


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

7 NOV 2007

SENATE
P.S.R. No. 114

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED USE BY THE DEPARTMENT OF AGRICULTURE OF EMERGENCY LIVELIHOOD FUNDS INTENDED FOR FARMERS TO PURCHASE TELEVISION SETS, GASOLINE, CURTAINS, AND CAR TIRES, AND THE UNREASONABLE EXPENSES INCURRED BY THE DEPARTMENT FOR MOBILE PHONES

WHEREAS, the Constitution, Article 2, Section 27, provides that “The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption”;

WHEREAS, the Constitution, Article 11, Section 1 provides that “Public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives”;

WHEREAS, the Constitution, Article 13, Section 5, also provides that “The State shall recognize the right of farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers’ organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services”;

WHEREAS, the Penal Code, Article 220, states that “Illegal use of public funds or property. – Any public officer who shall apply any public fund or property under his administration to any public use other than for which such fund or property were appropriated by law or ordinance shall suffer the penalty of *prision correccional* in its minimum period or a fine ranging from one-half to the total of the sum misapplied, if by reason of such misapplication, any damages or embarrassment shall have resulted to the public service. In either case, the offender shall also suffer the penalty of temporary special disqualification. If no damage or embarrassment to the public service has resulted, the penalty shall be a fine from 5 to 50 percent of the sum misapplied”;

WHEREAS, according to a 31 August 2007 article entitled “Emergency agri funds used for TV sets, curtains,” in the *Philippine Daily Inquirer*, a Commission on Audit (COA) report shows that the Department of Agriculture (DA) spent more than P2 million in emergency livelihood funds intended for farmers on television sets, gasoline, curtains, and car tires;

WHEREAS, the funds came from the Support for Emergency Livelihood Assistance Program (SELAP), which is intended for farm-to-market roads, post-harvest facilities, irrigation and livelihood projects, and rural infrastructure projects;

WHEREAS, the DA reportedly explained that the expenses incurred were in support of regional field operations that are a component part of the program, which include monitoring, evaluation, and rehabilitation of the regional office building;

WHEREAS, according to the COA report, the use of the funds were not “legitimate expenditures” for the program; in effect, funds intended for rural infrastructure projects were not utilized in accordance with the purpose, thus depriving rural folk of availing the benefits of the fund;

WHEREAS, the COA report also disclosed that the department’s Davao regional office purchased 202 mobile phone units worth P2.1 million over the past six years, allowing some officials and employees to have more than one unit each, in violation of COA prohibition against “excessive expenditures”; some of these mobile phones were either still in the possession of officials and employees who are no longer assigned to the field office or were issued to contractual employees;

WHEREAS, the extent of the illegal use of public funds within the Department of Agriculture must be investigated, with officials and employees found guilty of the crime of illegal use of public funds prosecuted and punished;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the alleged use by the Department of Agriculture of emergency livelihood funds intended for farmers to purchase television sets, gasoline, curtains, and car tires, and the unreasonable expenses incurred by the department for mobile phones.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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