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SENATE

P. S. Res. No. 41

Introduced by Senator FRANCIS G. ESCUDERO

RESOLUTION
DIRECTING THE SENATE COMMITTEE ON
ACCOUNTABILITY OF PUBLIC OFFICERS AND
INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN
INQUIRY INTO THE ALLEGED TEN BILLION PESOS PRIORITY
DEVELOPMENT ASSISTANCE FUND (PDAF) SCAM
INVOLVING THE JANET LIM-NAPOLES GROUP WITH THE
END IN VIEW OF ENACTING LEGISLATIVE MEASURES TO
ADDRESS THE SAME

WHEREAS, the Priority Development Assistance Fund (PDAF) and allied congressional initiative allocations collectively known as “pork barrel,” whose precursor is the Countrywide Development Fund (CDF) established in 1990, is categorically declared as a valid and constitutional exercise of the legislative “power of the purse” in *Philippine Constitutional Association v. Enriquez, et al.*;¹

WHEREAS, it has become a common misconception that the PDAF is a cash allocation given to Representatives and Senators with unlimited discretion to disburse and spend with neither constraints nor accountability; to the contrary, legislators do not handle the funds and implement the projects; their participation is but limited to the designation of beneficiaries and identification of projects, and the implementation is undertaken by government agencies concerned;²

WHEREAS, however, the designation of PDAF beneficiaries has purportedly mutated into a multi-billion government racket or scam allegedly perpetrated by a syndicate of Non-Government Organizations (NGOs) dubbed as the JLN (Janet Lim Napoles) Group of Companies;³

WHEREAS, according to this news reports, JLN operates through forgery, falsification and bribery in both Houses of Congress, the Departments of Budget and Management, Agriculture and Agrarian Reform, and other concerned agencies of government in the processing of the PDAF from request to release,

¹235 SCRA 507, 1994.

² Understanding the “Pork Barrel” by Hon. Nograles and Hon. Lagman.

³ ABS CBN News, 12 and 13 July 2013; Tribune, 13 July 2013; PDI, 14 July 2013.

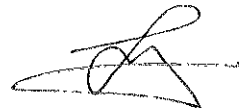
designation, distribution and finally liquidation, where the moneys end up in JLN's pocket and that of her cohorts;

WHEREAS, accountability and transparency in government, as enshrined in our Constitution,⁴ demand a full blown inquiry into the matter not only for the representatives of the people to clarify their respective positions, if some may be involved, but to show to every Filipino as well that neither sacred cows nor the notion of an "old boys' club" exists in a government working for change;

WHEREAS, finally, as a republican state,⁵ the sovereign deserves no less but the truth and their delegates, we the legislators, are accountable to it; let the sovereign thus decide after due hearing and investigation whether to hang Damocles' sword no more;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the Senate Committee on Accountability of Public Officers and Investigations (Blue Ribbon) conduct an inquiry in aid of legislation into the billions of pesos PDAF scam allegedly perpetrated by the JLN group through a syndicate of bogus NGOs.

Adopted,

A handwritten signature in black ink, consisting of a stylized, cursive script that is difficult to decipher. It appears to be a personal signature, possibly of a legislator or official involved in the document.

⁴Section 1, Article XI, Constitution.

⁵Section 1, Article II, Constitution.