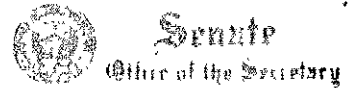


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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SENATE
P.S.R. No. 133

RECEIVED BY: *Ju*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE COMMITTEE ON CONSTITUTIONAL AMENDMENTS, REVISION OF CODES AND LAWS, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SENSE OF THE SENATE THAT THE PDAF (PRIORITY DEVELOPMENT ASSISTANCE FUND) SHOULD BE HALVED IN 2014, THE REMAINING SUM TO BE HALVED AGAIN IN 2015, THUS PHASING OUT THE PORK BARREL IN 2016

WHEREAS, the PDAF allocates ₱200 million per senator per year and ₱70 million per congressman per year. For a full term of six years, a senator is expected to receive ₱1.2 billion, while a congressman is expected to receive ₱210 million for each three-year term. In practice, some receive more, others less, than their regular entitlement.

WHEREAS, about half of the entitlement of each senator and congressman is of the "hard" type category (farm-to-market roads, bridges, irrigation, and so on); while the other half is of the "soft" type (scholarship, health services, financial aid to local governments, grants to some government corporations which are later given to some NGOs, and so on). The grant for health services could be "parked" with select medical institutions such as the Kidney Foundation, Heart Center, Lung Center, Philippine General Hospital, and other regional hospitals.

WHEREAS, the PDAF mess could have been prevented if there is transparency in the way public funds are allocated, released, and used. It is imperative that the Freedom of Information (FOI) be passed now.

WHEREAS, the first best solution is to discontinue the pork barrel system by reducing what has been proposed by the President in the 2014 budget for PDAF to zero.

WHEREAS, the Constitutional mandate is for Congress to decrease but not increase the appropriations as submitted by the President. By deleting the appropriations for PDAF, the President cannot resurrect it through line item veto. It is important that the full amount be reduced if the legislators are serious in abolishing “pork” in the budget. Reducing the PDAF appropriations to even one peso is “dangerous,” because then the President may choose to augment the peso appropriations with several billions which is allowed under the Constitution.

WHEREAS, legislators (senators and congressmen) are expected to pass laws and exercise oversight functions over the Executive Department’s implementation of existing laws; they are not expected to build roads, bridges, and other infrastructure projects.

WHEREAS, the second best solution is to gradually phase out the PDAF. This is to give senators and congressmen time to adjust to the new “rules”. Many of the legislators ran on the assumption that they would have the benefits of the pork, presumably as a way of “paying” for their election expenses. Senators do not have direct constituencies and there is a strong justification for them to give up the “pork”. People look up to them for making serious laws that could change the lives of a great number of people or could change the way society is run or managed. Senators are not to be expected to deliver projects all over the country.

WHEREAS, a congressman has constituencies from a defined geographic jurisdiction. Many voters, rightly or wrongly, expect their congressman to bring “home the bacon” to the district, in the form of capital projects. Each congressman could do this by availing of the pork barrel. Yet, congressmen are by and large legislators, not public works contractors. Hence, they should agree to the phase down of the PDAF.

WHEREFORE, BE IT HEREBY RESOLVED, that the Senate should phase out the PDAF, as follows:

(a) For senators: From ₱200M to ₱100M in 2014; ₱50M in 2015; nil in 2016; and

(b) For congressmen: From ₱70M to ₱35M in 2014; ₱15M in 2015; nil in 2016.

WHEREFORE, BE IT FURTHER RESOLVED, that in the meantime, the government should tighten the rules on the use of PDAF. The fund should be used strictly for “hard” projects and releases should be limited to national government agencies. Local government units and NGOs should not be eligible recipients of the fund. Limiting the fund to hard projects will facilitate monitoring. Scholarships should not be allowed; they are the responsibility of the more than 125 state universities and colleges. Releases to LGUs have been abused in the past, especially when the local chief executives (governors, city mayors, and municipal mayors) are relatives of legislators.

WHEREFORE, BE IT FURTHER RESOLVED, that the new PDAF rules should also prohibit budgetary releases to government-owned or controlled corporations, which may later on be released to NGOs (some fictitious or quasi-NGOs [QUANGOs] or NGOs headed by relatives of politicians or political NGOs).

WHEREFORE, BE IT FURTHER RESOLVED, that no public funds should be released to NGOs. This strict rule should be non-negotiable. In keeping with the spirit of volunteerism, NGOs are supposed to give aid to society, using the funds they raised on their own, and not public funds.

WHEREFORE, BE IT FURTHER RESOLVED, that the proposal to designate the DSWD as gatekeeper to congressional pork should be rejected, as the 2014 President’s Budget contains a special provision on the use of PDAF, which states that “only NGOs accredited by the DSWD will be eligible as recipient or implementing agency.” This politicizes an agency that is supposed to be apolitical, and agency responsible for improving the lives of Filipino regardless of their political color. This gives the DSWD the right to choose “friendly” NGOs and reject “unfriendly” NGOs. This proposed special provision constitutes undue delegation of the congressional power of the purse to an unelected Department Secretary. This is a cure worse than the disease.

Adopted,

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO