

# MALACAÑANG

Manila

EXECUTIVE ORDER NO. 341

## CREATING THE PRESIDENTIAL FACT-FINDING COMMISSION ON GOVERNMENT INFORMATION TECHNOLOGY PROJECTS

WHEREAS, the investigation of the TOPWEB (The Office of the President Web) controversy has been concluded with the submission of the Investigation Committee's final report;

WHEREAS, notwithstanding the conclusion of the TOPWEB investigation, the information technology (IT) industry has been clamoring for a wider and deeper probe into the integrity of other government IT projects;

WHEREAS, there has arisen a clear need not only to respond to such clamor but also to conduct a survey of the government IT landscape with a view to the formulation of policies and guidelines that will govern future projects;

WHEREAS, the government has become the country's biggest customer of computer systems, supplies and services.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**Section 1. The Presidential Commission.** - There is hereby created a Presidential Fact-Finding Commission on Government Information Technology Projects, hereinafter referred to as the Commission. The Commission shall immediately begin its work after its constitution and shall accomplish its objectives within three (3) months, after which, unless extended by the President, it shall be dissolved.

**Section 2. Composition.** - The Commission whose members shall be appointed by the President shall be composed of a Chairman and four (4) members two of whom shall come from the IT private sector.

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Section 3. Functions. - The Commission shall have the following objectives:

- 3.1. Review and, if necessary, investigate the bidding rules, procedures, conduct and other circumstances of large-scale government IT projects; "large-scale" for this purpose refers to projects costing at least One Million Pesos (P1,000,000) and shall cover, but not be limited to, those of the Department of Foreign Affairs (DFA), National Police Commission (NAPOLCOM), Bangko Sentral ng Pilipinas (BSP), Land Transportation Office (LTO), Government Service Insurance System (GSIS) and the Technical Education and Skills Development Authority (TESDA);
- 3.2. Determine if any irregularities have been committed in any of these and identify instances calling for the filing of administrative, civil and criminal charges against government personnel and private individuals, as the case may be;
- 3.3. Formulate policies and guidelines to cover future government IT projects;
- 3.4. Draw up recommendations, including proposed legislation if necessary, for the improvement of existing regulations governing public IT projects, and
- 3.5. Submit monthly periodic reports and one final comprehensive report to the President.

Section 4. Powers and Functions. - The Commission, in the attainment of its objectives and in the discharge of its functions, is hereby empowered to:

- 4.1. Call on any department, instrumentality or agency of the government for assistance and cooperation;

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- 4.2. In accordance with existing laws, regulations and procedures, issue compulsory processes to private individuals, groups or organizations as well as government officials;
- 4.3. Through appropriate diplomatic channels and with due regard to diplomatic considerations, request for the cooperation of foreign governments; and
- 4.4. Promulgate its internal rules and procedures to govern its mandate.

**Section 5. Secretariat.** - The Commission shall be assisted by a Secretariat which shall provide administrative and office support to the Commission to be composed of persons appointed by the Chairman.

**Section 6. Technical Panel.** - There is hereby constituted a Technical Panel composed of recognized and responsible experts to be appointed by the Chairman in the fields of information technology, finance, law and other relevant fields to provide technical assistance and advice to the Commission. The Commission may also seek the full- or part-time detail of government personnel to it.

**Section 7. Office.** - In coordination with agencies of the Philippine Government, including government-owned or controlled corporations, the Commission shall be provided with appropriate and adequate office space.

**Section 8. Funding.** - The expenses of the Commission, including the honoraria of its members and personnel, shall be charged to the President's Contingent Fund. An initial funding of Five Hundred Thousand Pesos (P500,000) is hereby released therefrom.

**Section 9. Effectivity.** - This Executive Order shall take effect immediately.


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DONE in the City of Manila, this 5<sup>th</sup> day of June, in the year of Our Lord, nineteen hundred and ninety-six.



By the President:



RUBEN D. TORRES  
Executive Secretary