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SENATE
P. S. R. No. 1598

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Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,
ON THE COMMISSION ON AUDIT REPORT THAT THE NATIONAL HOUSING
AUTHORITY CONTINUED TO USE ₱665.118 MILLION UNDER THE DISBURSEMENT
ACCELERATION PROGRAM DESPITE A SUPREME COURT RULING DECLARING
ACTS RELATED TO THE USE OF THE FUNDS UNCONSTITUTIONAL

1 WHEREAS, the Constitution, Article 6, Section 29 (1) provides: “No money shall be
2 paid out of the Treasury except in pursuance of an appropriation made by law”;

3 WHEREAS, the *Philippine Star* on 10 September 2015 reported that the National
4 Housing Authority (NHA) used ₱665.118 million in Disbursement Acceleration Program (DAP)
5 funds last year despite a Supreme Court ruling that declared acts related to the use of the funds
6 unconstitutional;

7 WHEREAS, the media cited a recent Commission on Audit (COA) report which claimed
8 that the use of DAP funds after the Supreme Court ruling was illegal and urged NHA to return
9 the amount to the Bureau of Treasury;

10 WHEREAS, the NHA allegedly received several Special Allotment Release Orders and
11 Notices of Cash Allocation from DAP funds amounting to ₱11.050 billion and received cash
12 amounting to ₱7.715 billion;

13 WHEREAS, of the amount the NHA received, ₱764.973 million had reportedly not yet
14 been utilized when the Supreme Court issued its ruling on the DAP on 1 July 2014;

15 WHEREAS, the Supreme Court ruling on DAP notwithstanding, the NHA purportedly
16 used ₱665.118 million for projects that include housing programs for informal settlers in Metro
17 Manila and Bureau of Fire Protection and Bureau of Jail Management and Penology personnel;
18 the North Triangle Relocation Project; and the Iloilo Resettlement Project;

19 WHEREAS, the NHA reportedly defended its action by citing a letter from the
20 Department of Budget and Management which allegedly stated that absent an injunction issued

1 in the release of funds under the DAP, projects for which DAP funds have been obligated may
2 still be implemented;


3 WHEREAS, state auditors allegedly rejected such argument, saying that the NHA should
4 have discontinued the utilization of DAP funds, remitted all unutilized DAP funds and requested
5 for supplemental budget from the DBM to fund the continuance of DAP projects;

6 WHEREAS, the COA claimed that a total of ₱764.973 million in DAP funds should have
7 been returned to the Bureau of Treasury instead of being disbursed to fund these NHA projects;

8 WHEREAS, Congress, through relevant legislation, must ensure that any program
9 declared illegal by the Supreme Court must immediately be stopped and funds for such program
10 promptly be returned to the national treasury;

11 WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct
12 the proper Senate committee to conduct an inquiry, in aid of legislation, on the Commission on
13 Audit report that the National Housing Authority continued to use ₱665.118 million under the
14 Disbursement Acceleration Funds despite a Supreme Court declaring acts related to the use of
15 the funds unconstitutional.

Adopted,


MIRIAM DEFENSOR SANTIAÑO
RP

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