

Republic of the Philippines  
Congress of the Philippines  
Metro Manila  
Fourteenth Congress  
Third Regular Session

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Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.

JOINT RESOLUTION NO. 5

JOINT RESOLUTION AUTHORIZING THE USE OF THE UNPROGRAMMED FUND IN AN AMOUNT NOT TO EXCEED TWELVE BILLION PESOS (P12,000,000,000.00) FOR THE RELIEF OPERATIONS, REHABILITATION AND RECONSTRUCTION TO AREAS AFFECTED BY NATURAL CALAMITIES

WHEREAS, the onslaught of typhoons "Ondoy" and "Pepeng" has placed most parts of the country in such a devastating condition as heavy rains flooded and submerged communities, destroyed agricultural crops as well as public infrastructures, and displaced several thousands of Filipino families;

WHEREAS, the reconstruction and the rehabilitation of public infrastructures affected by typhoons "Ondoy" and "Pepeng" including typhoon "Frank" have not been fully implemented;

WHEREAS, in view of the overwhelming loss of and damage to lives, properties and infrastructures brought about by natural calamities, there is an imperative need to undertake relief operations, reconstruct and/or rehabilitate infrastructures and help rebuild the lives of tens of thousands of affected Filipinos;

WHEREAS, the amount of Twelve billion pesos (P12,000,000,000.00) is required to undertake the relief operations, rehabilitation and reconstruction to areas affected by natural calamities;

WHEREAS, the existing Calamity Fund is not adequate to fund the foregoing relief, reconstruction and rehabilitation activities;

WHEREAS, Republic Act No. 9524 or the FY 2009 General Appropriations Act authorizes the use of the Unprogrammed Fund for, among others, Support to Infrastructure Projects and Social Programs;

WHEREAS, said Infrastructure Projects and Social Programs cover relief operations, rehabilitation and reconstruction to areas affected by natural calamities: Now, therefore, be it

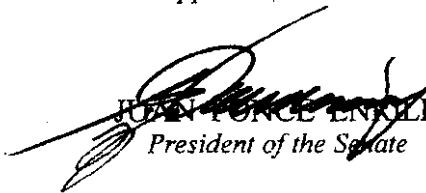
*Resolved by the Senate and the House of Representatives in Congress assembled,* To authorize the use of the Unprogrammed Fund under Purpose 6, Support to Infrastructure Projects and Social Programs to augment the Calamity Fund in an amount not to exceed Twelve billion pesos (P12,000,000,000.00) for relief operations, rehabilitation and reconstruction in the areas affected by natural calamities. Utilization of the fund shall be in accordance with the procedure and distribution system of the National Disaster Coordinating Council (NDCC) created pursuant to Presidential Decree No. 1566. To ensure transparency and accountability in the use and disbursement of the Twelve Billion Peso Fund, the NDCC, the implementing agencies and the local government units (LGUs) concerned shall post on their respective websites, their respective statement of projects/programs and corresponding funds allotted and disbursed therefore in accordance with the provisions of this Resolution and such other guidelines and rules as may thereafter be provided by the NDCC Board.

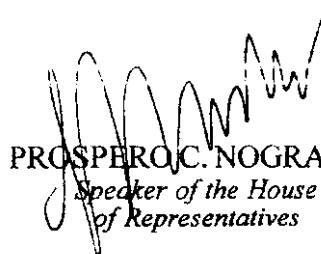
*Resolved, further,* To ensure faithful compliance with the provisions of this Resolution, there shall be a Congressional Oversight Committee to be jointly headed by the Chair of the Senate Committee on Finance and the Chair of the House Committee on Appropriations, and composed of four (4) Members of the Senate and four (4) Members of the House of Representatives to be designated respectively by the President of the Senate and the Speaker of the House of Representatives. A Member representing the minority of each House shall be nominated by their respective minority leaders. The NDCC shall submit to the Joint Congressional Oversight Committee a monthly report on the utilization of the fund and during such other time as the Committee may require. The NDCC and the Congressional Oversight Committee shall jointly adopt the procedure and distribution system as prepared by the NDCC.

*Resolved, furthermore,* That no money shall be released or spent without any identified program and project nor shall it be used to pay obligations incurred prior to the approval of this Resolution.

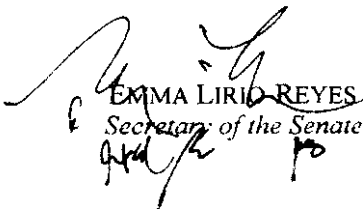
*Resolved, finally,* That in cases of extreme urgent infrastructure work such as the construction or repair and reconstruction of government infrastructure and facilities, the resettlement areas, homesites and townsites and projects such as drainage, roads, communications and power lines, hospitals, school buildings, irrigation and water system, the alternative method of procurement will only cover materials and works which will be implemented by administration, by the Department of Public Works and Highways (DPWH) and other implementing agencies. Otherwise, Republic Act No. 9184 and other relevant rules and regulations on procurement shall apply.

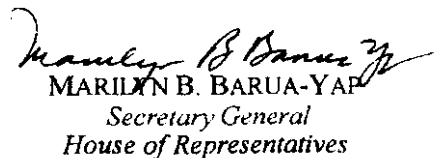
Approved,

  
**JUAN PONCE ENRILE**  
*President of the Senate*

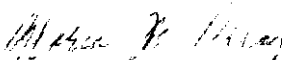
  
**PROSPERO C. NOGRALES**  
*Speaker of the House of Representatives*

This Joint Resolution which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on October 14, 2009.

  
**EMMA LIRIO REYES**  
*Secretary of the Senate*

  
**MARILYN B. BARUA-YAP**  
*Secretary General  
 House of Representatives*

Approved: NOV 03 2009

  
**GLORIA MACAPAGAL-ARROYO**  
*President of the Philippines*

