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COMMITTEE MEETING ON HOUSE MEASURES

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Legislative Franchises jt. w/ Good Government and Public Accountability	HB 6694 & 6901	Reps. Rodriguez and Salo	Granting ABS-CBN Corporation (formerly ABS-CBN Broadcasting Corporation) a franchise to construct, install, operate and maintain radio and television broadcasting stations in the Philippines	The Joint Committee, co-chaired by Rep. Franz "Chicoy" Alvarez (1 st District, Palawan), Chair of the Committee on Legislative Franchises, and Rep. "Kuya" Jose Antonio Sy-Alvarado (1 st District, Bulacan), Chair of the Committee on Good Government and Public Accountability, will deliberate further on the 18 measures in its next meeting.
	HBs 676, 3521, 3713, 3947, 4305, 5608, 5705, 5753, 6052, 6138 & 6293	Rep. Violago, Deputy Speaker Arenas, Reps. Tambunting, Aragones, Deputy Speakers Santos-Recto and Gonzales (A.), Reps. Rodriguez, Ramirez-Sato, Zarate, Go (M.), and Deputy Speaker Legarda	Renewing for another 25 years the franchise granted to ABS-CBN Corporation under RA 7966	In today's meeting, the joint body continued its discussion of issues concerning the citizenship of ABS-CBN Chairman Emeritus Eugenio "Gabby" Lopez III in relation to the company's compliance with the constitutional provision limiting the ownership of mass media in the country to Filipinos. It also opened interpellations on another possible violation of the same constitutional provision in relation to ABS-CBN's issuance of Philippine Depositary Receipts (PDRs) to foreign investors.
	HR 639	Rep. Lagman	Urging the Committee on Legislative Franchises to report out without further delay for plenary action a consolidated version of eight pending bills proposing for the renewal for another 25 years of the legislative franchise of ABS-CBN Corporation	Rep. Claudine Diana Bautista (Party-List, DUMPER PTDA), Senior Deputy Majority Leader Jesus Crispin Remulla (7 th District, Cavite), Deputy Speaker Rodante Marcoleta (Party-List, SAGIP), and Rep. Elpidio Barzaga Jr. (4 th District, Cavite) maintained that only a 100% Filipino and not one possessing a dual citizenship should own and manage mass media in the country. They took turns questioning Lopez on his use of a US passport in most of his trips to other countries, his participation in the US elections in 2016, and on why it took a very long period of time before he decided to request for a certificate of recognition of his Philippine citizenship, all these raising a cloud of doubt to his loyalty and allegiance to the Philippines. They also asked about Lopez' payment of taxes both in the Philippines and in the US.
	HR 839	Rep. Fortun	Condemning the issuance by the National Telecommunications Commission (NTC) of a cease and desist order against ABS-CBN in wanton disregard of its commitment to both Houses of Congress to grant the broadcasting network a provisional authority to operate pending renewal of its franchise	Rep. Remulla emphasized that under international laws, when Lopez uses his US passport, he is seeking protection from the US government and it is a "declaration to the whole world" that he is a US citizen.
	HR 846	Rep. Defensor (M.)	Calling on the appropriate House committees to investigate and file criminal cases as warranted against the Commissioners and officers of the NTC and the Solicitor General and such other officials and individuals for perjury and for	Deputy Speaker Marcoleta argued that the principle of <i>jus sanguinis</i> is a "legal fiction" and so one's citizenship must be supported by duly authenticated documents. He strongly believes that dual citizens should not own mass media companies because this may result in conflict of interest, explaining that mass media is regarded as the "fourth estate" which has the power to influence policies and instill values to its viewers.

In his manifestation, Rep. Barzaga cited the deliberations by the members of the Constitutional Commission which drafted the 1987 Philippine Constitution with regard to the 100% Filipino ownership of mass media and the concept of "dual allegiance." He said the issue on national security was cited as a reason for the required 100% Filipino ownership. On dual allegiance, he said, the contention was that in order to solve the issue of malice or insidious threat to the country's sovereignty and security, the person in

Continuation... Legislative Franchises jt. w/ Good Government and Public Accountability			violation of the Code of Conduct and Ethical Standards for Public Officials and Employees and the Anti-Graft and Corrupt Practices Act and other applicable laws	such a situation should elect to become a Filipino and render allegiance to only one country.
	HR 853	Deputy Speaker Duterte	Inquiry into the probable violations of ABS-CBN Corporation of its legislative franchise under RA 7966	The 68-year-old Lopez is both a natural-born Filipino citizen, having been born to Filipino parents; and also an American citizen, having been born in the US.
	HR 863	Rep. Sarmiento	Urging the House of Representatives, through the Committee on Legislative Franchises, to admonish the NTC on its failure to comply with its commitment under oath and to conduct an inquiry, in aid of legislation, on the same and on possible measures to be taken on the matter	Lopez explained that he used his US passport in his travels to countries where visa is not required for US passport holders. He added that as a dual citizen, he can seek protection from both countries regardless of the passport he uses. He also confirmed that he voted only once in the US, during the 2016 US presidential elections, while he voted in all elections in the Philippines since he came back to the country in 1986. He claimed that he could not recall having given his oath of allegiance to the US. Pressed for answer, Lopez underscored that he is 100% Filipino and declared his full allegiance to the Philippines.
			Show cause order issued by the Committee on Legislative Franchises to the NTC to explain why it should not be held in contempt	<p>ABS-CBN legal counsel Mario "Ayo" Bautista said that Lopez' exercise of his rights as a dual citizen does not constitute a renunciation of his Philippine citizenship. The reason for requesting a certificate of recognition for Philippine citizenship is that it can be used for legal purposes including obtaining a Philippine passport, he added.</p> <p>On the payment of taxes, Lopez said that he is being taxed for the income earned in the Philippines, while under US tax laws, he is being taxed for his income worldwide. Unconvinced, Rep. Barzaga said that Lopez' lawyer should be able to explain his compliance with Philippine tax laws.</p> <p>Rep. Alfredo Garbin Jr. (Party-List, AKO BICOL) asked if the rights and benefits accorded to Filipinos who reacquired Philippine citizenship based on RA 9225 (The Citizenship Retention and Re-acquisition Act of 2003) are the same as those accorded to natural-born Filipinos who are dual citizens.</p> <p>Department of Justice (DOJ) Assistant Secretary Nicholas Felix Ty answered in the affirmative, saying that there is no distinction between dual citizens who are natural-born Filipinos and dual citizens who reacquired their Philippine citizenship as they both enjoy the rights to vote and own land and businesses, including mass media. This is the DOJ's interpretation of the law absent any clear law or Supreme Court ruling on this, Ty added.</p> <p>Asked by Rep. Garbin whether those who reacquired their Filipino citizenship were asked to renounce their other citizenship, Ty said there is no existing law requiring that.</p> <p>Both Rep. Ron Salo (Party-List, KABAYAN), author of HB 6901, and Minority Leader Bienvenido Abante Jr. (6th District, Manila) asked Lopez if he is willing to renounce his US citizenship in light of the issues that currently beset him and the ABS-CBN. Lopez replied in the affirmative.</p> <p>Rep. Rufus Rodriguez (2nd District, Cagayan de Oro City), author of HBs 5705 and 6694, stressed that Lopez is qualified to own and manage the ABS-CBN Corporation being a Filipino as evidenced by the certificate of recognition of his Philippine citizenship which was affirmed by the DOJ.</p> <p>Replying to the question of Rep. Rodriguez, DOJ Assistant Secretary Ty and Bureau of Immigration (BI) Deputy</p>

<p>Continuation... Legislative Franchises jt. w/ Good Government and Public Accountability</p>				<p>Commissioner Aldwin Allegre confirmed that Lopez submitted all the documents needed in connection with his application for the certificate of recognition.</p> <p>On the query of Rep. Carlos Isagani Zarate (Party-List, BAYAN MUNA), author of HB 6052, Securities and Exchange Commission (SEC) Commissioner Ephyro Luis Amatong replied that a dual citizen is 100% Filipino and the SEC does not look at the other citizenship on the matter of ownership of land and businesses, including mass media. Amatong added that the SEC's opinion is aligned with the DOJ's, but also said that there is a pending question at the Supreme Court on ownership of mass media filed by the Solicitor General.</p> <p>Committee Vice Chair Rep. Michael Defensor (Party-List, ANAKALUSUGAN), author of HR 846, opined that if Congress includes a provision in the franchise of the ABS-CBN Corporation that dual citizens are not allowed to become shareholders of the media company, it becomes part of the laws of the country.</p> <p>Rep. Lagman gave a summation of the issues on citizenship: 1) Under the 1935, 1973 and 1987 Constitution, the concept of dual citizenship was already in existence, and they do not distinguish between a Filipino of single citizenship and a Filipino of dual citizenship in ownership and management of mass media. 2) The following do not constitute grounds for losing citizenship or have no bearing on Lopez' being a natural-born Filipino: exercise of his rights as a dual citizen such as participation in elections, the length of time before he obtained the certificate of recognition of his Filipino citizenship, and payment of taxes and acquisition of property anywhere else. 3) The process of recognition as a Filipino citizen is not the same as naturalization. 4) What is proscribed under the Constitution is dual allegiance. 5) The principle of <i>jus sanguinis</i> is not a legal fiction because parentage by blood is real and cannot be fictionalized.</p> <p>During the deliberation on the legality and constitutionality of PDRs, ABS-CBN was asked to submit a copy of actual PDRs issued to foreign investors to clarify the issues raised by Reps. Bautista, Remulla, and Defensor, including the question of whether these are the same as those issued by Rappler, the news media organization shut down by the SEC for allegedly receiving foreign investments through PDRs.</p> <p>ABS-CBN Corporate Secretary Enrique Quiason held that ABS-CBN Holdings does not allow the PDR holders to change or modify the document which thus prevents them from having any control over the company.</p> <p>Deputy Speaker Danilo Ramon Fernandez (1st District, Laguna), also asked ABS-CBN to submit an authenticated copy of the Pledge Agreement in relation to its PDRs.</p> <p>The discussion of issues pertaining to the PDRs will continue in the next meeting of the Joint Committee on June 11.</p>
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