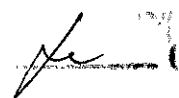


FOURTEENTH CONGRESS )  
OF THE REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

8 SEP 15 AM 1:39

SENATE

RECEIVED BY



P. S. Res. No. 637

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INTRODUCED BY THE HONORABLE MAR ROXAS

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A RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ENFORCEMENT OF THE CONTEMPT AND ARREST ORDER ISSUED BY THE SENATE AGAINST FORMER DEPARTMENT OF AGRICULTURE UNDERSECRETARY JOCELYN BOLANTE AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 28, Article II of the 1987 Philippine Constitution, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest;

WHEREAS, Section 7, Article III of the 1987 Philippine Constitution guarantees the right of the people to information on matters of public concern;

WHEREAS, from the period of October 2005 to February 2006, the Senate Committee on Agriculture and Food, jointly with the Senate Committee on Accountability and Investigation, have conducted an inquiry, in aid of legislation into P.S. Resolution 327 on the alleged mismanagement and use of the fertilizer fund of the Ginintuang Masaganang Ani Program of the Department of Agriculture;

WHEREAS, on 12 December 2005, then Undersecretary Jocelyn Bolante was invited as the lone resource person to clarify his involvement or non-involvement in the so-called "Fertilizer Scam", but fled to the United States on the same day, thus evading the Senate hearing;

WHEREAS, without the benefit of hearing from former Undersecretary Bolante, the concerned Senate committees have submitted Committee Report 54 on 1 March 2006 finding that the fertilizer issue was a scam and proposing several recommendations to strengthen the anti-graft and plunder laws of our country;

WHEREAS, the said Committees also noted in the Report that "although this is the Final Committee Report, the fertilizer fund scam will never be fully closed without the testimony of its brains and implementor Jocelyn Bolante;"

WHEREAS, a *GMA News* article dated 2 September 2008 reported that the United States appellate court has recently issued a decision denying the petition for asylum of former Undersecretary Bolante, thus increasing the possibility of his deportation back into the country;

WHEREAS, four subpoenas and one invitation have been sent to former Undersecretary Bolante to attend the Senate hearing, all of which was blatantly defied, making it incumbent upon the Senate to enforce its authority by putting into effect the 12 December 2005 contempt and arrest order it issued against former Undersecretary Bolante and taking custody of his person, pursuant to the constitutional mandate of maintaining transparency in public office;

*NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED*, that the Senate direct the appropriate Senate Committees to conduct an inquiry, in aid of legislation, on the enforcement of the contempt and arrest order issued by the Senate against former Department of Agriculture Undersecretary Jocelyn Bolante and for other purposes.

Adopted,

  
M A R ROXAS  
Senator