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VED BY: Osmeña

S E N A T E

S. No. 418

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The original purposes of the Countrywide Development Fund was to enable elected officials to represent their respective constituents in the allocation of national resources among vital community projects such as waterwells, classrooms, health care centers to be established.

Rightly or wrongly, however, the public perception has been that the CDFs captive to abuses by elected officials, and extremely wasteful, in view of more productive applications that national funds could have been put into. Among others, the perception was that the pork barrel was used to finance the reelection bids of senators and congressmen.

This bill proposes to amend R. A. No. 8150, "An Act Providing for a Four-Year Public Works and Highways Infrastructure Program" to eliminate all congressional pork without any "ifs" or "buts". It will put an end to the participation of members of Congress in choosing, identifying, realigning and/or approving individual infrastructure projects. Then project implementation will become a purely executive function, as it was meant to be, with funds allocated to executive departments and local governments instead of among legislators.

However, the inherent function of congressional oversight remains to ensure that all laws including appropriations are being implemented in accordance with the spirit and the letter of the law.

In view of the foregoing, early passage of this bill is earnestly urged.



SERGIO OSMEÑA III
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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SENATE
OFFICE OF THE SECRETARY

704 JUN 30 P5:20

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SENATE

S. No. 418

Introduced by Senator S. R. Osmeña III

AN ACT
AMENDING REPUBLIC ACT NO. 8150 ENTITLED "AN ACT PROVIDING
FOR A FOUR-YEAR PUBLIC WORKS AND HIGHWAYS INFRASTRUCTURE
PROGRAM

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. Section 5 of R.A. 8150 is hereby amended to read as
2 follows:

3 "SEC. 5. **Participation of Local Government Units** - The
4 Department of Public Works and Highways (DPWH) [shall upon the
5 request of the member(s) of Congress concerned] MAY authorize
6 provinces, cities, municipalities or barangays to implement projects under
7 the categories of local roads and other public works in this Act: *Provided,*
8 that these local government units have the capability to implement such
9 projects."

10 SECTION 2. Section 6 of R.A. 8150 is hereby amended to read as
11 follows:

12 "SEC. 6. **Programming of Projects** - Annually within the approved
13 expenditure ceiling, the projects herein provided shall be programmed by
14 the Department of Public Works and Highways in consultation [and
15 coordination] with the respective oversight committees of the Senate and

1 the House of Representatives always taking into consideration the policies
2 and priorities in Sections 2 and 3 of this Act: *Provided*, That during the
3 annual programming of projects under the categories of local roads and
4 other public works, [a member of Congress may submit a substitute priority
5 project listing for his district if a member of the House of Representatives or,
6 in any congressional district if a member of the Senate,] THE DPWH MAY
7 PROGRAM A SUBSTITUTE PRIORITY PROJECT LISTING whenever any
8 particular project originally submitted [by him/her] is already being
9 implemented through other sources or a more urgent project is identified:
10 [*Provided, further*, That in the case of a project originally submitted by an
11 incumbent senator, no substitution or realignment thereof may be done
12 without the written conformity of said incumbent senator, notwithstanding
13 the provision of Section 63 of Republic Act No. 7663, otherwise known as
14 the General Appropriations Act of 1994:] *Provided, finally*, That the
15 substitute project listing falls under the same category as the original project
16 and has the same probably socioeconomic impact on the community as
17 originally intended.”

18 SECTION 3. **Repealing Clause** - All laws, decrees, orders, rules and
19 regulations or parts thereof inconsistent with this Act are hereby repealed or
20 amended accordingly.

21 SECTION 4. **Effectivity Clause** - This Act shall take effect fifteen (15) days
22 following its complete publication in at least two (2) national newspapers of
23 general circulation.

24 Approved,