JOURNAL NO. 35
Monday, December 15, 2003

CALL TO ORDER

At 4:00 p.m., Rep. Del R. De Guzman called the session to order, pursuant to Section 14(h), Rule IV of the Rules of the House.

NATIONAL ANTHEM AND PRAYER

Pursuant to Section 71, Rule XI of the Rules of the House, the House Chorale sang the National Anthem and thereafter, the Members observed a minute of silent prayer.

SUSPENSION OF SESSION

Thereafter, the Chair motu proprio suspended the session.

It was 4:02 p.m.

RESUMPTION OF SESSION

At 4:11 p.m., the session was resumed.

DEFERMENT OF THE ROLL CALL
AND THE APPROVAL OF THE JOURNAL

On motion of Rep. Emmanuel Joel J. Villanueva, there being no objection, the Body subsequently deferred the calling of the Roll and the approval of the Journal of the previous session.

REFERENCE OF BUSINESS

On motion of Rep. Villanueva, there being no objection, the Body proceeded to the Reference of Business.

Upon direction of the Chair, the Secretary General read on First Reading the titles of the following Bills, including the Messages from the President and the Senate, and Committee Reports, which were referred to the appropriate Committees hereunder indicated:

BILLS ON FIRST READING

House Bill No. 6606, entitled:
“AN ACT PROVIDING FOR THE UPGRADING OF THE RATES OF COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE SUPREME COURT AND APPROPRIATING FUNDS THEREFOR”
By Representative Vicencio
TO THE COMMITTEE ON JUSTICE AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 6607, entitled:
“AN ACT ESTABLISHING A SECONDARY SCHOOL IN THE MUNICIPALITY OF PADADA, PROVINCE OF DAVAO DEL SUR TO BE KNOWN AS PADADA NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR”
By Representative Cagas
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON APPROPRIATIONS

House Bill No. 6608, entitled:
“AN ACT DECLARING THE FILING OF A CERTIFICATE OF CANDIDACY FOR ANOTHER OFFICE A VOLUNTARY RENUNCIATION OF ELECTIVE OFFICE PRESENTLY HELD”
By Representative Aggabao
TO THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

House Bill No. 6610, entitled:
“AN ACT EXTENDING THE TERM OF OFFICE OF BARANGAY OFFICIALS AND RESETTING THE DATE OF BARANGAY ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164”
By Representative Jala
TO THE COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS

ADDITIONAL COAUTHORS

With the permission of the Body, the following Members were made coauthors of the

Bills hereunder indicated:

Rep. Ma. Blanca Kim Bernardo-Lokin for House Bills No. 1380 and 1381; and

Rep. Jaime C. Lopez for House Bill No. 6469.

withdrawal of coauthorship

Rep. J. Mayo Z. Almario withdrew his coauthorship of House Bill No. 6581.

MESSAGES FROM THE PRESIDENT

MALACAÑANG
MANILA

December 9, 2003

HON. FRANKLIN M. DRILON
Senate President
Philippine Senate
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2148, entitled:

“AN ACT CREATING THE NATIONAL COMMISSION ON MUSLIM FILIPINOS DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

to address the urgent need of expeditiously promoting the government’s holistic development efforts for Muslim Filipinos in a comprehensive manner thus realize the implementation of such economic, educational, cultural and infrastructure programs.

Best wishes.

Very truly yours,

(SGD.) GLORIA MACAPAGAL-ARROYO

cc:: HON. JOSE C. DE VENECIA, JR.
Speaker
House of Representatives
Quezon City

TO THE COMMITTEE ON RULES

MALACAÑANG
MANILA\

December 9, 2003
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HON. JOSE C. DE VENECIA, JR.
Speaker
House of Representatives
Quezon City

Dear Speaker de Venecia:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 4535, under Committee Report No. 295, entitled:

“AN ACT PROVIDING COMPENSATION TO THE VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS REGIME, AND FOR OTHER PURPOSES,”

to address the urgent need for the State to acknowledge its moral and legal obligations to compensate the victims and/or their families for their suffering and loss under the regime of former President Ferdinand E. Marcos consistent with the Philippine adherence to the Universal Declaration of Human Rights, the final judgment of the United States of America Federal Court system in the human rights litigation against the estate of Ferdinand E. Marcos, and more recently, the final judgment of the Philippine Supreme Court forfeiting in favor of the government, ill-gotten Swiss deposits of the Marcoses thus-far recovered by the Presidential Commission of Good Government (PCGG).

Best wishes.

Very truly yours,

(SGD.) GLORIA MACAPAGAL-ARROYO

cc: HON. FRANKLIN M. DRILON
Senate President
Philippine Senate
Pasay City

TO THE COMMITTEE ON RULES

MESSAGE FROM THE SENATE

Message dated December 5, 2003 informing the House of Representatives that on December 3, 2003, the Senate has requested for a conference and has designated Senators Aquilino Q. Pimentel Jr., Luisa “Loi” P. Ejercito Estrada, Juan M. Flavier, Robert S. “Jawo” Jaworski and Ralph G. Recto, as conferees on the part of the Senate on the disagreeing provisions of S. Bill No. 2128, entitled:

“AN ACT REGULATING THE PRACTICE OF GUIDANCE AND COUNSELING, CREATING A BOARD OF GUIDANCE AND COUNSELING, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

and House Bill No. 5253, entitled:

“AN ACT PROFESSIONALIZING THE PRACTICE OF GUIDANCE AND COUNSELING AND CREATING FOR THIS PURPOSE A PROFESSIONAL REGULATORY BOARD OF GUIDANCE AND COUNSELING, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

TO THE COMMITTEE ON RULES
COMMITTEE REPORTS

Report by the Committee on Local Government (Committee Report No. 1935), re H. No. 6020, entitled:

“AN ACT CHANGING THE NAME OF THE MUNICIPALITY OF ROSELLER LIM IN THE PROVINCE OF ZAMBOANGA SIBUGAY TO MUNICIPALITY OF SURABAY, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 183”

recommending its approval without amendment.

Sponsors: Representatives Macias, Cabilao and the Members of the Committee on Local Government
TO THE COMMITTEE ON RULES
Report by the Committee on Suffrage and Electoral Reforms (Committee Report No. 1936), re H. No. 6609, entitled:

“AN ACT DECLARING AN ELECTIVE OFFICIAL IPSO FACTO RESIGNED FROM HIS ELECTIVE OFFICE UPON THE FILING OF HIS CERTIFICATE OF CANDIDACY”

recommending its approval in substitution of House Bills Numbered 2532 and 4553.

Sponsors: Representatives Lapus, Umali (A.V.) and Lozada

TO THE COMMITTEE ON RULES
ACKNOWLEDGMENT OF GUESTS

Upon recognition by the Chair, Rep. Abraham Kahlil B. Mitra acknowledged the presence in the Session Hall of students from the Palawan State University in the Province of Palawan.

PRIVILEGE HOUR

It being a Monday, on motion of Rep. Villanueva, there being no objection, the Chair declared a Privilege Hour.

Whereupon, on motion of Rep. Villanueva, the Chair recognized Rep. Jose Virgilio L. Bautista for his privilege speech.

PRIVILEGE SPEECH OF
REP. BAUTISTA (J. V.)

At the outset, Rep. Bautista recalled that five months ago, he entered the portals of Congress to be a representative of the Party-List SANLAKAS as a deputy of the marginalized sectors of society. He stated that although he came laden with some skepticism, characteristic of a grizzled street activist suddenly thrust into a traditionally elitist institution of power, he still saw the role he was about to take as a parliamentarian with a healthy dose of hope, optimism and ambition not for himself but for the country and the people who clamor for change and progress. He said that after all, it is in Congress where the laws of the land are crafted and passed and the transcendental issues confronting the nation are debated and sometimes even resolved. He added that with much enthusiasm, he signed up with the Committee on Appropriations because he wanted to see up close how the power of the purse is exercised through the budget process and how the fiscal resources of the country are marshaled to spearhead progress and development and support the needs of the people.

Rep. Bautista lamented however that despite the hard work of the Committee on Appropriations, he can only sigh with frustration because he had witnessed how the national budget is being held hostage by the debt cycle and how the priorities of the government have favored the needs of the powerful over the needs of the poor.

Rep. Bautista stated that the Constitution reserves to the House the power of the purse. He then cited that under Section 24, Article VI of the Constitution, all appropriations bills shall originate exclusively from the House of Representatives. He added that behind said provision is the principle that the people’s treasure may be spent only with their consent, either in the Constitution itself or in the acts of the Legislature as the direct representatives of the people. He however lamented that this essential prerogative, a power vested in the Legislature in every democracy, remains empty and illusory in the light of the realities surrounding the approval of the national budget.

Rep. Bautista pointed out that it must be stated right at the outset that the 2004 national budget does not accurately reflect actual government spending. He then cited the amount of P864.8 billion requested by the government. He stated that if Congress would include other actual expenditures, like unprogrammed new appropriations of P24.6 billion and payment of the country’s principal debt of P270.7 billion, then actual spending for 2004 will balloon to P1.2 trillion. He added that using the actual spending amount of P1.2 trillion, off-budget items which are essentially debt payments, already take up 23% of the national budget and are higher compared to the 21.4% or P248.25 billion allocation for social services like education.

Rep. Bautista opined that it is the tragic commentary on the budget deliberations that a huge portion of the budget will go to debt payments, both principal and interest. He said that out of the P864.8 billion, P271.5 billion or 31% is

actually allocated for interest payments alone. He said that if the amount of P270.7 billion is added for the payment of maturing principal debts, the total debt payments would amount to P542.2 billion which is 46.7% of the actual spending amount of P1.2 trillion.

Rep. Bautista stated that compared to the 2003 budget, only the debt service had grown significantly in the 2004 budget, which is P116.5 billion or 21% higher. He said that the proposed allocations for the service sector rose only by 5.1% while the budget for economic services actually dropped to 5.2% considering that the payment for debt service alone is equivalent to the combined spending for economic, social and general services which is 46.9% of the P1.2 trillion national budget.

He added that the services that the government can provide to the poor can be doubled if only the country would reconsider payment of these debts. He pointed out that every peso that goes to the coffers of foreign and local creditor banks is a textbook, a desk, and a classroom taken away from public school children. In the face of all this and the fact that more than a third of the population or 26.5 million Filipinos live in absolute poverty and without access to the basic services, the response of the government has been to borrow money and in the process, incur more debts just to pay off its outstanding liabilities.

Rep. Bautista noted that the government's intransigence in upholding the Automatic Appropriations Law has created a vicious cycle that slowly chokes the nation and consigns the people to a life of permanent poverty and destitution. He pointed out that the government's 2004 budgetary allocation for agrarian reform, agriculture, and housing will once again fail the Filipino people. This, because the administration's budget for agrarian reform rests on a condition that the billions of pesos in ill-gotten wealth of the Marcoses would be recovered, he pointed out.

Rep. Bautista added that in order to meet the target of the Comprehensive Agrarian Reform Program by the year 2008, the government must be able to distribute 167,000 hectares of agricultural land per year. This, he said, would require P6.8 billion a year to buy and redistribute lands or P32.5 billion for the next five years. He inquired whether the amount of recovered ill-gotten wealth would be sufficient and available to the farmers in time. He thereafter underscored that in the event the government decides to free the funds reserved for debt payments, it will definitely have an assured source of funding for the implementation of the agrarian reform program.

Moreover, Rep. Bautista noted that the 2004 budgetary allocation for agricultural services fares no better. He explained that farm-to-market roads were allotted only P200 million by the Department of Agriculture (DA) and another P150 million through the Agrarian Reform Fund despite the fact that the total estimated backlog for farm-to-market roads stands at P5 billion. Worse, he explained, was that despite previous allocations for the years 2002 and 2003, the DA had not released any budgetary allocation for farm-to-market roads as manifested during the hearings of the Committee on Appropriations on August 28, 2003.

As regards the matter of housing, Rep. Bautista explained that out of the government's target of 300,000 housing units to be built every year, a mere P2.7 billion under the 2004 budget has been allocated for housing and community development. He pointed out that the budget allotted for the housing program from 2001 to 2003 totals P6.5 billion. Thus, he said that if the 2004 housing budget of P2.7 billion is added, then the actual funds allocated from 2001 to 2004 is only P9.2 billion or a shortfall of P10.8 billion for housing. At this rate, he explained that the backlog in housing will reach four million units next year from 3.6 million when the present dispensation of President Gloria Macapagal-Arroyo assumed power after EDSA II.

In stark contrast to these niggardly allocations for agrarian reform, agriculture and housing, Rep. Bautista pointed out that the present administration has requested P45.04 billion for defense and military spending for 2004. If this amount is added to the budgetary allotment for the National Intelligence Coordinating Agency (NICA), and the National Security Council (NSC), the amount will reach up to P45.3 billion, he pointed out. He underscored that the

budgetary allocation for the Department of National Defense alone exceeds the combined amounts allotted for the DA, DAR, and the Housing and Community Development Fund, the amount of which totals P34 billion.

Rep. Bautista likewise noted that the budgetary allocation for the Presidential Security Group (PSG) exceeds the amounts set aside for any state college or university. Moreover, he said that it is larger than the allocation for any national government hospital and higher than the allocation for the Department of Energy by 30%. He added that the budget of the Department of Health in the amount of P9.7 billion is exceeded by more than half by the budget of the Philippine Army.

Whereupon, Rep. Bautista adverted to a statement of United States President George W. Bush when he visited the House of Representatives on October 18, 2003 that the "Philippine Congress must invest in the Philippine military to ensure that it has the resources needed to win the war on terror and to protect the Filipino people." He thereafter inquired whether the House in providing a huge budgetary allocation to the military establishment, including the P2.2 billion supplementary budget for increases in the salaries of military personnel, has in effect, heeded the words of the American President.

On another matter, Rep. Bautista adverted to the contents of what is allegedly known as "Oplan Greenbase," a document which gained prominence during the ill-fated mutiny and which document was used by disgruntled elements of the Philippine military as a basis for perceived military authoritarianism. He underscored that if the contents of Oplan Greenbase is true, then a full-blown Congressional investigation is in order. Likewise, he opined that the proposed budget of the military and that of the Office of the President should be put on hold pending the results of such an investigation.

Rep. Bautista subsequently underscored that for the House to discharge its constitutional duty to pass the General Appropriations Act, it must first free the purse from the stranglehold of debt payments. First, he said that it is imperative for the House to repeal the Automatic Debt Appropriations Law and, thereafter, call for an immediate investigation and audit of all debts to ascertain the legitimacy of these debts and determine which are fraudulent, behest and onerous and consequently, to repudiate the same.
Secondly, Rep. Bautista explained that the circumstances as to how the debts were acquired must be investigated; and thirdly, the audit must probe the efficiency, economy and effectiveness of the use of these loans, including the Official Development Assistance (ODA) relative to the national interest. He pointed out that the audit should further determine the total amount of assumed and contingent liabilities of the national government, the reasons why such instruments were extended and the interests and objectives being served by such policy.

Lastly, Rep. Bautista pointed out that the audit must review the government's debt management policy and all laws pertaining to borrowing and other forms and instruments of indebtedness, including the process observed and implemented in the issuance of guarantees and performance undertakings and the nature and the purpose of the projects that had been the recipient of these guarantees.

In closing, Rep. Bautista adverted to President Macapagal-Arroyo's 2004 budget message which contained the slogan: "Leadership, vision and hope, a commitment to fiscal responsibility." He thereafter underscored that with a national budget strapped to debt payments, the slogan seemed meaningless inasmuch as the present Administration is directionless; its vision for the nation blurred; and that it has only given the people false hopes. He stressed that Congress must unshackle the national budget from the cycle of debt.

Thereupon, the Chair recognized Rep. Mitra for his interpellation.

INTERPELLATION OF REP. MITRA

Rep. Mitra initially commended Rep. Bautista for his speech, particularly for tackling the issue of automatic debt appropriations and the non-payment of interest.

Whereupon, Rep. Mitra inquired whether there were any undertakings from the administration to veer away from paying the interests of the country's loans.

Rep. Bautista replied that there had been none. He surmised that it might be the policy of the administration to faithfully comply with all debt obligations regardless of how they were obtained. He pointed out that this was the reason why he had proposed in his privilege speech for the repeal of the Automatic Debt Appropriations Law and simultaneous with this, an audit of all the debts that the Philippines had incurred.
Whereupon, Rep. Mitra stated that although the Minority had suggested that, the tyranny of numbers in the House had taken its toll.

He noted that there have probably been no effort on the part of the government to get rid of these loans. He pointed out that a perfect gift that US President Bush could have given the Filipino people when he visited the country, would probably be a few discounts on these behest loans.

Rep. Bautista pointed out that ever since they heard the news that US President Bush would visit the country and would address the Members in a Joint Session of Congress, the Members of the Party-List had vehemently opposed the same because they anticipated that the latter's speech would be to try to push the government to participate in the war against terrorism led by the US. He said that as he had correctly pointed out, President Bush's message was for the government to give and invest more funds in the military because it is the institution that would be utilized in the war against terrorists, notwithstanding the fact that the use of terror by certain groups of Filipinos is based on relationships of injustice and oppression and is not a purely military problem. He said that he was greatly agitated when he heard the content of the speech of President Bush encouraging the government to invest more in the military at the height of the Congressional budget deliberations. He noted that the House had indeed allocated a huge amount for the military compared to the more pressing needs of the country like more allocations for schools and universities, hospitals, housing, and the agrarian reform program of the government.

Rep. Bautista disclosed that when the US requested to utilize the airspace of the Islamic Republic of Pakistan in its military offensive against Afghanistan at the time when it was hunting down terrorist leader Osama Bin Laden, the Republic of Pakistan negotiated and was able to convince the US government to set aside for non-payment 40% of its loans. This, he said, was simply for the prerogative of being able to fly over Pakistan airspace during the conflict with Afghanistan. He pointed out that there is no reason why the Philippine government should remain a slave to the US by accepting its dictates and even insults at times, in trying to make the US President feel good, without demanding or asking for what it can.

Whereupon, Rep. Bautista said that he is delighted that the matter has been brought out in the open because it highlights the submission of the country's leadership to the dictates of the US. He disclosed that the leadership cannot even stand up and demand what is due them from the US.

Rep. Mitra noted that in a lot of dealings of the Philippine government with the US government, the former has usually gotten the short end of the deal. He congratulated Rep. Bautista for informing the Body about what had happened in Pakistan.

Rep. Mitra however added that he is against the government spending too much money on peace and order projects because other peaceful areas have not been given much attention. He then cited for instance that ODA funds where even a big portion of the national budget had gone to areas with bad peace and order situations, like areas in Mindanao. He noted that the programs of the government on tourist destinations with no peace and order problems have been shelved. He pointed out that areas with no peace and order problems should be rewarded. He said that this is looking from a national perspective and what Rep. Bautista is trying to show is from a worldwide perspective like big brother asking his small brother to spend more on defense rather than on development projects in the countryside.

Rep. Mitra congratulated and commended Rep. Bautista for looking further into the

matter. He likewise said he would join Rep. Bautista in filing a resolution or referring the latter's speech to the appropriate Committee for investigation. He expressed his support to Rep. Bautista so that all the persons responsible for the matter can feel the pulse of the people.

Rep. Bautista stated for the record that Rep. Mitra has been one of the most active and dynamic members of the Committee on Appropriations. He likewise commended Rep. Mitra for his meaningful contributions to the discussions and for ably leading the Minority during committee deliberations as one of the most energetic and dynamic participants thereof.

Inasmuch as he is also a member of the Committee on Appropriations, Rep. Bautista explained for the record that he had witnessed each and every members' active participation during the committee meetings.

Whereupon, Rep. Villanueva moved that the Body recognize Rep. Mario Joyo Aguja for his interpellation.

QUESTION OF QUORUM OF REP. FAILON

However, upon recognition by the Chair, Rep. Ted Failon said that Rep. Bautista's speech was worth the attention of the Body and that at least one-half of the Members plus one should be able to listen to Rep. Aguja's speech. He then inquired whether there was a quorum.

SUSPENSION OF SESSION

The Chair motu proprio suspended the session at 4:51 p.m.

RESUMPTION OF SESSION

At 4:55 p.m., the session was resumed.

WITHDRAWAL OF REP. FAILON'S
QUESTION OF QUORUM

Rep. Failon stated that since Rep. Villanueva could not correctly answer his query, he would withdraw his question of quorum.

ACKNOWLEDGMENT OF GUESTS

Thereafter, Rep. Villanueva acknowledged the presence in the Session Hall of the following guests:

1. The Philippine Muslim Teachers College of Marawi City of Lanao del Sur, led by Vice Mayor Aga Khan Sharief, who were guests of Rep. Benasing O. Macarambon Jr.; and

2. The Members of the Samahan ng mga Ex-detainees Laban sa Detensyon at para sa Amnestiya (SELDA), who support House Bill No. 4535 or the Compensation Bill for Victims of Human Rights Violations, and who were guests of Reps. Satur C. Ocampo, Siegfred D. Deduro and Joel G. Virador.

On motion of Rep. Villanueva, the Chair recognized Rep. Aguja for his interpellation.

INTERPELLATION OF REP. AGUJA

Rep. Aguja inquired in Filipino on the policy of the government regarding loans and whether it is bad for the government to acquire so many loans.

Replying in Filipino, Rep. Bautista opined that the country should not acquire loans if it has money to use for its expenditures because it is the better part of policy not to be indebted. Moreover, he pointed out that many private institutions would like to invest in the country. He however qualified that if the government cannot avoid acquiring loans, especially if the money would go to worthy projects, then it is not bad to acquire loans.

On whether his opinion is that it is not bad to incur debts for as long as the money will be invested properly and that these loans would be paid for, Rep. Bautista replied in the affirmative. He said that it is also important to know where the loan will be used. He however noted that what he is against is the policy of the government of paying for the loans which were acquired even during the Marcos regime. He disclosed that the country's debt has not lessened because of the government's policy of not choosing or prioritizing the debts to pay.

Rep. Bautista cited for instance that the proceeds of loans were used to construct the Bataan Nuclear Power Plant (BNPP) or the Westinghouse Power Plant in Morong, Bataan. He disclosed that many people had opposed this because of the danger posed by nuclear technology which the people are not fully aware of. He disclosed that the people's disapproval thereof intensified when disaster hit the Chernobyl Nuclear Power Plant in Russia. He pointed out that the BNPP had not been in operation since the change in government as a result of the ouster of former President Ferdinand E. Marcos. However, he said that the government continues to pay for these loans.

Thereupon, Rep. Bautista maintained that it is not wrong for the government to incur loans for the future needs of the people but it needs to study whether these loans are beneficial to the country, particularly those past loans which wreak havoc on the economy, or were pocketed by certain government officials and which benefited only the independent power producers (IPPs). He added that there have been talks that some government officials get their share from the loans and opined that all such loans should not be paid for by the government.

Rep. Aguja then observed that every time the issue of foreign debt is raised, it is said that Filipinos are decent people who will not allow themselves to forget their debts that is why they always pay for them. Although he would have wanted to ask more questions, he noted that the guests were already in the gallery. He then congratulated Rep. Bautista for raising the foreign debt issue anew before the Body. This, as he maintained that it has become morally anomalous for the Philippines to continue to pay its foreign debts while the people live in poverty. He encouraged his colleagues to raise the foreign debt issue in the country in the coming electoral campaign because he believes that unless Congress responds to the issue of foreign debt, the government will not succeed. He likewise joined his colleagues in the call for the repeal of Presidential Decree No. 1177 and for the immediate audit of the foreign debt. He also congratulated Rep. Bautista anew.

At this juncture, Rep. De Guzman relinquished the Chair to Speaker Jose De Venecia Jr.

In response thereto, Rep. Bautista expressed, in behalf of the Party-List SANLAKAS, its appreciation for the role of the Party-List AKBAYAN in leading the filing of a resolution jointly with SANLAKAS and the Partido ng Manggagawa calling for the audit of all the debts, whether onerous, behest or fraudulent in nature, which the government has been paying. He assured Rep. Aguja that SANLAKAS stands strongly behind the other Party-List Members and the other Members of the House in the fight against the continuous payment of the debts owed by the government and for the audit of said debts as proposed by a resolution filed by Rep. Aguja and other Members of the House.

He then stated that he is moved by the fact that no less than the Speaker of the House is presiding in the session and then thanked the latter for the opportunity to expound on the position of SANLAKAS on the year 2004 budget and the call for an audit of the country's debts.

REFERRAL OF REP. BAUTISTA'S SPEECH

On motion of Rep. De Guzman, there being no objection, the Body referred Rep. Bautista's (J.V.’s) speech to the Committee on Appropriations.

SUSPENSION OF THE PRIVILEGE HOUR

Subsequently, on motion of Rep. De Guzman, there being no objection, the Body temporarily suspended the Privilege Hour to give way to the acknowledgment of

guests.

ACKNOWLEDGMENT OF GUESTS

Rep. De Guzman acknowledged the presence in the Session Hall of the following members of the delegation from Vietnam who just had a dialogue with Speaker De Venecia: President of the National Assembly of the Socialist Republic of Vietnam, Nguyen Van An; and Honorables Vu Mao, Chairman of the Foreign Affairs Committee of the National Assembly; Bui Ngoc Thanh, Member of Parliament and Chairman of the Office of the National Assembly; Dinh Tich, Ambassador of Vietnam to the Philippines; Dang Vu Minh, Member of the Parliament from Tan Ninh Province; Huynh Duc Hoa, Member of Parliament from LamDong Province; Le Xuan Than, Member of Parliament and Head of the Khanh Hoa delegation; Bui Dinh Phai, Member of Parliament and Head of Hoa Binh Delegation; Nguyen Manh Cuong, Member of Parliament and Deputy Head of Hanoi Delegation; Huynh Thanh Lap, Member of Parliament and Deputy Head of Ho Chi Minh City Delegation; Tran Cong Kich, Member of Parliament and Deputy Head of Ninh Binh Delegation; Tran Hong Viet, Member of Parliament and Deputy Head of the Can Tho Delegation; Chau Thi Le, Member of Parliament for Binh Thuan Province; Pham Gia Tuc, Secretary General, Vietnam Chamber of Commerce and Industry; Bui Dinh Cham, Counsellor and Deputy Head of the Vietnamese Embassy; Nguyen Van Sau, Secretary to His Excellency Nguyen Van An, President of the National Assembly of Vietnam; Vu Hai Ha, Deputy Director of the Foreign Affairs Department of the ONA; Vuong Hai Nam, Deputy Director II, Asia Department of the Ministry of Foreign Affairs, ONA; and Ms. Ngo Minh Nguyet, English interpreter from the Ministry of Foreign Affairs.

REMARKS OF SPEAKER DE VENECIA

Thereupon, Speaker De Venecia, on behalf of the House of Representatives, welcomed the historic delegation from the government of Vietnam led by the President of the Vietnamese Parliament Nguyen Van An and his Lady Madam Nguyen Van An. He pointed out that in their dialogue that afternoon, both parliaments of the Philippines and of Vietnam decided to dedicate their energies towards bringing about the closest possible economic, political, commercial and cultural relations between the Vietnamese and the Filipino peoples and to further strengthen and enlarge the inter-parliamentary relations between the House of Representatives and the National Assembly of Vietnam. Furthermore, he announced that the House of Representatives has accorded the highest decoration, the Congressional Medal of Achievement, to President Nguyen Van An in recognition of his pioneering role, together with the Prime Minister of Vietnam, and the General Secretary of the Communist Party of Vietnam in bringing about the spectacular rates of economic growth in Vietnam at an average of seven percent (7%), after more than 50 years of conflict and war. The Congressional Medal of Achievement, he added, was given to President Nguyen Van An, he said, in recognition also of his political leadership in the Vietnamese Parliament and the role he has played in the growth of the Vietnamese economy and its political institutions.

SUSPENSION OF SESSION

Thereupon, Chair motu proprio suspended the session to enable the members of the Vietnamese delegation to meet with the Members of the House of Representatives.

It was 5:11 p.m.

RESUMPTION OF SESSION

At 5:25 p.m., the session was resumed with Speaker De Venecia presiding.

OATH-TAKING OF REP. SEÑERES

At this point, Rep. Hans Christian M. Señeres ascended to the rostrum with his father Ambassador Roy Señeres and took his oath of office before the Body, with the Speaker administering his oath as Representative of the Party-List BUHAY.

SUSPENSION OF SESSION

To allow the Members to personally meet with and congratulate their new

colleague, the Chair motu proprio suspended the session at 5:29 p.m.
RESUMPTION OF SESSION

At 5:32 p.m., the session was resumed with Rep. De Guzman presiding.
ADDITIONAL REFERENCE OF BUSINESS

Thereafter, on motion of Rep. Darlene R. Antonino-Custodio, there being no objection, the Body proceeded to the Additional Reference of Business.

Upon direction of the Chair, the Secretary General read the titles of the following Resolutions and Committee Report which were referred to the appropriate Committees hereunder indicated:
RESOLUTIONS

House Resolution No. 1418, entitled:
"RESOLUTION EXPRESSING THE PROFOUND CONDOLENCE OF THE HOUSE OF REPRESENTATIVES ON THE DEMISE OF A STATESMAN, HONORABLE BLAS F. OPLE, THE SECRETARY OF THE DEPARTMENT OF FOREIGN AFFAIRS, FORMER SENATOR, SECRETARY OF LABOR AND ASSEMBLYMAN REPRESENTING THE PROVINCE OF BULACAN"
By Representative Silverio
TO THE COMMITTEE ON RULES
House Resolution No. 1419, entitled:
"RESOLUTION EXTENDING THE SYMPATHY AND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILY OF THE LATE BLAS F. OPLE, SECRETARY OF THE DEPARTMENT OF FOREIGN AFFAIRS"
By Representative Lozada
TO THE COMMITTEE ON RULES
House Resolution No. 1420, entitled:

"RESOLUTION EXPRESSING THE APPRECIATION OF THE HOUSE OF REPRESENTATIVES FOR THE MANIFOLD CONTRIBUTIONS OF FOREIGN SECRETARY BLAS F. OPLE TO NATION BUILDING AND PUBLIC SERVICE"

By Representative Villarama

TO THE COMMITTEE ON RULES

House Resolution No.1421, entitled:

"RESOLUTION EXPRESSING THE PROFOUND CONDOLENCE OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE BLAS FAJARDO OPLE, SECRETARY OF FOREIGN AFFAIRS AND FORMER SENATE PRESIDENT"

By Representative Nicolas

TO THE COMMITTEE ON RULES

COMMITTEE REPORT

Report by the Committee on Government Enterprises and Privatization, the Committee on Appropriations and the Committee on Ways and Means (Committee Report No. 1944) re: H. No. 6624,

"AN ACT CREATING THE ILOCOS SUR UPLAND DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND DUTIES, AND APPROPRIATING FUNDS THEREFOR"
recommending its approval on substitution of House Bill No. 1895
Sponsors: Representatives Nepomuceno, Andaya, Ledesma and Singson

TO THE COMMITTEE ON RULES

THE PRIVILEGE HOUR
(Continuation)

Thereupon, on motion of Rep. Antonino-Custodio, there being no objection, the Body resumed the Privilege Hour.

Subsequently, the Chair recognized Rep. Nerissa Corazon Soon-Ruiz to deliver her

privilege speech.

PRIVILEGE SPEECH OF REP. SOON-RUIZ

At the outset, Rep. Soon-Ruiz stated that as a parent and Representative of the Sixth District of Cebu, it is her duty to assert the right of children and the people to be safe in the streets, much more to be protected from the number one menace plaguing - society -- drug and substance abuse. For this reason, she stressed that as a member of the Committee on Dangerous Drugs, she is giving her all-out support to the campaign to crush the drug menace now engulfing the Filipino people and whose poisonous tentacles have already crept into some of the country's social institutions causing them to weaken and perhaps later on collapse. She then said that she strongly believes that the House has recognized this problem as it has in fact passed into law the new Dangerous Drugs Act, a stronger and better law. She added that the present administration appears to be serious, in its efforts to curb the drug problem in the country, gauging from its recent decision to set aside billions of pesos for the campaign, the arrest of some high-profile drug dealers and raids of illegal drug laboratories and many others. However, she pointed out that against the backdrop of all these initiatives, there are those in government who do not share the dream of every sane Filipino to put an end to this malady.

At this point, Rep. Soon Ruiz expressed disapointment over news reports published in some of Cebu's dailies in their December 12, 2003 issue, that a witness in the House Committee on Dangerous Drugs hearing who risked his life and that of his family by sharing vital information on what he personally knew about the drug trafficking activities which involved his former boss, the Lim brothers of Cebu, is now the one being hunted by the strong arm of the law instead of those whom the committee had investigated. Thereafter, she recalled that the Committee chaired by Rep. Antonio V. Cuenco, had conducted public hearings in the last quarter of 2001 to determine in aid of legislation the extent of drug trafficking in the country. She added that one of those summoned to the hearing was a certain Bernard Liu, a close aide of Peter and Wellington Lim, whose names have occasionally cropped up in the police listing of personalities being monitored for possible involvement in big-time drug trafficking. Hence, she pointed out that their inclusion in the committee hearings was inevitable.

Whereupon, Rep. Soon-Ruiz underscored that Mr. Liu had cooperated as a witness and had provided important information to the Committee, more particularly when he revealed under oath the modus operandi of the Lim brothers as to how substantial quantities of shabu were being slipped in through the country's airport terminals from abroad. She stressed that Mr. Liu has substantial knowledge of such illegal operations because he sometimes accompanied his bosses in Hong Kong to assist in the transactions. Due to the implications of his testimony, she said that Mr. Liu was recommended to the Witness Protection Program and that the DOJ had been asked to evaluate the evidence gathered against the Lim brothers, among others. Unfortunately, she pointed out that for doing a legal and moral duty and for enlightening the Committee, Mr. Liu, the witness, has now become the accused in a series of counter-harassment moves by the powerful and moneyed Lim brothers. First, she narrated that Mr. Liu, along with another witness, also an aide of Peter and Wellington Lim, had been charged with libel, which case is now pending in court, for the supposed defamation they had made as witnesses in the course of the public hearings. Secondly, she stated that Mr. Liu was charged for his supposed testimony before the Committee that he had assisted the Lim brothers in smuggling into the country some quantities of shabu placed in golf set bags at least four times in the past. She added that the City Fiscal's Office of Cebu had dismissed the charge. However, she continued that on appeal by the private complainant, the DOJ had reversed the ruling and had recommended the filing of four counts of illegal importation of drugs, as reported in the various local dailies in Cebu.

Thereafter, Rep. Soon-Ruiz stated that this turn of events is a tragedy, not only to Mr. Liu and his friend who only responded to the call of legal and moral duty, but more so, to the dignity and influence of the Body. She added that this disturbing incident will certainly kill the spirit of an ordinary citizen who has no money and connections, from becoming an instrumental witness in future Committee investigations by the House. The lesson is bad because it would appear that the House could not protect the dignity of its proceedings where its witnesses are harassed no end, thereby belittling its power and influence, she stressed.

Subsequently, Rep. Soon-Ruiz asked how the Members should react on the matter. She added that she does not ascribe any motives nor is she prepared to go down to the merits of the charges, lest that might violate the rule on sub judice. She said that she is wondering whether the DOJ decision sits well with the priority of the administration as backed up by recent “photo-ops” to contain drug trafficking and substance abuse.

In closing, she expressed hope that this news will reach Malacañang, and that the House will enact measures that will prevent this joke from happening again where the saint becomes the sinner and the Witness Protection Program becomes an empty promise.

Thereafter, the Chair recognized Rep. Raul V. Del Mar for his remarks.

REMARKS OF REP. DEL MAR

Rep. Del Mar stated that he would like to interpellate Rep. Soon-Ruiz. However, he said that with the information that Rep. Cuenco will deliver a privilege speech on the same subject matter, then he would just reserve to interpellate Rep. Cuenco thereafter.

The Chair subsequently recognized Rep. Cuenco to deliver his privilege speech.

PRIVILEGE SPEECH OF REP. CUENCO

At the outset, Rep. Cuenco stated that the facts of the case are simple. He said that a witness who was called by the House Committee on Dangerous Drugs to testify in connection with illegal drug trafficking in the country, specifically in Cebu, and offer evidence against his former boss now finds himself as the accused in a criminal case for illegal drug trafficking.

Whereupon, Rep. Cuenco maintained that the resolution by the DOJ reversing an earlier decision by the City Fiscal of Cebu dismissing a harassment suit against a witness before the Congressional Committee is contrary to law and jurisprudence. He inquired as to what will happen if a witness appearing before any House Committee is prosecuted for revealing anomalies committed by other persons.

In the particular case, Rep. Cuenco said that Mr. Liu had appeared as a witness before the Committee by revealing that his boss had imported shabu from Hong Kong three times in 2000. He disclosed that according to Mr. Liu, each shipment of shabu weighing about 10 kilos was never detected because the customs people never opened his bags whenever he arrived from Hong Kong because he was "untouchable."

As he restated that the DOJ decision is against the Rules of the House and legal jurisprudence, Rep. Cuenco said that the Committee is compelled to call the DOJ Secretary to a congressional hearing to explain the atrocious and ridiculous ruling that he had made. He cautioned that if the House will allow this ruling without challenging it, no witness will ever testify before any Committee hearing for fear of being harassed by an accused in said investigation.

Thereafter, Rep. Cuenco cited the case of Miss Mary Ong alias "Rosebud", the lady who spilled the beans on Senator Panfilo Lacson and accused him of being a drug lord. He stressed that although Senator Lacson was powerful, he did not file any case against Rosebud because she was covered by parliamentary immunity.

In the particular case, Rep. Cuenco stressed that the decision by the City Fiscal of Cebu was appealed by respondents Mr. Peter Lim and his brother Mr. Wellington Lim, and the DOJ Secretary had rendered a ruling reversing the decision made by the former. He lamented that the House Committee witness who spilled the beans on his former boss is now facing five criminal actions called illegal drug trafficking, while no charges have been made against said employer.

Rep. Cuenco underscored that the DOJ ruling is contrary to common sense. He stressed that from here on, the House can no longer use informers and confederates to spill the beans on their principals. He added that there will be

no more state witnesses because they can be haled to court and will only be punished instead of the principal. As he emphasized that this is an anomalous situation that the House should not take sitting down, he urged the Committee on Dangerous Drugs to summon the DOJ Secretary and ask him to explain his ridiculous decision.

Thereafter, on motion of Rep. Antonino-Custodio, the Chair recognized Rep. Del Mar to interpellate Rep. Cuenco.

INTERPELLATION OF REP. DEL MAR

At the outset, Rep. Del Mar said that he joins Reps. Soon-Ruiz and Cuenco in condemning the unusual and disturbing turn of events wherein a whistle-blower who spilled the beans on his boss for importing illegal drugs is now the one facing charges in court while his boss is free from any charge whatsoever. He agreed that there is a need for the Committee on Dangerous Drugs to convene and summon Secretary Simeon A. Datumanong. As he said that he knows the good Secretary who was once a colleague in the House, he expressed surprise that said ruling was ever handed down at all. He thereafter asked whether the witness was given any assurance by the Committee that he would enjoy parliamentary immunity or that his testimony will be considered privileged information such that he would not be liable for any charges against him.

Even without any assurance from the Committee regarding the parliamentary immunity of a witness appearing before it, the law and jurisprudence on the matter is very clear -- that all persons who testified before the Committee are entitled to the privileges extended to them by law, Rep. Cuenco answered.

As he stressed that witnesses are immune from suit, Rep. Cuenco maintained that this immunity is contained in the Rules of the House and has been recognized in many precedent cases in the past. He clarified that the particular witness was informed of his rights and privileges through his lawyers Atty. Democrito Bersenas and Atty. Gerardo Carillo.

Rep. Del Mar commented that it is hard enough getting any witness at all to testify against a person for the commission of a crime, much less secure a witness who in the process of testifying on the commission of a crime against another person has to practically admit to having committed the specific crime together with the person he alluded to. If the case is not rectified, he cautioned that there will be no more witnesses coming around to testify against any person for any wrongdoing for the commission of a crime for fear that they will end up in the same predicament as the present witness.

Rep. Cuenco agreed that if the House will not correct the bad and erroneous DOJ ruling, nobody will ever testify before any congressional hearing by the House or the Senate for fear of being harassed by a countersuit filed by the respondent in an investigation. He stressed that the matter is of transcendental importance and the House should not take this DOJ ruling sitting down; otherwise, Congress will only be inutile.

Rep. Cuenco claimed that the DOJ ruling is lousy. He asked how a whistleblower can be prosecuted instead of the principal whose cover he has blown. He noted that in the particular case, both the employer and the employee were in Hong Kong, and asked why only the latter was prosecuted.

Rep. Del Mar agreed that the case is so funny that it makes him cry instead of laugh. He reiterated that he foresees a situation that will deter future witnesses from coming around to testify against any criminal wrongdoings and that in the future, it will be very difficult to secure witnesses.

Rep. Cuenco expressed hope that the DOJ Secretary is now back from his trip abroad. He said that he deplores the situation because the DOJ Secretary had been their colleague for nine years, and so he should know better. He presumed that the Secretary left in a hurry and just took the words of his action officer for granted. He maintained that any DOJ Secretary should be more circumspect and careful in reading the import of his decisions and rulings.

In view of the Christmas break that will commence on Thursday, December 18, 2003, Rep. Del Mar inquired whether Rep. Cuenco as chairman of the Committee on Dangerous Drugs will ask the Speaker to allow the Committee to conduct a hearing during the recess to address the issue as soon as possible.

Rep. Cuenco answered that this is a good suggestion, and that he will gladly comply with the request. He said that even if the Secretary is abroad after the House has already adjourned, he would still like to hear from him. He added hat he would like to convene the Committee even during the Christmas break which will start on December 20, 2003 up to January 10, 2004. He stressed that he will wait until the Secretary arrives so that he can clarify the issue.

Rep. Cuenco said that he had heard rumors that those who are interested in the prosecution of the case are billionaires and nightclub owners who can buy anybody.
Rep. Del Mar expressed hope that the hearing will be convened as soon as possible. He added that the question of procedure -- the filing of four different cases against only one person instead of consolidating them -- should also be addressed.

Rep. Cuenco stressed that such was another act of mischief on the part of the complainant, remarking that he does not know how the latter was able to maneuver things such that four different salas in Cebu would hear four different cases emanating from the same set of facts just to be able to harass the witness who testified against him. Noting that the fiscals are under the DOJ, he said that he wants said Department to explain the matter.

After Rep. Del Mar opined that the term "harassment" was correct, Rep. Cuenco said that the spirit of fair play would have compelled the fiscal who filed the case to file a consolidated case in one sala and not in four different salas.

Rep. Del Mar said that he is a member of the Committee on Dangerous Drugs and that he attended hearings where the witness concerned had given his testimony and had fully cooperated with the Committee in providing evidence on the violation of the law on the illegal importation of prohibited drugs. He stressed that the matter has to be immediately addressed because the media and the people in Cebu are monitoring it and wondering why the witness who volunteered to give testimony to establish the guilt of certain persons in the community as regards the illegal importation of prohibited drugs, to the extent of incriminating himself for the offenses, is now the accused whereas the principals in his testimony are scot-free.

Thereupon thanking Reps. Soon-Ruiz and Cuenco for their speeches, Rep. Del Mar reiterated his support for the holding of a hearing on the issue during the Christmas break in order to get to the bottom of the DOJ ruling thereon. He said that the ruling is disturbing not only to the minds of the members of the Committee on Dangerous Drugs but also to the people of Cebu who are following up the case and are condemning offenses regarding illegal drugs.

Rep. Cuenco also thanked Reps. Soon-Ruiz and Del Mar for bringing the matter to the attention of the Body and emphasized that the Committee will not take the same sitting down but will convene as soon as possible so that such an atrocious act by the DOJ will be immediately corrected.

On motion of Rep. Antonino-Custodio, the Chair then recognized Rep. Rodolfo B. Albano for his interpellation.

INTERPELLATION OF REP. ALBANO

At the outset, Rep. Albano said that he wants to join Reps. Cuenco and Soon-Ruiz in urging Congress to assert its prerogative to conduct an examination, through an inquiry in aid of legislation, of certain acts of government officials which are allegedly very atrocious. He said that he will do so even if the DOJ Secretary would invoke the doctrine of unconstitutionality in the same manner that the Supreme Court had done as regards the impeachment case recently filed in the House. He recalled that in a Committee hearing in Cebu on the matter which he attended, one of the witnesses had testified on the actuations of the Lim

brothers and even said that one of the latter had instructed him to go to Singapore to secure a visa to Taipei and from there bring down some drugs; and asked whether said witness is the accused in the cases which Rep. Cuenco had mentioned.

Replying in the negative, Rep. Cuenco clarified that Rep. Albano was talking about the third witness in that hearing and that Rep. Albano was not able to listen to two witnesses who had testified before the third witness. He added that the accused was the third witness in that hearing, who said that 1) he and Mr. Wellington Lim went to Hong Kong three times a year; 2) during each time, he was instructed to wrap 10 kilos of "shabu" in tin foil and place it in a golf bag which they would ship together to Cebu via Cathay Pacific Airways; and 3) they were never inspected by the Bureau of Customs people in the Mactan International Airport in Cebu because the Lim brothers are considered "untouchables" and often entertained the BOC staff as well as military generals in the Lim-owned Infinity Club.

Rep. Albano said that he recalled such statements as having been made. Also recalling that he had signed a Committee Report of the Committee on Dangerous Drugs asking the NBI and the DOJ to file the necessary charges according to the Committee's findings, he inquired on the status thereof.

Rep. Cuenco replied that the Report was forwarded to the DOJ but that the latter did not act on it and instead reversed the ruling by the Regional Trial Court (RTC) of Cebu City which recommended, among other things, that Mr. Peter Lim be charged with perjury after witnesses in the Committee hearings testified that he had lied when he said that he did not know Mr. Ben Go who was later on proven to be a business partner in the illegal drug trade. He added that the Committee had asked the DOJ to help build the case if the evidence was not enough, because it did not have the facilities of the NBI or police force to get in touch with the witnesses.

Rep. Albano inquired whether the DOJ, if only out of courtesy, notified the House that the matter was pending therein. Rep. Cuenco remarked that something fishy is going on.

At this point, Rep. Albano asked what crime the accused was alleged to have committed on five counts.

Rep. Cuenco said that it involves illegal drug trafficking for five times or during each of the five times that the witness accompanied Mr. Wellington Lim to Hong Kong to bring shabu into Cebu.
Rep. Albano asked whether it was the drug carrier whom the DOJ had filed an information against.

Rep. Cuenco replied in the affirmative and pointed out that the DOJ however spared the principal suspect.

Rep. Albano inquired on what the accused is worth in terms of income tax paid, saying that this will enable them to find out whether the accused can afford to buy 10 kilos of shabu.

Rep. Cuenco pointed out that the accused is a mere employee or bodyguard and cannot afford to buy the abovementioned.

Rep. Albano asked who then bought the shabu in Hong Kong if the accused could not afford to pay for it.

Obviously, Rep. Cuenco remarked, it was the principal who did.

Rep. Albano then inquired whether the DOJ had closed its eyes despite the evidence.

Replying in the affirmative, Rep. Cuenco said that the Department had still recommended that a case for illegal drug trafficking be filed against the bodyguard.

Rep. Albano observed that the DOJ did not even consider the fact that the accused is a mere bodyguard and cannot afford to buy 10 kilos of shabu.

Rep. Cuenco explained that even before the matter was brought to the Committee hearing, the case against the guard had already been sent to the City Prosecutor of Cebu City; but that even if the latter then dismissed it, a motion for review -- signed a month ago -- was filed with the DOJ.

Subsequently, Rep. Albano inquired whether the DOJ Secretary has been misled about the matter.

Saying that he would like to think that the Secretary was possibly misled by his action officer, Rep. Cuenco however pointed out that the former does not study the cases but has many action officers to do so.

Rep. Albano suggested that they look at the initials under the signature of the DOJ Secretary. He stressed that the latter has to tell the Body what went behind the overturning of the ruling of the City State Prosecutor of Cebu City. He opined that the Department Secretary will explain the matter to them but he is in Mexico to sign international agreements regarding the fight against terrorism.

Rep. Cuenco clarified that he will wait for the Secretary to return but that he could not wait in protesting against a very atrocious ruling.

Rep. Albano said that he joins Rep. Cuenco in wanting to ferret out the truth behind the atrocious anomaly.

At this point, Rep. Cuenco clarified that the accused was charged with four counts of illegal drug trafficking and not five counts as earlier mentioned, because the accused travelled from Hong Kong to Cebu only four times. He added that the cases have been distributed among different salas in Cebu.

Rep. Albano remarked that the DOJ Secretary has no jurisdiction over the assignment of the cases to the salas which are under the Supreme Court. He added that the fiscals concerned were only ordered to handle the cases upon the DOJ's review. He suggested that the lawyer of the accused file a motion for the consolidation of the four cases.

Rep. Cuenco informed his colleague that the lawyer is already doing the same and is asking the court to hold in abeyance the issuance of a warrant of arrest for the accused.

Thereupon, Rep. Albano urged Congress to exercise its prerogative. He emphasized that the Body cannot take the matter sitting down and that no office of any executive department can take the House for granted as it is the better Body to serve the Filipino people.

REFERRAL OF REP. SOON-RUIZ'
AND CUENCO'S SPEECHES

On motion of Rep. Antonino-Custodio, there being no objection, the Body referred the speeches of Rep. Soon-Ruiz and Cuenco to the Committee on Dangerous Drugs.

TERMINATION OF THE PRIVILEGE HOUR

Whereupon, on motion of Rep. Antonino-Custodio, there being no objection, the Body terminated the Privilege Hour.

REFERRAL OF CERTAIN RESOLUTIONS

Subsequently, on motion of Rep. Antonino-Custodio, there being no objection, the Body changed the referral of the following House Resolutions:

House Resolution No. 1375 - from the Committee on Rules to the Committees on Appropriations, and Justice; and

House Resolution No. 1397 - from the Committee on Rules to the Committee on

Justice.

CONSIGNMENT TO THE ARCHIVES

Likewise, on motion of Rep. Antonino-Custodio, there being no objection, the Body consigned to the Archives House Resolutions No. 1166, 1355, 1364, 1365, 1367 and 1392 after duly noting the recommendations therein.

DESIGNATION OF CONFEREES TO
THE BICAMERAL CONFERENCE
COMMITTEE ON HOUSE BILL NO. 5389
AND SENATE BILL NO. 2710

Subsequently, on motion of Rep. Antonino-Custodio, there being no objection, the Body designated the following Members as conferees to the Bicameral Conference Committee on the disagreeing provisions of House Bill No. 5389 and Senate Bill No. 2710, regarding the Architectural Act of 2003, to wit: Reps. Eladio "Boy" Jala, Harlin Cast. Abayon, Neptali M. Gonzales II, and Del R. De Guzman for the Majority; and Reps. Carlos M. Padilla and Rolex T. Suplico for the Minority.

APPROVAL OF SENATE AMENDMENTS
TO HOUSE BILL NO. 4947

Whereupon, upon consultation with the chairman of the Committee and the principal author of the measure, on motion of Rep. Antonino-Custodio, there being no objection, the Body approved the Senate amendments to House Bill No. 4947 regarding the conversion of the Municipality of Parañaque into a City.

ADJOURNMENT OF SESSION

On motion of Rep. Antonino-Custodio, there being no objection, the Chair declared the session adjourned until four o'clock in the afternoon of Tuesday, December 16, 2003.

It was 6:23 p.m.

I hereby certify to the correctness of the foregoing.

Sgd. ROBERTO P. NAZARENO
Secretary General
