



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 65**  
Wednesday, March 12, 2014

**SIXTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

**SESSION NO. 65**  
Wednesday, March 12, 2014

**CALL TO ORDER**

At 3:28 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

**PRAYER**

Sen. Grace Poe led the prayer, to wit:

*Panginoon ng liwanag,  
Panginoon ng pag-ibig,  
Lukubin Mo ang aming Kapulungan.  
Buksan Mo ang aming isipan,  
Buksan Mo ang aming kalooban,  
Gamitin Mo po kaming daan tungo  
sa katotohanan.*

*Linawin Mo ang katotohanan.  
Ipakilala Mo sa amin ang mabubuti  
ang hangarin.  
Sa tama man o pagkakamali, ipakita  
Mo ang aral sa amin.*

*Ngayong buwan ng kababaihan,  
Higit na pagpapala nawa ang Inyong  
ibigay sa mga babae ng aming  
Kapulungan.*

*Bigyan po Ninyo kami ng malusog  
na katawan at isipan upang  
makapagsilbi kami sa bayan  
na hindi napapabayaang  
ang aming tahanan.*

*Gabayan po Ninyo kaming lahat  
sa paglikha ng batas  
Na magsusulong ng paggalang sa  
karapatan at pagiging patas.  
Sa lahat ng aming gawa,  
Sa lahat ng aming salita,  
Gawin Mo kaming kasangkapan,  
Panginoon, sa paglikha ng  
mundong mapayapa.  
Amen.*

**ROLL CALL**

Upon direction of the Chair, the Acting Secretary of the Senate, Atty. Edwin B. Bellen, called the roll, to which the following senators responded:

Angara, S.	Lapid, M. L. M.
Aquino, P. B. IV B.	Legarda, L.
Binay, M. L. N. S.	Marcos Jr., F. R.
Cayetano, A. P. C. S.	Osmeña III, S. R.
Cayetano, P. S.	Pimentel III, A. K.
Drilon, F. M.	Poe, G.
Ejercito, J. V. G.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Estrada, J.	Trillanes IV, A. F.
Honasan, G. B.	

With 21 senators present, the Chair declared the presence of a quorum.

MB

Senator Villar, who was on official mission, arrived after the roll call.

Senator Guingona was on official mission.

Senator Defensor Santiago was on sick leave.

## **APPROVAL OF THE JOURNAL**

Upon motion of Senator Cayetano (A), there being no objection, the Body dispensed with the reading of the Journal of Session No. 64 (March 11, 2014) and considered it approved.

## **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Cayetano (A) acknowledged the presence in the gallery of the following guests:

- Students of the Philippine Normal University, headed by Dr. Dionisio Rivas;
- Computer Engineering students of the Polytechnic University of the Philippines, Manila;
- Political Science students of the Rizal Technological University, headed by Prof. Jeremiah Pacer; and
- Students of Angeles University Foundation, headed by Dr. Trinidad D. Dizon and Grace Bada.

Senate President Drilon welcomed the guests to the Senate.

## **MANIFESTATION OF SENATOR CAYETANO (P)**

Senator Cayetano (P) recalled that last March 3, 2014, she delivered a speech to honor empowered Filipinas in celebration of Women's Month.

She requested again to be allowed to introduce another empowered Filipina, Ms. Jessica Macabares Cox, a Filipina-American who traces her roots to Guiuan, Eastern Samar. She said that Ms. Cox is in the country to conduct relief operations in Eastern Visayas.

Senator Cayetano (P) said that Ms. Cox, born without arms due to a rare birth defect, earlier used

prosthetic arms but when she turned 14, she decided to accept her fate, stopped using them, and has since been using her feet.

She stated that, among other things, Ms. Cox holds the 2014 Guinness World Record as the first woman to fly an airplane with her feet, the first armless person with a black belt in the American Taekwondo Association, and a certified scuba diver.

Senator Cayetano (P) further acknowledged Ms. Cox for her feats that inspire even abled men and women, describing Ms. Cox as one truly empowered Filipina who serves as a role model for women and the youth.

At this juncture, Senator Cayetano (P) requested Ms. Cox to stand up so that she could be acknowledged.

Senate President Drilon welcomed Ms. Cox to the Senate as he congratulated her for her accomplishments.

## **REFERENCE OF BUSINESS**

The Acting Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

### **BILL ON FIRST READING**

Senate Bill No. 2167, entitled

**AN ACT AMENDING SECTION 47 OF REPUBLIC ACT NO. 9136, OTHERWISE KNOWN AS THE ELECTRIC POWER INDUSTRY REFORM ACT**

Introduced by Senator Escudero

**To the Committees on Energy; and Public Services**

## **RESOLUTIONS**

Proposed Senate Resolution No. 563, entitled

**RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE ISSUANCE OF BIR REVENUE**

*f*

MEMORANDUM CIRCULAR (RMC)  
NO. 7-2014 TO CLARIFY ISSUES ON  
THE TAXATION AND COMPLIANCE  
REQUIREMENTS OF MARGINAL  
INCOME EARNERS PURSUANT TO  
REVENUE REGULATION 7-2012  
AND REVENUE REGULATION 11-2000

Introduced by Senator Paolo Benigno "Bam"  
Aquino IV

**To the Committee on Ways and Means**

Proposed Senate Resolution No. 564, entitled

RESOLUTION DIRECTING THE COM-  
MITTEE ON TRADE, COMMERCE  
AND ENTREPRENEURSHIP TO  
CONDUCT AN INVESTIGATION, IN  
AID OF LEGISLATION, ON THE  
ALLEGED PROLIFERATION OF  
UNCERTIFIED AND SUBSTANDARD  
STEEL PRODUCTS AND THE  
RAMPANT SMUGGLING OF  
IMPORTED STEEL PRODUCTS,  
WITH THE END VIEW OF AMEND-  
ING PROVISIONS OF REPUBLIC  
ACT NO. 7103, OTHERWISE KNOWN  
AS "THE IRON AND STEEL  
INDUSTRY ACT" AND OTHER  
PERTINENT LAWS

Introduced by Senator Paolo Benigno "Bam"  
Aquino IV

**To the Committee on Trade, Commerce  
and Entrepreneurship**

**ADDITIONAL REFERENCE OF BUSINESS**

**BILLS ON FIRST READING**

Senate Bill No. 2168, entitled

AN ACT REQUIRING MANDATORY  
INSTALLATION OF CLOSED  
CIRCUIT TELEVISION (CCTV)  
CAMERAS ON ROADS INCLUDED  
IN ROUTES OF PUBLIC UTILITY  
VEHICLES AND FOR OTHER  
PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government;  
Public Works; and Finance**

Senate Bill No. 2169, entitled

AN ACT ESTABLISHING A VOLUN-  
TARY STUDENT LOAN PROGRAM  
BY PRIVATE BANKS, PROVIDING  
INCENTIVES THEREFOR AND FOR  
OTHER PURPOSES

Introduced by Senator Sonny Angara

**To the Committees on Banks, Financial  
Institutions and Currencies; Government  
Corporations and Public Enterprises; and Ways  
and Means**

Senate Bill No. 2170, entitled

AN ACT DESIGNATING PHILIPPINE  
NATIONAL PERFORMING ARTS  
COMPANIES, DEFINING THEIR  
ROLES AND FUNCTIONS AS SUCH,  
AND APPROPRIATING FUNDS  
THEREFOR

Introduced by Senator Legarda

**To the Committees on Education, Arts and  
Culture; Ways and Means; and Finance**

Senate Bill No. 2171, entitled

AN ACT AMENDING ARTICLE 1898 OF  
REPUBLIC ACT 386, OTHERWISE  
KNOWN AS THE NEW CIVIL CODE  
OF THE PHILIPPINES

Introduced by Senator Maria Lourdes Nancy  
S. Binay

**To the Committee on Banks, Financial  
Institutions and Currencies**

Senate Bill No. 2172, entitled

AN ACT CLARIFYING THE PROCE-  
DURE FOR APPLICATION FOR TAX  
TREATY RELIEF, AMENDING FOR  
THIS PURPOSE REPUBLIC ACT  
NO. 8424, AS AMENDED, OTHER-  
WISE KNOWN AS THE TAX  
REFORM ACT OF 1997

Introduced by Senator Maria Lourdes Nancy  
S. Binay

**To the Committee on Ways and Means**

Senate Bill No. 2173, entitled

AN ACT CLARIFYING THE RULE ON  
IMPOSITION OF INTEREST ON  
OBLIGATIONS CONSISTING OF  
LOAN OR FORBEARANCE OF  
MONEY

Introduced by Senator Maria Lourdes Nancy  
S. Binay

**To the Committee on Banks, Financial  
Institutions and Currencies**

Senate Bill No. 2174, entitled

AN ACT TRANSFERRING THE JURIS-  
DICTION OF CRIMINAL CASES  
ARISING FROM VIOLATIONS OF  
COMMERCIAL LAWS TO SPECIAL  
COMMERCIAL COURTS

Introduced by Senator Maria Lourdes Nancy  
S. Binay

**To the Committee on Justice and Human  
Rights**

Senate Bill No. 2175, entitled

AN ACT CLARIFYING THE REQUIRE-  
MENTS FOR ENGAGING IN ACTIVI-  
TIES COVERED BY THE SECONDARY  
PURPOSE CLAUSE OF CORPORA-  
TIONS, AMENDING BATAS PAM-  
BANSA BLG. 68 OTHERWISE  
KNOWN AS THE CORPORATION  
CODE OF THE PHILIPPINES

Introduced by Senator Maria Lourdes Nancy  
S. Binay

**To the Committee on Trade, Commerce  
and Entrepreneurship**

**RESOLUTION**

Senate Joint Resolution No. 7, entitled

RESOLUTION DECLARING 27 JULY  
2014 AS A SPECIAL NON-WORK-

ING HOLIDAY TO COMMEMORATE  
THE FOUNDING ANNIVERSARY  
OF THE IGLESIA NI CRISTO

Introduced by Senator Drilon

**To the Committee on Education, Arts and  
Culture**

**SECOND ADDITIONAL  
REFERENCE OF BUSINESS**

**MESSAGES FROM THE  
HOUSE OF REPRESENTATIVES**

Letter from the Secretary General of the House of  
Representatives, informing the Senate that on  
10 March 2014, the House of Representatives  
passed the following Housel bills/House joint  
resolution, in which it requested the concurrence  
of the Senate:

House Bill No. 31, entitled

AN ACT INCREASING THE BED  
CAPACITY OF THE NORTHERN  
MINDANAO MEDICAL CENTER IN  
CAGAYAN DE ORO CITY, AMEND-  
ING FOR THE PURPOSE REPUBLIC  
ACT NO. 7938, APPROPRIATING  
FUNDS THEREFOR AND FOR  
OTHER PURPOSES

**To the Committees on Health and Demo-  
graphy; and Finance**

House Bill No. 103, entitled

AN ACT DECLARING JUNE 23 OF  
EVERY YEAR AS A SPECIAL NON-  
WORKING HOLIDAY IN THE CITY  
OF BACOR TO COMMEMORATE  
ITS ANNIVERSARY AS A CITY

**To the Committee on Local Government**

House Bill No. 269, entitled

AN ACT UPGRADING THE SERVICE  
CAPACITY OF THE FLORENCIO V.  
BERNABE SR. MEMORIAL HOSPITAL  
IN THE CITY OF PARAÑAQUE,  
METRO MANILA FROM A FIRST

*ms*

LEVEL TO SECOND LEVEL COMMUNITY HOSPITAL AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Health and Demography; and Finance**

House Bill No. 440, entitled

AN ACT CHANGING THE NAME OF BAYBAY ELEMENTARY SCHOOL IN BARANGAY SAN MANUEL SUR, MUNICIPALITY OF AGOO, PROVINCE OF LA UNION TO SAN MANUEL SUR ELEMENTARY SCHOOL

**To the Committee on Education, Arts And Culture**

House Bill No. 2072, entitled

AN ACT DECLARING MALUNGGAY (MORINGA) AS "THE NATIONAL VEGETABLE OF THE PHILIPPINES" AND THE MONTH OF NOVEMBER OF EVERY YEAR AS THE NATIONAL MALUNGGAY MONTH

**To the Committee on Education, Arts and Culture**

House Bill No. 2096, entitled

AN ACT ESTABLISHING A PUBLIC HOSPITAL IN THE CITY OF MEYCAUAYAN, PROVINCE OF BULACAN

**To the Committees on Health and Demography; and Finance**

House Bill No. 2097, entitled

AN ACT ESTABLISHING A PUBLIC HOSPITAL IN THE MUNICIPALITY OF OBANDO, PROVINCE OF BULACAN AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Health and Demography; and Finance**

House Bill No. 2098, entitled

AN ACT ESTABLISHING A PUBLIC HOSPITAL IN THE MUNICIPALITY OF MARILAO, PROVINCE OF BULACAN AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Health and Demography; and Finance**

House Bill No. 2384, entitled

AN ACT AMENDING ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

**To the Committee on Women, Family Relations and Gender Equality**

House Bill No. 2609, entitled

AN ACT CHANGING THE NAME OF TAYSAN NATIONAL HIGH SCHOOL IN BARANGAY TAYSAN, MUNICIPALITY OF SAN JOSE, PROVINCE OF BATANGAS TO DR. DANILO ANDAL PEREZ NATIONAL HIGH SCHOOL

**To the Committee on Education, Arts and Culture**

House Bill No. 3154, entitled

AN ACT CONVERTING THE ANDRES BONIFACIO ELEMENTARY SCHOOL IN BARANGAY JALANDONI-WILSON, CITY PROPER DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS ANDRES BONIFACIO INTEGRATED SCHOOL

**To the Committee on Education, Arts and Culture**

House Bill No. 3219, entitled

AN ACT SEPARATING THE CONNER CENTRAL NATIONAL HIGH

SCHOOL – TALIFUGO ANNEX IN BARANGAY TALIFUGO, MUNICIPALITY OF CONNER, PROVINCE OF APAYAO FROM THE CONNER CENTRAL NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL TECHNICAL-VOCATIONAL HIGH SCHOOL TO BE KNOWN AS TALIFUGO NATIONAL AGRICULTURAL AND TRADE HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Education, Arts and Culture; and Finance**

House Bill No. 3220, entitled

AN ACT SEPARATING THE PIO DA LIM MEMORIAL SCHOOL OF ARTS AND TRADES – TANLAGAN ANNEX IN BARANGAY TANLAGAN, MUNICIPALITY OF CALANASAN, PROVINCE OF APAYAO FROM THE PIO DA LIM MEMORIAL SCHOOL OF ARTS AND TRADES, CONVERTING IT INTO AN INDEPENDENT NATIONAL TECHNICAL-VOCATIONAL HIGH SCHOOL TO BE KNOWN AS TANLAGAN NATIONAL AGRICULTURAL AND TRADE HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Education, Arts and Culture; and Finance**

House Bill No. 3222, entitled

AN ACT SEPARATING THE CONNER CENTRAL NATIONAL HIGH SCHOOL – CUPIS ANNEX II IN BARANGAY CUPIS, MUNICIPALITY OF CONNER, PROVINCE OF APAYAO FROM THE CONNER CENTRAL NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL TECHNICAL-VOCATIONAL HIGH SCHOOL TO BE KNOWN AS CUPIS NATIONAL AGRICULTURAL AND TRADE HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Education, Arts and Culture; and Finance**

House Bill No. 3223, entitled

AN ACT SEPARATING THE CONNER CENTRAL NATIONAL HIGH SCHOOL – ILI ANNEX IV IN BARANGAY ILI, MUNICIPALITY OF CONNER, PROVINCE OF APAYAO FROM THE CONNER CENTRAL NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL TECHNICAL-VOCATIONAL HIGH SCHOOL TO BE KNOWN AS ILI SCHOOL OF ARTS AND TRADES AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Education, Arts and Culture; and Finance**

House Bill No. 3232, entitled

AN ACT SEPARATING THE KABUGAO AGRO-INDUSTRIAL HIGH SCHOOL – LENNENG ANNEX IN BARANGAY LENNENG, MUNICIPALITY OF KABUGAO, PROVINCE OF APAYAO FROM THE KABUGAO AGRO-INDUSTRIAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS KABUGAO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Education, Arts and Culture; and Finance**

House Bill No. 3233, entitled

AN ACT SEPARATING THE STA. MARCELA NATIONAL HIGH SCHOOL – CONSUELO ANNEX IN BARANGAY CONSUELO, MUNICIPALITY OF STA. MARCELA, PROVINCE OF APAYAO FROM THE STA. MARCELA NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO KNOWN AS CONSUELO NATIONAL HIGH

SCHOOL AND APPROPRIATING FUNDS THEREFOR

To the Committees on Education, Arts and Culture; and Finance

House Bill No. 3959, entitled

AN ACT DECLARING OCTOBER 16 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF CALBAYOG IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY TO BE KNOWN AS CALBAYOG CITY CHARTER DAY

To the Committee on Local Government

House Bill No. 3960, entitled

AN ACT DECLARING AUGUST 25 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF ILOILO IN CELEBRATION OF THE ILOILO CITY CHARTER DAY

To the Committee on Local Government

House Bill No. 3961, entitled

AN ACT DECLARING MAY 22 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF GUIMARAS IN COMMEMORATION OF ITS ANNIVERSARY AS A PROVINCE

To the Committee on Local Government

House Bill No. 3962, entitled

AN ACT DECLARING APRIL 16 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF MARIKINA IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY TO BE KNOWN AS MARIKINA CITY DAY

To the Committee on Local Government

House Bill No. 3963, entitled

AN ACT DECLARING NOVEMBER 22 OF EVERY YEAR A SPECIAL

NONWORKING HOLIDAY IN THE PROVINCE OF SULTAN KUDARAT IN COMMEMORATION OF ITS FOUNDATION DAY ANNIVERSARY

To the Committee on Local Government

House Bill No. 3964, entitled

AN ACT DECLARING MARCH 9 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF ABRA IN COMMEMORATION OF ITS FOUNDATION ANNIVERSARY AND THE CULMINATION OF THE ABRENIAN KAWAYAN FESTIVAL

To the Committee on Local Government

House Bill No. 3965, entitled

AN ACT DECLARING AUGUST 25 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF GAPAN, PROVINCE OF NUEVA ECIJA

To the Committee on Local Government

House Bill No. 3966, entitled

AN ACT DECLARING MARCH 24 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF LIGAO, PROVINCE OF ALBAY IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY

To the Committee on Local Government

House Bill No. 3967, entitled

AN ACT DECLARING JULY 23 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF BATANGAS TO BE KNOWN AS BATANGAS CITY FOUNDATION DAY

To the Committee on Local Government

M



House Bill No. 3968, entitled

AN ACT DECLARING JUNE 21 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN TAGAYTAY CITY, PROVINCE OF CAVITE IN COMMEMORATION OF ITS FOUNDATION DAY TO BE KNOWN AS "CHARTER DAY OF TAGAYTAY CITY" OR ARAW NG LUNGSOD NG TAGAYTAY

**To the Committee on Local Government**

House Bill No. 3969, entitled

AN ACT DECLARING JUNE 30 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF IMUS, PROVINCE OF CAVITE IN COMMEMORATION OF ITS FOUNDING ANNIVERSARY

**To the Committee on Local Government**

House Bill No. 3973, entitled

AN ACT DECLARING SEPTEMBER 29 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF BACOR, PROVINCE OF CAVITE IN COMMEMORATION OF THE ARAW NG BACOR

**To the Committee on Local Government**

House Bill No. 4000, entitled

AN ACT STRENGTHENING THE REGULATION OF HEALTH FACILITIES AND SERVICES IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 4226, OTHERWISE KNOWN AS THE HOSPITAL LICENSURE ACT, AND FOR OTHER PURPOSES

**To the Committee on Health and Demography**

House Bill No. 4006, entitled

AN ACT PROVIDING FOR A NEW

PASSPORT LAW, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED EIGHT THOUSAND TWO HUNDRED THIRTY-NINE (R.A. NO. 8239), OTHERWISE KNOWN AS THE PHILIPPINE PASSPORT ACT OF 1996

**To the Committee on Foreign Relations**

House Bill No. 4008, entitled

AN ACT CHANGING THE NAME OF MAHINOG NATIONAL HIGH SCHOOL IN BARANGAY HUBANGON, MUNICIPALITY OF MAHINOG, PROVINCE OF CAMIGUIN TO SIXTO A. ABAO NATIONAL HIGH SCHOOL

**To the Committee on Education, Arts and Culture**

House Bill No. 4009, entitled

AN ACT CHANGING THE NAME OF SAVERONA ELEMENTARY SCHOOL IN BARANGAY SAVERONA, MUNICIPALITY OF TALUGTUG, PROVINCE OF NUEVA ECIJA TO ALBERTO G. BAUTISTA ELEMENTARY SCHOOL

**To the Committee on Education, Arts and Culture**

House Bill No. 4010, entitled

AN ACT CHANGING THE NAME OF CENTRAL TAYTAY NATIONAL HIGH SCHOOL IN BARANGAY POBLACION, MUNICIPALITY OF TAYTAY, PROVINCE OF PALAWAN TO JUDGE CESAR L. RODRIGUEZ NATIONAL HIGH SCHOOL

**To the Committee on Education, Arts and Culture**

House Bill No. 4011, entitled

AN ACT CHANGING THE NAME OF BANTAYAN NATIONAL HIGH

13

SCHOOL IN BARANGAY TICAD,  
MUNICIPALITY OF BANTAYAN,  
PROVINCE OF CEBU TO REMEDIOS  
ABELLO ESCARIO NATIONAL  
HIGH SCHOOL

**To the Committee on Education, Arts and  
Culture**

House Bill No. 4084, entitled

AN ACT GRANTING PHILIPPINE  
CITIZENSHIP TO ANDRAY  
BLATCHE

**To the Committee on Justice and Human  
Rights**

and House Bill Joint Resolution No. 12, entitled

JOINT RESOLUTION DECLARING 27  
JULY 2014 AS A SPECIAL NON-  
WORKING HOLIDAY TO COM-  
MEMORATE THE FOUNDING  
ANNIVERSARY OF THE IGLESIA  
NI CRISTO

**To the Committee on Education, Arts and  
Culture**

Letter from the Speaker of the House of  
Representatives, designating Representatives  
Garcia-Albano, Binay, Del Rosario, Alvarez and  
Fuentebella as House Members to the Joint  
*Congressional Oversight Committee on  
Ecological Solid Waste Management.*

**To the Committee on Rules**

### **THIRD ADDITIONAL REFERENCE OF BUSINESS**

#### **MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

Letter from the Speaker of the House of  
Representatives, designating Representatives  
Espina, Yap, Lagman, Aumentado and Hicap as  
House Members to the Congressional Oversight  
Committee on the Responsible Parenthood and  
Reproductive Health Act.

**To the Committee on Rules**

## **RESOLUTION**

Senate Joint Resolution No. 8, entitled

JOINT RESOLUTION DECLARING 27  
JULY 2014 AS A SPECIAL NON-  
WORKING HOLIDAY TO COMMEMO-  
RATE THE FOUNDING ANNIVER-  
SARY OF THE IGLESIA NI CRISTO

Introduced by Senator Cayetano (A. P.)

**To the Committee on Education, Arts and  
Culture**

### **PRIVILEGE SPEECH OF SENATOR ESTRADA**

Availing himself of the privilege hour, Senator Estrada delivered the following speech to denounce the continuing trial by publicity being made against him and two of his colleagues, and to expose the questionable character of the latest witnesses of the Department of Justice on the PDAF controversy, Mr. Dennis Cunanan and Mrs. Ruby Tuason:

#### **THE TALE OF TWO INCREDIBLE WITNESSES**

I rise today on a matter of personal privilege. I rise to denounce the continuing trial by publicity being made against this Representation and two of our colleagues.

Ever since the PDAF controversy hit the headlines in July last year, we have been vilified and depicted as the epitome and personification of corrupt public officials in their desire to convict us before the bar of public opinion. I, along with Senators Enrile and Revilla, have borne the brunt of the public's ire and disgust after being condemned as thieves and plunderers of the people's money.

Trial by publicity violates the constitutional guarantees of due process and presumption of innocence. We, therefore, deplore the continuous distortions and prevarications of facts from supposed witnesses recruited by the Department of Justice to support its case. We express apprehension over polluted and self-serving testimonies of proposed state witnesses with questionable integrity and credibility.

The latest addition to this array of witnesses against us is the new darling of the Department of Justice (DOJ), Mr. Dennis Lacson Cunanan, who obviously gave false testimony during the



hearing of the Senate Blue Ribbon Committee last Thursday. He should have been held in contempt for lying over and over and over again under oath before the Committee.

I rise today to expose and bring to the public's attention the questionable character of this latest witness of the DOJ, Mr. Dennis Cunanan, as well as Mrs. Ruby Tuason, to alert us of their dubious backgrounds and shady dealings. It may be instructive for the DOJ so that it may redeem itself from sloppy and amateurish investigation of the witnesses it presents in support of what it proclaims as its supposed airtight case.

Who is Dennis Cunanan, who has been so bold to lie so brazenly to avoid criminal liability? *Bakit napakalakas ng loob niyang mag-sinungaling sa Blue Ribbon Committee? May hawak ba siyang mapanirang impormasyon laban sa ilang makapangyarihang tao kaya tinanggap siya agad bilang provisional witness sa ilalim ng Witness Protection Program ng DOJ? May pinoprotektahan ba itong si Dennis Cunanan? At sino ang mahiwagang kamay na nagpapagalaw kay Cunanan upang ang bukod tanging mga pangalan na kanyang babanggitin ay si Estrada, Revilla at Enrile?*

*Sinabi ni Dennis Cunanan na pamilyar siya sa aking boses na para bang close kami, kaya minabuti kong mas kilalanin itong si Dennis Cunanan o DeCu para sa kanyang malalapit na kaibigan.*

*Si Dennis Cunanan ay ipinanganak noong Nobyembre 14, 1971, sa Angeles, Pampanga. Siya ay may asawa at apat na anak na nagsisipag-aral lahat sa eksklusibong paaralan.*

*Simula noong 2007, itinala niya sa mga dokumento ang address na: No. 126 San Nicolas, Magalang, Pampanga. Sinabi kong simula lamang 2007 dahil bago ang taong iyon, si Dennis at ang kanyang pamilya ay nangungupahan lamang sa Quezon City: B5 Verde Royale Townhomes, Pluto St., Quezon City mula 2000 hanggang 2004, at sa Pasig: Unit 7, San Miguel Court, Valle Verde 5, Pasig City simula 2005 hanggang lumipat sa White Plains noong 2007.*

*Hindi ba nakapagtataka na hindi niya binabanggit ang kanyang malapalasyong tahanan sa White Plains, Quezon City? Nang lumabas sa balita sa telebisyon ang tungkol sa bahay na ito ay saka lamang niya naalala at sinabing "Nangungupahan lang po ako diyan at sa kapatid ko po iyan."*

*Napakabait naman nitong kapatid ni Dennis. Bumili ng mamahaling bahay at lupa*

*sa isang prestihiyosong subdibisyon para lamang ang tumira ay si Dennis, samantalang ang kapatid niya at ang kanyang pamilya ay sa Pampanga? Aba'y napakaswerte ni Dennis sa kapatid, hindi po ba? Sana mayroon din akong kapatid na kasing-bait ng kapatid ni Dennis.*

*Ang mabait at nakababatang kapatid ni Dennis ay si Darius Cunanan. Ayon sa mga pahayag ni Dennis sa Blue Ribbon, businessman daw itong si Darius at may kakayahan na bumili ng mamahaling ari-arian.*

*Sa dokumentong aking nakalap, taong 2007 nang nabili ang bahay at lupa sa White Plains sa halagang P12 million. Sa Deed of Sale, si Darius nga at ang kanyang asawa ang bumili ng bahay. Ngunit may sapat nga ba siyang kakayahan na bumili ng ganito kamahal na ari-arian?*

*Sa nakuha kong tala ng mga income tax ni Darius noong 2007, sinasabing wala siyang compensation income, at ang tanging income niya noong taong iyon ay mula sa business at ito ay humigit-kumulang na P104,668.98. P104,000.00 lang ang kita pero kaya niyang bumili ng bahay na worth P12 million? Mukhang imposible po yata iyon.*

*Sa nakaraang pagdinig, sinabi ni Dennis na nag-apply daw sa bangko ng loan ang kanyang kapatid at hanggang ngayon nga daw ay may binabayaran pa sa bangko.*

*Ang Deed of Sale para sa bahay at lupa ay may petsang June 11, 2007. Katulad ng sinabi ko, cash po itong binayaran. Ang loan naman po sa bangko na sinasabi ni Dennis ay may petsang June 21, 2007 o 10 days after na mapurchase po ang bahay. Tama, may loan po pero hindi para sa bahay. Ang loan ay para maitayo ang trading company nila na naggangalang "Magalang Cuedad Enterprise, Inc." noong Agosto 2007 kung saan si Dennis ay majority shareholder. Ginamit lamang na kolateral sa bangko ang bahay. Kaya po na-approve ang loan ay hindi dahil may kapasidad si Darius, ngunit dahil ginamit na kolateral ang bahay.*

Given all these facts, is Dennis Cunanan the real owner of the White Plains property? You can make your own conclusion.

Dennis Cunanan lied brazenly about his educational background. *Sa blog site po ni Dennis at sa maraming write-up patungkol sa kanya, kanyang pinalabas na sa U.P. Diliman siya nagtapos ng kolehiyo sa kursong Public Administration.*

Just to set the educational record of Dennis Cunanan straight, he is not a graduate of the

University of the Philippines per the letter of the National College of Public Administration and Governance (NCPAG) of U.P. Diliman in response to our query regarding the academic standing of Mr. Cunanan. He graduated in 2005 (Commerce) in Lacson College.

*Itinalaga si Dennis Cunanan bilang executive director ng National Youth Commission noong taong 2000. At noong taong 2001 hanggang 2004, naging head executive assistant si Dennis sa Office of the Speaker at the House of Representatives. Sa palagay ko po, kung nalaman na hindi college graduate si Cunanan ay hindi siya mailalagay sa mga posisyong ito.*

*Pagkatapos po na magtrabaho sa House of Representatives, nanilbihan ng ilang buwan si Cunanan bilang Presidential Assistant for Youth Affairs sa termino ni Gng. Gloria Macapagal-Arroyo. Napag-alaman ko na sa loob lamang ng ilang buwan bilang Presidential Assistant for Youth Affairs, nakapag-cash advance po si Dennis noong 2004 ng P6,471,684.78. At alam nyo po ba na hanggang sa oras na ito mula noong 2004, mayroon pa siyang outstanding and unliquidated cash advance na umaabot sa P4.6 million sa Office of the President? Hindi ko na po ipinalagay sa PowerPoint pero hawak ko po ang mga dokumentong nagpapatunay na hanggang ngayon, sampung taon na mula Marso 2004 hanggang Marso 2014, mayroon siyang unliquidated cash advance na nagkakahalaga ng P4,675,240.82. Ano kaya ang ginawa niya sa cash advance na ito? Idinagdag sa pinambili ng bahay sa White Plains?*

*Bago napunta ng Technology Resource Center (TRC) si Dennis, nahirang muna siyang executive director ng CHED ng isang buwan at tinanggal dahil walang college degree at hindi nga qualified. Ngunit sadyang malakas ang backer ni Dennis dahil na-appoint naman siya kaagad bilang TRC Deputy Director General noong December 2004. At taong 2010 naman, naging TRC Director General sa ilalim ng administrasyon ni Pangulong Noynoy Aquino.*

*Habang nasa gobyerno po si Cunanan, naging aktibo po siya sa Jaycees. Binanggit ko po dahil matatandaan na noong nakaraang pagdinig, natanong si Ginoong Cunanan patungkol sa kanyang mga biyahe sa ibang bansa at sinabi niya na siya ay nagbi-biyahe bilang opisyal ng Junior Chamber International o Jaycees, at ang mga biyaheng iyon ay suportado ng Jaycees. Jaycees daw po ang sponsor at ang mga biyahe ay nangyayari on a weekend, ayon sa kanya. Pati ba naman ang Jaycees ay ginagamit niya sa kanyang pagsisinungaling?*

*Bago pa man ang pagdinig, nabalitaan ko po na jetsetter itong si Mr. Dennis Cunanan. Thus, I requested the Bureau of Immigration for information on his travels. And lo and behold, ginagawa pong Quiapo ni Cunanan at ng kanyang asawa pati ng kanilang mga anak ang Amerika, Europa, at mga bansa sa Asya tulad ng Japan, Singapore, Thailand, Hong Kong, Macau, Taiwan, Korea, at iba pang lugar sa Europa.*

*Base po sa record na aking nakuha, narito ang tala kung gaano kadamang beses nagbiyahe si Cunanan kasama ang kanyang asawa at mga anak sa labas ng bansa:*

- 2013 – 12 times (wife travelled 9 times with DeCu)
- 2012 – 12 times (wife travelled 10 times with DeCu)
- 2011 – 14 times (wife travelled 9 times with DeCu)
- 2010 – 5 times (wife travelled 4 times with DeCu)
- 2009 – 10 times
- 2008 – 14 times
- 2007 – 8 times
- 2006 – 5 times
- 2005 – travelled once
- 2004 – travelled twice

*Lumalabas po na sa loob ng sampung taon na nasa TRC si Dennis Cunanan, nagbiyahe po siya ng higit-kumulang na walumpung beses! Eighty times! Kahit sinong senador ay hindi makakapagbiyahe ng walumpung beses sa loob ng sampung taon. Ngunit itong si Cunanan, TRC Deputy Director General, ay nakakapagbiyahe ng walumpung beses, and the record will speak for itself! At ang mas kamangha-mangha dito, ang mga biyahe niya, kung hindi raw first class, business class. At hindi lamang tumatagal ng tatlo o apat o limang araw ito, at hindi din lang po on weekends katulad ng sinabi niya, dahil mayroon siyang biyahe na tumatagal ng dalawang linggo, tatlong linggo, at may mga biyahe pa na tumatagal ng isang buwan! Ang tanong: Lahat ba ito suportado ng Jaycees?*

*Napakasarap ng buhay nitong si Dennis Cunanan, hindi po ba? Mataas ang posisyon sa gobyerno kahit hindi qualified; sumusuweldo buwan-buwan kahit madalas na wala siya sa opisina; papirma-pirma ng mga dokumento na sinasabi niyang ministerial kapag may oras; at naglililiwaliw ng ilang linggo o mahigit isang buwan sa iba't ibang sulok ng mundo kasama pa ang pamilya.*

*Hindi po yata sinusupportahan ni Dennis ang programang pang-turismo ng ating gobyerno dahil sa dalas niya sa labas ng Pilipinas, iisipin mo nga naman na para kay Dennis, mukhang "It is more fun outside the Philippines!"*

*Ngayon, bigyan po natin ng atensiyon ang pahayag ni Mr. Cunanan na ako raw ay kanyang nakausap. Sasabihin ko lang po muli, hindi po kami nagkausap at wala ni isang pagkakataon na nagsalubong ang landas namin ni Dennis Lacson Cunanan. At katulad ko, nakakasiguro ako na hindi siya kilala, nakasalamuha o nakausap ni Senador Enrile at Revilla. Sabagay, lagi nga pala siyang wala sa Pilipinas kaya marahil walang pagkakataon para magtagpo ang aming landas.*

*Kaya't nakakapagtaka po talaga na si Senador Enrile, Revilla at Estrada lamang ang mga pangalang binabanggit ni Cunanan patungkol sa usapin ng PDAF na matagal din po niyang hinawakan sa TRC when they implemented projects under PDAF. Limitado din lamang sa mga NGOs na sinasabing konektado kay Gng. Napoles ang naalala ni Dennis Cunanan.*

*Alam natin na taong 2004 ay nasa TRC na si Cunanan. Taong 2005 naman nagsimulang makatanggap ng PDAF ang TRC mula sa mga mambabatas. Matatandaan na bago siya mapunta sa TRC kagagaling lamang ni Cunanan na magtrabaho ng ilang taon sa House of Representatives, hindi po ba? Kaya't hindi po malayong mangyari na maraming congressmen ang lumapit o kumausap sa kanya. Hindi ba niya ito maalala?*

*At kung talagang totoo ang sinasabi niya na tumawag siya para magberipika ng aking lagda, sinu-sino pa ang tinawagan niya? Hindi naman niya siguro dapat makalimutan ang mga mambabatas na lumapit sa kanya o tinawagan niya ng mga panahong iyon, hindi po ba?*

*Ang dati niyang boss sa House of Representatives, hindi ba siya kinausap? Iyong mga congressmen ng Pampanga na kababayan niya, hindi ba lumapit sa kanya patungkol sa PDAF? Wala na ba siya talagang naalalang iba, o may nagsabi sa kanya na si Enrile, Revilla at Estrada na lamang ang tanging alalahanin at banggitin?*

*Matatandaan po natin na ayon sa COA Special Audit Report on PDAF, humigit-kumulang na P2.4 billion, inuulit ko, P2.4 billion ang na-release na PDAF ng dalawang daang mambabatas sa TRC noong taong 2007, 2008 and 2009.*

*Sinabi din ng COA Special Audit Report na itong dalawang bilyong piso na ito ay ni-release ng TRC sa tatlumpu't siyam na NGOs, 39 NGOs po. Uulitin ko po ha: More than 200 legislators, more than 30 NGOs at more than P2 billion ang dumaaan na PDAF transactions sa TRC. Ngayon, ang naalala lamang ni Cunanan ay tatlo: si Revilla, si Estrada, at si Enrile.*

*Bakit?*

*Sa kanyang sinumpaang salaysay, may congressman siyang pinangalanan na diumano ay naghintay ng buong araw sa kanyang opisina para sa tseke ng NGO na na-designate ni congressman. Ang siste, patay na po ang congressman na ito kaya hindi ko na rin po babanggitin ang kanyang pangalan.*

*Kung susuriin ang COA Special Audit Report, hindi lamang po si Enrile, Revilla at Estrada ang mga mambabatas na nagbigay ng PDAF sa TRC. May iba pa pong pinangalanan sa COA Special Report at ang mga mambabatas na ito ay naglaan din ng PDAF sa TRC at gumamit ng NGO sa pag-implemanta ng proyekto. Tinawagan din ba sila ni Cunanan upang mag-verify? Napakarami pong mambabatas ang nagpa-implemanta ng kanilang PDAF through TRC at gumamit din po ng non-government organizations. Ayon po ang listahan.*

*Uulitin ko lamang po ang aking sinabi kanina: More than 200 legislators, more than 30 NGOs at P2.44 billion ang dumaaan na PDAF transactions sa TRC.*

*Ngayon, bakit tatlo lamang kaming naalala ni G. Cunanan? Sa dinami-rami ng NGOs na nakipag-transaksyon sa TRC, bakit tanging si Gng. Napoles, si Benhur Luy at isang Evelyn de Leon ang naalalang kumausap sa kanya? Kung susumahin, ang halaga ng PDAF ni Enrile, Estrada at Revilla na dumaaan sa TRC ay humigit-kumulang P250 million. Nasaan po ang natitirang P2.2 billion pa?*

*Babalikan ko lamang ang mga salaysay ni Dennis patungkol sa pagkakausap daw namin sa telepono. Sabi ni Secretary de Lima kasi, ito daw po ang napakahalagang sinabi ni Cunanan dahil this will prove that we put or exerted pressure on the implementing agencies.*

*In his sworn statement in paragraph 17.3, Cunanan said, and I quote:*

*"I could not also forget the time when a representative of several NGOs, Mr. Benhur Luy, came to our office to follow up and discuss their pending PDAF-funded projects at the TRC indorsed by Senator Estrada and*

Senator Revilla. During our meeting, in an obvious attempt to pressure us to immediately approve the said projects, he took out his cellular phone and called the offices of Senators Revilla and Estrada.”

And when asked during the Blue Ribbon about this statement, *pinahayag ni* Cunanan *na sinabi ko raw noong kami ay diumanong nagkausap*, “*Ano bang problema niyan? Bakit hindi nyo pa tapusin para ma-implement na, hinihintay na yan sa ground.*” *At sumagot daw siya*, “*Senator, pino-process lang ho namin. Hindi naman ho talaga gamun kadali-dali lahat iyon.*”

*Dinugtong po ni* Mr. Cunanan *nang siya ay inusisa tungkol sa kanyang pagtawag sa akin na siguradong-sigurado siya na ako ang kanyang nakausap dahil napapanood niya ako sa aking mga pelikula at nakikita daw niya sa TV, at dahil doon kabisado niya raw ang boses ko.*

*Mahirap po paniwalaan ito.*

*Pagkatapos ko pong mahalal bilang senador ng Republika ng Pilipinas noong 2004 ay naging napakadalang na po ang aking paggawa ng pelikula. Isa o dalawang pelikula na lamang ang aking ginawa noong ako ay senador na. Kaya kasinungalingan na naman po ang kanyang sinasabi na napakapamilyar po ang aking boses. Talagang hindi siguro siya nanonood ng pelikula ko. Uulitin ko, hindi po kami nagkausap kailanman, ni minsan, ni Dennis Cunanan.*

During the Blue Ribbon hearing, when Dennis was asked what year did this telephone conversation happen, he said, “around 2008”; 2008 daw po.

Now, consider this. When the so-called telephone call and also the kickback received by Cunanan were being discussed, Luy was asked about those circumstances. *Matatandaan na sinabi ni Luy na una niyang nakita si* Dennis Cunanan *sa JLN office sa Discovery Suites. Ibig sabihin po, bago pa nangyari noong 2008 ang sinasabi niyang pagkakausap namin diumano sa telepono sa kanyang opisina, magkakakilala na sila ni Luy at malinaw na tumanggap na po si Cunanan mula sa JLN ng mga kickback. Hindi po ba?*

*Kung matagal na silang magkakilala ni Benhur Luy, at matagal na siyang nakikipag-transaksyon sa NGOs ni Luy dahil tumatanggap na nga siya ng kickback mula sa PDAF, ano po ang saysay ng sinasabi niyang pagberipika sa*

*aking opisina, iyong sinasabi niyang dapat dumaan sa proseso, iyong pressure kuno na binabanggit niya?*

*Napakalinaw na gawa-gawa lang ni Cunanan ang kwentong kami ay nagkausap sa telepono. Uulitin ko lang po, wala pong nangyaring ganyan at pawang kasinungalingan lamang iyan ni Cunanan. The career of Mr. Cunanan from his days in college to his days in public office in reaching up to his testimony in the Blue Ribbon Committee has been founded and grounded on falsehoods and misrepresentation.*

*Sa sinumpaang salaysay din po ni Cunanan, sinabi niyang “ministerial” lamang ang kanyang partisipasyon patungkol sa PDAF na dumaan sa kanilang ahensya. Ministerial nga ba ang mga aksyon na ginawa niya patungkol sa pondo na dumaan sa kanilang ahensya?*

*Kung susuriin ang mga sinasabi niyang memorandum o polisiya tungkol sa PDAF na sinunod ng kanilang ahensya, makikita na si Cunanan ang recommending approval sa mga disbursement voucher. Ang ibig sabihin po niyan, hindi pipirma ang director general at hindi uusad ang mga papel kung wala ang naunang lagda ni Cunanan.*

*Dahil si Cunanan ang recommending approval, ito marahil ang dahilan kaya sa kanya lumalapit ang mga gustong mapabilis ang pag-proseso at pag-release ng mga pondong mula sa PDAF. Hindi ba sa mga unang salaysay ni Luy, sinabi niyang si Cunanan diumano ang kanilang kontak sa TRC at si Cunanan ang diumano ang kumukuha ng komisyon mula sa NGOs?*

*Sinabi rin ni Cunanan sa kanyang sinumpaang salaysay na bago siya pumirma sa mga dokumento patungkol sa PDAF ay masusi niyang binubusisi ang mga ito at siniguradong kumpleto ang mga attachment nito. Kasinungalingan po lahat iyan.*

*Kung masusi pong binubusisi ni Cunanan ang mga dokumento katulad ng kanyang sinasabi, dapat napansin niya siguro na mas nauna pa ang recommendation for release of the 10% retention fee worth P2.5 million noong February 3, 2008, kaysa request ng NGO na ito ay ma-release noong February 4, 2008. Wala pang request, may recommendation para i-release na? Anong klase yan?*

*Hindi ba ang mga ganitong mga pagkakamali ay dapat makatawag ng kanyang pansin? Kung sinasabi ni Cunanan na tumawag siya sa mga senador para mag-beripika ng*

*lagda ng mga ito, hindi ba mas lalo dapat siyang tumawag kung may nakita siyang mali o kahina-hinalang pangyayari patungkol sa PDAF? Nakita ba niya ang mali o sadyang nagbulag-bulagan siya at pinalagpas niya ito dahil sa silaw ng salapi?*

*Sa mga ilang pahayag ni Cunanan sa media, at paulit-ulit ding sinabi niya sa Blue Ribbon Committee hearing, na simula noong umupo siya bilang director general noong 2010, itinigil na ng TRC ang pag-implement ng mga proyektong pinondohan ng PDAF. Kahanga-hanga ang mga ito, kung ito ay totoo. May reporma ba talaga siyang ipinatupad o puro porma lamang itong si Cunanan?*

*Tingnan natin ang COA Annual Audit Report ng TRC noong 2010.*

Under Cash and Cash Equivalents, there is an entry titled "Cash Funds Entrusted to NGOs/POs – P2,381,813 million for 2010." Per the COA Report, this represents the financial assistance granted to two (2) NGOs for the implementation of livelihood projects under the Priority Development Assistance Fund (PDAF) entrusted to the center, which are to be liquidated upon full implementation of the project.

*O, akala ko ba ipinatigil na niya noong 2010? Ano ito?*

In the same 2010 COA Report, under Trust Liabilities, it says — "PDAF refers to the balance of funds released by the Department of Budget and Management still with the center for eventual release to NGOs/POs identified by the lawmakers who are the PDAF grantors." Then the following entries appear: for 2009 – P21.9 million; and for 2010 – P21.5 million.

*Kung hindi na nagpatupad ng proyekto ang TRC mula sa PDAF simula 2010, ano ang nangyari sa pondong ito? Dumako naman tayo sa COA report ng TRC noong 2011. Again, under Cash and Cash Equivalents, there is an entry: Cash Funds Entrusted to NGOs and POs. Nandoon ang P2.3 million sa taong 2010 at may bagong entry noong 2011, P1.9 million. Per 2011 COA report, the amount that appeared under cash fund entrusted to NGOs/POs represents a financial assistance granted to Kabuhayan at Kalusugan Alay sa Masa Foundation for the implementation of livelihood projects under the PDAF entrusted to the center which are to be liquidated upon full implementation of the project.*

*Akala ko ba ay ipinatigil na ni Cunanan noong 2010 ang mga proyektong pinondohan mula sa PDAF? 2011 mayroon pa. At kung*

*susuriin natin ang mga sinabi ni Cunanan sa listahan ng mga NGOs na buong giting niyang pina-blacklist noong 2010, kasama po ang Kabuhayan at Kalusugan Alay sa Masa Foundation ng naka-blacklist. Ano ngayon ang ibig sabihin ng di pag-release ng pondo sa isang black listed NGO noong 2011? Aba, malakas siguro kay Cunanan ang NGO o kaya ang mambabatas na ito? Sino kaya ang mambabatas na ito? Ang sagot ay nasa COA Annual Audit Report ng 2012. Sa Table of Schedule of Unliquidated PDAF released as of December 31, 2012, makikita kung kaninong PDAF po nanggaling ang pondo.*

*Ipinakita ko na rin lamang ang table na iyan, banggitin na natin kung sino po ang nakalistang pangalan diyan na naka-blacklist iyong kanyang NGO. Isang nagnangalang Cong. Carlo Oliver Diasnes at Cong. Florencio Noel. Nabanggit ko na ito noong araw, noong unang privilege speech ko. Parehong ginagamit nina Congressmen Diasnes at Noel ang NGO na Bantayog Kalinga Foundation, Inc. At kung babalikan nating muli ang listahan ng nablacklist na NGO noong 2010, kasama po ang Bantayog Kalinga Foundation, Inc.*

*So, may reporma ba talaga o puro porma lamang itong si Cunanan?*

*Ngayon, tingnan naman natin ang COA Annual Report ng 2012. Under cash funds entrusted to NGOs for 2012, there was an entry for P43 million. Akala ko ba noong 2010 ay wala na? Hindi ba noong 2010, P2 million na lamang. Noong 2011 ay P1.9 million na lamang. Taong 2012, P42 million pa. Pero hindi lamang po iyan ang hawak ng TRC noong 2012. According to the COA report, aside from the P42 million from PDAF, mayroon ding Collection Held in Trust from Disbursement Acceleration Program (DAP) ang TRC na nagkakahalaga ng P45 million. Kaya siguro sinabi ni Cunanan na wala ng PDAF kasi abalang-abala siya sa DAP.*

*It would be very interesting to know kung sino ang tinawagan ni Cunanan para mag-verify kunwari ng mga signatures, hindi po ba? Ngayon, kailangan pa bang tanungin kung may reporma o porma? Hindi ba obvious na puro porma?*

With the indulgence of this assembly and our people, let me now direct your attention to another aspiring state witness, Ms. Ruby Chan Tuason.

Lest the public continue to be deceived by the so-called slam dunk evidence proffered by Mrs. Tuason, I would just like to bring her back

to public attention because I am also wondering why she was allowed to silently and stealthily leave the country last week on a flimsy pretense of attending to some personal matters, foremost of which, according to her lawyer, is "to...finance her commitment to return P40 million to the government."

When the news broke out that Mrs. Tuason again left the country, it should be remembered that Secretary Leila de Lima was very upset over the immigration spokesperson's disclosure to the media of Mrs. Tuason's departure. In fact, she ordered the immigration official to explain, and Secretary de Lima even publicly threatened to impose administrative sanctions against the said immigration official.

The question is, why? Why is Secretary de Lima really angry? Is it because, as she said, the disclosure could compromise the security of Mrs. Tuason who was hastily admitted to the Witness Protection Program? Or was it because allowing Mrs. Tuason to leave the country immediately after poisoning the public's mind with her self-serving "confessions" part of the secret deal she cut with the DOJ?

Is it not the right of the public to know the circumstances of her leaving? Who was she with? Who are allowed to reach her? Who will she talk to?

Indeed, what further lies could she concoct while enjoying the comfort and privilege of being wherever she wants to be abroad? Did she travel via business or first class? Who paid for her ticket? Who is financing her travel and stay abroad?

These questions need answers.

*Hindi naman po yata kailangan ni Mrs. Tuason pumunta abroad para mangalap ng P40 million. Ang kanyang mamahaling bahay at lupa sa Dasmariñas Village – 1510 Carissa St., Dasmariñas Village, Makati City, na mas kilala sa tawag na "Malampaya Mansion," would be more than enough to finance the measly P40 million na sinabi niyang kanyang ibabalik.*

*Ayon sa dokumentong aking nakalap, nabili ni Mrs. Tuason ang Malampaya Mansion noong 2009 sa halagang P45 million at napatitulohan noong October 2009. Tinawag po itong Malampaya Mansion ng mga malalapit kay Mrs. Tuason sapagkat ito ay isa sa mga katas diumano ng kanyang Malampaya kickbacks na sinasabing umabot sa halagang P242 million pesos.*

*Sinasabi ding bunga ng kita mula Malampaya ni Mrs. Ruby Tuason ay ang tinayo niyang korporasyon, ang Rubysons, Inc. Per*

records gathered from SEC in October 2009, Mrs. Tuason and her two sons put up an P80-million capitalized corporation which is supposed to be engaged in micro-business activities.

Obviously not content with the multi-million corporation, Mrs. Tuason, the socialite that she is, also put up a high-end jewelry store in a plush hotel in August 2013 managed by her niece, Jocelyn. Easily, this investment is again worth so many millions.

Aside from the multi-million Malampaya Mansion in Dasmariñas Village, the multi-million corporation and the jewelry store, Mrs. Tuason also bought membership shares at the Manila Polo Club for her two sons, which shares are said to be worth P12 million.

*At mukhang marami pang natira sa kinita ni Mrs. Tuason sa Malampaya dahil hindi pa po siya nakuntento sa kanyang shopping spree sa Manila, because in 2008, Mrs. Tuason bought a real estate property at the Las Vegas Country Club said to be worth P6.3 million. And in September 2010, based on records I was able to gather, she bought another property in Oakland, California worth \$150,000.*

*Lumabas na po kamakailan sa balita at sa mga pahayagan na nai-transfer na ni Mrs. Tuason noon pang September 2013 ang kanyang Las Vegas property sa kanyang anak na si Francis Tuason. At base din sa mga nakalap kong dokumento, naibenta na rin noong September 2013 ang sinasabing property sa California.*

*Kaya bakit po pinayagan pang umalis si Mrs. Tuason? Marami pa ba siyang mga ari-arian sa Amerika na ibebenta o marami pa siyang ari-arian na gusto niyang itago sa pangalan ng kanyang mga anak?*

*Bukod sa mga sinabi kong ari-arian ni Mrs. Tuason, napag-alaman kong meron pa siyang isang bahay sa Henderson, Nevada, bahay sa Kawayan Cove in Cavite, townhouse in Alabang at townhouse sa Valle Verde.*

Given all of these, *tanong ko lang, tinanggap na lang ba ni Secretary Leila de Lima ng wala man lang imbestigasyon ang sinabi ni Mrs. Ruby Tuason na ang kanyang namatay na kapatid na si Remy Chan ang nangumisyon at nakinabang ng P242 million mula sa Malampaya fund? Hindi ba obvious na siya ang nakinabang?*

*Si Remy Chan po ay nakababatang kapatid ni Ruby Tuason. Sa tagal po ng panahon na kakilala ng aming pamilya si Mrs. Tuason,*



wala pong pagkakataon na nakilala ko nang lubos si Remy maliban lamang noong mga taon na siya ay nagkasakit at nangailangan ng medical assistance mula sa aking opisina.

*Napadalas po ang paghingi ni Remy sa pamamagitan ni Mrs. Tuason ng tulong medikal at pinansiyal sa aking opisina pati na rin sa opisina ni Senator Enrile ng mga taong 2008, 2009 at 2010 dahil sa sakit na kanser. May isa pa nga pong pagkakataon na personal na nagpunta si Remy sa Senado upang humingi ng tulong at maaawa ka talaga sa kanya dahil payat siya at mukhang may malubhang sakit.*

*Kaya't hindi ko po lubos na maisip kung papaano na ang isang taong may sakit na kanser at malamang may taning na ang buhay noong mga panahon na sinasabing nangyari ang Malampaya scam (2009-2010) ay maka-kaisip pang mangumisyon o gumawa ng kalokohan.*

*Matatandaan na sinabi ni Mrs. Tuason na si Remy ay isang fortune teller o manghuhula. Nahulaan kaya niya kung sino ang magiging koneksiyon daw niya sa Malacañang para kumita nang malaki mula sa Malampaya scam?*

*Nahulaan din kaya niya na pagkamatay niya ay gagamitin siya ng kapatid niya para makalusot sa pinakamalaking akusasyon sa kanya – na siya ang kumita ng pinakamalaki mula sa Malampaya scam?*

*Sana, kung buhay pa si Remy, baka pwede rin nating pahulaan sa kanya kung saan niya dineposito at sino ang tunay na nakinabang sa daan-daang milyong kickback sa Malampaya fund.*

*Patay na si Remy. So, the end of the Malampaya story, as far as Mrs. Tuason's liability is concerned. Yan ang ipinalulunok nila sa madla.*

It was all too clever and very convenient for Mrs. Tuason to put all the blame and guilt on her dead brother, isn't it? As the known idiomatic expression goes – "Dead men tell no tales." This is just like Mr. Dennis Cunanan citing a dead congressman. *Patay na po ang kapatid ni Mrs. Tuason na si Remy kaya hindi na natin maririnig pa mula sa kanya ang nalalaman niya patungkol sa Malampaya, kung meron man. Ngunit hindi naman nangangahulugan na nalibing na kasama ni Remy ang katotohanan, di po ba? Maaari pa nating malaman ito kung imumulat lamang ng kinauukulan ang kanilang paningin at itutuon ang kanilang pandinig sa mga bumubulong na tinig.*

I have with me here now the partial result of the review of the Senate CCTV footage. This was submitted by the Senate Security to the Senate President and I was given a copy.

It should be remembered that after the allegation of Mrs. Tuason that she delivered money in my office using the basement parking, as if insinuating she was hiding a bulk of money from prying eyes, I manifested before the floor in February that CCTV footage at the Senate basement parking and even at the Senate building be reviewed so that the public may be informed as to when Mrs. Tuason was present here in the Senate premises and if she was indeed bringing millions contained in a duffel bag, as she alleged.

Unfortunately, our Senate Security said that for years 2004 to 2010, CCTV footage at the basement parking, which were saved in Video Home System (VHS) tapes, are no longer available. But all is not lost, because our security also reviewed the CCTV footage at the entrance main lobby and at the 6<sup>th</sup> floor of the Senate, where my office is located.

With the permission of the Chair, I will show to the public the result of the review. Per the CCTV footage review of the ground floor and 6<sup>th</sup> floor of the Senate building, a lady that resembles Mrs. Ruby Tuason was seen on the following dates and time:

- On November 17, 2008 at 5:03 in the afternoon, she was being inspected by the members of our Sergeant-at-Arms. Take note of the bag that she was carrying. There was no duffel bag.
- Minutes later, 5:15 in the afternoon on the same date, she was seen exiting the elevator on the 6<sup>th</sup> floor. Take note, no duffel bag;
- Seconds later, she was walking the corridors of the 6<sup>th</sup> floor, probably going to my office or going to the Office of Senator Enrile;
- On November 19, 2008, at 2:33 in the afternoon, Mrs. Tuason is shown exiting the elevator again on the 6<sup>th</sup> floor. Note that she is carrying only her handbag. No duffel bag has been seen;
- Seconds later, she was seen leaving the Senate premises. Again, no sign of the duffel bag;
- On December 18, 2008, at 3:42 p.m., that slide shows that she is being inspected by the security of the Senate. Remember and take note that she is only holding her handbag. *Iyang malaking bag na pula diyen, hindi*

*niya bag iyan. Malaking maleta iyan. Bag ng isang tao iyon.* There is no duffel bag;

- Minutes later, again she was being inspected. Minutes later, she was seen walking again the corridors of the 6<sup>th</sup> floor. Again, no signs of duffel bag.

*Ngayon, matatandaan na sa sinumpaang salaysay ni Mrs. Tuason meron po siyang sinabi na mga transaksyon patungkol sa aking PDAF na nakakuha daw po ako ng komisyon.*

When she was asked if there were other transactions involving the PDAF of Senator Jinggoy Estrada that was completed or consummated by Janet Napoles through Mrs. Tuason, she answered and stated in her sworn statement: "Yes, Sir. After this cancelled transaction, Senator Jinggoy Estrada was able to complete transactions involving his PDAF with Janet Napoles because the latter paid the share of Senator Estrada." Part of these transactions appeared in the accounting records of Benhur Luy. Then she included in her sworn statement this table:

*(PowerPoint presentation)*

*Pansinin po natin ang mga petsa – March 6, 2008, September 17, 2008, October 16, 2008 at October 28, 2008. Yan daw po ang mga petsa ng nakakuha ako diumano ng komisyon sa pamamagitan niya. Malamang ito na rin ang mga petsang palalabasin nilang nag-deliver si Mrs. Tuason sa aking opisina. Sa CCTV footage po, lumitaw lamang na Nobyembre at Disyembre ng 2008 nagpunta ng Senado si Mrs. Tuason. Wala pong nakita na nagpunta siya ng March, September or October.*

Given all these facts, *hahayaan ko na pong kayo ang gumawa ng sarili ninyong kongklusyon.*

And now, it will be remembered that Mrs. Tuason was fetched from abroad and grandly escorted back to Manila by NBI agents in February this year. Noticeably, while in Manila, Mrs. Tuason was pampered with security, complete with a *yaya* who carries her bag while she struts around hailed as a "slam dunk" hero, a "buzzer-beater" and "3-point" winning shooter.

It is also said that Mrs. Tuason will be free of all criminal liabilities even from the Malampaya scam on the flimsy alibi that it was her dead brother and not she who was involved. And now here comes the "fishy" exit abroad, again courtesy of the Department of Justice.

May I ask why the very special treatment on Mrs. Tuason and Mr. Cunanan?

Is this very special treatment part and parcel of the concessions given to them in exchange for their agreement to pin us down? Is this VIP treatment in exchange for a fabricated story that Ruby Tuason delivered money to me through the basement parking of the Senate and to my house, of which she does not even know the address? Is this very special treatment in exchange for the story of allegedly exerting pressure on the implementing agencies?

I demand to know the answers to these disturbing questions:

Are these the kind of witnesses that the DOJ is now staunchly vouching and spending for under its Witness Protection Program? People who cannot even be honest about their real educational background? People who would not hesitate to drag the name of a dead brother just to conceal their own guilt? People who pose as reformists and whistle blowers to hide or mitigate their own greed?

Has the DOJ deliberately omitted these facts and information from the Blue Ribbon Committee and the public just to support and build their case? Or are they simply not aware because they did not explore the background of these personalities that they are now supporting as provisional state witnesses? Is the DOJ now so desperate to pursue this case that they must now employ half-truths and perjured testimonies? Is this the handiwork of an undersecretary of the DOJ who, I am informed by unimpeachable sources, has repeatedly instructed the witnesses to focus only on this representation and Senators Juan Ponce Enrile and Ramon "Bong" Revilla Jr.?

*Pati ang ilang kasamahan natin dito sa Senado ay sinentensyahan na kami. Masakit at nakakalungkot po.*

It is unfortunate that some senators have been using the Senate Blue Ribbon Committee hearing on the PDAF to advance their own political agenda. They even participate in the trial by publicity by making irresponsible statements and unfounded conclusions.

A senator even proposed the creation of a special court or division to try the PDAF cases for speedy resolution of the cases.

How can he claim that, when it took a special division of the Sandiganbayan six-and-a-half long years to try the plunder cases against my father and myself? He must be so desperate to make sure we are convicted by handpicked justices on the testimony of perjured and coached witnesses.

That senator just announced his bid for the presidency in 2016. This is a glaring proof and an undeniable confirmation that he is just using this PDAF controversy to advance his own political agenda.

*May mga nagsasabi na hindi ko raw sinasagot ang mga paratang laban sa akin. Paulit-ulit ko na pong sinabi na sasagutin kong lahat ito sa tamang panahon at sa tamang pagkakataon.*

In fact, I have already answered the charges against me in a counter-affidavit submitted before the Ombudsman and I will defend myself before the Sandiganbayan in the unfortunate event that an Information be filed before it.

*Makailang ulit ko na rin pong sinabi na kaisa ako ng pamahalaan at ng taong bayan sa paghanap ng katotohanan patungkol sa kontrobersiya sa PDAF. Ngunit ang hindi ko pa kayang tanggapin at payagan ay ang pag-baluktot ng katotohanan at pagmamaniobra ng mga sitwasyon para paboran ang mga makapangyarihan at siraan lamang ang iilan.*

#### **INQUIRY OF SENATOR CAYETANO (A)**

Senator Cayetano (A) asked if Senator Estrada would answer a few questions.

On the suggestion of Senator Sotto to suspend the session first, Senator Cayetano (A) objected, saying that doing so would take away from him the opportunity to reply, especially since the session was being televised and Senator Estrada was obviously alluding to him in his speech.

Senator Estrada agreed to answer queries but asked that the session be suspended for a few minutes.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Estrada, the session was suspended.

*It was 4:57 p.m.*

#### **RESUMPTION OF SESSION**

At 5:04 p.m., the session was resumed.

#### **INTERPELLATION OF SENATOR CAYETANO (A)**

At the outset, Senator Cayetano (A) said that the PDAF issue was neither about himself nor about Senator Estrada, and neither was it about the 2016 elections. At issue, he maintained, was about the people's money, and he lamented that the Senate as an institution was being ruined because in the people's viewpoint, those who are supposed to be safeguarding the public coffers are the ones who are allegedly stealing from it.

He maintained that the Chamber has given Senators Estrada, Revilla and Enrile every chance to defend themselves during the Blue Ribbon Committee hearings, yet he noted that it was not until recently that they began to speak out.

He asked if the members have ever treated Senator Estrada differently from how the latter treated the witnesses in previous committee hearings, including Secretary Reyes, General Ligot, or the DFA officials accused of raping OFWs. He believed that the manner by which Senator Estrada asked the witnesses, as well as his drive to search for the truth, was no different from his own probing during the Blue Ribbon Committee hearings.

Senator Estrada explained that he inhibited himself from participating in the committee hearing because as one of the accused in the PDAF scam, he would not be able to cite the witnesses in contempt should he find them lying under oath because people would accuse him of bullying the witnesses. Furthermore, he believed that the Blue Ribbon Committee hearing was not the proper forum to defend himself because to him, the proper forum would be the court. He recalled that even before the hearings started, some of the senators, specifically Senator Cayetano (A), have been asking the accused senators to attend the hearings to defend themselves, but he maintained that the committee hearing was not the proper forum to defend his honor and integrity. He said that he would defend himself before the Sandiganbayan in the event the Ombudsman files the information with the court.

Senator Cayetano (A) pointed out that he has not changed in the way he interacts with other people, and that he had to ask difficult questions because the people deserve the truth.

Regarding Senator Estrada's statement that the Blue Ribbon Committee hearing was not the proper

*PM*

forum to defend himself, Senator Cayetano (A) recalled that during the height of the corruption issue against former President Arroyo, he was with Vice President Binay and Senator Estrada in a rally where they demanded that as a public official, the former President owed the people an explanation and that the people deserve to know the truth. He said that even if Senator Estrada would insist on answering in court, the senators cannot simply remain silent and they should not be prevented from making statements because they would not allow the name of the institution to be further sullied. He said that there could be a double standard if the accused senators would be allowed to answer only in the court when in the past, the former president was asked to explain in public.

He further said that it was ironic for Senator Estrada to say that the Senate was not the proper forum while he was at the same time answering the inconsistencies of Dennis Cunanan on the floor. He said that the public deserves an answer as to where he put his pork barrel and whether or not he personally knew Janet Napoles.

Senator Estrada clarified that he never disrespected Generals Reyes and Ligot, Mrs. Ligot or any of the resource persons during the Senate committee hearings about corruption in the military. He said that he just wanted to ferret out the truth as to what really transpired during the accused generals' tenure. Besides, he pointed out that the hearings were in aid of legislation.

He recalled that when he delivered his first privilege speech on the alleged PDAF scam, he admitted alluding to some senators, one of whom was present and who did not interpellate him after the speech but instead vilified him ceaselessly during the Blue Ribbon Committee hearing the next day, prompting him to express his dismay about the committee hearing being used by some senators to grandstand and further their political interests at the expense of others. He also recalled to have blurted out his sentiments to Senator Cayetano (A) during a caucus, admitted that he was referring to him, and told him how bad he felt. He said that Senator Cayetano (A) approached him to explain that although he felt very bad about the entire issue, he still had a role to play.

He likewise expressed his displeasure at attempts of some senators to coax the witnesses and the

resource persons to give their reply to very leading questions, with one senator even pointedly asking who "Sexy" and "Tanda" were, and whether their offices were located on the 6<sup>th</sup> floor. He stated that ever since he became a senator in 2004, he had always tried to maintain good relationship with all his peers in the Senate, even with those who betrayed his father. Thus, he said he could not hide his disappointment when he, along with Senators Enrile and Revilla, was viciously attacked, especially by their own peers in relation to the PDAF scam.

Senator Cayetano (A) assured that what he did was not a personal attack on Senator Estrada and that he, in fact, felt bad about how things were, only that he had a role to play. He said that he signed the impeachment complaints against former Presidents Estrada and Arroyo, even when he was close to both, because he believed that they erred. He said he could not sacrifice his role in the Senate just because of friendship. He likewise believed that a lot of ill-feelings could have been avoided had Senator Estrada immediately answered the accusations and given his side of the story. He said that Senator Estrada should not expect him to keep silent and not ask questions during the PDAF scam hearings just because they were colleagues. He recalled that when Generals Ligot and Garcia told Senator Estrada in a Blue Ribbon Committee hearing that they would only talk in court, the latter was insistent on having their answer right then and there.

Senator Estrada said that he never asked Senator Cayetano (A) nor anybody for help to defend him because with a clear conscience, he is capable of defending himself in court. He added that he never even bothered to ask President Aquino for help, nor the Vice President, except his lawyer who will defend him in court. He lamented that many senators seem to have found them guilty and ignored that like everyone else, they too are entitled to a presumption of innocence.

Senator Cayetano (A) said that when he signed the impeachment complaints against former Presidents Estrada and Arroyo, he was not concerned about boosting his popularity but only about ferreting out the truth. He added that he has also been deluged with messages on social media by many netizens asking him whether he would talk about the issue since the accused are his fellow senators. He said that as always, his reply was that the senators would be given the chance to answer. He asked why

Senator Estrada – even if he did not ask for his help – was taking his participation in the committee hearings against him, pointing out that he is supposed to treat a senator like everyone else in the hearings. He questioned why his opinions would be taken as an effort to grandstand for the 2016 elections.

As regards trial by publicity, Senator Cayetano (A) said that his understanding of the concept is that it is a trial through media of a case that has not been filed in court. He said that in the case of the PDAF scam, it could be considered a trial by publicity only when no COA report has been submitted or no Blue Ribbon Committee hearing has transpired. He said that as a public figure and a celebrity, Senator Estrada owes it to the public to explain, thus, when the COA report involving billions of pesos came out, he should have answered the issues right away.

But Senator Estrada pointed out that since July 2013, even though a case has not been filed against him in the Sandiganbayan, he has already been condemned even during the Blue Ribbon Committee hearings. He said that in the desire of the people to convict him and his fellow senators, they were cast as the epitome of corrupt public officials without giving them a day in court. In fact, he said, they were even called “plunderers” in some newspaper reports.

Senator Cayetano (A) reiterated that trial by publicity is when one is being accused in media, is being tried in public and not in the court. He asked Senator Estrada if he considered as trial by publicity the times when they rallied together in the streets and appeared on television against former President Arroyo as regards the fertilizer scam, the PhilHealth issue, the 2004 elections and Hello Garci issues. He also recalled Senator Estrada talking almost daily about the sex-for-flight issue — where labor officials are supposed to protect OFWs in Saudi Arabia but instead raped and pimped Filipinas to Saudi nationals — on television and in press conferences, and press releases were handed out to media even if no case has been filed yet against the accused. He further noted the double standard among legislators when they run after other people and hit them in media but when they themselves are under fire, they are quick to declare that they are victims of trial by publicity instead of answering the issues. He denied that the Chamber was subjecting Senator Estrada to trial by publicity and reiterated that he was acting his usual self as he does in any hearing.

Senator Estrada stated that he would stand by his statement that they are being tried by publicity, for which they have already been judged as guilty by the people.

Senator Cayetano (A) stated that in *Estrada vs. Disierto*, the Supreme Court ruled that when the prosecution says that the case is strong, it is not taken as trial by publicity and does not affect presumption of innocence. In the same manner, he said that when pressed for his opinion by media, he gives his truthful personal observation, for instance, that Benhur Luy’s statements have weight and that he was saying all that he knew; that Ruby Tuason could be hiding something; and that there were inconsistencies in Dennis Cunanan’s statements, the very reason why he did not probe him.

Asked whether he was embarrassed to ask any more questions of Dennis Cunanan because he was faulted for his past questionings, Senator Cayetano (A) said that he would never be embarrassed to ask questions because he knows that what he is doing is right and that those who commit wrongdoings should be the ones who should be ashamed of themselves.

Asked if it was proper to capitalize on calling his colleagues “Tanda” and “Sexy,” Senator Cayetano (A) clarified that at the time he requested the witnesses to name the senators involved in the scam, Secretary de Lima advised the witnesses not to give their names, the reason why the witnesses only referred to the accused by their monickers. However, upon prodding by Senator Escudero, he said that he continued his line of questioning, although he surmised that “Tanda” would be Senator Enrile who was the most senior among the Members. He said that he never thought that it was Senator Estrada who was being referred to as “Sexy” since the term usually refers to a woman, except that no woman senator was ever mentioned during the hearings. He said that except from asking on which floor the senators hold office, he never again mentioned the monickers of the senators in subsequent hearings. He disclosed that, in fact, he went up to the office of Senator Enrile after the hearing to apologize.

Senator Estrada surmised that Senator Cayetano (A) could have known who were alluded to even before the hearings because all the newspapers carried the story about a diary where “Pogi,” “Tanda” and “Sexy” were identified as Senators Revilla, Enrile and Estrada, respectively. Senator Cayetano

(A) reiterated that he would not think of Senator Estrada as "Sexy."

On another matter, Senator Estrada expressed objection to the proposal of Senator Cayetano (A) to create a special court to hear and quickly resolve cases such as the PDAF scam and heinous crimes. He pointed out that in the history of the judicial system, the only time that a special division of the Sandiganbayan was created, handpicked at that by the Supreme Court, was when it tried the plunder cases against him and his father, former President Estrada, a trial that lasted six-and-a-half years. He believed that creating a special court for the speedy disposition of PDAF cases involving himself and Senators Enrile and Revilla would take many years. He said that he would not want the case to linger and would like to get right to the bottom of the issue and prove his innocence.

Senator Cayetano (A) asked that he be allowed to explain his proposal, hoping that if Senator Estrada does not believe that it is good, at the very least he would not think that the proposal is all for politics. He said that Senator Estrada was quoted as saying that politics would have a hand in the creation of the special courts to speed up the process, and that Vice President Binay was quoted as saying that he was using the creation of the special court to boost his popularity.

At this point, Senator Estrada appealed to Senator Cayetano (A) to avoid mentioning the Vice President's name since he is not part of the issue.

Senator Cayetano (A), however, explained that much as he would like to refrain from mentioning the Vice President, the latter had made his own allegations, that: 1) the testimony of Ms. Ruby Tuason was a dud; 2) the whole proceeding is a trial by publicity; and 3) the truth will come out for the benefit of his partymates. He said that the Vice President's statements about the "truth" coming out made him think that the latter knew something that the senators did not. He said that if the Vice President believes that Senator Estrada is innocent, he would also like to know so that he could be on the latter's side. However, he said that even if he and Senator Estrada were personal friends, he would not side with him if he was guilty.

Senator Cayetano (A) recalled that in 1996, when his father, former Senator Renato Cayetano,

was Chief Presidential Counsel, the incidence of heinous crimes was at an all-time high, and the Executive and the Judiciary addressed the problem with the issuance by then Chief Justice Andres Narvasa of an administrative order ordering the court to hear heinous crimes within 60 days, and to render its decision 30 days thereafter. He said that in that order, no cases could be added to the special court if they would affect the timeframe for decision. From 1996 to 2004, he said that cases were decided within six months to one year, with six cases being tried per year. Likewise, he recalled that the Supreme Court created special courts to hear heinous crimes, extra-judicial killings and environmental cases, citing the Ampatuan massacre case for which the Supreme Court ordered the creation of a special court in 2011 to hear it.

As regards his proposal for the reestablishment of two kinds of special courts, Senator Cayetano (A) explained that the first would be a special court for heinous crimes over which the RTC would have jurisdiction, and that no public funds or legislation is needed because the Supreme Court could just create it. The second court, he said, would be within the Sandiganbayan where two divisions would be created: 1) if the case is plunder or graft and corruption involving P50 million and above, with trials to be held two to three times a week, and Fridays as the motion day and for other cases; and 2) if the case is similar to the trial of former President Estrada where three justices would be assigned after a raffle to speed up the case. He explained that his proposal came from a study conducted by the World Bank which former Ombudsman Simeon Marcelo brought up with Senate President Drilon who, in turn, filed a bill amending the Sandiganbayan law. He stated that the study showed that it would take 9.5 years, on the average, for an ordinary case to be resolved and that an innocent person who is accused of plunder, which is a non-bailable offense, could spend 20 years in jail waiting for acquittal. He believed that if it were not for the special division, the case of former President Estrada would have taken 10 to 15 years. He said that his proposal is meant to remedy the slow wheels of justice not only for PDAF but also for other cases such as plunder, graft and corruption involving P50 million and above, and heinous crimes. He noted that to make their story provocative and attention-grabbing, some journalists tend to limit his proposal to the creation of a special court solely to try PDAF cases, but that when reading the whole article, readers would realize that what is proposed is a

special court for a number of cases other than PDAF.

Senator Cayetano (A) reiterated that no politics is involved in his proposal, the reason why he was baffled to hear Senator Estrada alleging in his speech that a colleague was using the PDAF hearings to advance his political agenda and to project a good image for 2016. He clarified that he does not intend to run in 2016 on a platform and program that would include the case. Underscoring the need for special courts as a solution to the problem, he expressed hope that the Supreme Court would also agree to their creation.

Senator Estrada said that while he respects the opinion of Senator Cayetano (A), he would stand by his belief that the creation of a special court to hear the PDAF cases would take six to ten years to resolve, following the precedent case of former President Estrada. He maintained that the proposed special courts cannot help speed up the disposition of the cases. He also expressed relief that Senator Cayetano (A) had categorically admitted that he would run for the presidency, thereby bolstering his belief that reelectionist senators who wish to seek higher office are using the Senate to forward their personal interests.

Senator Cayetano (A) clarified that he has not declared his intention to run for president in 2016 but that he was simply stating the fact that each senator, barangay captain, vice president, or congressman might want to become president someday. He added that it is Divine Providence and the Filipino mandate that would determine who the president would be. He assured the Body that he is the same *Alan* that people saw in 2001, 2004 and even in 1992 when he was a municipal councilor.

With regard to the Sandiganbayan's caseload, Senator Cayetano (A) stated that it has 3,000 cases distributed in five divisions, or an average of 600 cases per division. He pointed out that even if the courts do not go on a break during weekends and holidays, it would take two cases per day to hear all 600 cases in one year. Without any proposal to improve the Sandiganbayan through legislation or administrative order, he said that the speedy disposition of cases will not happen. He reiterated that were it not for the special division, the case of former President Estrada would not have finished in six-and-a-half years, and might go as long as 15

to 20 years, excluding the time it would spend on appeal before the Supreme Court.

He stated that the floor is open to all those who would like to answer the issues against them because the public deserves answers. He said that speeches such as those of Senator Estrada are more than welcome for everyone to hear. However, he expressed objection to the branding of his colleagues as media-hungry, saying that the sweeping statement is not only unfair to the senators but also to the institution itself. He believed that if Senators Estrada, Enrile and Revilla would directly answer the issue instead of diverting it, the people would believe them if they are innocent.

He also assured Senator Estrada of their friendship on a personal level, only that he has to do his job in public service. He stated that if there is any wrongdoing hurled against his siblings or any of his relatives, he would not take it against anyone if he is confronted with the issue. However, he said that if he has defended himself and has given reasonable facts, yet his accuser still considers him untruthful, then he would take offense on anyone who does not believe in him.

Replying thereto, Senator Estrada said that time and again he has declared that he would answer all accusations against him at the proper place and time. He reiterated that the courts and not the Blue Ribbon Committee hearing is the proper venue. To the query of Senator Cayetano (A) as to where his PDAF went, he said that he has already filed his counter-affidavit with the Office of the Ombudsman and anybody can check on it because it is a public document.

#### MANIFESTATION OF SENATOR ENRILE

Senator Enrile stated that before the opening of the session that day, he received a letter from Senator Guingona asking him if he would have any document or material that he would want to insert into the records of the Blue Ribbon Committee, and in response, he instructed his staff to submit to the Committee a copy of his counter-affidavit that was filed with the Office of the Ombudsman containing all that he should have said on the floor had he attended the hearings. Moreover, he said that he has not made any statements because as a lawyer who has been in trial litigation all his life, he has his own strategy in defending himself on a matter involving his freedom. He said that anyone interested in finding

out his views about the whole case is welcome to read his counter-affidavit.

#### **DEFERMENT OF REFERRAL OF SPEECH**

Upon motion of Senator Cayetano (A), there being no objection, the Chair deferred the referral of the speech of Senator Estrada and the interpellation thereon to the appropriate committee.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Cayetano (A), the session was suspended.

*It was 5:51 p.m.*

#### **RESUMPTION OF SESSION**

At 5:53 p.m., the session was resumed.

#### **CHANGE OF REFERRAL**

Upon motion of Senator Cayetano (A), there being no objection, the Chair referred Senate Bill No. 2108 (granting Philippine citizenship to Andray Blatche), which was originally referred to the Committee on Rules, to the Committee on Justice and Human Rights.

#### **MANIFESTATION OF SENATOR CAYETANO (A)**

Senator Cayetano (A) manifested that the consideration of Senate Bill No. 27 (Picture-based

Health Warnings) would be deferred in order to give the Members time to prepare for their interpellations and proposed amendments.

#### **BIRTHDAY GREETINGS**

At the instance of Senator Cayetano (A), greetings were sent to Senator Honasan, who is celebrating his birthday on March 14, and to Senator Cayetano (P) whose birthday falls on March 22.

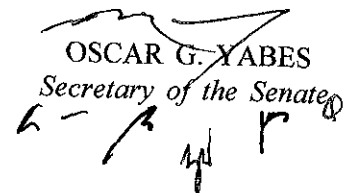
#### **ADJOURNMENT OF SESSION**

Upon motion of Senator Cayetano (A), there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, May 5, 2014.

*It was 5:55 p.m.*

I hereby certify to the correctness of the foregoing.

OSCAR G. YABES  
Secretary of the Senate



Approved on May 5, 2014