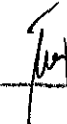


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL 24 1928

SENATE
P. S. R. No. 28

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE SENATE BLUE RIBBON COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED EXTORTION RACKET
IN THE COMMISSION ON APPOINTMENTS

WHEREAS, the Constitution, Article 6, Section 18 provides that: "There shall be a Commission on Appointments consisting of the President of the Senate, as *ex officio* Chairman, twelve Senators, and twelve Members of the House of Representatives, elected by each House on the basis of proportional representation from the political parties and parties or organizations registered under the party-list system represented therein. The Chairman of the Commission shall not vote, except in case of a tie. The Commission shall act on all appointments submitted to it within thirty session days of the Congress from their submission. The Commission shall rule by a majority vote of all the Members";

WHEREAS, the Rules of the Commission on Appointments, Section 20 provides: "Suspension of consideration of nominations or appointments. Any member may move for the suspension of action by the Commission on any nomination or appointment favorably recommended by a standing committee and the Chair shall suspend the consideration of said nomination or appointment: Provided, that, such suspension may be taken up in the next succeeding session of the Commission; Provided, further, that this section shall not apply to nominations or appointments taken up by the Commission during the last session prior to a sine die adjournment of Congress";

WHEREAS, Rep. Herminio Teves, father of Finance Secretary Margarito Teves, bared last month that he was allegedly approached by several members of the Commission on Appointments (CA) "selling" his son's confirmation for Php 5 million;

WHEREAS, Secretary Margarito Teves, for his part, said that some CA members have been asking him for favors in exchange for his confirmation; the demands allegedly do not involve money but the appointment of certain people to plum positions in revenue-raising agencies under the Department of Finance;

WHEREAS, according to Secretary Teves, other Cabinet members have told him that they allegedly have had experiences with CA members asking for money in exchange for their confirmation;

WHEREAS, former Agriculture Secretary Domingo Panganiban also revealed that eight congressmen sitting in the CA also purportedly demanded Php 80 million worth of projects from the Department of Agriculture for his confirmation;

WHEREAS, when the author was up for confirmation as agrarian reform secretary, the CA repeatedly bypassed her because she refused to accommodate the

recommendees and other illegal requests of certain CA members or their friends in the chamber;

WHEREAS, the extortion by CA members from cabinet nominees is facilitated by the notorious Section 20 of the CA Rules; under this provision, it takes only one CA member to veto all the rest of the 23 other members; this one-person veto is what empowers a CA member to extort bribes, government appointments, or public works contracts, in exchange for confirmation;

WHEREAS, when a member of a CA committee signifies that he will invoke Section 20 of the CA Rules in the plenary session, the committee chair can no longer call for a vote in the committee because it would be futile; a CA committee is helpless against any member who threatens to invoke Section 20 against a nominee;

WHEREAS, there is no justification for delaying a confirmation, except for grave reasons relating to the competence and integrity of the nominee; during the Thirteenth Congress, the CA committee on Foreign Relations, which is chaired by the author, confirmed the nominee of foreign affairs secretary Alberto Romulo after only one session;

WHEREAS, the CA committee on foreign relations posted the highest number of confirmations for the Thirteenth Congress, having secured the confirmation of 231 DFA ambassadors, consuls, and other high-level DFA positions;

WHEREAS, there are two solutions to prevent extortion in the CA in exchange for confirmation: (1) the repeal of Section 20 of the CA Rules; and (2) the prohibition of any direct or indirect communication between a CA member and a nominee outside of public CA confirmation hearings;

WHEREFORE, be it resolved, as it is hereby resolved by the Philippine Senate, to direct the Senate Blue Ribbon Committee to conduct an inquiry, in aid of legislation, on the alleged extortion racket in the Commission on Appointments.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Sds

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