


13<sup>th</sup> Congress of the Republic )  
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Second Regular Session )

5 SEP 21 P6:06

SENATE  
S. Res. No. **342**

RECEIVED BY: 

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**Introduced by Senator Aquilino Q. Pimentel, Jr.**

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RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DELINEATION OF POWERS AND FUNCTIONS OF THE NATIONAL SECURITY ADVISER, AS DEFINED IN CHAPTER 2, TITLE VIII OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

Whereas, Section 3, Chapter 2, Title VIII of Executive Order No. 292, otherwise known as the Administrative Code of 1987, mandates that "the National Security Council shall serve as the lead agency of the government for coordinating the formulation of policies, relating to or with implications on the national security;"

Whereas, Section 8, Chapter 2, Title VII of Executive Order No. 292 further states that, "among other duties, the National Security Director (Adviser) shall advise the President on matters pertaining to national security and, whenever directed by the President, see to the implementation of decisions and policies by the President or the National Security Council which have implications on national security;"

Whereas, on 25 July 2005, National Security Adviser Norberto Gonzales, Jr. entered into a contract with Venable LPP, an American lobby firm, on behalf of the Philippine Government to lobby for U.S. funding for Philippine government projects, including Charter Change;

Whereas, by virtue of the powers vested in him by the Administrative Code of 1987, Gonzales, as National Security Adviser, clearly exceeded his authority in entering into the contract with Venable LPP, since this act was not within the purview of his official functions;

Whereas, despite the rescission of the said contract impressed with public interest, there must be a disclosure of the nature of the contract and the proposed source of funding thereof;

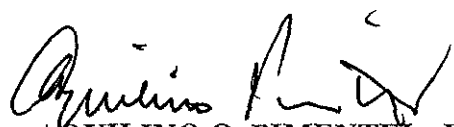
Whereas, there are also reports that former Philippine National Police Deputy Director General Ricardo de Leon was appointed by President Gloria Macapagal-Arroyo as president of the Mindanao State University (MSU) upon the recommendation of Gonzales;

Whereas, Gonzales had no business making recommendations for the appointment of the President of the Mindanao State University as there was a Search Committee created for this specific purpose and this matter was not in any way related to national security;

Whereas, there is an imperative need to clarify the extent of responsibilities of National Security Adviser Gonzales to prevent him from encroaching on government matters that are outside the powers vested upon him by law;

Now, therefore, be it resolved, as it is hereby resolved to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the delineation of powers and functions of the National Security Adviser, as defined in Chapter 2, Title VIII of Executive Order No. 292, otherwise known as the Administrative Code of 1987.

Adopted,

  
AQUILINO Q. PIMENTEL, JR.