

House won't bypass Senate on Charter change

by JESS DIAZ
Philstar.com

THE House of Representatives will not bypass the Senate on Charter change, Speaker Prospero Nograles said last night as the Cha-cha debates got underway.

"It is clear from the answers of Majority Leader Arthur Defensor to queries from several of our colleagues that the House is not bypassing the Senate. Resolution 737 will be sent to the Senate after we have approved it," he told reporters.

The Nograles-sponsored resolution seeks to amend Sections 2 and 3 of Article 12 of the Constitution to allow 100-percent foreign participation in the exploitation of natural resources and foreign ownership of land.

The Speaker also reiterated that he, as author of the proposed economic changes, would not accept any proposal from any colleague that is not related to his resolution.

"Any proposed amendment will have to be related to the economic changes that I am advocating. It is unconstitutional and illegal to inject another subject matter in my resolution," he said, adding that the Constitution requires that a resolution or a bill should have only one subject matter.

He stressed that it would be

illegal for anyone to piggyback a term extension or a shift to the parliamentary system on his resolution.

Nograles was interviewed shortly after Defensor answered queries from several House members on what Cha-cha route Resolution 737 would take.

Among those who raised queries were Teodoro Locsin Jr. of Makati, Rodolfo Plaza of Agusan del Sur, Roilo Golez of Parañaque, Teodoro Casiño of Bayan Muna, and Risa Hontiveros-Baraquel of Akbayan.

Defensor responded that under Rule 140 of the Rules of the House, proposals to amend the Constitution would go through the same route or process as ordinary bills and resolutions.

Asked whether the House would refer the resolution to the Commission on Elections for submission to the people in a plebiscite if it were approved by a vote of 197, Defensor said, "No, we will send it to the Senate and not the Comelec regardless of the vote."

Deputy Speaker Amelita Villarosa, who presided over the session, adopted Defensor's statements, making them the collective sense of the House.

In his talk with reporters, Nograles said his Resolution 737 became controversial only when it was labeled as a "decoy" for extending the term of President

Arroyo and the tenure of other elective officials.

The Speaker was apparently referring to his predecessor, Pangasinan Rep. Jose de Venecia Jr., who said that the Nograles measure is a smokescreen for Cha-cha via the constituent assembly (con-ass) resolution of Camarines Sur Rep. Luis Villafuerte.

Villafuerte, who is president of Mrs. Arroyo's Kabalikang Malayang Pilipino (Kampi) party, has left the job of filing the con-ass resolution to Nograles, who said he has not received the go-signal to file it from the Kampi boss.

Nograles has said the con-ass resolution has been signed by 175 House members, 22 short of Villafuerte's target of 197 signatures to bypass the Senate on Cha-cha.

That figure represents three-fourths of the combined membership of the Senate and the House.

Villafuerte argues that 197 congressmen can approve any Cha-cha proposal because the Constitution requires only that any proposed amendment must be approved by a "three-fourths vote of all members of Congress."

Nueva Vizcaya Rep. Carlos Padilla said Villafuerte's argument "ignores the fact that our Congress is a bicameral body composed of the Senate and the House."

He said he has gone over the record of proceedings of the 1986 Constitutional Commission that wrote the Constitution and found out that wherever the Charter is silent on how the two chambers should meet and vote, it should be understood that they should meet and vote separately.

Isabela Rep. Rodolfo Albano III, for his part, said the extensive debates on charter amendments at the House would "effectively negate the disinformation" that this is headed towards the cancellation of the May 2010 presidential elections.

He also belied insinuations that the May 2010 presidential elections will be scrapped, which is why lawmakers are pushing Cha-cha. "No-el is not and has never been in the agenda. The President will abide by the Constitution which provides that her term ends in 2010."

Albano said the "no elections" scenario forcibly being painted in the public by administration and Cha-cha critics is "unbelievable because government agencies are now busy preparing for the May 2010 polls."

Camiguin Rep. Pedro Romualdo said the House has no hidden agenda in pushing for Cha-cha, adding that the Nograles bill is explicit on the economic provisions to lure more investments and "enliven our economy." ■

'Next president to have bigger economic burden'

WHOEVER becomes the next president of the country will face a bigger economic burden.

Former budget secretary Benjamin Diokno last April 21 warned that the next president will be inheriting from the Arroyo administration a weaker economy and higher unemployment.

"The present administration has no long-term solution to the unemployment problem so we can expect more muddling through. The next administration will end up inheriting a severely weaker economy, higher joblessness and higher level of public debt," Diokno said.

Speaking before a forum on job creation and security amid crisis, Diokno said the Arroyo administration's P330-billion fiscal stimulus program is only a short-term solution.

"The stimulus program appears too small, too late and it's not transparent," Diokno pointed out.

Meantime, media groups affiliated with the Catholic Church have started interviewing possible presidential candidates to find out their position on moral issues.

Every Tuesday, the Catholic Media Network-Catholic Bishops' Conference of the Philippines Media Office (CMN-CBCPMO) invites personalities rumored to be running for president next year. (Philstar.com)

Arrest of Jun Lozada set

by SANDY ARANETA
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Rodolfo 'Jun' Lozada

A MANILA judge is set to order the arrest of Rodolfo "Jun" Lozada Jr., who blew the whistle on the \$329-million national broadband network (NBN) scam with ZTE Corp. of China.

Judge Cicero D. Jurado Jr. of Manila Regional Trial Court Branch 11 found probable cause to charge Lozada with perjury upon appeal of Philippine National Railways chairman Michael Defensor.

Jurado reversed the decision of Manila Metropolitan Trial Court Branch 26 dismissing the case of perjury that Defensor filed against Lozada on July 5, 2008.

"Perjury is a willful and corrupt assertion of a falsehood under oath or affirmation administered by authority of law on a material matter," read Jurado's decision.

Defensor charged Lozada with perjury after Lozada testified under oath before the Court of Appeals during his habeas corpus hearing that Defensor convinced him to lie and say that he was not kidnapped, and that he did not know anything about the NBN-ZTE deal.

"It is therefore a statement that was intended to persuade the Court of Appeals that an attempt was made for him to say that there was no kidnapping, when in fact there was," read Jurado's decision.

Lozada to face arrest

The Association of Major Religious Superiors of the Philippines (AMRSP) said Lozada would not resist if arrested.

In a statement, Sr. Mary John Mananzan, AMRSP co-chair, said Lozada does not intend to post bail for his temporary liberty once arrested.

"Jun Lozada will simply wait for his arrest warrant to be served," she said. "He will wait for the law enforcers to conduct him to jail. This is his form of protest against all the moves of this administration aimed at him (and his family) to make him stop telling the truth."

Mananzan said it is "grossly unjust" for the court to order Lozada's arrest since charges of perjury would imply that Lozada had lied under oath.

"We instinctively perceived the truthfulness or the evasiveness of the witnesses," she said.

"With the majority of the people we believe in the truthfulness of Jun Lozada's statements and we made the decision to stand by his commitment not simply to tell the truth but also to continue to defend and fight for truth even in the midst of the situation of injustice and corruption by this administration and this system of government."

Mananzan said the arrest order is meant to pressure Lozada to stop criticizing the administration.

"This arrest order is a warning to other people, both inside and outside of the government, who have knowledge of important information related to the practice of corruption of people in power to shut up or else!" she said.

Mananzan called on the people to stand up and unite in support of Lozada in the face of the administration's "harassment." ■

Villar decries Senate 'kangaroo court'

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preliminary hearings on Villar's case.

Estrada admitted on the floor that he was the one who showed Cayetano the copy of the order but maintained he did it without malice and bad intention. He said nobody knew of the order until "an angel" leaked it and that it was unfortunate that he "takes pleasure at using every opportunity to twist the issue into a dirty political game."

Lacson was referring to how Cayetano and Pimentel were defending Villar before he spoke on the floor.

But Cayetano and Pimentel said the issue was no longer the order itself but Lacson's credibility and that of the other members of the ethics committee to conduct the investigation under these circumstances.

Senate President Juan Ponce Enrile joined the debates and said during the time of former president and senator Ferdinand Marcos, the late strongman answered all the charges against him point by point on the Senate floor.

Enrile also asked Pimentel if he wanted the chamber to decide on the issue, which would mean putting it into a vote. In this case, the majority would have the say on whether Lacson could stay in the ethics committee.

But Pimentel refused to answer and said Enrile should not join the debates without going down from his seat.

Both Cayetano and Pimentel said Lacson could not serve as "accuser, judge and executioner" of Villar. Cayetano noted that Lacson had mentioned before that out of propriety, he would not take part in the investigation of Villar.

But Lacson said he was not the one who accused Villar directly and that it was Madrigal who filed a complaint. He also said he was chosen by the majority to be the ethics committee chairman.

Madrigal also stood up to say corruption was the issue and that the senators must not be swayed by Villar's emotional outburst and denials or his apparent moves to gain sympathy.

After almost three hours of showdown, the senators decided to adjourn and delay the caucus for to decide on the issue. ■

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