the inspection, detention, and search of persons and property in domestic commercial air transport and international commercial air transport to assure their safety and to assure that they will receive courteous and efficient treatment by air operators and their agents and employees.

SEC. 25. *Issuance of Rules and Regulations.* - The Board, in consultation with the Director General, shall issue and provide for the enforcement of such orders, rules and regulations as may be necessary to give effect to the provisions of this Act. All rules and regulations issued in accordance with the provisions of this Act shall be formally promulgated and periodically reviewed and updated in accordance with the requirements of the Administrative Code of the Philippines or any amendment or successor thereto and the International Civil Aviation Organization Standards and Recommended Practices. Pending the promulgation of such new rules and regulations, the current rules and regulations of the ATO shall continue to apply.

SEC. 26. *Setting of Charges and Fees.* - The Board, after consultation with the Director General, and after public hearing, shall determine, fix, impose, collect or receive reasonable charges, fees, dues or assessments in respect of aviation certificates, licenses and all other authorizations or permissions authorized to be issued under this Act and all services performed by the Authority. All charges and fees shall be formally promulgated in accordance with the

requirements of the Administrative Code of the Philippines or any amendment or successor thereto. Pending the promulgation of such new schedule of charges and fees, the current charges and fees of ATO shall continue to apply.

SEC. 27. *Issuance of Rules of Procedure and Practice.*

-The Board may authorize the Director General to issue or amend rules of practice and procedures as may be required to be issued pursuant to the provisions of this Act or issue and adopt rules and regulations and other issuances of the ICAO. Pending the promulgation of such new rules of procedures and practice, current rules of procedures and practices of the ATO shall continue to apply.

SEC. 28. *Appellate Powers.* - The Board, on an appeal properly taken by an interested party from a decision, judgment or order of a Director General, shall have the power to:

(a) Review, confirm, modify, revise, amend or reverse, as the case may be, decisions, judgments and/or orders of the Director General;

(b) Confirm, remit, mitigate, increase or compromise, as the case may be, fines imposed by the Director General pursuant with the provisions of this Act; and

(c) Review, confirm, modify, revise, amend or reverse, as the case may be, impositions by the Director General of liens on personal and real properties of entities, persons, corporations or partnerships in default, or those who have failed to perform their obligations pursuant to rules and regulations promulgated under this Act, or those who shall have failed to pay the fines or other pecuniary penalties for violation thereof.

In no case that the Director General shall participate in the hearing and adjudication of an appealed case before the Board where the subject of appeal is a judgment or decision rendered by his office. In such case, it requires four (4) concurring votes of the members of the Board who actively participated in the deliberation of the appealed case before the judgment or decision of the Director General can be modified or reversed.

SEC. 29. *Power to Administer Oaths.* - The members of the Board, the Director General and such other duly designated officers of the Authority shall have the authority to administer oaths in the transaction and performance of their official duties.

SEC. 30. *Annual Budget.* - The Board shall adopt an annual Budget to fund the operations of the Authority.

SEC. 31. *Delegation of Functions.* - (a) Delegation to Officers, Employees and Administrative Units of Authority. - The Director General may, subject to such regulations, supervision and review as may be prescribed, authorize the performance by any officer, employee, or administrative unit under the Director General's jurisdiction of any function under this Act.

(b) Delegation to Private Persons. - The Director General, in accordance with the policy guidelines prescribed by the Board, is authorized to delegate any assigned powers and duties to any properly qualified private person subject to his continuing supervision, regulation, and review as may be prescribed. However, the Director General shall ensure that such functions are not delegated in such a way that air operators, aerial work or general aviation operators and maintenance facilities, in effect, regulate themselves.

SEC. 32. *Limitation of Powers.* - The Board shall not exercise any power or function not otherwise expressly granted to it under this Act, neither shall the Board exercise, in the first instance, any power or function that properly falls within the authority, jurisdiction, powers or functions of the Director General.

#### CHAPTER VI THE AUTHORITY PROPER

SEC. 33. *Organizational Structure of the Authority.*  
- Within fifteen (15) days from the appointment of and acceptance by all members of the Board and the Director General of their respective appointment, the Board, in consultation with the Director General, shall meet to draw up the Authority's organizational structure. The Board shall agree on the Authority's final organizational structure not later than six (6) months from the date of the effectivity of this Act.

In addition to the offices created under Sections 36 and 40 of this Act, the Board shall establish the following permanent offices:

- (a) Air Traffic Service;
- (b) Air Navigation Service;
- (c) Aerodrome Development and Management Service; and
- (d) Administrative and Finance Service.

The Board may agree for the viability for the creation of additional offices and the finalization of the organizational structure not later than six (6) months from the date of the effectivity of this Act.

Notwithstanding the qualification standards as may be prescribed by the Board and the Civil Service Commission, the selection and appointment of the heads of the foregoing offices shall be limited from the rank and file employees of the concerned services.

#### SEC. 34. *Training Schools.* -

(a) Authority to Operate. - The Director General may conduct a school or schools for the purpose of training employees of the Authority in those subjects necessary for the proper performance of all authorized functions of the Authority. The Director General may also authorize attendance of courses given in such schools by other governmental personnel and personnel of foreign governments, or personnel of the aeronautical industry.

(b) Offset of Training Costs. - The Director General is hereby authorized, where appropriate, to require payment of appropriate consideration to offset the costs of training provided by such school or schools.

#### CHAPTER VII THE DIRECTOR GENERAL

SEC. 35. *Powers and Functions of the Director General.* - The Director General shall be the chief executive and operating officer of the Authority. He shall have the following powers, duties and responsibilities:

(1) To carry out the purposes and policies established in this Act; to enforce the provisions of the rules and regulations issued in pursuance to said Act; and he shall primarily be vested with authority to take charge of the technical and operational phase of civil aviation matters;

(2) To designate and establish civil airways, to acquire, control, operate and maintain along such airways, navigation facilities and to chart such airways and arrange for their publication including the aeronautical charts or maps required by the international aeronautical agencies, by utilizing the equipment, supplies or assistance of existing agencies of the government as far as practicable;

(3) To issue airman's certificate specifying the capacity in which the holder thereof is authorized to serve as airman in connection with aircraft and shall be issued only upon the finding that the applicant is properly qualified and physically able to perform the duties of the position. The certificate shall contain such terms, conditions and limitations as the Director General may determine to be necessary to assure safety in air commerce: Provided, however, that the airman's license shall be issued only to qualified persons who are citizens of the Philippines or qualified citizens of countries granting similar rights and privileges to citizens of the Philippines;

(4) To issue airworthiness certificate for aircraft which shall prescribe the duration of such certificate, the type of service for which the aircraft may be used, and such other terms and conditions and limitations as are required;

(5) To issue air carrier operating certificate in accordance with the minimum safety standards for the operation of the air carrier to whom such certificate is issued. The air carrier operating certificate shall be issued only to aircrafts registered under the provisions of this Act;

(6) To issue type certificate for aircraft, aircraft engine, propellers and appliances;

(7) To inspect, classify and rate any air navigation facilities and aerodromes available for the use of aircraft as to its suitability for such use and to issue a certificate for such air navigation facility and aerodrome; and to determine the suitability of foreign aerodromes, air navigation facilities as well as air routes to be used prior to the operation of Philippine-registered aircraft in foreign air transportation and from time to time thereafter as may be required in the interest of safety in air commerce;

(8) To issue certificates of persons or civil aviation schools giving instruction in flying, repair stations, and other air agencies and provide for the examination and rating thereof;

(9) To provide for the enforcement of the rules and regulations issued under the provisions of this Act and to conduct investigation for violations thereto. In undertaking such investigation, to require by *subpoena ad testificandum* or *subpoena duces tecum*, the attendance and testimony of witness, the production of books, papers, documents, exhibits matter, evidence, or the taking of depositions before any person authorized to administer oath. Refusal to submit the reasonable requirements of the investigation committee shall be punishable in accordance with the provisions of this Act;

(10) To collect and disseminate information relative to civil aeronautics and the development of air commerce and the aeronautical industry; to exchange with foreign governments, information pertaining to civil aeronautics; and to provide for direct communication on all matters relating to the technical or operational phase of aeronautics with international aeronautical agencies;

(11) To acquire and operate such aircraft as may be necessary to execute the duties and functions of the Authority prescribed in this Act;

(12) To plan, design, acquire, establish, construct, operate, improve, maintain, and repair necessary aerodromes and other air navigation facilities;

(13) To collect and receive charges and fees for the registration of aircraft and for the issuance and/or renewal of licenses or certificates for aircraft, aircraft engines, propellers and appliances, and airmen as provided in this Act;

(14) To impose fines and/or civil penalties in respect thereto;

(15) To participate actively with the largest possible degree in the development of international standardization of practices in aviation matters important to safe, expeditious, and easy navigation, and to implement as far as practicable the international standards, recommended practices and policies adopted by appropriate international aeronautical agencies;

(16) To exercise and perform its powers and duties under this Act consistent with any obligation assumed by the Republic of the Philippines in any treaty, convention or agreement on civil aviation matters;

(17) To cooperate, assist and coordinate with any research and technical agency of the government on matters relating to research and technical studies on design, materials, workmanship, construction, performance, maintenance and operation of aircraft, aircraft engines, propellers, appliances, and air navigation facilities including aircraft fuel and oil: *Provided*, That nothing in this Act shall be construed to authorize the duplication of the laboratory research, activities or technical studies of any existing governmental agency;

(18) To designate such prohibited and danger areas, in consonance with the requirements of the international aeronautical agencies and national security;

(19) To issue, deny, suspend, cancel or revoke any certificate, license pertaining to aircraft, airmen and air agencies: *Provided*, that any order denying, suspending, cancelling, revoking the certificate or license may be appealed to the Board, whose decisions shall be final within fifteen (15) days from date of notification of such denial, cancellation or revocation;

(20) To grant authorization to civil aircraft or persons to carry instruments or photographic devices to be used for aerial photography or taking of pictures by photograph or sketching of any part of the Philippines; and

(21) Pursuant to a board resolution, to enter into, make and execute contracts of any kind with any person, firm, or public or private corporation.

SEC. 36. *The Office of Enforcement and Legal Service.* – To effectively implement the civil aviation regulatory, supervisory and administrative mandates of the Director General under this Act, a permanent office within the Authority to be known as the Enforcement and Legal Service, to be composed of in-house counsels of the Authority and its necessary support staff be established by the Board.

This Office shall provide adequate legal assistance and support to the Director General and to the Authority, as a whole, in the exercise of quasi-legislative and quasi-judicial power as provided for under this Act.

The exercise of the function by the Director General to issue *subpoena ad testificandum*, *subpoena duces tecum* and the imposition of any administrative sanction shall be within

the exclusive determination and recommendation of the Enforcement and Legal Service.

SEC. 37. *Orders.* – (a) Effectiveness of Orders. – Except in emergency situations, all orders, rules and regulations of the Director General shall take effect within such reasonable times as the Director General may prescribe, and shall continue in force until a further order, rule or regulation, or for a specified period of time, as shall be prescribed in the order, rule, or regulation.

(b) Emergencies – Whenever the Director General is of the opinion that an emergency requiring immediate action exists with respect to safety in civil aviation, the Director General shall have the power, either upon complaint or the Director General's initiative without complaint, at once, if the Director General so orders, without answer or other form of pleading by the interested person or persons, and with or without notice, hearing, or the making or filing of a report, to make such just and reasonable orders, rules or regulations as may be essential in the interest of safety in civil aviation to meet such emergency: *Provided*, That the Director General shall immediately thereafter initiate proceedings relating to the matter giving rise to any such order, rule or regulation.

(c) Suspension and Modification of Orders. – The Director General shall have the power to suspend or modify orders upon such notice and in such matter as the Director General shall find proper.

(d) Public Compliance. – It shall be the duty of every person (along with any agents and employees thereof in the case of entities other than individuals), subject to this Act, to observe and comply with any order, rule, regulation, or certificate issued by the Director General under this Act, affecting such person so long as the same shall remain in effect.

SEC. 38. *Rights of Access for Inspection.* – (a) The Director General or his authorized representative shall be authorized access to civil aircraft, including aerodromes, without restriction wherever they are operated within the Philippines for purposes of ensuring that those aircraft are airworthy and being operated in accordance with this Act, regulations issued under this Act, and applicable ICAO Annexes.

(b) The Director General or his authorized representative shall be authorized access to civil aircraft registered in the Philippines without restriction wherever they are operated in the world for the purposes of ensuring that these aircraft are airworthy and are being operated in accordance with this Act and applicable regulations and directives.

(c) The Director General or his authorized representative shall be authorized access by the Philippine air operators at any place and any time to conduct any tests or inspections in their facility or offices in order to determine that those operations are conducted in accordance with this Act and applicable regulations and directives.

(d) The Director General or his authorized representative shall be authorized access to any aerodromes, whether privately or government-owned, to conduct inspections or evaluation of the facilities therein in order to determine that its operations are conducted.

SEC. 39. *Authority to Prevent Flight.* – (a) The Director General is authorized to direct that operator or airman of a civil aircraft that the aircraft is not to be operated in situations where:

- (1) The aircraft may not be airworthy; or
  - (2) The airman may not be qualified or physically or mentally capable for the flight; or
  - (3) The operation would cause imminent danger to persons or property on the ground.
- (b) The Director General may take such steps as are necessary to detain such aircraft or airmen.

SEC. 40. *Creation of Flight Standards Inspectorate Service.* (a) The Board, other than the offices it shall create in furtherance of this Act, shall establish a permanent office known as the Flight Standards Inspectorate Service (FSIS) that will assist the Director General in carrying out the responsibilities of his office for certification and ongoing inspections of aircraft, airmen and air operators.

The FSIS shall perform the following functions:

- (a) Airworthiness inspection;
- (b) Flight Operations Inspection and Evaluation; and
- (c) Personnel Licensing.

Furthermore, the Board shall create, but not limited to, the following offices which will provide support to the functions of the Flight Standard Inspectorate Service, namely: Aircraft Registration, Aircraft Engineering and Standards, Airmen Examination Board and Office of the Flight Surgeon.

SEC. 41. *Validation.* – The Director General is authorized, in the discharge of his certification and inspection responsibilities, to validate the actions of the civil authority of another State in lieu of taking the specific action, with the following restrictions:

(1) For actions on airman or airworthiness certificates, the other State must be a signatory to the Chicago Convention and be fulfilling its obligations under the Chicago Convention with respect to the issuance and currency of these certificates; and

(2) For actions applicable to air operators, the Director General must exercise discretion and require supporting documents. The Director General should ensure that, when validation is based on the actions of another civil aviation authority, there is no information to indicate that the State does not meet its obligations under the Chicago Convention regarding certification and ongoing validation of its air operators.

SEC. 42. *Aircraft Accident Investigation and Inquiry Board.* – Pending the establishment of an independent and separate government agency created to conduct investigation of accidents on land, air and water, the Director General shall organize an Aircraft Accident Investigation and Inquiry Board (AAIIB), to be composed of personnel of the Authority specialized in the various disciplines of civil aviation. The Board shall appoint the head of the AAIIB.

(a) Reporting of Accidents – The Board shall promulgate rules and regulations governing the notification and the reporting of accidents and incidents involving aircraft.

(b) General Authority to Investigate – Except as provided in Subsection C of this section, the Director General shall have:

(1) The power to investigate, or arrange by contract or otherwise for the investigation of, accidents involving aircraft occurring in the Philippines and civil aircraft registered in the Philippines occurring outside the territory of any foreign country for the purpose of determining the

facts, conditions and circumstances relating to each accident and the probable cause thereof; and

(2) The authority to participate in the investigation of accidents involving aircraft registered in the Philippines occurring outside the territory of a foreign country, consistent with any treaty, convention, agreement, or other arrangement between the Philippines and the country in whose territory the accident occurred;

(c) Accident Prevention – The Director General shall take any corrective actions which, on the basis of the findings of the accident investigations authorized under this Section, that, in the judgment of the Director General, will tend to prevent similar accidents in the future.

(d) Investigation of Accidents Within Military Sites – Notwithstanding any other provision of this section, and, the investigation of an accident involving aircraft occurring within military sites in the Philippines, or an accident involving solely an aircraft of the armed forces of any foreign country occurring in the Philippines, shall be the responsibility of the military. For the purpose of this subsection, the term “military sites” means those areas within the Philippines which are under the control of the military of the Philippines or the military of another country.

(e) Use as Evidence – No part of any report or reports of the Director General relating to any accident, or the investigation thereof, shall be admitted as evidence or used in any suit or action for damages arising out of any matter mentioned in such report or reports except when the criminal liabilities/aspects of the accident are put into issue.

## CHAPTER VIII

### NATIONALITY AND OWNERSHIP OF AIRCRAFT

SEC. 43. *Establishment of Registry.* – The Authority shall:

(a) Establish and maintain a system for the national registration of aircraft in the Philippines;

(b) Establish and maintain a system for the registration of liens, mortgages or other interests in aircraft or aircraft engines; and

(c) Have sole authority to register aircraft and liens, mortgages or other interests in aircraft or aircraft engines.

SEC. 44. *Eligibility for Registration.* – Except as otherwise provided in the Constitution and existing treaty or treaties, no aircraft shall be eligible for registration unless it is owned by or leased to a citizen or citizens of the Philippines or corporations or associations organized under the laws of the Philippines at least sixty percent centum (60%) of whose capital is owned by Filipino citizens. That, under such rules and regulations to be promulgated by the Board, foreign-owned or registered aircraft may be registered if utilized by members of aero clubs organized for recreation, sport or the development of flying skills as a pre-requisite to any aeronautical activities of such clubs within the Philippine airspace. (R.A. 776, P.D. 1278, E.O. 546, and B.P. 504)

Such certificate shall be conclusive evidence of nationality for international purposes, but not in any proceeding under the laws of the Republic of the Philippines.

The certificate of registration is conclusive evidence of ownership, except in a proceeding where such ownership is, or may be, at issue.

SEC. 45. *Application for Aircraft Registration.* – Applications for certificate of registration shall be made in writing, signed and sworn to by the owner or lessee of any aircraft or aircraft engine eligible for registration. The application shall also state: (1) the date and place of filing; (2) the specification, construction and technical description of the aircraft or aircraft engine; and (3) such other information as may be required by the Authority in such manner and form as the Authority may prescribe by regulation.

SEC. 46. *Issuance of Certificate of Registration.* – Should the Director General, upon considering the application for registration, find the aircraft or aircraft engine eligible for registration, such aircraft shall be registered under the provisions of this Act and the owner thereof shall be issued a certificate of registration.

SEC. 47. *Nationality.* – An aircraft shall acquire Philippine nationality when registered pursuant to this Act.

SEC. 48. *Revocation.* – Any certificate of registration may be revoked by the Authority for any cause which renders the aircraft ineligible for registration.

SEC. 49. *Conveyance to be Recorded.* – No conveyance made or executed, which affects the title to, or interest in, any aircraft of Philippine registry, or any portion thereof shall be valid in respect to such aircraft or portion thereof against any person other than the person by whom the conveyance is made or executed, his heirs, assignees, executors, administrators, devisees, or successors in interest, and any person having actual notice thereof, until such conveyance is recorded in the Authority. Every such conveyance so recorded shall be valid as against all persons. Any instrument, recording of which is required by the provisions of this Act, shall take effect from the date of its record in the books of the Authority, and not from the date of its execution.

SEC. 50. *Form of Conveyance.* – No conveyance may be recorded under the provisions of this Act unless it complies with the requirements for the registration of documents similar to the land registration process. The conveyance to be recorded shall also state: (1) the interest in the aircraft of the person by whom such conveyance is made or executed or, in the case of a contract of conditional sale, the interest of the vendor; and (2) the interest transferred by the conveyance.

SEC. 51. *Establishment of System of Recording.* – The Authority shall establish a national system for recording documents that affect the title to or any interest in any aircraft registered in accordance with this Act and in any aircraft engine, propeller, appliance or space parts intended for use on any such aircraft.

SEC. 52. *Method of Recording.* – The Authority shall record conveyances delivered to it in the order of their receipt, in files kept for that purpose, indexed to show:

- (a) The identifying description of the aircraft;
- (b) The names of the parties to the conveyance;
- (c) The date of the instrument and the date and time it is recorded;
- (d) The interest in the aircraft transferred by the conveyance;
- (e) If such conveyance is made as security for indebtedness, the amount and date of maturity of such indebtedness; and
- (f) All particular estates, mortgages, liens, leases, orders and other encumbrances and all decrees, instruments, attachments or entries affecting aircraft and other matters properly determined under this Act.

SEC. 53. *Validity Before Filing.* – Upon the establishment of a recording system in accordance with the provisions of this Act, no document affecting the title to or any interest in such registered aircraft, aircraft engines, propellers, appliances, or spare parts shall be valid except as between the parties thereto, unless the document is registered in such recording system.

SEC. 54. *Previously Unrecorded Ownership.* – Applications for the issuance or renewal of an airworthiness certificate for aircraft whose ownership has not been recorded as provided in this Act shall contain such information with respect to the ownership of the aircraft as the Director General shall deem necessary to show who have property interests in such aircraft and the nature and extent of such interest.

## CHAPTER IX

### AVIATION SAFETY POWERS AND FUNCTIONS

SEC. 55. *General Powers and Functions.* – (a) Promoting Safety – The Director General shall have the power and duty to promote safety of flight of civil aircraft in civil aviation by prescribing and revising from time to time as necessary:

(1) Reasonable rules and regulations implementing, at minimum, all standards of the Annexes to the Chicago Convention; and

(2) Such other reasonable rules, regulations, or minimum standards governing other practices, methods, and procedures as the Director General may find necessary to provide adequately for safety in civil aviation.

(b) Considerations in the Regulation of Air Operators. – In prescribing standards, rules and regulations, and in issuing certificates under this Act, the Director General shall take into consideration the obligation of air operators to perform their services with the highest possible degree of safety pursuant to public interest.

SEC. 56. *Form of Applications.* – Applications for certificates issued by virtue of this chapter shall be in such form, contain such information, and be filed and served in such manner as the Authority may prescribe and shall be under oath or affirmation whenever the Authority so requires.

#### A. Certificate of Airmen

SEC. 57. *Authority to Certificate Airmen.* – The Director General is authorized to issue airmen certificates specifying the capacity in which the holders thereof are authorized to serve as airman in connection with an aircraft.

SEC. 58. *Application and Issuance.* – Any individual may file with the Director General an application for an airman certificate. If the Director General finds, after due investigation, that such individual possesses the proper qualifications for, and is physically able to, perform the duties pertaining to the position for which the airman certificate is sought, the Director General shall issue such certificate.

SEC. 59. *Terms and Conditions.* – The airman certificate shall contain such terms, conditions and tests of physical fitness, and other matters as may be necessary to assure safety in civil aviation.

SEC. 60. *Contents.* – Each airman certificate shall:

- (a) Be numbered and recorded by the Authority;
- (b) State the name and address of, and contain a description of the individual to whom the airman certificate is issued; and

(c) Be titled with the designation of the airman and its authorized privileges.

#### B. Airworthiness Certificate

##### SEC. 61. *Authority to Issue Airworthiness Certificates.*

– The owner of any aircraft registered in accordance with this Act may file with the Director General an application for an airworthiness certificate for such aircraft.

SEC. 62. *Issuance.* – If it is found that the aircraft conforms to the appropriate type certificate and, after inspection, finds that the aircraft is in a condition allowing for safe operation, an airworthiness certificate shall be issued by the Director General.

SEC. 63. *Terms and Conditions.* – The Director General shall prescribe in the airworthiness certificate the duration of such certificate, the types of service for which the aircraft may be used, and such other terms, conditions, limitations and information as are required in the interest of safety. Each airworthiness certificate issued by the Director General shall be recorded by it.

SEC. 64. *Airworthiness Approvals.* – The Director General may prescribe the terms under which additional airworthiness approvals, for purposes of modification, may be made.

#### C. Air Operator Certificate

SEC. 65. *Authority to Certificate Carriers and Establish Safety Standards.* – The Director General is authorized to issue air operator certificates and to establish minimum safety standards for the operation of the air carrier to which any such certificate is issued.

SEC. 66. *Application and Issuance.* – Any air carrier who is a citizen of the Philippines may file with the Director General an application for an air operator certificate. If the Director General finds, after thorough investigation, that such air carrier is properly and adequately equipped and has demonstrated the ability to conduct a safe operation in accordance with the requirements of this Act and the rules, regulations and standards issued pursuant thereto, the Director General shall issue an air operator certificate to such air carrier. *Provided, however,* That in no event shall the Director General issue an air operator certificate to an air carrier that does not possess a valid Certificate of Public Convenience and Necessity (CPCN) issued pursuant to this Act and its implementing rules.

#### D. Aviation Schools and Approved Maintenance Organizations

SEC. 67. *Examination and Rating.* – The Director General is authorized to provide for the examination and rating of:

(a) The adequacy of the course of instruction, the suitability and airworthiness of the equipment and the competency of the instructors of civilian schools providing instruction in flying or in the repair, alteration, maintenance, and overhaul of aircraft, aircraft engines, propellers and appliances; and

(b) The adequacy and suitability of the equipment, facilities and materials for, and methods of, repair and overhaul, and the competency of those engaged in the work or giving any instruction in accredited maintenance organizations or shops engaged in the repair, alteration, maintenance and overhaul of aircraft engines, propellers and appliances.

##### SEC. 68. *Air Navigation Facility Safety Standards.* –

(a) Minimum Safety Standards – The Director General

shall have the power to prescribe and revise, from time to time as necessary, minimum safety standards for the operation of air navigation facilities located in the Philippines.

#### (b) Certification of Airports –

(1) The Director General is empowered to issue airport certificates to, and to establish minimum safety standards for the operation of, airports that serve any scheduled or unscheduled passenger operations of air operator or foreign air operator aircraft.

(2) Any person desiring to operate an airport that is described in this section and that is required by the Director General, by rule, to be certified may file with the Director General as application for an airport operating certificate. If the Director General finds, after investigation, that such person is properly and adequately equipped and able to conduct a safe operation in accordance with the requirements of this Act and the rules and regulations, and standards prescribed thereunder, the Director General shall issue an airport operating certificate to such person. Each airport operating certificate shall prescribe such terms, conditions and limitations as are reasonably necessary to assure safety in commercial air transport. Unless the Director General determines that it would be contrary to public interest, such terms, conditions and limitations shall include, but not limited to, terms and conditions, relating to:

(i) The operation and maintenance of adequate safety equipment, including fire fighting and rescue equipment capable of rapid access to any portion of the airport used for landing, takeoff, or surface maneuvering of aircraft; and

(ii) The condition and maintenance of primary and secondary runways as the Director General determines to be necessary.

SEC. 69. *Duties and Operations of Airmen.* – It shall be the duty of:

(a) Each air carrier to make or cause to be made, such inspection, maintenance, overhaul and repair of all equipment used in air transport and to ensure that the operations conducted are in accordance with the provisions of this Act and the rules, regulations, directives and orders issued by virtue of this Act;

(b) Each air carrier holding an air operator certificate to ensure that the maintenance of aircraft and operations thereof are conducted in the public interest and in accordance with the requirements of this Act and the rules, regulations, directives and orders issued by virtue of this Act;

(c) Each holder of an airman certificate to observe and comply with the authority and limitations of that certificate, the requirements of this Act and the rules, regulations, directives and orders issued by virtue of this Act;

(d) Every person performing duties in air transportation to observe and comply with the requirements of this Act and the rules, regulations, directives and orders issued by virtue of this Act; and

(e) Every person who offers or accepts shipments, cargo or baggage in air commerce to offer or accept such shipments, cargo or baggage in accordance with the provisions of Annex 18 of the Chicago Convention and the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air.

SEC. 70. *Authority to Inspect.* – (a) Authority to Inspect Equipment – The Director General shall have the power and duty to:

(1) Make such inspections of aircraft, aircraft engines, propellers and appliances used by an operator of civil aircraft as may be necessary to determine that the operators are maintaining the I safe condition for the operation in which they are used; and

(2) Advise each operator in the inspection and maintenance of these items.

(b) *Unsafe Aircraft, Engines, Propellers and Appliances* – When the Director General finds that any aircraft, aircraft engine, propeller or appliance, used or intended to be used by any operator in civil aviation, is not in a condition for safe operation, the Director General shall notify the operator. Such aircraft, aircraft engine, propeller or appliance then shall not be used in civil aviation or in such manner also to endanger civil aviation, unless found by the Director General to be in a condition for safe operation.

SEC. 71. *Amendment, Modification, Suspension and Revocation of Certificates.* – (a) *Re-inspection and Reexamination* – The Director General may, from time to time, for any reason, re-inspect or reexamine any civil aircraft, aircraft engine, propeller, appliance, air operator, school, with approved maintenance organization, or any civil airman holding a certificate issued under this Act.

(b) *Actions of the Director General* – If, as a result of any such re-inspection or reexamination, or if, as a result of any other investigation made by the Director General, the Director General determines that safety in civil aviation or commercial air transport and the public interest requires, the Director General may issue an order amending, modifying, suspending or revoking, in whole or in part, any airworthiness certificate, airman certificate, air operator certificate or certificate for any airport, school, or approved maintenance organization issued under this Act.

(c) *Notice to Certificate Holders and Opportunity to Answer* – Prior to amending, modifying, suspending or revoking any of the foregoing certificates, the Director General shall advise the holder thereof as to any charge or reason relied upon by the Director General for the proposed action and, except in cases of emergency, shall provide the holder of such certificate an opportunity to answer any charges and be heard as to why such certificate should not be amended, modified, suspended or revoked.

(d) *Appeals* – Any person whose certificate is affected by such an order of the Director General under this section may file his motion for reconsideration within five (5) days from receipt thereof and in case of denial shall, within ten (10) days, file his appeal to the Board.

(e) *Effectiveness of Orders Pending Appeal* – The filing of motion for reconsideration or appeal as provided for under this Act shall not stay the effectiveness of the Director General's order except through an injunctive relief duly issued by a court of competent jurisdiction.

SEC. 72. *Prohibitions.* – (a) It shall be unlawful for any person to:

(1) Operate in civil aviation any civil aircraft which there is not currently in effect a certificate of airworthiness and registration, or in violation of the terms of any such certificate and operation of the aircraft in a careless and reckless manner and operation of aircraft in contravention of its approved operating limitations and manual;

(2) Serve in any capacity as an airman in connection with any civil aircraft, aircraft engine, propeller or appliance

used or intended for use in civil aviation without an airman certificate authorizing that person to serve in such capacity, or in violation of any term, condition or limitation of his certificate, or in violation of any order, rule or regulation issued under this Act;

(3) Employ for service in connection with any civil aircraft used in civil aviation an airman who does not have an airman certificate authorizing that person to serve in the capacity for which the person is employed;

(4) Operate as an air operator without an air operator certificate, or in violation of the terms of any such certificate;

(5) Operate aircraft in civil aviation in violation of any rule, regulation, or certificate issued by the Director General under this Act; and

(6) While holding a certificate issued to a school or approved maintenance organization as provided in this Act, to violate any term, condition or limitation thereof, to violate any order, rule or regulation made under this Act relating to the holder of such certificate.

(b) Considering that the aircraft operation is impressed with public interest, the Director General may prescribe exemptions of the foregoing provisions for foreign aircraft and airmen.

## CHAPTER X OTHER POWERS

SEC. 73. *Statutory Lien.* – The Director General, after complying with the required legal formalities provided by law, shall have the power to impose lien on aircraft and machinery:

(a) If the charges and other fees are not paid in full on due date or any part of the charges or the late payment penalty thereto remains unpaid; and

(b) Failure to pay administrative fines arising from violation of any rules and regulations promulgated by the Authority.

SEC. 74. *Lien on Personal and Real Properties.* – The Director General shall have the power to impose lien on personal and real properties, and other assets of persons, corporations, partnerships, and such other entities that shall be in default, or fail to perform their obligations, or fail to pay the fines and other penalties imposed for violations of the law, rules and regulations of the Authority.

Properties and assets levied upon may be sold and the proceeds thereof shall be applied to the satisfaction of the obligation after due notice and hearing.

SEC. 75. *Police Authority.* – The Director General shall have the power to exercise such police authority as may be necessary within the premises of airports under its jurisdiction to carry out its functions and attain its purposes and objectives. The grant of such powers shall be in conformity with the functions exclusively provided by law to be exercised by the Philippine National Police and other concerned government agencies: *Provided*, That the Authority may request the assistance of other law enforcement agencies, including request for deputization as may be required. Such police authority shall be exercised in connection with the following:

(a) Maintenance of security to passengers, cargoes, aircraft, airport equipment, structures, facilities, personnel, funds and documents;

(b) Regulating the entry to, exit from and movement within an airport;

(c) Maintenance of peace and order within the premises of an airport in coordination with local police authorities and other authorized peace-keeping entities within an airport;

(d) Regulation and supervision of private security agencies operating within an airport; and

(e) Enforcement of rules and regulations promulgated by the Board pursuant to the authority granted under this Act.

SEC. 76. *Regulation of Building Heights.* – The Board shall have the power to regulate the height of buildings, towers, antennae, and other edifices, situated within the vicinity of or in close proximity to airports estimated to endanger the flight of aircrafts. It shall also have the power to prohibit or regulate the establishment and operations of electrical, electronics, sound, magnetic, laser, or other electronic gadgets, equipment or installations which will tend to interfere with or impair air navigation in accordance with the international standards and recommended practices on airports, as recommended by the ICAO.

SEC. 77. *Authority Respecting the Transportation of Dangerous Goods by Air.* – The Director General shall monitor and enforce compliance of the rules and regulations concerning the carriage of goods by air in relation to Annex 18 of the Chicago Convention and the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air.

SEC. 78. *Development of New Airports.* – The Board shall be responsible for the planning, development, construction, operation, maintenance, or the expansion of airports shall be the responsibility of the Board. In planning and developing new airports, the Board shall consider:

(a) The suitability of a proposed site in terms of terrain and proximity to population center(s);

(b) The projected size of the market to be served by a proposed airport;

(c) The ability of a proposed airport to generate sufficient revenue to cover costs of operation and maintenance;

(d) The availability of funding from both local and foreign sources for the construction of a new airport or expansion of an existing one;

(e) The proximity of other airports to a proposed new airport and the capability of such other airport to handle traffic projected to be handled by the new proposed airport;

(f) The government's public service obligations, more particularly the government's duty to ensure the availability of air transport infrastructure for remote areas far from major population centers and that are not otherwise easily accessible by transportation via land or sea. In such cases, the Board shall take reasonable steps to ensure that funding will be available for the operation and maintenance of such airports.

(g) ICAO best practices and recommendations concerning the development of airports; and

(h) Such other considerations as the Board, in the exercise of its reasonable discretion, may consider relevant or important.

## CHAPTER XI PENALTIES

SEC. 79. *Power of the Authority to Investigate Violations.* – Correlative to the provisions of Section 36 of this Act, the

Director General at his own volition, or at the instance of a private person, or upon the initiative of the Board, may conduct investigations based on the procedures that the Board may prescribe and using the rules of court as its suppletory guidelines.

SEC. 80. *Power to Direct an Immediate Halt to an Offending Practice.* – The Director General, after due investigation conducted, may issue a cease and desist order directing an air carrier(s) to immediately cease any practice found to be in violation of the provisions of this Act. Such order shall be without prejudice to the civil or criminal prosecution of persons or individuals found to be involved in practices prohibited under Chapter XI of this Act.

SEC. 81. *Penalties.* – (a) The Director General, after due notice and hearing, is authorized to impose the following fines and penalties for each violation of this Act:

(1) Any person who operates any aircraft without the current airworthiness certificate, in violation of any rule, regulation or order issued by the Director General relating to aeronautical safety standards or practices or procedures shall be punished by a fine ranging from Twenty thousand pesos (PhP20,000.00) to Fifty thousand pesos (PhP50,000.00) for the 1<sup>st</sup> offense, suspension of the license for three (3) months for the 2<sup>nd</sup> offense and revocation or cancellation of such license for the 3<sup>rd</sup> offense;

(2) Any person serving in any capacity as an airman in connection with any civil aircraft in violation of the terms, conditions or limitations of any such airman license or certificate, or in excess of the rating of such certificate, shall be punished by a fine ranging from Twenty thousand pesos (PhP20,000.00) to Fifty thousand pesos (PhP50,000.00) for the 1<sup>st</sup> offense, suspension of the license for three (3) months for the 2<sup>nd</sup> offense and revocation or cancellation of such license for the 3<sup>rd</sup> offense. The repetition of this offense shall be sufficient cause for the revocation of the airman's certificate;

(3) Any person who employs in connection with any aircraft used in air commerce an airman who does not have an airman's certificate authorizing him to serve in the capacity for which he is employed shall be punished by a fine ranging from Fifty thousand pesos (PhP50,000.00) to One hundred thousand pesos (PhP100,000.00), as determined by the Director General in the exercise of his reasonable discretion. A repetition of the offense shall be sufficient cause for revocation of such person's certificate authorizing it to engage in air carrier operation;

(4) Any person who was issued by the Director General relating to air carrier operation, aviation school, aircraft maintenance, and other civil aviation regulated activity which are being certificated and regulated by the Director General who have been found to have violated any term, condition or limitation thereof, or violates any order, rule or regulation issued by virtue of this Act relating to the holder of such certificate shall be punished by a fine ranging from Three hundred thousand pesos (PhP300,000.00) to Five hundred thousand pesos (PhP500,000.00), as determined by the Director General in the exercise of his reasonable discretion. The repetition of this offense shall be sufficient cause for the revocation of such person's certificate;

(5) No person shall interfere, obstruct, hinder, or delay the Director General or any person duly delegated by the Director General, in the performance of his duties in pursuant

to public interest. A fine ranging from Twenty thousand pesos (PhP 20,000.00) but not exceeding One hundred thousand pesos (PhP100,000.00), as determined by the Director General in the exercise of his reasonable discretion, shall be imposed upon anyone who:

(i) With intent to interfere in the performance of the duties of the Director General or any person duly delegated by the Director General, shall knowingly or willfully alter, falsify, mutilate any report, accounts, records, books, papers, contracts, agreement and all other documents; or

(ii) Shall knowingly and wilfully fail or refuse: (a) to make and/or submit aircraft maintenance or flight logbooks, contracts, manuals, technical reports and all other documents required to be submitted by him for consideration before the Director General or his duly authorized representative; or (b) to keep or preserve records, papers and all other documents required by the Director General or his duly authorized representative; or

(iii) Is guilty of misconduct in the presence of the Director General or his duly authorized representative, or to any member of the Board in the performance of their quasi-judicial and quasi-legislative functions or so near as to obstruct or interrupt the hearing or session or any proceedings before the Director General or any of his duly authorized representative; or shall orally or in writing disrespectfully offend or insult any of the above-named bodies or persons on the occasion of or in the performance of their official duties or during any hearing, session, or investigation held by the Director General or his duly authorized representative; or

(iv) Refuses to be sworn in as a witness or to answer as such when lawfully required to do so: *Provided*, That the Director General or his duly authorized representative shall, if necessary, be entitled to the assistance of law enforcement officials for the execution of any order to compel a witness to be present or to testify; or

(v) Neglects or refuses to attend and/or testify and/or to answer any lawful inquiry or to produce books, papers or documents, if in his power to do so, in obedience to the subpoena or lawful requirement of the Director General or his duly authorized representative; or

(vi) Testifies falsely or makes false affidavits or both before the Director General or his duly authorized representative.

(b) The following penalties may only be imposed by a court of competent jurisdiction after the filing of a proper criminal complaint therein by the Director General and a finding of guilt:

(1) Any person who operates any aircraft without a valid or current license or ratings or in violation of rule, regulation or order issued by the Director General relating to aeronautical safety standards or practices or procedures shall be punished by imprisonment for not more than three (3) years or a fine ranging from Fifty thousand pesos (PhP50,000.00) but not exceeding Two hundred thousand pesos (PhP200,000.00), or both, at the discretion of the court;

(2) Any person who knowingly and wilfully forges, counterfeits, alters or falsifies any certificate or aviation certificate authorized to be issued pursuant to the provisions of this Act, or knowingly uses or attempts to use any such fraudulent certificate or aviation certificate, and any person who knowingly and wilfully displays or causes to be displayed on any aircraft any marks that are false or

misleading as to the nationality or registration of the aircraft shall be punished by imprisonment ranging from three (3) years to six (6) years or a fine of not less than One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the Court;

(3) Any person who shall use for flight operation an unregistered aircraft or engaged in the operation of aviation school, aircraft maintenance facilities, aircraft material distributorship, air carrier operations or any other civil aviation regulated activities without the required air agency certificate issued by the Director General shall be punished by imprisonment ranging from three (3) years to seven (7) years or a fine of not less than One Hundred Thousand Pesos (PhP100,000.00) but not exceeding Five Hundred Thousand Pesos (PhP500,000.00), or both, as determined by the Court;

(4) Any person found guilty of violating the conditions attendant to the issuance of the airworthiness certificate of the aircraft shall be subjected to imprisonment ranging from three (3) to seven (7) years or a fine of not less than One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court;

(5) Any person who destroys or seriously damages the facilities of an airport or disrupts the services of an airport shall be subjected to imprisonment ranging from one (1) year to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court; and

(6) No person shall interfere with air navigation. An imprisonment for not more than three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court, shall be imposed upon any person who:

(i) With intent to interfere with air navigation within the Philippines, exhibits within the Philippines any light or signal at such place or in such manner that it is likely to be mistaken for a true light or signal established pursuant to this Act or for a true light or signal in connection with an airport or other air navigation facility; or

(ii) After due warning by the Director General, or his duly authorized representative, continues to maintain any misleading light or signal; or

(iii) Knowingly removes, extinguishes, or interferes with the operation of any true light or signal;

(7) Any person who destroys or damages air navigation facilities or interferes with their operation shall be subjected to imprisonment from one (1) year to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court. If such act endangers the safety of air navigation, the court may impose an increased penalty of imprisonment from three (3) years to six (6) years or a fine ranging from Five hundred thousand pesos (PhP500,000.00) to One million pesos (PhP1,000,000.00) [Convention for Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal, 23 September 1971, art. 1(d)];

(8) Any person who, whether on board or on the ground, communicates false information to an aircraft and thereby

endangering the safety of an aircraft in flight shall be subjected to imprisonment from one (1) year to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court. [Convention for Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal, 23 September 1971, art. 1(e)];

(9) Any person who, while on board an aircraft, interferes with a crew member's or flight attendant's performance of their duties, assaults, intimidates, or threatens any crew member or flight attendant, shall be subjected to imprisonment from one (1) year to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court;

(10) Any person who, while on board or while attempting to board, any aircraft in or intended for operation in commercial air transport, has, on or about his person or his property, a concealed deadly or dangerous weapon which is, or would be accessible to such person in flight, or any person who has on or about his person, or who has placed, or attempted to place aboard such aircraft any bomb or similar explosive or incendiary device, shall be subjected to imprisonment from three (3) years to six (6) years or a fine of not less than One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court.

This subsection shall be apply to persons duly authorized by the Director General to carry deadly or dangerous weapons in commercial air transport nor shall it apply to other persons transporting weapons contained in baggage that is not accessible to passengers in flight if the presence of such weapons has been declared to the air carrier and duly approved by the proper authority;

(11) Any person who imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made to do an act which would be a crime prohibited by clauses (8), (9) and (10) of this section, shall be subjected to imprisonment from one (1) year to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court. [Convention for Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal, 23 September 1971, art. 1(e)];

(12) Any person who, while on board an aircraft, commits any other act not otherwise expressly covered under clauses (8), (9) and (10) and (11) above which jeopardizes the safety of the aircraft or of persons or property therein, or which jeopardizes good order and discipline on board such aircraft shall be subjected to imprisonment from six (6) months to three (3) years or a fine of not less than Fifty thousand pesos (PhP50,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the Court. [Convention on Offenses and Certain Other Acts Committed on Board Aircraft signed at Tokyo, 14 September 1963, art. 1 (b)];

(13) Any person who knowingly and without authority removes, conceals, withholds any part of an aircraft involved in an aircraft accident or any property on board such aircraft

at the time of the aircraft accident shall be subjected to imprisonment from three (3) years to six (6) years or a fine of not less than One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court; and

(14) Any person who wilfully delivers or causes to be delivered to an air carrier for air transport, or if that person recklessly causes the transportation in air transport, or any shipment, cargo, baggage or other property in violation of the provisions of Annex 18 of the Chicago Convention and the ICAO Technical Instruction for the Safe Transport of Dangerous Goods by Air, or the corresponding rules and regulations issued by the Authority shall be subjected to imprisonment from one (1) year to three (3) or a fine of not less than One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00), or both, as determined by the court.

The provisions of paragraph (b), clauses (9), (10), (11) and (12) above shall apply to any aircraft located within the special jurisdiction of the Philippines. Exercise by the Director General of the powers granted to him under paragraph (a) above shall not be a bar to a subsequent criminal prosecution in court for the same act pursuant to the provisions of paragraph (b).

SEC. 82. *General Penalty.* – Any violation of the provisions of this Act, or any order, rule or regulation issued thereunder, or any term, condition or limitation of any certificate or license issued under this Act for which no penalty is expressly provided shall be punished by a fine ranging from Twenty thousand pesos (PhP20,000.00) to One hundred thousand pesos (PhP100,000.00) for each violation.

SEC. 83. *Penalty Considerations.* – In determining the amount of any such penalty, the Director General shall take into account the nature, circumstances, extent and gravity of the violation and, with respect to the person found to have committed the violation, the degree of culpability, history of prior offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.

SEC. 84. *Inflation Adjustment to Civil Penalties.* – The Director General shall adjust the monetary level of the penalties, as may be authorized by the board to impose, at least once every four (4) years: *Provided*, That board shall promulgate such revised penalties in accordance with the Administrative Code of the Philippines and economic/monetary index provided by the Monetary Board, including any revision or successor thereto.

## CHAPTER XII TRANSITORY PROVISIONS

SEC. 85. *Abolition of the Air Transportation Office.* – The Air Transportation Office (ATO) created under Republic Act No. 776, a sectoral office of the Department of Transportation and Communications (DOTC) is hereby abolished.

All powers, duties and rights vested by law and exercised by the ATO is hereby transferred to the Authority.

All assets, real and personal properties, funds and revenues owned by or vested in the different offices of the

ATO are transferred to the Authority. All contracts, records and documents relating to the operations of the abolished agency and its offices and branches are likewise transferred to the Authority. Any real property owned by the national government or government-owned corporation or authority which is being used and utilized as office or facility by the Air Transport Office shall be transferred and titled in favor of the Authority.

SEC. 86. *Transfer of Personnel of Air Transportation Office.* – To ensure smooth transition into a corporate structure, the incumbent Assistant Secretary of the ATO shall continue to hold office and assume the powers of the Director General until his successor shall have been appointed and inducted into office in accordance with this Act. However, affected officials and personnel, with appointments attested by the Civil Service Commission, whether hired on a permanent or temporary basis, who would opt to retire or to be separated from the service, and those hired on a casual or contractual basis, if qualified, shall be given the option to avail themselves of any of the following, whichever is beneficial to them:

(a) Retirement gratuity provided under Republic Act No. 1616, as amended, plus the refund of retirement premiums payable by the Government Service Insurance System (GSIS), without the incentive herein provided;

(b) Retirement benefit under Republic Act No. 660 or applicable retirement, separation or unemployment benefit provided under Republic Act No. 8291, if qualified, plus the following applicable incentives:

(1) One half (1/2) month of the present basic salary for every year of government service and a fraction thereof, for those who have rendered twenty (20) years of service and below;

(2) Three-fourth (3/4) month of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1<sup>st</sup> year, for those who have rendered twenty-one (21) to thirty-one (31) years of service; and

(3) One (1) month of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1<sup>st</sup> year, for those who have rendered thirty-one (31) years of service and above and above: *Provided*, That the GSIS shall pay, on the day of separation, the retirement/separation/unemployment benefits to which an affected employee may be entitled to under Republic Act No. 660 or Republic Act No. 8291 and whenever there is an option, the one which the affected employee has chosen as the most beneficial to him/her: *Provided, further*, That for the purpose of complying with the required number of years of service under Republic Act No. 8291, the portability scheme under Republic Act No. 7699 may be applied, subject to existing policies and guidelines; and

(c) Those with less than three (3) years of government service may opt to avail of the separation gratuity under Republic Act No. 6656, plus the appropriate incentive provided under paragraph (b) of this section.

No affected employee who opted for retirement/separation shall receive less than an aggregate of Fifty thousand pesos (PhP50,000.00) as his retirement/separation gratuity from both the national government and the GSIS.

SEC. 87. *Organization of the Authority.* – Any officer/employee who availed the benefits of the

foregoing provisions shall not qualify for reemployment to the Authority within seven (7) years from the date of retirement/resignation.

SEC. 88. *Saving Clause.* – Unless otherwise provided in this Act, rights or privileges vested or acquired under the provisions of Republic Act No. 776, as amended, its rules and regulations prior to the effectivity of this Act shall remain in full force and effect.

SEC. 89. *Legal Counsel.* – The Office of the Government Corporate Counsel shall act as the external legal counsel of the Authority before any court of law or any quasi-judicial bodies of the government without prejudice of any deputation or designation that it may issue in favor of the in-house counsel of the Authority.

SEC. 90. *Implementing Rules and Regulations.* – The Authority shall adopt rules and regulations to implement the provisions of this Act within sixty (60) days from the date of its approval.

SEC. 91. *Congressional Oversight Committee.* – A Congressional Oversight Committee, hereinafter referred to as the “Committee”, is hereby constituted in accordance with the provisions of this Act. The Committee shall be composed of the Chairman of the Senate Committee on Public Services and Chairman of the House Committee on Transportation and four (4) additional members from each House to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The committee shall, among others, in aid of legislation:

- 1) Monitor and ensure the proper implementation of this Act;
- 2) Review the collection performance of the Authority; and
- 3) Review the proper implementation of the programs of the Authority and the use of its collected fund.

In furtherance of the herein above-cited objectives, the Committee is empowered to require the Authority to submit all pertinent information including but not limited to its collection performance data and its annual audited financial statement certified by the Commission on Audit.

The Congressional Oversight Committee shall be in existence for a period of five (5) years, and thereafter, its oversight functions shall be exercised by the Senate Committee on Public Services and the House Committee on Transportation acting separately.

SEC. 92. *Separability Clause.* – If any part or provision of this Act shall be declared unconstitutional, other parts or provisions hereof which are not affected thereby, shall continue in full force and effect.

SEC. 93. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are repealed or modified accordingly, including provisions of any law, decrees, executive orders, rules and regulations or part thereof which provides exemptions to any air carrier, organization or entity from payment of any Civil Aviation Authority of the Philippine imposed fees and charges, relating to but not limited to navigation, communication, concession, license and permit.

Notwithstanding the foregoing, nothing in this Act shall diminish the powers and functions of the Manila International Airport Authority created by virtue of Executive Order No.

903, Series of 1983; Subic Bay Metropolitan Authority as regards the Subic Bay International Airport created by virtue of Republic Act No. 7227; Clark International Airport Corporation as regards the Diosdado Macapagal International Airport Authority, created by virtue of Executive Order No. 193, Series of 2003; and the Mactan-Cebu International Airport Authority created by virtue of Republic Act No. 6958.

SEC. 94. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

APPROVAL OF CONF. CTTEE. RPT. ON  
H.B. NO. 3156

REP. DEFENSOR (A.). I move that we ratify Conference Committee Report on the disagreeing provisions of House Bill No. 3156 and its counterpart version approved by the Senate.

THE DEPUTY SPEAKER (Rep. Datumanong). Is there any objection? (*Silence*)

The Chair hears none; the motion is approved.

SUSPENSION OF SESSION

REP. DEFENSOR (A.). Mr. Speaker, I move for a suspension of the session.

THE DEPUTY SPEAKER (Rep. Datumanong). The session is suspended for a few minutes.

*It was 1:07 a.m.*

RESUMPTION OF SESSION

*At 1:10 a.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. DEFENSOR (A.). We now await the entry of the newly-elected Speaker, the Honorable Prospero Nograles, accompanied by the committee. (*Applause*)

*The newly elected Speaker, the Honorable Prospero Nograles, accompanied by the committee, entered the session hall.*

REP. DEFENSOR (A.). May we kindly request the newly-elected Speaker of the House of Representatives and the members of his family to please ascend the rostrum for the oath taking of said newly elected Speaker. (*Applause*)

*Speaker Prospero Nograles with members of his family ascended the rostrum.*

THE DEPUTY SPEAKER (Rep. Datumanong). May the House enlighten the former Speaker.

REP. DEFENSOR (A.). The Honorable Prospero Nograles as Speaker of the House of Representatives will take his oath before the Honorable Pablo Garcia of Cebu. (*Applause*)

*Rep. Prospero Nograles took his oath of office as the new Speaker of the House of Representatives before the Honorable Pablo P. Garcia.*

OATH TAKING

REP. GARCIA (P.). Will you please raise your right hand and repeat after me.

“I, PROSPERO C. NOGRALES, having been elected to the position of Speaker of the House of Representatives, Congress of the Philippines, do 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.”

Congratulations! (*Applause*)

*The Deputy Speaker, Rep. Simeon A. Datumanong, relinquished the Chair to Speaker Prospero C. Nograles.*

ACCEPTANCE SPEECH OF SPEAKER NOGRALES

THE SPEAKER. My esteemed colleagues:

I would like to thank you, from the bottom of my heart, for this vote of confidence. I stand here with mixed personal feelings.

In the many years that I have also served the House of Representatives, I have known only two Speakers—Speaker Ramon Mitra and Speaker Jose de Venecia.

Tonight, I would like to thank Speaker Jose de Venecia for nominating me to this position. (*Applause*) I also wish to thank him for all the years of service that he has done in the House of Representatives. (*Applause*) I accept this position with all humility. I ask myself: “What am I doing here?” And I tell myself: “It is God’s will. It is probably destiny.”

The voting we had today was both public and transparent. I ask everyone to respect the vote we have taken today. There were some harsh words and some controversial issues that were raised. They will all be addressed and answered at the proper time. Not now, not tonight. I accept the challenge to continue reforms in this Chamber and to improve the image of the House. But I will never make promises that I cannot keep.

It has been a long, tiring and emotional day for all of us. Now, the issue is finally settled. It is time to get back to work.

From the bottom of my heart, thank you very much. (*Applause*)

REP. DEFENSOR (A.). Mr. Speaker.

## SUSPENSION OF SESSION

REP DEFENSOR (A.). Mr. Speaker, I move that we suspend the session to enable the Speaker of the House of Representatives to be greeted by the Members of the House of Representatives.

THE SPEAKER. The session is suspended.  
(*Applause*)

*It was 1:20 a.m.*

## RESUMPTION OF SESSION

*At 1:27 a.m., the session was resumed.*

THE SPEAKER. The session is resumed.  
The Majority Leader is recognized.

## SUSPENSION OF SESSION

REP. DEFENSOR (A.). Mr. Speaker.

This is already early morning, I move that we suspend the session until four o'clock this afternoon.

THE SPEAKER. Is there any objection? (*Silence*) The Chair hears none; the session is suspended until four o'clock this afternoon.

*It was 1:27 a.m.*