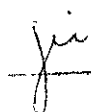


13 AUG 27 2012

RECEIVED BY: 

SENATE

P. S. R. NO. 204

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

RESOLUTION

URGING HIS EXCELLENCY, PRESIDENT BENIGNO SIMEON C. AQUINO III, TO CREATE AN INDEPENDENT COMMISSION TO INVESTIGATE THE MISUSE OF THE PRIORITY DEVELOPMENT ASSISTANCE FUND (PDAF) BASED ON THE FINDINGS OF THE COMMISSION ON AUDIT WITH THE END VIEW OF PROVIDING RECOMMENDATIONS FOR THE APPROPRIATE USE OF PUBLIC FUNDS PURSUANT TO POLICY OF TRANSPARENCY AND ACCOUNTABILITY

WHEREAS, it is the policy of the Government that it shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption as enshrined in Section 27, Article II, of the 1987 Philippine Constitution;

WHEREAS, Article XI, Section 1 of the 1987 Constitution of the Philippines provides that a public office is a public trust and mandates that public officers and employees, who are servants of the people, must at all times be accountable to the latter, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice, and lead modest lives;

WHEREAS, the Priority Development Assistance Fund (PDAF) or commonly known as the pork barrel fund, is a lump sum appropriation in the General Appropriations Act to fund the priority development programs and projects of the government;¹

WHEREAS, the Commission on Audit (COA) issued a Special Audit Report with regard to the use of the PDAF and revealed that huge amount of disbursements were not compliant to the provisions of Republic Act No. 9184 and other existing rules and regulations with questionable supporting documents and/or not documented;²

¹ pdaf.dbm.gov.ph

² Page 120, Special Audits Office, Report No. 2012-03

WHEREAS, Five (5) Senators and Twenty Three (23) members of the House of Representatives allegedly made available their PDAF to non-existent and/or dummy non-government organizations (NGO) for purported ghost projects;

WHEREAS, the battle cry of the Filipino citizens is to call for the determination of the truth regarding the alleged misuse of the PDAF and the large scale graft and corruption in the government;

WHEREAS, there is a need for an independent body dedicated solely to investigate and find out the truth concerning the misuse of the PDAF funds during the time of former President Gloria Macapagal-Arroyo covering the year of 2001-2010 and furthermore, for the period covering the year 2010- 2013;

WHEREAS, the Independent Commission shall be autonomous and separate from the other government investigating body such as the Senate Blue Ribbon Committee, Department of Justice and the National Bureau of Investigation;

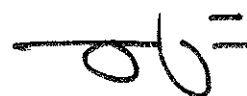
WHEREAS, to ensure the integrity and autonomy of the Commission, it shall be composed of persons with unquestionable integrity and probity from the judiciary, business sector, religious sector, academe, civil society, mass media and Commission on Audit;

WHEREAS, after a thorough investigation of the Independent Commission and should there be a finding of probable cause against a legislator, cabinet secretary, government employees and/or a private person, the Commission shall recommend to the Ombudsman and other authorized agency of the government, the filing of appropriate charges against the involved individuals and juridical persons;

WHEREAS, in addition to the above-mentioned purpose, the Commission shall likewise submit recommendations to the Office of the President for the appropriate use of public funds to promote transparency and accountability in the government service;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED by the Senate, to urge the President of the Philippines to create an independent commission for the purpose of a fact-finding investigation involving the misuse of the PDAF and which shall recommend, in the interest of justice, the prosecution of the offenders and further provide recommendations as to the appropriate use of public funds in line with advocacy of the Government of transparency and accountability in the disbursement of public funds.

ADOPTED,



JOSEPH VICTOR G. EJERCITO