

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

'13 FEB -6 P6:58

763
SENATE

RECEIVED BY: an

Submitted jointly by the Committees on Agriculture and Food, Ways and Means, Trade and Commerce, and Accountability of Public Officers and Investigations on
FEB 06 2013

Re: Privilege Speech of Senate President Juan Ponce Enrile on the Rice Smuggling at the Subic Bay Freeport Zone, delivered last 25 July 2012; the Rice Shipment at the Port of Legazpi; and the National Food Authority (NFA) Private Sector Financed Importation Program and the Minimum Access Volume – Country Specific Quota Program

Recommending the Adoption of this Report and the Implementation of Its Recommendations

Sponsor: **Senator Pangilinan**

Mr. President:

The Committees on Agriculture and Food, Ways and Means, Trade and Commerce, and Accountability of Public Officers and Investigations, to which was referred the Privilege Speech of the Senate President delivered 25 July 2012 on the "Rice Smuggling" at the Subic Bay Freeport Zone, have considered the same and have the honor to submit this Report to the Senate.

I. PREFATORY STATEMENT

On 25 July 2012, Senate President Juan Ponce Enrile delivered a Privilege Speech on the reported rice smuggling at the Subic Bay Freeport Zone. The Privilege Speech highlighted the shipments of Indian and Vietnam Rice.

On the same date, the Senate referred the Privilege Speech and the interpellations thereto to the Committees on Agriculture and Food, Ways and Means, Trade and Commerce, and Accountability of Public Officers and Investigations.

During the course of the investigation, and in view of new information gathered and events that transpired that time, the Committees expanded the coverage of their investigation and included the rice shipment at the Port of Legazpi, and the National Food Authority's Private Sector Financed Importation Program and the Minimum Access Volume Program.

II. COMMITTEES' ACTION

Pursuant to the mandate of the Senate to investigate the shipments of Indian and Vietnam Rice as discussed in the Privilege Speech, the Committees on Agriculture and Food, Ways and Means, Trade and Commerce, and Accountability of Public Officers and Investigations conducted eleven (11) public hearings/inquiries on August 1, 13, 22 and 29; September 5, 12 and 19; October 17; November 7; and December 10 and 17, , and one (1) Executive Session on 17 December 2012, all in the year of 2012.

The resource persons who attended the public hearings/inquiries included:

1. From the Department of Finance: Undersecretary Carlo A. Carag of the Revenue Operations Group; Director Thelma A. Mariano of the Revenue Office; and Director Romeo D. Tomas Jr. of the Revenue Integrity Protection Service;

2. From the Bureau of Customs: Commissioner Rozzano Rufino Biazon; Deputy Commissioner Danilo D. Lim of the Intelligence Group; Deputy Commissioner Prudencio M. Reyes of the Assessment and Operations Coordinating Group; Deputy Commissioner Peter M. Manzano of the Revenue Collection Monitoring Group; Customs Collector Carmelita Talusan of the Port of Subic; Former Customs Collector Errol Albano of the Port of Subic; Mr. Jose Du, Officer-in-Charge, Customs Intelligence and Investigation Service, Port of Subic; Mr. Leovigildo Dayoja, Customs Collector, Port of Legazpi, Albay; and Ms. Mimette Arcilla, Chief, Port Operations Division, Port of Legazpi;

3. From the Department of Agriculture: Undersecretary Joel S. Rudinas for Field Operations; and Mr. Jesus Bajacan, Assistant Head, Plant Quarantine Service, Bureau of Plant Industry;

4. From the National Food Authority: Former Administrator Angelito T. Banayo; Atty. Gilbert Lauengco, Former Chief of Staff of Administrator Banayo; Assistant Administrator Atty. Jose D. Cordero, Grains Marketing and Operations Department; Mr. Serafin Manalili, Provincial Manager, NFA Bulacan Provincial Office; and Ms. Yolanda Navarro, NFA Albay Provincial Office;

5. From the Subic Bay Metropolitan Authority: Chairman and Administrator Roberto V. Garcia; Senior Deputy Administrator Redentor S. Tuazon, Operations Group; Senior Deputy Administrator Stefani Saño, Business and Investments Group; Capt. Perfecto C. Pascual, Seaport Manager; and Mr. Lyndon Rosete, Supervising Shipping Operations Specialist, Manufacturing and Maritime Department, and Former Officer-in-Charge, Trade Facilitation and Compliance Department;

6. From the National Bureau of Investigation: Atty. Edmundo Arugay, Deputy Director for Special Investigation Services;

7. From the Department of Trade and Industry: Ms. Ruth Tan, Technical Committee on Business Registration System; and Mr. Alfonso Valenzuela, DTI Liaison Officer;

8. From the Cooperative Development Authority: Mr. Giovanni T. Platero, Deputy Executive Director;

9. From Amira C Foods International DMCC: Mr. Protik Guha, Chief Executive Officer; and Mr. Saumit Ghosh, Representative of Amira C. Foods at Subic Bay Freeport Zone;

10. Atty. Demetrio C. Custodio, Ongkiko Custodio Manhit and Acorda Law Offices, and Counsel for Mr. Guha and Mr. Ghosh;

11. Atty. Arnel Naidas, Rodriguez Delos Santos and Naidas Law Offices, and Notary Public of the Memorandum of Agreement Between Mr. Guha and Mr. Bulaon;

12. From Metro Eastern Trading Corporation: Mr. Antonio C. Camacho Jr., Owner; and Mr. Cesar Bulaon, Vice-President;

13. Mr. Benedict "Dong" Galang, Director, Container Bridge Philippines Inc.;

14. Mr. Patrick Ronas, General Manager, MStar Ship Agencies Inc.;

15. Mr. Danilo Nuguid, Former Senior Vice-President, Container Bridge Philippines Inc.;
16. Mr. Vicente "Bong" P. Cuevas III, President, CAMJ Construction Inc.;
17. Mr. Cesar F. Ramirez, President of Robson Agro-Ventures Corporation, and Attorney-in-Fact of the Federation of San Miguel Cooperatives;
18. Mr. Antonio G. Dizon, Businessman and Friend of Mr. Ramirez;
19. Mr. Alfredo G. Cruz, Representative of GPI San Miguel Multi-Purpose Cooperative;
20. Mr. Magdangal Diego Maralit Bayani III, Proprietor, St. Andrews Field Grains & Cereals Trading;
21. Mr. Jan Dexter A. Marfil, President and Chief Executive Officer of Masagana Import Export Inc.;
22. Ms. Mary Joy Sanchez, Broker for Masagana Import Export Inc.;
23. Mr. Rafael Daguman, Friend of Ms. Sanchez and Ms. Salazar;
24. Ms. Cristina Salazar, Accountant and Common Friend of Mr. Marfil and Mr. Daguman;
25. Atty. Leonardo W. Bernabe, Notary Public of the "Affidavit of Undertaking" of Mr. Marfil;
26. Mr. Amith Prem Chandiramani
27. Mrs. Jane Artuz, General Manager, Port Area Cargo Services, Shipping Agent for the rice shipment at the Port of Legazpi;
28. Ms. Emily G. Alabado, Ugnayang Magbubukid ng San Isidro Inc., Magumbali, Candaba, Pampanga;
29. Ms. Crisanta Reyes, Malipampang Concern Citizens Multi-Purpose Cooperative, Malipampang, San Ildefonso, Bulacan;
30. Mr. Elpidio B. Mendoza, Sili Multi-Purpose Cooperative, Sili, Naguilian, La Union;

31. Mr. Maximo M. Hernandez, Samahan ng Magsasakang Kapampangan at Katagalugan Multi-Purpose Cooperative, Garlang, San Ildeonso, Bulacan;

32. Mr. Juanito A. David, Kapatirang Takusa Multi-Purpose Cooperative, Mapaniqui, Candaba, Pampanga;

33. Mr. Juanito Evangelista, Riverview Multi-Purpose Cooperative, Tartaro, San Miguel, Bulacan;

34. Ms. Eleonor Rodriguez, Rice Dealer, Quezon City and "Broker/Handler" for the five cooperatives and association participating in the NFA Private Sector Financed Importation Program";

35. Ms. Amelia Tenorio, President, Bulacan Provincial Farmers Action Council;

36. Mr. Simeon Sioson, 4 SM Agri-Venture Multi-Purpose Cooperative;

37. Ms. Elizabeth Faustino, "Broker/Handler" for Several Farmers Cooperatives participating in the NFA Private Sector Financed Importation Program;

38. Mr. Ricardo R. Gatuz Jr., Formosa Multi-Purpose Cooperative, Brgy. Magliba, San Fabian, Pangasinan;

39. Mr. Ronaldo S. Valdez, Sitio Muzon Farmers Multi-Purpose Cooperative, Buhol na Mangga, San Ildefonso, Bulacan;

40. Ms. Zenalda Abanio, Sta. Cecilia Multi-Purpose Cooperative, Anyatam, San Ildefonso, Bulacan;

41. Mr. Felix Villena Sr., Ugnayang Magsasaka sa Kaunlaran Multi-Purpose Cooperative, Tartaro, San Miguel, Bulacan;

42. Mr. Eugene Guiang Pioqinto, Proprietor, Happy Morning Enterprises, and Attorney-in-Fact for the Minimum Access Volume – Country Specific Quota Allocation of Nemic Fusion Rice and Grains Enterprises, West Point Rice and Cereals Enterprises, and St. Dominique Rice and Food Enterprises;

43. Mr. Iñigo Espiritu, Proprietor, Nemic Fusion Rice and Grains Enterprises;

44. Ms. Jenny A. Reyes, West Point Rice and Cereals Enterprises;

45. Mr. Denis Gonzales, Proprietor, St. Dominique Rice and Food Enterprises;
46. Mr. Michael H. Villanueva, Proprietor, Jaded Ranch Grains and Cereals Trading;
47. Ms. Sandra Lim, Proprietress, Lexant International Trading;
48. Ms. Mary Joyce Lim, Proprietress, Loui London Trading;
49. Mr. Jason C. Colocado, Proprietor, Pure Country Trading;
50. Mr. Danilo H. Garcia, Rice Dealer

The Committees considered the testimonies of the resource persons, and the documents that were submitted by the resource persons and those requested from other government agencies.

III. ISSUES

To fully appreciate and effectively address the concerns raised by the Privilege Speech, and the issues raised during the hearings with the inclusion of the rice shipment in the Port of Legazpi and the NFA Private Sector Financed Importation Program and the Minimum Access Volume – Country Specific Quota Program, the Committees delved into the following areas:

- A. Facts and information behind the Indian Rice Shipment at the Subic Bay Freeport Zone;
- B. Facts and information behind the Vietnam Rice Shipment at the Subic Bay Freeport Zone;
- C. Facts and information behind the Rice Shipment at the Port of Legazpi;
- D. The programs under the Government Policy of Private Sector Participation on Rice Importation. What is the NFA Private Sector Financed Importation Program? What is the Minimum Access Volume - Country Specific Quota Program?
- E. Policies that govern the importation of rice;
- F. Actions being done by the government to regulate the entry of rice and eliminate or reduce rice smuggling;

- G. Policy gaps (on programs, laws and regulations) on rice importation and on rice smuggling, if any;
- H. Violations committed by government officials and employees relative to the three rice shipments and the NFA Private Sector Financed Importation Program and the Minimum Access Volume – Country Specific Quota Program, if any; and
- I. Violations of laws and regulations committed by private individuals regarding the three rice shipments, and the NFA Private Sector Financed Importation Program and Minimum Access Volume – Country Specific Quota Program, if any.

IV. FACTS AND INFORMATION

The series of public hearings/inquiries conducted, the testimonies provided by the different resource persons, and the documents submitted by and requested from the different government agencies and private groups, revealed:

A. THE INDIAN RICE SHIPMENT

1. CHRONOLOGY OF EVENTS

The shipment involves about 420,000 bags or 21,000 metric tons of Indian White Rice which arrived at the Port of Subic from Singapore on 04 April 2012. It was shipped thru Vinalines Mighty, under Voyage No. 1, Registry No. VNS-0001-12, and covered by Bill of Lading No. KDL/VM/01. *(Per Report of Customs Collector Carmelita M. Talusan, Port of Subic, to Commissioner Rozzano Rufino B. Biazon, Bureau of Customs).*

The Indian rice shipment was consigned by Amira C. Foods International DMCC (“Amira Foods” for brevity) to Metro Eastern Trading Corporation (“Metro Eastern” for brevity) through a Memorandum of Agreement signed on 26 March 2012 between Mr. Protik Guha, Chief Executive Officer, and Mr. Cesar Bulaon, Vice President.

Prior to the unloading of the rice shipment, on 02 April 2012, Mr. Gil Lobos of Globe Distribution Services (Subic), Inc., representing MStar Ship Agencies, Inc., applied for an Application for Entry of MV Vinalines Mighty and to discharge about 21,000 metric tons of rice. The following day, a Pre-Arrival Conference was held at the Seaport Department

Building attended by representatives of the Seaport Department of SBMA, MStar Ship Agencies Inc., JT Cargo, and Metro Eastern. In said Conference, the parties agreed on procedures for the berthing of the ship and the manner of discharging the cargo. Capt. Pascual testified that, since rice is a regulated commodity, Metro Eastern, as the consignee, was asked to produce the necessary documents within 30 days as required under Customs Administrative Order 4 - 93.

On 04 April 2012, MV Vinalines Mighty arrived at the Port of Subic. Representatives from the SBMA, Bureau of Customs, Bureau of Immigration, and the Plant Quarantine Service of the Department of Agriculture boarded and inspected the ship. Only the copy of the Inward Foreign Manifest was provided by the Bureau of Customs to the Seaport Department, but not the Bill of Lading.

The Indian rice shipment was unloaded from 05 April to 19 April 2012, and was transferred to Warehouse 1010 and to the New Warehouse inside the Naval Supply Depot, leased by Metro Eastern from the Subic Bay Metropolitan Authority (SBMA).

Despite being allowed to be unloaded and transferred to the warehouses, Atty. Redentor Tuazon informed the Committees that the shipment was not issued an Admission Permit and the consignee, Metro Eastern, was not allowed to file an Entry (which serves as both the Declaration and Import Permit for Admission of Foreign Goods to Subic Bay Freeport Zone) as SBMA was informed that the necessary NFA permit was still being processed.

On 16 April 2012, Major Elpidio Jose R. Manuel of the Enforcement and Security Service of Bureau of Customs at the Port of Subic inquired from Atty. Tuazon whether or not an Admission Permit was granted or not, and requested that they be furnished a copy of the certification, if there was any.

In his reply, Atty. Tuazon wrote, on the same date, that:

"X X X X X

. . . . no admission entry has yet been filed by the consignee of the said shipment since, upon their representation, the issuance of their allocation from the National Food Authority is still in process.

We have given them, however, access to the storage facilities inside the Naval Supply Depot (NSD) compound as part of our leasing business.

For your reference, please be inform(ed) that under the Joint Memorandum of Agreement between SBMA and BOC dated 18 July 2007, the consignee is allowed at least 30 days to file an entry before the goods can be *considered unclaimed, and abandonment mechanism to be initiated.* (See attached Copy of MOA, No. 7 (a) to (c).)"

During this time, Mr. Bulaon had been sending emails to Mr. Protik Guha and Mr. Vicente "Bong" Cuevas, informing them that the Bureau of Customs might issue a Warrant of Seizure and Detention (WSD) if they will not file an Entry. He also informed them that once an Entry is filed, they have to accompany it with supporting documents, such as the permit to import.

Major Manuel then wrote a letter, dated 18 April 2012, to then NFA Administrator Angelito T. Banayo on whether Metro Eastern had an Import Authority/Allocation as it was the consignee of the Indian rice shipment. Administrator Banayo replied that Metro Eastern "has not participated in any of the NFA's open rice importation under the Private Sector Financed Importation and Farmers' Organization rice importation for 2012." He also disavowed that NFA had any knowledge of the rice importation.

On May 3, 2012, an Alert Order was issued to the Customs Intelligence and Investigation Service by then Customs Collector Errol Albano, due to possible violation of Section 2530, paragraphs (f) and (i) of the Tariff and Customs Code of the Philippines (TCCP), as amended.

On 15 May 2012, a Warrant of Seizure and Detention (WSD), with Seizure Identification No. 2012-003-005, was issued by then Collector Albano on the grounds that the Indian rice shipment violated Section 2530, paragraphs (e), (f) and (i) of the Tariff and Customs Code of the Philippines, as amended. The WSD was served on 18 May 2012.

On 16 May 2012, Atty. Irineo R. Onia Jr, Deputy Collector for Administration and Acting Chief of the Law Division of the Port of Subic issued a Notice of Hearing for the 24th and 25th of May 2012.

On 24 May 2012, during the Port of Subic hearing, government was represented by the BoC Legal Service, and Amira Foods and Metro Eastern appeared. Parties were given until June 8 to file position papers.

While forfeiture proceedings were being held, Amira Foods was negotiating for the purchase by entities participating in the NFA Private Sector Financed Importation Program of the withheld Indian rice shipment.

Mr. Bayani III admitted in his Affidavit submitted to the Committees on 17 September 2012 that he met Mr. Nixon Kua on the third week of May 2012. Mr. Kua went to his office and offered a portion of the Indian rice shipment, which Mr. Kua said was cheap and will be considered an importation as it was in the Subic Bay Freeport Zone. He declared that he got interested with the offer as he still has, at that time, about 8,000 metric tons allocation under the NFA Private Sector Financed Importation Program to fill. A meeting was set up by Mr. Kua between him and Mr. Protik Guha.

Mr. Bayani III added that he enjoined Mr. Cruz of GPI San Miguel Multi-Purpose Cooperative to likewise secure a portion to fill his allocation under the same Program, and learned that Mr. Cruz was already approached by Mr. Kua and had agreed to meet Mr. Guha at the same scheduled meeting as his.

In the said meeting, Mr. Bayani recalled that they were furnished by Mr. Guha of shipping documents for 3,500 metric tons and requested them to obtain a Memorandum of Undertaking. He added that he and Mr. Cruz met at the NFA Office and applied for a Memorandum of Undertaking on 06 June 2012.

On the same day, the NFA issued two Memoranda of Undertaking for the importation into the country of two 3,500 metric tons of Indian white rice carried by MV

Vinalines Mighty, under Bill of Lading Nos. KDL/VM/01 and KDL/VM/02, with Commercial Invoice Nos. 222215 and 22215A, respectively.

Mr. Protik Guha was likewise negotiating with Mr. Cesar F. Ramirez, President of Robson Agro-Ventures Corporation and Attorney-in-Fact of the Federation of San Miguel Cooperatives, for the purchase and importation of the 21,000 metric tons of Indian white rice, using the Minimum Access Volume allocation of the cooperatives that are members of the Federation.

Mr. Ramirez, in his Narrative Statement submitted to the Committees on 29 August 2012, recalled that he met Mr. Guha at Shang-ri La, Makati in the afternoon of 27 May 2012. He said that, in the said meeting, he explained to Mr. Guha the two kinds of permit that can be used to justify the entry of the Indian rice shipment into the country, the Memorandum of Undertaking (MOU) under the NFA Private Sector Financed Importation Program, and the Import Permit under the Minimum Access Volume. Although he considered the offer of Mr. Guha of P1,200.00 per bag as expensive, he requested that he be allowed to inspect the rice and make the necessary calculations.

Mr. Ramirez further recounted that, after several more meetings, he was asked by Mr. Guha to draft a Memorandum of Agreement (MOA) and which he emailed to him. He submitted to the Committees a copy of the draft MOA, in which the total allocation of the cooperatives was used in coming up with figures and volume in the draft MOA. He also submitted a copy of the emails of Mr. Guha that contained instructions on how the payment shall be done, including the bank account details, as well as the address where the MOA shall be sent.

On 14 June 2012, then Collector Albano rendered his decision of the forfeiture proceedings. In the said Decision, Collector Albano observed that Metro Eastern Trading Corporation, as the consignee, failed to submit its Position Paper as ordered by his Office. Amira Foods, despite filing its Position Paper as the real owner of the goods, being not the consignee, was declared as not having the legal personality to claim subject goods, as

mandated under the TCCP, as amended. In addition, Metro Eastern was found not to have the license and the necessary import permit to import a regulated good, specifically rice. The Decision cited violations of Section 2530 (f) in relation to Section 101 (k) of the TCCP, as amended. The Decision was received by Metro Eastern the following day.

On 18 June 2012, Amira Foods and Metro Eastern filed Notices of Appeal before the Office of Collector Albano. On 25 June 2012, Amira Foods filed an Appeal Memorandum.

On 20 June 2012, as further indicated in the Affidavit of Mr. Bayani III, Mr. Bayani wrote that he received a call from Mr. Guha and was informed that their transaction will not push through as Mr. Guha will not be able to have the rice in the Subic Bay Freeport Zone released.

On 27 June 2012, the two NFA Memoranda of Undertaking issued on 06 June 2012 were cancelled. Administrator Banayo explained that such action was in accordance with the request of both St. Andrews Field Grains and Cereals Trading and GPI San Miguel Multi-Purpose Cooperative for the cancellation of the mentioned MOUs.

On 28 June 2012, the Decision on the case including the appeal and other documents were endorsed to Commissioner Biazon.

On 15 July 2012, Collector Albano retired from the service.

On 22 November 2012, the Office of the Chairman of the Committee on Agriculture and Food received a communication from Commissioner Biazon, dated 10 November 2012, which attached a copy of the Memorandum from Collector Talusan of the Port of Subic, dated 19 October 2012, that accounted for the events leading to the auction of the entire Indian rice shipment and its award to Mr. Pelagio M. De Vera Jr. of Veramar Ricemill and Trading. It was indicated in the Memorandum that the proceeds of Php 487,200,000.00 had been deposited with the Land Bank of the Philippines (LBP), Subic Bay Freeport Zone Branch, under Special Account No. 1571-0589-83. The Memorandum added that the draft Escrow Account/Agreement between the LBP and BoC is for review and approval of the Commissioner of BoC.

2. MR. PROTİK GUHA'S EXPLANATION

During the 22 August hearing/inquiry of the Committees, Mr. Protik Guha appeared and explained the circumstances behind the Indian Rice shipment. He declared that the 420,000 bags of rice shipment was really intended for Indonesia, under their agreement with Perum BULOG. However, because of MV Vinalines Mighty's late arrival in Indonesia on 8th March 2012, it was not allowed to unload as Perum BULOG's import permit had lapsed the day before its arrival.

Mr. Guha narrated that, because of this situation, to cut losses from demurrage, they were faced with decision to find temporary storage facilities or reship the rice back to India. They decided to bring the shipment to the Subic Bay Freeport Zone, which they believed was being operated like any other transshipment facilities in other parts of the world. They secured the services of Metro Eastern, a locator at the Subic Bay Freeport Zone with a Certificate of Registration and Tax Exemption (CRTE) and authorized to handle goods including rice, for the transshipment, handling, including safekeeping, warehousing and delivery of the 21,000 metric tons of rice.

He clarified that, upon advise of Metro Eastern, Amira Foods requested for the "amendment" of the original Bill of Lading and other documents to reflect Metro Eastern as the consignee and Subic Bay Freeport Zone as the final destination. He argued that there were now two sets of documents, with the second set of documents submitted to the SBMA and the Bureau of Customs for them to allow the temporary warehousing of the rice shipment. *The old Bill of Lading with Indonesia as the port of discharge would become an impediment for MV Vinalines Mighty, as it may not be allowed to dock and make use of the Subic's transshipment facilities.*

The revision of the Bill of Lading and the other documents, he pointed out, resulted to the Philippine authorities coming to a "misguided conclusion that the goods were really intended for the Philippines." He requested that the two sets of documents be reviewed together to determine the truth.

He also averred that, even before the commencement of the thirty-day period given to a consignee for it to file its declaration over the goods, the Bureau of Customs already showed interest in the rice shipment as it made an inquiry on the filing of an Entry for the shipment. He also pointed out that despite expressed claim of ownership and updated payments of warehouse, storage and miscellaneous fees, the Collector of Customs issued a WSD against the rice shipment on 15th May 2012, four (4) days prior to the thirty-day period for a consignee to file an Entry.

He declared that no attempt was made to bring out the rice shipment to the customs territory of the country. They, however, were approached by "interested buyers" who were sent by Metro Eastern and that several NFA-accredited importers were contacting him for the purchase for a portion of the rice shipment. He added that they were threatened by anonymous people, sending them text messages: such that the shipment will be seized by the Bureau of Customs if they do not sell the rice to them. Despite the issuance of a WSD, he stated that these "interested buyers" continued to call and send messages to him, saying that the shipment will be protected from seizure.

During the 29 August 2012 hearing/inquiry of the Committees, Senate President Enrile directed the Bureau of Customs to coordinate with the Philippine Department of Foreign Affairs and request the Indian and Indonesian Governments and Perum BULOG of Indonesia to authenticate the documents that were submitted by Mr. Guha, to say that the rice shipment was really intended for Jakarta, Indonesia and further state that the shipment was denied entry due to the delay in its arrival.

On 21 November 2012, the Office of the Chairman of the Committee on Agriculture and Food, Office of Sen. Pangilinan, received a communication from Commissioner Biazon, dated 14 November 2012, stating that letter-inquiries were sent to the Indonesian Director General of Customs and Excise, and to the Ambassadors of Indonesia and India to the Philippines, for the authentication of documents that were submitted by Mr. Guha. The BoC communication informed the Senate President and the Chairmen of the Committees on

Agriculture and Food, and on Ways and Means, that despite efforts following up said inquiries, they were not able to elicit any response.

B. THE VIETNAM RICE SHIPMENT

The shipment involves ninety (90) container vans of "Mango Brand" Premium White Rice (Vietnam Rice), or approximately 45,000 bags. The shipment arrived in two batches, on 13 June 2012 and on 20 June 2012, respectively.

The first batch, which arrived under two bills of lading, consisted of (a) thirty 20-footer (30 x 20') container vans containing approximately 15,000 bags (50 kgs./bag) of rice under Bill of Lading No. 074676409, and (b) twenty 20-footer (20 x 20') container vans containing approximately 10,000 bags of rice under Bill of Lading No. 074676407. The Bills of Lading indicated that the goods in the container vans were constructional goods and supplies (gypsum boards). The container vans were eventually found to be containing rice from Vietnam, based on alert orders issued for possible violation of Section 2503 in relation to Section 2530, paragraphs (e), (f) and (i) of the TCCP, as amended. The container vans arrived at the Port of Subic on 13 June 2012 from Vietnam on board the vessel APL Puson V.947W and were consigned to Oriental Tradelink Express Inc.

The second batch, which arrived under two bills of lading also, consisted of (a) thirty 20-footer (30 x 20') container vans containing approximately 15,000 bags of rice under Bill of Lading No. APLU074676410, and (b) ten 20-footer (10 x 20') container vans containing approximately 5,000 bags of rice under Bill of Lading No. APLU074676408. The Bills of Lading likewise indicated that these contain constructional goods (gypsum boards). The discovery was pursuant to alert orders issued also for possible violations of Section 2503 in relation to Section 2530 of the TCCP, as amended. The container vans arrived at the Port of Subic on 20 June 2012 from Vietnam on board the vessel APL Busan V948W and were consigned to Masagana Import Export Inc.

Both batches were shipped by "Robin Construction Co. Ltd., 6 Lin Sheng North Road, Tainan, Taiwan."

On 20 July 2012, Commissioner Biazon conducted a personal inspection of the shipment.

On 22 July 2012, Officer-in-Charge Customs Collector Carmelita M. Talusan issued four (4) Warrants of Seizure and Detention (Seizure Identification Nos. 2012-001 to 004), for violation of Section 2503 in relation to Section 2530 and 101 of the TCCP, as amended, and National Food Authority (NFA) rules and regulations.

Per verification of the Committees with the Securities and Exchange, Oriental Tradelink Express Inc. was found to be non-existent.

On August 1, 2012, Mr. Jan Dexter A. Marfil was invited to shed light on the involvement of Masagana with regard to the second batch of Vietnam rice shipment. He denied involvement and pointed to his issuance of an Affidavit of Denial, dated 18 August 2012, declaring that neither he nor his company engaged in the importation of the identified rice. The Affidavit of Denial was received by the Bureau of Customs on the following day.

However, due to the presence of an "Affidavit of Undertaking" which was allegedly signed by him and was used by Ms. Mary Joy Sanchez in facilitating the documents for the release of the container vans, the Committees invited Mr. Daguman, Ms. Salazar, and Atty. Bernabe.

Statements provided by the three resource persons point toward Mr. Marfil as the person who did sign the said "Affidavit of Undertaking." Mr. Marfil vehemently denied ever signing the said Affidavit and provided specimen signatures to be compared with the signature in the Affidavit of Undertaking. He informed the Committees that a formal criminal complaint against Atty. Bernabe for Falsification of Public Document was filed by him with the Office of the City Prosecutor of Olongapo City on 14 September 2012.

The entire Vietnam Rice shipment had been forfeited by the Bureau of Customs, and was scheduled to be auctioned off last 22 November 2012.

At present, no information is available on the shipper, Robin Construction Co. Ltd. of Taiwan, as well as on its involvement in the rice shipment. Likewise, there is also no

information on who really facilitated the importation of the rice shipment consigned to Oriental.

C. THE RICE SHIPMENT AT THE PORT OF LEGAZPI

The rice shipment at the Port of Legazpi involves 94,000 bags or 4,700 metric tons of Vietnamese long grain rice. The shipment arrived on 02 September 2012 on board MV Minh Tuan 68, with BoC not being informed of her arrival. *(Per Report of Collector Leovigildo M. Dayoja, Officer-in-Charge of the Port of Legazpi, to Commissioner Biazon, dated 11 September 2012)*

On 03 September 2012, Port Area Cargo Services, the shipping agent, served a Notice of Arrival to the Bureau of Customs for the estimated time of arrival on 05 September 2012 of MV Minh Tuan 68.

On 04 September 2012, the BoC, with representatives of other government agencies, boarded MV Ming Tuan 68, and were provided the Inward Foreign Manifest, five bills of lading with no reference number except ordinary numbers 1, 2, 3, 4 and 5, and Load Port Survey Reports.

The Inward Foreign Manifest and the five bills of Lading indicate that the shipper of entire shipment is Vietnam Southern Foods Corporation and consigned to the following:

- a) Bill of Lading No. 1 – Consigned to the National Food Authority c/o Kapatirang Takusa Multi-purpose Cooperative, Mapaniqui, Candaba, Pampanga, with 21,000 bags or 1,050 metric tons;
- b) Bill of Lading No. 2 – Consigned to the National Food Authority c/o Ugnayang Magbubukid ns San Isidro Inc., Magumbali, Candaba, Pampanga, with 21,000 bags or 1,050 metric tons;
- c) Bill of Lading No. 3 – Consigned to the National Food Authority c/o Malipampang Concern Citizens Multi-Purpose Cooperative, Malipampang, San Ildefonso, Bulacan, with 18,000 bags or 9,000 metric tons;

d) Bill of Lading No. 4 – Consigned to the National Food Authority c/o Samahan ng Magsasakang Kapampangan at Katagalugan Multi-Purpose Cooperative, Garlang, San Ildefonso, Bulacan, with 9,000 metric tons; and

e) Bill of Lading No. 5 – Consigned to the National Food Authority c/o Sili Multi-Purpose Cooperative, Sili, Naguilian, La Union, with 16,000 bags or 8,000 metric tons.

On 05 September 2012, Port Area Cargo Services requested for the cancellation of the Manifest due to unavailability of warehouse space in Legazpi and for the cargo to be transferred to Manila where a suitable warehouse is available.

On 07 September 2012, BoC issued an Alert Notice over the shipment.

On 08 September 2012, BoC gave notice to Port Area Cargo Services to present documents covering the importation of rice, specifically the Import Authority from NFA until 10 September 2012, at 12:00 noon.

On 10 September 2012, the Notices to Proceed and the Notices of Award were presented. The BoC Port of Legazpi sent copies of the notices to NFA Lagazpi for authentication.

On 29 October 2012, the Committees issued Subpoenae to the representatives of the four cooperatives and one association, specifically to Ms. Emily G. Alabado of Ugnayang Magbubukid ng San Isidro Inc., Mr. Juanito David of Kapatirang Takusa Multi-Purpose Cooperative, Mr. Maximo M. Hernandez of Samahan ng Magsasakang Kapampangan at Katagalugan Multi-Purpose Cooperative, Mr. Elpidio Mendoza of Sili Multi-Purpose Cooperative, and Ms. Crisanta Reyes of Malipampang Concern Citizens Multi-Purpose Cooperative for failing to appear before the Committees on October 17, 2012.

On 07 November 2012, after failing again to appear before the Committees, a Contempt Order was issued against them. The following day, they submitted a Motion to quash the Contempt Order and sought the forgiveness of the Committees for their failure to attend.

On 14 November 2012, upon representation and with the assistance of Mayor Jerry Pelayo of Candaba, Pampanga, they appeared before the Office of the Sergeant-at-Arms . They submitted an Amended Motion promising their presence on the next public hearing/inquiry of the Committees.

On 10 December 2012, all of them appeared before the Committees. When asked, Mr. Hernandez and Ms. Reyes denied having any knowledge of the rice shipment in Albay, while Mr. Mendoza declared that he is one of the consignees. They admitted to having signed documents which they believed were special power of attorneys. They all identified Ms. Eleonor Rodriguez as the person who helped them in the documentary requirements to the Farmers Organization and Cooperatives Category of the NFA Private Sector Financed Importation Program as well as in seeking the assistance of other people in providing the funds in order for them to participate and win in the bidding.

Ms. Rodriguez acknowledged statements pointing to her as the person who assisted the cooperatives in the documentation process but denied any knowledge on the amounts of service fees paid during the bidding and awarding of the allocation. She stated that she handed over the complete documents to Ms. Leah Echeveria. She emphasized that it was Ms. Echeveria who placed the checks (for security bid fee and service fee) into the envelopes that were submitted to the NFA Special Bids and Awards Committee.

Efforts to reach Ms. Echeveria through her mobile phone and last known office addresses and office telephone numbers, including the serving of a Subpoena, in Cebu proved futile.

Collector Dayoja also informed the Committees that the rice shipment is being claimed by three cooperatives, including one of the consignees: Sili Multi-Purpose Cooperative, represented by Mr. Mendoza, Samahan ng mga Kapampangan sa San Ildefonso, and Green Valley United Cooperative. In the last hearing, Mr. Dayoja disclosed that forfeiture proceedings were being held.

Commissioner Biazon explained that the consignees were able to submit Notices of Awards and Notices to Proceed but they were unable to present the Import Permits which must be presented during the arrival of any rice shipment.

D. PRIVATE SECTOR PARTICIPATION ON RICE IMPORTATION

Government policy of private sector participation on the importation of rice is laid down in Presidential Decree No. 4, as amended.

Section 3 (Policy Goals and Objectives), paragraph (e) of said Decree mandates that:

“e) Limit its (the government, *supplied*) participation only to such extent and in such phases of the operations of the industry as the private sector has not shown the capability to adequately perform its functions and discharge its responsibility, particularly in the stabilization of producers’ and consumers’ prices;”

To implement such Objective, the Decree, as amended, and further amended by Republic Act 8178 (“Agricultural Tariffication Act”), under Section 6, paragraph a), item xii empowers the NFA to make rules on the importation of rice, to wit:

“xii) To establish rules and regulations governing the importation of rice and to license, impose and collect fees and charges for said importation for the purpose of equalizing the selling price of such imported rice with normal prevailing domestic prices.”

Clarifying this provision, item xii further states that the determination and decision to import rice will be based on the declaration of the NFA Council, after consultation with the Office of the President, that “a shortage of rice may occur as a result of a shortfall in production, a critical demand-supply gap, a state of calamity or other verified reasons that may warrant the need for importation.” To address this situation, the NFA is authorized to conduct direct importation or to allocate import quotas among certified and licensed importers.

For 2012, the NFA Council decided that the volume of rice to be procured was around 850,000 metric tons. Of this volume, 500,000 metric tons will be sourced using the NFA Private Sector Financed Importation Program Thru the Tax Expenditure Subsidy, and the

remaining 350,000 metric tons will be imported thru the Minimum Access Volume Program - Country Specific Quota Program.

1. THE NFA PRIVATE SECTOR FINANCED IMPORTATION PROGRAM THRU THE TAX EXPENDITURE SUBSIDY (PSF – TES)

The NFA Private Sector Financed Importation Program was formulated and adopted by the National Food Authority Council to tap and allow private entities, farmers organizations and cooperatives to participate in the importation of rice. This Program was intended to make use of their financial resources and logistics inasmuch as the NFA is presently saddled with debts. Moreover, the Program aimed to provide additional income to farmers organizations and cooperatives as well as their members.

To implement the Program, the NFA will bid out all or portion of the total volume of projected rice shortage to licensed importers. In the bidding and awarding of import allocation, the NFA imposes a minimum floor price for every kilogram or metric ton as service fee. The NFA, in turn, will issue a Memorandum of Undertaking where it promises to pay the required customs duties to be funded from the Tax Expenditure Subsidy appropriation of the NFA in the General Appropriations Act.

Thus, this Program is commonly called: NFA Private Sector Financed Importation Program Thru the Tax Expenditure Subsidy (PSF – TES).

For 2012, the NFA decided that the 500,000 metric tons of rice to be imported shall be imported by the following: (a) To be directly imported by NFA – 120,000 metric tons; (b) Open Portion – 190,000 metric tons; and (c) Farmers Organizations and Cooperatives – 190,000 metric tons.

In the Open Portion category, corporations, single proprietorships, partnerships, and farmers cooperatives can bid for a maximum import allocation of 10,000 metric tons. While in the Farmers Organizations and Cooperatives Portion category, they can bid up to a maximum of 2,000 metric tons.

Biddings conducted by the NFA Special Bids and Awards Committee resulted in the awarding of 10,000 metric tons import allocation each to 19 single proprietorships and cooperatives, and the awarding of 1,400 metric tons to 2,000 metric tons to 105 farmers organizations and cooperatives.

The two entities which were issued Memoranda of Undertaking for the purchase each of 3,500 metric tons (or a total of 7,000 metric tons) from the Indian rice shipment, i. e., St. Andrews Field Grains and Cereals Trading and GPI San Miguel Multi-Purpose Cooperative, were each awarded 10,000 metric tons under the Open Portion Category.

2. THE MINIMUM ACCESS VOLUME - COUNTRY SPECIFIC QUOTA (MAV – CSQ) PROGRAM

As defined under R. A. 8178, Minimum Access Volume is “the volume of a specific agricultural product that is allowed to be imported with a lower tariff as committed by the Philippines to the World Trade Organization (WTO) under the Uruguay Round Final Act.” As an alternative to the non-lifting of the quantitative restriction (QR) on rice, or the decision of the Philippines not to liberalize (yet) the market on the importation of rice and simply impose customs duties on rice, the country committed to allow 350,000 metric tons annually as its Minimum Access Volume.

The Country Specific Quota (CSQ), on the other hand, is a component of the MAV Program, in which the country provides concession to specific rice exporting countries by committing to import specifically from them a certain volume of rice, in exchange for their allowing the country to maintain QR on rice.

Although the total commitment for MAV is 350,000 metric tons, the CSQ, which amounts to 163,000 metric tons, is deducted from it. The remaining balance of 187,000 metric tons, for purposes of expediency in determining the allocation of each participant in the MAV, is used as the volume that can be divided equally among licensed importers.

For both MAV and CSQ, the Bureau of Customs imposes forty percent (40%) customs duties.

The NFA grants allocation of the MAV and the CSQ by dividing the total volume of rice to be imported by the number of qualified importers.

For 2012, under the MAV, ninety-eight (98) corporations, single proprietorships, and farmers organizations and cooperatives were granted an allocation of 1,926.94 metric tons each, or a total 188,840.12 metric tons.

For the CSQ Program, one hundred four (104) corporations, single proprietorships, and farmers organizations and cooperatives were determined qualified by the NFA Special Bids and Awards Committee to participate. Each participant was given an allocation of 1,182.64 metric tons, 942.30 metric tons of which must be imported from Thailand and 240.38 metric tons which must be imported from India. The total volume of rice to be imported from Thailand is 97,999.20 metric tons, and 24,999.52 metric tons from India, or a grand total of 122,998.72 metric tons from both countries.

3. THE GUINGONA EXPOSÉ

On 19 September 2012, during the Seventh Hearing/Inquiry of the Committees, Senator Teofisto L. Guingona III presented his initial findings, culled from the documents of some of the winning bidders and grantees under both the PSF – TES and the MAV – CSQ.

Citing first the 16 September 2012 issue of the Philippine Daily Inquirer as his source, he quoted then Administrator Banayo as saying that “the NFA had problems checking on the status and qualifications of the cooperatives.”

He further cited Administrator Banayo’s statement that:

“Banayo also admitted that he entertained doubts about the genuineness of some of the farmers’ cooperatives as “they were bidding too high,” considering that the private sector needed to pay tariffs and taxes amounting to millions of pesos for the importations.”

In his presentation, he observed that the nineteen (19) winning bidders under the Open Portion category, of which eleven would bring their importation through Luzon ports while eight would unload the rice in Visayas and Mindanao ports, and three grantees from the MAV –CSQ Program, had paid huge amounts of service fees that are way above their

financial capabilities. He pointed out that service fees paid ranged from 53 million pesos (P53,000,000.00) to almost 69 million pesos (P69,000,000.00), while assets of these entities varied from a low P51,000.00 to P1,300,000.00, with some of them having deposit bank certifications ranging to millions of pesos.

He summarized his initial findings, as follows:

1. The financial condition of winning bidders indicate that they are highly incapable of paying service fees ranging from 50-69 million pesos;
2. Groups of winning bidders transacted with the same banks;
3. Different winning bidders registered with the DTI on the same date;
4. Several winning bidders got their NBI clearances also on the same date;
5. A host of winning bidders have the same supplier that issued certifications to supply them with rice just a day after the Invitation to Bid was published; and
6. A group of bidders all appointed one person as their representative.

The Committees, after efforts to locate, contact and eventually invite the representatives of the entities identified by Sen. Guingona became difficult, except for Mr. Magdangal Diego Maralit Bayani III of St. Andrews Field Grains and Cereals Trading and Mr. Alfredo Cruz of GPI San Miguel Multi-Purpose Cooperative who were earlier subpoenaed because of their involvement in the Indian rice shipment, decided to issue Subpoenae on 29 and 30 October 2012 to the following: (a) Mr. Gil O. Calipayan, King Casey Trading; (b) Ms. Mary Joyce Lim, Loui London Trading; (c) Ms. Jenny R. Alfonso, Wish Granted Enterprises; (d) Mr. Willy O. Sy, Montevallo Enterprises; (e) Mr. Denis Gonzales, St. Dominique Rice and Food Enterprises; (f) Mr. Jason C. Colocado, Pure Country Trading; (g) Mr. Efren John C. Frac, Chon Buri Trading; (h) Mr. Jeffrey C. Daradal, Mahindra Rice and Food Trading; (i) Mr. Iñigo Espiritu, Nemic Fusion Rice and Grains Enterprises; (j) Ms. Jenny A. Reyes, West Point Rice and Cereals Enterprises; (k) Mr. Michael H. Villanueva, Jaded Ranch Grains and Cereals Trading; (l) Mr. Jupiter S. Ong, Red Mountain Grain and Cereal Dealer; (m) Mr. Michael Lao, Zwings Grains and Rice Enterprises; (n) Ms. Sandra Lim, Lexant International Trading; (o) Mr.

Eugene Guiang Pioquinto, Attorney-in-Fact for Nemic Fusion Rice and Grains Enterprises, West Point Rice and Cereals Enterprises, and St. Dominique Rice and Food Enterprises; (p) Mr. Ricardo R. Gatuz Jr., Formosa Multipurpose Cooperative, Bgy. Magliba, San Fabian, Pangasinan; (q) Mr. Ronaldo S. Valdez, Sitio Muzon Farmers Multipurpose Cooperative, Buhol na Mangga, San Ildefonso, Bulacan; (r) Ms. Zenaida Abanio, Sta. Cecilia Multi-Purpose Cooperative, Anyatam, San Ildefonso, Bulacan; (s) Mr. Felix Villena Sr., Ugnayang Magsasaka sa Kaunlaran Multi-Purpose Cooperative, Tartaro, San Miguel, Bulacan; (t) Mr. Juanito Evangelista, Riverview Multipurpose Cooperative, Tartaro, San Miguel, Bulacan.

The Senate Office of the Sergeant-at-Arms (OSAA) then made efforts to serve all of the Subpoenae to the identified persons. On 07 November 2012, before the Ninth Public Hearing/Inquiry, the OSAA reported that all the Subpoenae were served except to Ms. Alfonso, Mr. Ong, Mr. Daradal, Mr. Frac, and Mr. Lao, as the addresses given in the documents submitted to the NFA, and used in the registration of their business names with the Department of Trade and Industry, were fictitious as they do not reside or hold office in these addresses.

On 07 November 2012, for wilfully disobeying the Subpoenas and failing to attend the Ninth Hearing/Inquiry, the Committees decided to issue a Contempt Order against the twenty persons who were served subpoenas.

The NBI was then tasked by the Senate President to look further into the authenticity of the businesses and addresses of the identified representatives of these private entities and cooperatives. Similarly, the NBI reported during the Inquiry that the addresses given were fictitious and that the registered businesses with the DTI are non-operational, except for the cooperatives which are operating but whose representatives were nowhere to be found.

On 26 November 2012, through the Office of Senator Francis "Chiz" G. Escudero, Mr. Juanito Evangelista submitted himself to the Committees, explained the circumstances why

he was unable to appear in the previous hearing and immediately notify the Committees of his whereabouts, and committed to appear and testify.

During the Tenth Public Hearing/Inquiry on 10 December 2012, in addition to Mr. Evangelista, the four other representatives of the farmers cooperatives, namely: Mr. Gatuz Jr., Mr. Valdez, Ms. Abanio, and Mr. Villena Sr., together with Ms. Elizabeth Faustino, appeared.

Ms. Elizabeth Faustino, commonly called the "Broker" or "Handler" among farmers organizations and cooperatives, admitted that she was the person who assisted the cooperatives, which also included GPI San Miguel Multi-Purpose Cooperative that is represented by Mr. Alfredo Cruz, in the preparation of their documentary requirements for their participation in the PSF –TES and the MAV – CSQ, and who acted as the contact person or the middleman to the alleged next level broker, Mr. Nixon Kua. She also disclosed that the cooperatives were promised to be given Five Pesos per bag (P 5.00/bag) and that she will get thirty percent of the amount.

Ms. Faustino recounted that it was also Mr. Kua who provided them the money for the payment of the bid form, as well as the service fees. However, since Mr. Kua was murdered in his residence, this allegation can no longer be investigated.

Mr. Bayani III, after being declared in Contempt of the Senate for refusing to answer proper questions of the Senators regarding his financing arrangements with his financiers and after being detained for forty-five days, finally admitted that it was Mr. Danilo H. Garcia with whom he has a financing arrangement. He explained that the arrangement included a share of Five Pesos (P 5.00) per bag, or One Million Pesos (p 1,000,000.00) for the 10,000 metric tons allocation from the PSF – TES. He added that all other activities in relation to the importation will be taken care of by Mr. Garcia; and he further admitted, that he was merely "fronting" as a bidder. Ms. Rodriguez informed the Committees that she knows a certain Mr. Danilo Garcia who is the chairman of the association of rice dealers in the south of Metro Manila.

On 17 December 2012, eight of the proprietors of DTI-registered business entities appeared before the Committees, namely: Ms. Mary Joyce Lim, Mr. Gonzales, Mr. Colocado, Mr. Espiritu, Ms. Reyes, Mr. Villanueva, Ms. Sandra Lim, and Mr. Pioquinto.

Mr. Gonzales divulged that Mr. Espiritu introduced Mr. Willy Sy, the Proprietor of Montevallo Enterprises, to him. He explained that Mr. Sy had informed him that he can participate in the Rice Importation Program of the NFA and knew somebody who can finance their application for rice allocation from the NFA. He was told that he will receive One Hundred Thousand Pesos (P 100,000.00) if he wins in the bidding, and did receive the amount after the award. He also admitted signing a Special Power of Attorney (SPA). He met Mr. Sy at the NBI when they were securing their NBI clearances on 06 January 2012.

Ms. Mary Joyce Lim, who is a cousin of Ms. Sandra Lim, acknowledged personally knowing Mr. Sy as he is a co-worker at "Okinoshima," which is into scrap trading. She said that she was convinced by Mr. Sy to establish her trading business and join the bidding as she will receive One Hundred Thousand Pesos P 100,000.00) in case she wins and a share of Five Pesos per bag of rice that is imported and sold in the market. She admitted having signed some documents in relation to the bidding.

Mr. Villanueva, Ms. Reyes, and Ms. Sandra Lim testified as to the same information but could not confirm whether a SPA or a Deed of Assignment was one of the documents they signed. Ms. Sandra Lim initially denied having any allocation but later on admitted, after Chairman Pangilinan pointed out that she has allocations from both the MAV and the CSQ.

They all point to Mr. Willy Sy of Montevallo Enterprises as the one who served as their "Broker" to whoever was financing the importation.

Mr. Pioquinto denied having any knowledge of a SPA issued to him by Mr. Espiritu (Nemic Fusion), Ms. Reyes (West Point), and by Mr. Gonzales (St. Dominic). He added that it was Mr. Espiritu who introduced him to Mr. Sy. He also had an allocation from the MAV but he has not been given information whether the rice had been imported.

Mr. Villena admitted having signed an SPA.

Deputy Administrator Cordero admitted that SPAs or Deed of Assignment were submitted to them in order that import permits/memoranda of undertaking can be issued to other persons as they knew that that these people would seek the help of financial partners.

V. FINDINGS AND CONCLUSION

Based on the foregoing, the Committees conclude that:

1. The determination of whether or not MV Vinalines Mighty came from Indonesia to deliver the rice shipment for Perum BULOG but did not arrive on time is yet to be pursued. However, attempts were made to bring the rice shipment inside the customs territory of the country, as evidenced by: 1) the admittance of Mr. Guha that they did talk to some people on the possibility of having them brought in thru the NFA Private Sector Financed Importation Program (PSF – TES) and the Minimum Access Volume – Country Specific Quota Program (MAV – CSQ); 2) the admittance in the Appeal to the Commissioner of the Bureau of Customs that arrangements were made with the NFA, as evidenced by the issuance of two Memoranda of Undertaking; and 3) discussions made by and between Mr. Guha and Mr. Ramirez;

2. The fact that Mr. Guha of Amira Foods asked for people to use their NFA allocation to purchase the Indian rice is an attempt to sell the rice to the customs territory and contradicted his statements that the rice is really for transshipment;

3. Customs Administrative Order No. 4 – 93, as an implementing rule to implement both Republic Act No. 7227, as amended, and the Tariff and Customs Code, as amended, as implemented by the SBMA, created confusion on how to treat goods entering into the Subic Bay Freeport Zone, a separate customs territory. It is not clear whether a regulated good, specifically rice, can be allowed to enter without the presentation first of the necessary permits, most especially the Import Permit from the NFA;

4. The government policy of private sector participation on rice importation, thru the PSF – TES and the MAV – CSQ, can and had been used by financiers and big rice traders to corner or get hold of big rice import allocations using farmers organizations and

cooperatives and private entities (e. g., single proprietorships) as fronts, or as dummies by convincing/paying them to bid and transfer their rights over import allocations awarded to them;

5. The NFA, and the private enterprises and farmers organizations and cooperatives, and the financiers and big rice traders who are securing their import allocations, very well knew that the participants in the PSF –TES and MAV – CSQ Programs do not have the financial nor the technical capability to import rice; and

6. The PSF – TES and the MAV – CSQ can be used for rice smuggling into the country.

VI. RECOMMENDATIONS

Wherefore, in view of all the foregoing, the Committees hereby recommend the following:

A. POLICY

1. For the Department of Agriculture, National Food Authority, and Department of Finance, to study and make policy recommendations to the President and to Congress on whether the Philippines should liberalize the rice industry, continue with the policy on the regulation of rice and continue with quantitative restrictions on rice, or a combination of both;

2. In case of continuance of the government policy on private sector participation on rice importation, for the NFA Council to study and make policy recommendations to the President and to Congress on how to further improve the PSF – TES and the MAV – CSQ so as not to become a tool for financiers, big time rice traders and syndicates to control rice trading and deceitfully use farmers organizations and cooperatives and private entities as fronts in getting hold of import allocations/permits from the National Food Authority;

3. For the NFA to amend and make stringent rules on the qualification of entities allowed to participate in the PSF – TES and the MAV – CSQ, or in any other program that would allow the private sector to finance rice importation. Specifically, it is recommended

that the NFA imposes rigorous legal, technical and financial standards to private entities (corporations, single proprietorships, and partnerships) and farmers organizations and cooperatives, allowing the participation of only those that have: 1) technical knowhow in, among others, the importation, logistics, warehousing and distribution of rice; and 2) have the financial capacity, or have standing credit lines from banks and government and private financial institutions;

4. For the NFA to study and issue a policy that the volume of rice allocation to import that will be given to private entities and cooperatives/associations are based on the technical and financial capacity of the participant and not on a simple equal distribution of allocations;

5. For the Department of Agriculture, Agricultural Credit Policy Council, and Department of Finance, to study and make recommendations on how farmers organizations and cooperatives can be provided credit in order that they can participate in any rice importation to increase their incomes;

6. For the Department of Agriculture and the National Food Authority to study the effects of smuggled, forfeited and eventually auctioned-off rice into the market on the supply and price of palay and rice, and their impacts on the productivity, profitability and increase in incomes of farmers, particularly rice farmers;

7. For the Department of Agriculture, Department of Finance, Bureau of Customs and the National Food Authority to revise the rules on the entry of rice, specifically mandating that rice brought into the country, either through freeports or ordinary ports of entry, without first presenting the necessary import permit shall be considered rice smuggling; and that rice shipments claimed to be for transshipment must have a final destination first before it is allowed to be unloaded or to leave the country in case it was allowed to enter into any port or to be unloaded;

8. In relation to item 7, amend or clarify Customs Administrative Order No. 4 - 93, including the Joint Memorandum Agreement between SBMA and BOC dated 18 July 2007, to

require the submission first of import permits or a clear declaration of final destination before imported or regulated goods will be allowed to enter the Subic Bay Freeport Zone. For this purpose, the practice of giving a thirty-day window to comply with documentary requirements should be stopped.

B. LEGAL

1. Republic Act No. 3019 Otherwise Known as ANTI-GRAFT AND CORRUPT PRACTICES ACT

During the hearing on 13 August 2012, Senator Recto asked questions to Mr. Angelito Banayo regarding the letter dated June 6, 2012 addressed to the Director, Collector Service of the Bureau of Customs stating that in consideration of the importation described below, the National Food Authority hereby undertakes and settles corresponding duties and taxes due thereon. (TSN August 13, 2012)

“Mr. Banayo: June 6, ano po – na galing po sa NFA, nagpaimbestiga po ako, ano po kung ano ang nangyari at ganoon. Apparently po, noong June 6, mayroon pang memorandum of undertaking na in-apply ang isang GPI San Miguel Mutlipurpose Cooperative, ano po- June 6 – for 3,500 metric tons. That is equivalent to 70,0000 bags, ano po.

Senator Recto: Dalawang papel ‘yon

Mr. Banayo: At isa pa po June 6 din po na ang importer naman po na mayroon din import permit ay St. Andrew’s Field Grains and Cereals Trading na 3,500 metric tons din. So that is also another 70,000 bags.

Senator Recto: Hundred Forty na.

Mr. Banayo: Hundred forty thousand. Yon po ang nasa records naming, dalawa, ano po. Pero noon pong June 27, madali pong salita, ito pong – ito po kasing MOU ang siyang ipinapakita nila sa Customs para hindi sila magbayad ng buwis sapagka’t yon pong importation under the Private Sector Finance Importation is covered by a tax exemption subsidy approved by the financial ---

Senator Recto: Fiscal Incentive Review Board.

Mr. Banayo: Fiscal Incentive Review Board, ano po. Yon po ang ano – that’s a multi agency group, ano po.

So yon pong MOU na yon, batay po sa aming records, ay hindi naman naipakita sa Customs; hindi po napa-accept sa Customs, ano po. And instead, noon pong June 27 – June 27 po 2012, tumanggap po kami ng sulat galing doon sa kooperatibang yon, St. Andrew’s at isa pa po, ‘yong San Miguel, saying na they are requesting cancellation of the MOU. So kinansel (cancel)

din po noong araw na yon ng aming Grains Marketing Division at tinatakan na "CANCELLED".

xxx

Senator Recto: Okay. So there was an attempt – there was an attempt by some of these registered licensed importers by the NFA to allow the importation for some of these bags of rice to come into the Philippine Customs territory. Maliwanag 'yon. Huh? Tatlong dokumento – 70, 140, 210. That is 70 kada dokumento, eh, di ba? Seventy thousand bags ---

Mr. Banayo: Dalawang 70 lang.

Senator Recto: Dalawa lang. So isang San Miguel, yong isa yong ibang pangalan naman.

Mr. Banayo: St. Andrew's.

Senator Recto: St. Andrew's. So 140 huh, na kung idi-divide natin yong 420 by 70, anim na dokumento yan, possible – 70 times 6 = 420.

Mr. Banayo: Para mabuo yung 420,000, kinakailangan po.

xxx

Senator Recto: Let me give you an example, for 3,5000 bags, that's 29.494 million. Half of that is roughly --- what – 15 million kung one seven fifty. I have here a notice of award and notice to proceed. So the difference – in effect, you monetize these documents, di ba? That goes to the NFA. Xxx

The point is, there will be no smuggling, if the government does not allow the private sector to import rice. If at all, it should be government, NFA particularly. Let's put it in the budget, import it if necessary and you then have it bidded out after, if at all, to the private sector kung may kulang sa supply ng bigas.

The Senate President: In other words, these are instruments for smuggling.

Senator Recto: For legal importation and smuggling.

Xxx

The Senate President: And then the holder of these allocations are not shelling out any money to buy the rice.

xxx

The Senate President: They instead sell their allocation to a supplier and get a portion of this subsidy. xxx

The customs duty for 70,000 bags is roughly at Php 29,494,918. Basically, the government is burdened by subsidizing the customs duties of the bags of rice being smuggled into the country.

It is specifically stated under Republic Act No 3019 on Corrupt Practices of Public

Officers, to wit:

"In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

xxx

(e) Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefits, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.

xxx

The testimony and documents submitted by the Bureau of Customs, National Food Authority and the Department of Trade and Industry before the Committees strongly reveal that there is a rice cartel which involves certain government officials who allow transactions to be consummated regardless of the irreparable injury it would cause to the government. It is, therefore, recommended that the Ombudsman together with the Bureau of Customs examine the significant documents submitted before the Committees and to conduct further investigation for possible violation of the Anti-Graft and Corrupt Practices Act against the following government officials:

1. Former Administrator Angelito T. Banayo of the National Food Authority;
2. Atty. Gilbert Lauengco, Former Chief of Staff of Administrator Banayo, and Member, Special Bids and Awards Committee;
3. Assistant Administrator Atty. Jose D. Cordero, Grains Marketing and Operations Department, and Chairman, Special Bids and Awards Committee;
4. Mr. Serafin Manalili, Provincial Manager, NFA Bulacan Provincial Office;
5. Ms. Yolanda Navarro, NFA Albay Provincial Office; and
6. Members of the Special Bids and Awards Committee: Ms. Celia Z. Tan, Vice-Chairman; Atty. Judy Carol L. Dansal, Member; and Mr. Carlito G. Co, Member.

2. In the privilege speech of the Senate President, the eleven (11) public hearings conducted by the Committees and one (1) executive session among the members of the Committees, the testimony and documents presented pointing to a certain "Danny Ngo" and a certain "David Tan". The Committees found that there is sufficient basis to conclude that financiers are behind the anomalous transactions, and the testimony and documents obtained in the hearings establish without a doubt that these financiers exist and have employed dummies to rig the bidding process. It is now the task of the Ombudsman, Department of Justice and the National Bureau of Investigation to pursue beginning with Mr. Danilo Garcia, Mr. Willy Sy, a certain "Danny Ngo" and "David Tan". These financiers and their accomplices must be unmasked and if warranted, the necessary charges filed against them. Mr. Danilo Garcia, Mr. Willy Sy, a certain "Danny Ngo" and "David Tan" should all be investigated for probable violation of Section 4 of Republic Act No. 3019¹, Sections 101 and 3601 of the Tariffs and Customs Code of the Philippines and Republic Act No. 1956 otherwise known as An Act Amending Article One Hundred and Eight-Six of the Revised Penal Code, Concerning Monopolies and Combinations in Restraint of Trade².

¹ It shall be unlawful for any person having family or close personal relation with any public official to capitalize or exploit or take advantage of such family or close personal relation by directly or indirectly requesting or receiving any present, gift or material or pecuniary advantage from any other person having some business, transaction, application, request or contract with the government, in which such public official has to intervene.

² Section 1 of R.A. No. 1956 states that: "Article one hundred and eighty-six of the Revised Penal Code is amended to read as follows:

Art. 186. Monopolies and combinations in restraint of trade. The penalty of prison correctional in its minimum period of a fine ranging from two hundred to six thousand pesos, or both, shall be imposed upon:

xxx xxx

2. Any person who shall monopolize any merchandise or object of trade or commerce, or shall combine with any other person or persons to monopolize said merchandise or object in order to alter the price thereof by spreading false rumors or making use of any other artifice to restrain free competition in the market;

3. Any person who, being a manufacturer, producer, or processor of any merchandise or object of commerce or an importer of any merchandise or object of commerce from any foreign country, either as principal or agent, wholesaler or retailer, shall combine, conspire or agree in any manner with any person likewise engaged in the manufacture, production, processing, assembling or importation of such merchandise or object of commerce or with any

3. Violations of the Tariff and Customs Code of the Philippines (TCCP)

Under Section 3601 of the Tariff and Customs Code, smuggling is committed by any person who: (1) fraudulently imports or brings into the Philippines or assists in importing or bringing into the Philippines any article, contrary to law; or (2) receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment or sale of such article after importation, knowing the same to have been imported contrary to law. Importation begins when the carrying vessel or aircraft enters the jurisdiction of the Philippines with the intention to unload and is deemed terminated upon payment of the duties, taxes and other charges due upon the articles and the legal permit for withdrawal shall have been granted. If the articles are free of duties, taxes and other charges, importation is terminated when the articles shall have legally left the jurisdiction of the customs³.

It must be noted that the Bureau of Customs filed charges against 31 officers of four (4) Central Luzon based Multi-Purpose cooperatives at the Department of Justice (DOJ) for their involvement, as consignees, in the attempt to smuggle into the country 78,000 bags of rice from Vietnam worth PhP 93,600,000.00 through the Port of Legazpi City, Bicol.

other persons not so similarly engaged for the purpose of making transactions prejudicial to lawful commerce, or of increasing the market price in any part of the Philippines, of any such merchandise or object of commerce manufactured, produced, processed, assembled in or imported into the Philippines, or of any article in the manufacture of which such manufactured, produced, processed, or imported merchandise or object of commerce is used.

If the offense mentioned in this Article affects any food substance, motor fuel or lubricants, or other articles of prime necessity, the penalty shall be that of prison mayor in its minimum and medium periods, it being sufficient for the imposition thereof that the initial steps have been taken toward carrying out the purposes of the combination.

Any property possessed under any contract or by any combination mentioned in the preceding paragraphs, and being the subject thereof, shall be forfeited to the Government of the Philippines.

Whenever any of the offenses described above is committed by a corporation or association, the president and each one of the directors or managers of said corporation or association or its agent or representative in the Philippines in case of a foreign corporation or association, who shall have knowingly permitted or failed to prevent the commission of such offenses, shall be held liable as principals thereof."

³ Tariff and Customs Code, Section 1202; Llamado v. Commissioner of Customs, 122 SCRA 118 [1983]

According to Commissioner Biazon, the illegal rice shipment from Vietnam which all arrived at the Bicol port in the same boat on September 2, 2012, did not have the required import permits in violation of Sections 101 and 3601 of the Tariffs and Customs Code of the Philippines (TCCP). The number of bags of rice that were illegally bought into the country by the four (4) cooperatives was beyond their imported rice quota allocation balances. The four cooperatives which were charged with smuggling of rice from Vietnam through the Legazpi City port in Albay are Kapatirang Takusa Multipurpose Cooperative, Ugnayang Magbubukid ng San Isidro Cooperative and Samahan ng Magsasakang Kapampangan at Katagalugan Mutlipurpose Cooperative, all based in Pampanga province; and the Bulacan-based Concerned Citizens Multipurpose Cooperative.

Ms. Emily Alabado of Ugnayang Magbubukid ng San Isidro Cooperative and Mr. Maximo M. Hernandez of Samahang Magsasakang Kapampangan at Katagalugan Multipurpose Cooperative were two of those charged by the BOC. Ms. Abalado and Mr. Hernandez appeared before the Committees in the hearings held in the Senate.

Accordingly, the National Bureau of Investigation and the Bureau of Customs are directed to conduct further investigation of the cooperatives, sole proprietors and other individuals based on the testimony given and documents submitted before the Committees and file criminal charges for strong probability of culpability of violations of the Tariff and Customs Code of the Philippines committed by the following:

1. King Casey Trading
2. Loui London Trading
3. St. Andrews Field Grains and Cereals
4. Wish Granted Enterprises
5. Montevallo Enterprises
6. Formosa Multi-Purpose Cooperative (MPC)
7. Riverview Multi-Purpose Cooperative
8. Ugnayang Magsasaka sa Kaunlaran MPC

9. GPI San Miguel MPC
10. St. Dominic Rice and Foodstuff Enterprises
11. Pure Country Trading
12. Chon Buri Trading
13. Mahindra Rice and Food Trading
14. Nemic Fusion Rice and Grains Enterprises
15. West Point Rice and Cereals Enterprises
16. Jaded Ranch Grains and Cereals Trading
17. Red Mountain Grain and Cereals Dealer
18. Sitio Muzon Farmers MPC
19. Sta. Cecilia MPC
20. Zwings Grain and Rice Enterprises
21. Lexant International Trading
22. Sili MPC
23. Kapatirang Takusa MPC
24. Samahan ng Magsasakang Kapampangan at Katagalugan MPC
25. Malipampang Concern Citizens MPC
26. Ugnayang Magbubukid ng San Isidro Inc.

The Committees find that the circumstances surrounding the financial capabilities of the winning bidders show that they cannot pay or afford to pay service fees ranging from Fifty Million to Sixty Nine Million Pesos. Some of the groups also transacted with the same branches of banks. There are different winning bidders who registered with the DTI on the same date. Most of the winning bidders obtained their NBI clearances on same dates. There are also winning bidders who have the same supplier that issued certifications to supply them with rice a day after the invitation to bid was published.

It is also recommended that criminal charges be filed against the abovementioned cooperatives, sole proprietors and other individuals for probable violation of Republic Act

No. 1956 otherwise known as An Act Amending Article One Hundred and Eight-Six of the Revised Penal Code, Concerning Monopolies and Combinations in Restraint of Trade.

The question that remains unanswered is who these big time financiers are. In the testimony of Mr. Magdangal Bayani Maralit III, he mentioned "Mr. Danilo Garcia" as his financier. The dummy traders point to a certain "Mr. Willy Sy". Based on the testimonies of the representatives of the farmers' cooperatives and the traders who acted as dummies to financiers, more or less a Billion Pesos (Php 1,000,000,000.00) was made readily available to effect the rigging of the bidding process.

Finally, based on the testimony and evidence before the Committees, Ms. Elizabeth Faustino prevented the farmers from attending hearings and thus, her actions are highly irregular and questionable and it is a compelling indication of their unwillingness to cooperate with the investigation. Had they not been issued arrest warrants they would have continued to defiantly disobey the lawful orders of the Committees and ignore the investigation being conducted by the Committees. Moreover, Ms. Eleonor Rodriguez and Ms. Elizabeth Faustino facilitated the rigging of the bid process by following the orders of their financier with utmost disregard to the plight of the farmers and further used them as dummies in the rice importation.

It is a recognized principle of law that in a conviction based on circumstantial evidence, absolute certainty is not required and that, in making reasonable inferences, we are always guided by logic, reason and the common experience of humankind⁴. Therefore, the Committees recommend that criminal charges be filed against Ms. Eleanor Rodriguez and Ms. Elizabeth Faustino for strong probable violation of the Tariff and Customs Code of the Philippines and Republic Act No. 1956 otherwise known as An Act Amending Article One Hundred and Eight-Six of the Revised Penal Code, Concerning Monopolies and Combinations in Restraint of Trade.

⁴G.R. No. 157221 People of the Philippines versus Cesar Galvez.

4. False Testimony/Perjury in Solemn Affirmation

Mr. Jan Dexter A. Marfil, President and Chief Executive Officer of Masagana Import and Export Inc., denied during the first hearing conducted by the Committees that he was importing any of the ninety containers. Mr. Marfil also denied ownership of the shipments and his company was just being used. According to him, he even submitted an Affidavit of Denial to the Office of the Commissioner and the Legal Department of the Bureau of Customs. Further, Mr. Marfil categorically stated that the "Affidavit of Undertaking" dated July 11, 2012 was falsified. In said Undertaking, it was stated that Mr. Marfil is the consignee of the 40 x 20 container, construction goods, gypsum board. In the next hearing on September 12, 2012, Atty. Leonardo W. Bernabe, Notary Public of Santa Rita corner Canal Road, Olongapo City appeared before the Committees and testified that he notarized the Affidavit of Undertaking dated July 11, 2012. Atty. Bernabe confirmed that Mr. Marfil signed the document before him when the document was notarized. He even presented photocopies of Mr. Marfil's identification cards in his possession namely: Land Transportation driver's licence and his voter's ID. However, Mr. Marfil denied that he appeared before Atty. Bernabe, and instead Mr. Marfil claimed that he was in the UCC Coffee Shop at the Mall of Asia on July 11, 2012.

The Revised Penal Code defines false testimony/perjury in solemn affirmation as follows:

ARTICLE 183. False testimony in other cases and perjury in solemn affirmation. -The penalty of arresto mayor in its maximum period to prision correccional in its minimum period shall be imposed upon any person who, knowingly making untruthful statements and not being included in the provisions of the next preceding articles, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires.

"Any person who, in case of a solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the three preceding articles of this section, shall suffer the respective penalties provided therein."

There are pending cases before the courts regarding the statements made by Mr. John Dexter Marfil. It is therefore recommended by the Committees that the cases against Mr. Marfil pending in the courts, be vigorously pursued by the Department of Justice.

5. Republic Act No. 6713, Otherwise Known as the Code of Conduct and Ethical Standards for Public Officials and Employees

In the hearing held on August 13, 2012 by the Committees, it was admitted by Mr. Stefani Sano, SBMA Senior Deputy Administrator of the Business and Investment Group, that he used the name of Senate President Juan Ponce Enrile to facilitate the release of documents in favor of an Indian rice importer.

SBMA Chairman and Administrator Roberto Garcia already filed an administrative case against Mr. Sano. It is recommended by the Committees that the Civil Service Commission to pursue the investigation of Mr. Sano.

In the event that Mr. Sano is found guilty of violation of the Code of Conduct and Ethical Standard, the Committees recommended that Mr. Sano be further charged before the Ombudsman of violation of Section 3 (a) of Republic Act No. 3019, to wit:

"Section 3. Corrupt Practices of Public Officers. - In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

(a) Persuading, inducing or influencing another public officer to perform an act constituting a violation of rules and regulations duly promulgated by competent authority or an offense in connection with the official duties of the latter, or allowing himself to be persuaded, induced, or influenced to commit such violation or offense.

xxx"

6. Finally, in the public hearing conducted by the Committees on December 10, 2012, the Senate President moved to provide security to Mr. Simeon Sioson, and duly seconded by the Chair of the Committee on Agriculture and Food. Accordingly, the Office of the Sergeant-at-Arms was instructed to provide security and put together necessary security measures to ensure his protection. The Committees recommend that Mr. Sioson be referred to the Witness Protection Program of the Department of Justice upon compliance of Mr.

Sioson of the requirements provided under Republic Act No. 6980 otherwise known as "The
Witness Protection, Security and Benefit Act."

Respectfully submitted,



SEN. RALPH G. RECTO

Chair, Committee on Ways and Means;
and Member, Committees on Agriculture
and Food, and on Accountability of Public
Officers and Investigations



SEN. FRANCIS N. PANGILINAN

Chair, Committee on Agriculture and Food;
and Member, Committees on Ways and
Means, and on Accountability of Public
Officers and Investigations



SEN. TEOFISTO L. GUINGONA III

Chair, Committee on Accountability of
Public Officers and Investigations; and
Member, Committees on Agriculture and
Food, and on Ways and Means



SEN. MANNY VILLAR

Chair, Committee on Trade and Commerce;
and Member, Committees on Ways and
Means, and on Accountability of Public
Officers and Investigations



SEN. FRANKLIN M. DRILON

Vice-Chair, Committee on Ways and Means;
and Member, Committees on Agriculture and Food,
and on Accountability of Public Officers and Investigations

MEMBERS:



SEN. LOREN B. LEGARDA

Committees on Agriculture and Food, on
Trade and Commerce, and on Accountability
of Public Officers and Investigations



SEN. SERGIO R. OSMEÑA III

Committees on Agriculture and Food, on
Ways and Means, and on Accountability
of Public Officers and Investigations

SEN. MANUEL "LITO" M. LAPID

Committees on Agriculture and Food, and
on Ways and Means



SEN. FRANCIS "CHIZ" G. ESCUDERO

Committees on Agriculture and Food, on
Ways and Means, and on Accountability of
Public Officers and Investigations


SEN. FERDINAND R. MARCOS JR.

Committees on Agriculture and Food, and
on Trade and Commerce


SEN. GREGORIO B. HONASAN II

Committees on Ways and Means, and on
Accountability of Public Officers and
Investigations


SEN. ANTONIO "SONNY" F. TRILLANES IV

Committees on Ways and Means, and on
Accountability of Public Officers and
Investigations

SEN. MIRIAM DEFENSOR SANTIAGO

Committees on Ways and Means, on
Trade and Commerce, and on Accountability
of Public Officers and Investigations


SEN. AQUILINO "KoKo" PIMENTEL III

Committees on Trade and Commerce, and
on Accountability of Public Officers and
Investigations


SEN. PANFILO M. LACSON

Committees on Agriculture and Food, and
on Accountability of Public Officers and
Investigations


SEN. JOKER P. ARROYO

Committees on Agriculture and Food, on
Ways and Means, on Trade and Commerce,
and on Accountability of Public Officers
and Investigations


SEN. RAMON BONG REVILLA JR.

Committees on Ways and Means, on Trade
and Commerce, and on Accountability of
Public Officers and Investigations


SEN. EDGARDO J. ANGARA

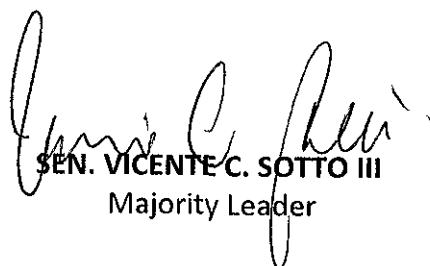
Committees on Ways and Means, on
Trade and Commerce, and on Accountability
of Public Officers and Investigations


SEN. PIA S. CAYETANO

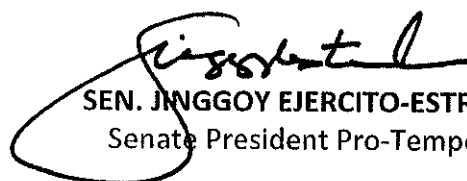
Committees on Ways and Means, on Trade
and Commerce, and on Accountability of
Public Officers and Investigations

EX-OFFICIO MEMBERS:

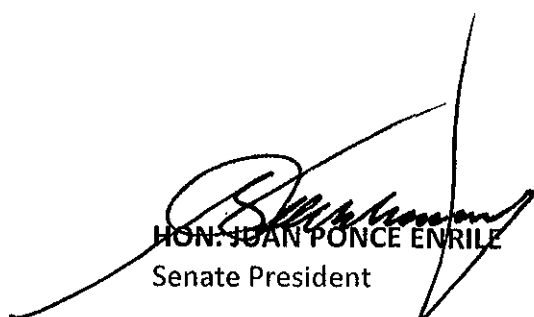
SEN. ALAN PETER S. CAYETANO
Minority Leader



SEN. VICENTE C. SOTTO III
Majority Leader



SEN. JINGGOY EJERCITO-ESTRADA
Senate President Pro-Tempore



HON. JUAN PONCE ENRILE
Senate President