

FUNDING THE NOT SO ELUSIVE CONFIDENTIAL FUND

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According to JMC, the term "confidential fund" refers to the lump-sum amount designated as such in the General Appropriations Act for National Government Agencies, in appropriation ordinances for local government units, and in the corporate operating budgets, or COBs, for corporations that are owned and controlled by the government. Confidential Expenses (CE) are costs associated with surveillance operations carried out by civilian government agencies that are meant to support the mandate or activities of the agency.

The matter of supporting the confidential fund has generated a lot of discussion and controversy. While some contend that this fund is important to preserve both national security and public safety, others think it is a waste of government dollars. Confidential Fund/s shall be used in accordance with the general instructions published by the Commission on Audit, Department of Budget and Management, DILG, Governance Commission for GOCCS, and Department of National Defense on their Joint Circular No. 2015-01 dated January 8, 2015:

acquisition of information required for the creation and execution of programs, activities, and projects pertaining to national security, peace, and order;

leasing a transport vehicle for secretive purposes;

rentals and ancillary costs associated with maintaining safehouses;

purchase or rental of equipment, supplies, and materials for secret operations that cannot be carried out using standard processes without jeopardizing the information gathering activity in question;

Reward payments to informants (who are not employees of the relevant government agency) are subject to the following restrictions:

LGUs, NGAs, and GOCC must receive approval from the HoA or the Chairman of the Board, respectively.

supported by records demonstrating the effectiveness of the information collection and/or monitoring efforts as a result of the informer's information; and

directly connected to how the designated confidential activities of authorized agencies are carried out.

In collaboration with the relevant law enforcement agencies, uncover/prevent criminal acts that constitute a clear and present danger to agency personnel/property, or other facilities and resources under the agency's protection;

Other people who might be permitted by the GAA or other unique regulations.

In accordance with the Joint Circular No. 2015-01's standards for the entitlement, release, use, reporting, and audit of confidential and/or intelligence money, the confidential fund is essential to efforts to collect intelligence and combat terrorism. Access to sensitive material is crucial to thwarting possible dangers in a world that is ever more complicated and networked. With the use of this budget, intelligence agencies can conduct clandestine operations, obtain crucial data, and safeguard national interests without jeopardizing confidential information. By enabling law enforcement to successfully combat terrorist groups and organized crime networks, funding for this cause ensures the safety of the public. These organizations frequently conduct their

business in secrecy and pose serious risks to the public's safety. Authorities can penetrate criminal networks by giving sufficient resources via the confidential fund.

Confidential funds cannot be used for:

Salaries, wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees who are employed by the government in whatever capacity or elected officials, except when authorized by law

Representation, consultancy fees or entertainment expenses

Construction or acquisition of buildings or housing structures

This fund, according to critics, is not transparent or accountable. While it is true that controls should be in place to guard against the misappropriation or abuse of funds, complete openness would lessen those controls' efficiency. The nature of intelligence work necessitates discretion for operations to be successful. Maintaining national security and defending citizens from potential attacks depend on funding the confidential fund. Though legitimate, concerns about openness should not take precedence over the necessity of protecting our society from organized crime and terrorism. Governments must commit enough funds to this cause while making sure the right oversight procedures are in place.

References:

Press Release - Chiz tells public officials: Submit utilization plan of confidential funds (senate.gov.ph)

COA-DBM Joint Circular No. 2015-01 - January 08, 2015 (gcg.gov.ph)

Confidential and intelligence funds explained | Philstar.com