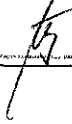


7 OCT -2 2007

**SENATE**

**P. S. RES. NO. 165**

RECEIVED BY: 

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**Introduced by Senator Arroyo**

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**RESOLUTION DIRECTING THE APPROPRIATE COMMITTEE TO LOOK INTO THE VIOLATION OF RULE XLVII AND/OR OTHER RULES OF THE RULES OF THE SENATE ON EXECUTIVE SESSIONS DURING THE SEPTEMBER 26, 2007 PROCEEDINGS**

**WHEREAS**, the banner headline of the Philippine Sunday Inquirer issue on the 30<sup>th</sup> of September, 2007 reads: "NERI WAS READY TO TALK But Joker intervention in executive session aborted bombshell";

**WHEREAS**, the story as written by Ms. Juliet Labog-Javellana narrated what purportedly transpired during the Executive Session held on September 26, 2007 alleging that said story came from four unnamed sources which the same did not identify;

**WHEREAS**, Ms Javellana also wrote that "Arroyo reportedly made a motion to allow Neri to avail himself of legal counsel of his choice." And 'after Arroyo's motion, Budget Secretary Rolando "Nonoy" Andaya Jr. entered the members-only Senators' Lounge.';

**WHEREAS**, the report is a complete falsehood. Almost all the senators were present in that Executive Session.

**WHEREAS**, the question arises: Were four senators the four sources of the Inquirer report? Did four senators peddle the falsehoods that became the basis of the Inquirer article?

**WHEREAS**, Budget Secretary Andaya and Deputy Secretary Manuel Gaité attended because Senator Cayetano, the Blue Ribbon Chair, said that Mr. Neri can bring his lawyers. Blue Ribbon Director-General Rodolfo Noel Quimbo was also present.

**WHEREAS**, at the start of the executive session, Senate President Villar reiterated the long-standing rule that anything said in the meeting stays in the meeting, nothing can get out.

**WHEREAS**, that is the sanctity of executive sessions. That has been compromised because of the Inquirer report.

**WHEREAS**, the Senate must conduct an inquiry on the violation of its long established rules and enduring practices, otherwise, no one will believe the confidentiality and sacrosanctness of executive sessions.

**WHEREAS**, the Inquirer has been at the forefront of the campaign to compel Sec. Neri to reveal his confidential conversations with the President on the ZTE deal and cannot accept the excuse of executive privilege.


**WHEREAS**, the Inquirer cannot maintain the moral high ground if it will not allow Ms. Javellana to reveal hers sources and hide behind the cloak that reporters cannot be compelled to reveal their sources.

**WHEREAS**, by the same token, how can the Senate enforce its compulsive powers to extract information when it cannot enforce its own rules on its members?

**WHEREAS**, the rule of "executive session" is a vital institutional instrument of the Senate that cannot be sacrificed only to promote sensational and tabloid journalism.

**Resolved, as it hereby resolved**, To direct the appropriate Committee to conduct an inquiry into the violation of Rule XLVII and/or other rules of the Senate as a consequence of the aforesaid news account and to investigate any or all Senators and non-Senators who were present during the said Executive Session and to impose sanctions as may be warranted under the Rules.

**Adopted,**

  
**Joker P. Arroyo**  
*Senator*