



Senate of the Philippines

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Senator

Comments and Recommendations on the Seventh (May 11) Report on the Implementation of the Bayanihan Act (RA 11469)

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Here are our comments and recommendations on the measures currently being implemented to address the COVID-19 pandemic and mitigate its impact:

On Data Management and Disclosure

1. We hope to stress that consistent inclusion and accurate presentation of comparable key indicators in the reports are critical in assessing the weekly progress of the implementation of the Bayanihan to Heal As One Act and in guiding appropriate policy recommendations.

- **Inconsistent Inclusion in the Reports:** We have observed that the updates on the following indicators are included in some, but not all of the weekly reports (list is non-exhaustive):

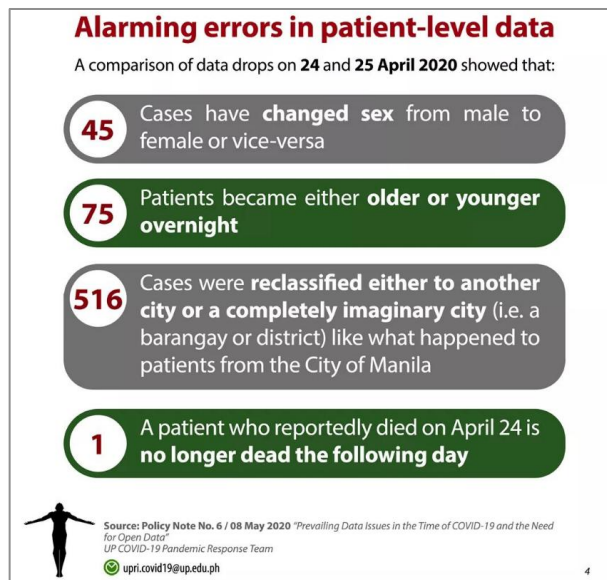
- *Total number of contacts traced:* There is no update on the total number of contacts traced in the 7th Report while the 6th Report stated that the DOH has traced 32,107 cumulative close contacts.

We would also like to inquire about the difference between the contact tracing figures included in the Bayahinan Report and the figures cited by the Regional Task Forces through the Office of Civil Defense, as included in the report by the National Disaster Risk Reduction and Management Council (NDRRMC) (dated May 12, 2020)¹ which shows a total of 163,023 close contacts.

- *Number and distribution of accredited mass testing centers:* We have long requested for the updated figures and list of mass testing facilities or centers established by the LGUs (such as Marikina's testing center and Taguig's drive-thru testing center) that are accredited, rejected, and those that still have pending requirements.

¹ May 12 NDRRMC Report

- **Discrepancies in Figures:** We also hope to point out some discrepancies in the data cited in the Bayanihan Reports.
 - *Patient-level Data Information:* We hope to inquire about the response of DOH on the alarming errors in patient-level data pointed out by the UP COVID-19 Pandemic Response Team (see image below). Note that such observations are culled from only the data drops on April 24 and April 25, 2020, and not yet the other months.



- *Beneficiaries under SAP for Drivers:* Below is the official poster from concerned agencies announcing that there are 22,796 drivers of PUVs that have received SAP assistance. It can be observed that such total is different from the data in the past Reports showing that the actual beneficiaries under SAP for Drivers is 40,418.²



² We also hope to inquire whether the database published in the LTFRB website (<https://drive.google.com/drive/folders/1qHGko-wjda18tskifGv8FHItnG0dmirS>) is the basis for the 90,000 target beneficiaries or not.

- **Non-inclusion in the Reports:** We have also noted that important indicators, which can help form policy insights, were never included in the past Bayanihan Reports.
 - *Total and Distribution of Suspected and Probable Cases:* Aside from the statistics on the number of confirmed COVID-19 cases, the number and distribution of suspected and probable cases³ are indicators of the impact, if any, of the community quarantines imposed across various LGUs in the country. In this light, we request that such figures be included in the government’s official tracker and in the Bayanihan Report, assigning DOH or the IATF as the official agency to announce it in public.⁴
 - *Number of LGUs with Contact Tracing Teams:* As previously raised, we also hope to know the number of LGUs that have organized their own contact tracing teams and the overall progress of DOH, PNP, and these LGU teams in tracing COVID-19 contacts.
 - *Number and Distribution of Tricycle and Pedicab Drivers who were provided aid under the Emergency Subsidy Program:*⁵ Tricycle and pedicab drivers have been clearly affected by the ban on mass transportation. While the DSWD Memorandum Circular No. 09 (s. 2020) Omnibus Guidelines in the Implementation of the Emergency Subsidy Program cites them as part of the target SAP beneficiaries, there is no clear reporting on the actual number of pedicab and tricycle drivers who actually received subsidy.
 - *Regional and/or Sectoral Distribution of Non-cash Aid:* We also hope to reiterate our previous recommendation for the Bayanihan Report to include update on regional or sectoral distribution of food packs. The 7th Report included update on this, but only the total (as of May 8, 2020, the DSWD has distributed 694,040 food packs (FPs) amounting to Php 296,834,952.75).
 - *Weekly Target PPEs Required by Facilities:* We have long requested to see a clear *weekly or monthly* target number of PPEs required by facilities. This is to better assess the shortage of PPEs, if any, especially considering that a material volume of PPEs are “pending allocation” or are kept in warehouses and have not been assigned to health facilities.

³PhilHealth Circular 2020-0009:A suspect case is a person who is presenting with any of the following conditions (i) all severe acute respiratory infection cases where no other etiology fully explains the clinical presentation, (ii) influenza-like illness cases with certain indications, and (iii) individuals with fever or cough or shortness of breath or other respiratory signs of symptoms fulfilling certain conditions. Meanwhile, a probable case is a suspect case whose COVID-19 is either not possible, inconclusive, or not conducted in an accredited laboratory

⁴ We note that the National Disaster and Risk Reduction Management Council (NDRRMC) publishes in its daily reports the total number of suspected and probable cases, which may or may not yet be validated.

⁵ We note that although tricycle and pedicab drivers are under the jurisdiction of their local governments, Section VI of the JMC No. 1 Series of 2020 lists them as among the target 18 million beneficiaries of Social Amelioration Programs. While pedicab and tricycle drivers are eligible to apply for DOLE’s TUPAD for informal workers and may also receive cash from their own LGUs (whose amount is usually lower than the Php5,000 to Php8,000 assistance given by the DSWD to other drivers), there is no clear guarantee that none of them would not fall through the cracks.

2. We look forward to the release and/or wide dissemination of the following datasets/ data monitoring system, in addition to a summary integrated into the Bayanihan Reports:

- *Data on Financial Assistance to Formal and Informal Workers, and OFWs through the DOLE Online Monitoring System:* As we have raised this for several weeks now, we hope that DOLE will be able to launch as soon as possible, its online monitoring system, which provides real-time updates (e.g. with respect to individual DOLE programs, the number and regional distribution of establishments that applied for the program, the number of approved, denied or pending applications, the number of employees granted assistance, profile of the applicant or nature of work, their location, and the date of remittance of assistance, etc.).

We commend the DSWD for requiring its field offices to post the initial list of beneficiaries that belong to the beneficiaries of Social Amelioration Programs.⁶ We look forward to a similar database on DOLE's website.

- *Harmonized or One-stop Website for All COVID-19 Loans and Non-SAP Assistance:* In this critical time, we hope to see in the government's COVID-19 information portal a comprehensive list of available loans or financial assistance relevant to COVID-19 crisis adaptation, to centralize information and reach as much potential beneficiaries.

For instance, there is the recently launched Php3 billion ACADEME (Access to Academic Development to Empower the Masses towards Endless Opportunities) Lending Program, which aims to extend assistance to private schools, universities, colleges, tech-voc and education training institutes with a fixed 3% interest for the entire term of the loan. Also, in addition to the SAPs, the DSWD – through its regular AICS – also caters to non-COVID-19 related concerns (e.g. requests for medical or burial assistance). On the other hand, the Small Business Corporation under DTI has the COVID-19 Assistance to Restart Enterprises (CARES) Program (which has so far received a total of 3,598 application inquiries), while the DA also has other loan programs for farmers (such as the Assistance for Marginalized and Small Farmers and Fisherfolk (MSFFS) and Assistance for Agri-based MSMEs). Information on all these and more should be widely disseminated, especially considering the move to the new normal.

- *Data on Testing:* As of May 6, 2020 a total of 139,379 tests have been conducted on 131,786 individuals. While such is consistently reported in the Bayanihan Reports, we hope to emphasize that our persistent request for a more granulated data on mass testing (e.g. regional distribution, age, gender, pre-existing conditions), which can provide an accurate picture of the spread of COVID-19, is not a request for a patient-level dataset and therefore should not violate the Data Privacy Act.

⁶ <https://www.dswd.gov.ph/list-of-sap-beneficiaries/>

3. We also hope that the appropriate government agency can provide an analysis or tracking of COVID-19 deaths in the country and make sure that our figures are not underestimated.

- As of May 12, 2020 a total of 726 deaths due to COVID-19 have been recorded in the DOH portal, of which 414 or 57% are posthumous results, or the case where the patient have died before they were declared positive. Considering that these deaths do not cover those that were not tested to begin with, it is imperative to look into deaths of patients with suspected and probable cases and account for potential underreporting.
- A New York Times article published a review of mortality data showing that at least 71,000⁷ deaths in 22 countries are unaccounted for, i.e., they are not included in the official COVID-19 deaths in these countries.

Assistance to Affected Sectors

4. We hope to know the DSWD's next plan regarding the remaining 10% of the SAP beneficiaries, which to date, remain unserved.

- As of May 12, 2020, the subsidy totaling Php92.1 billion have been distributed to 16.3 million beneficiaries.⁸ This represents 90.5 percent of the target 18 million households.
- It can be observed that as of May 7, 2020, despite extension of deadline for the distribution of the first tranche of SAP to May 10, 2020, a number of regions still recorded very poor performance in terms of share of target beneficiaries paid: these are BARMM (10.80%), NCR (55.9%), Region VII (64.97%), Region XI (67.4%), and Region IVA (69.51%).

5. It can be noted that there was an increase of Php131.911 million in the total allotment for the SAP for Non-4Ps beneficiaries.⁹ We hope to inquire about the distribution of this increase across LGUs as well as the basis on determining which LGUs shall be granted an increase in allotment.

⁷ <https://www.nytimes.com/interactive/2020/04/21/world/coronavirus-missing-deaths>.

⁸ <https://news.mb.com.ph/2020/05/12/16-3-m-beneficiaries-already-received-sap-subsidy-dswd/>

⁹ Allotment was Php 82.042 million in the 6th Report vs Php 82.174 in the 7th Report

Assistance to Workers

6. We again seek a response as to why the progress on distributing assistance to TNVS/PUV drivers froze to 44.9% of target beneficiaries.

- For already four (4) consecutive weeks, the DSWD has reported reaching only 44.9% of target TNVS/PUV drivers. Moreover, we note that the target 90,000 drivers only pertain to those in the NCR. Meanwhile, according to LTFRB, it has already submitted 393,662 names for validation to DSWD as of April 26, 2020.¹⁰
- Among our questions include: What factors are mainly responsible for the delay in delivering the subsidy to the drivers? What database, if any, was the basis for the 90,000 target TNVS/PUVs beneficiaries in the first place? Why is the target limited to drivers in NCR only? What process has been followed to validate the list, or add more beneficiaries to it? What is the expected turn-around time for the validation to be finished?

7. We reiterate our call to DBM to augment the funds for the assistance programs of the DOLE.

- While the 7th Bayanihan Report provides that DOLE has only utilized Php750 million out of its Php1.5 billion budget for AKAP for OFWs Program, during the hearing of the Senate Committee on Public Services on May 11, 2020, DOLE Secretary Bello said that the Php1.5 billion funds allotted for DOLE's AKAP for OFWs Program is almost depleted. He also explained that the OFW-applicants, which is already at 370,000, far exceeded their initial estimated target of 150,000 OFWs. Considering the massive job displacements worldwide, we hope that Filipinos abroad and/or who are repatriated may also be given proper assistance.
- We also hope that DBM will continue to augment DOLE's funds for its other two programs to be able to provide assistance to those who have not been granted assistance under DSWD's SAP or DOF's SBWS.

SAP for MSMEs and Productive Sectors

8. We hope to know the next plan of action the government is considering in light of the fact that despite the extension of the application for the Small Business Wage Subsidy (SBWS) Program to May 8, a material portion of the target 3.4 million beneficiaries is expected to not receive subsidy.

- The 7th Bayanihan Report cites that as of May 7, 2020, application for wage subsidy of 2.2 million employees (or 65% of the target 3.4 Million beneficiaries) have been approved, more than half of which or a total of 1.26 million employee-beneficiaries have actually received the subsidy. How do you ensure that remaining beneficiaries are also given proper assistance?

¹⁰ <https://www.facebook.com/ltfrb.central.office/photos/a.1416260738615850/2597540213821224/?type=3&theater>

Cost of PPEs; Accounting of Procured and Donated PPEs

9. While we have long emphasized the importance of guaranteeing adequate Personal Protective Equipment (PPE) in health facilities to protect our frontliners, we hope to seek assurance that sourcing those under a government-to-government deal follows cost-effective and transparent procurement practices. Specifically, we hope to see the cost justification for the bulk source procurement of the 1 million PPE sets and 3 million PPE sets from China last month and this month, respectively.

We would also like to reiterate our request for a full accounting of the said procured PPEs. The National Task Force (NTF) COVID-19 Chief Implementer Sec. Carlito Galvez Jr. previously explained that bulk of the said 1 million PPE sets would be dispatched to hospitals from April 6 to 24, 2020, although past Bayanihan Reports do not include update on such.¹¹

- Comparing the two separate procurements, it can be observed that the PPEs procured from China in April only cost Php 1,800 per set on average, whereas the batch procured this month (as supply for June to August) cost more than triple—or Php 6,666 per set.

Number of PPE Sets Procured from China	Total Cost
1 million PPEs (for April)	Php 1.8 billion
3 million PPE sets (for June to August)	Php 20 billion

Health Human Resource

10. The threat of COVID-19 infection that our health frontliners face remains to be alarming. With the expected increase in cases (partly due to the gradual easing of restrictions), we hope to see a more concrete plan to reduce such risks.

- As of May 11, the DOH reported that there had been 2,067 healthcare personnel infected by COVID-19.¹² This constitutes 18.6% of the total cases in the country, which is significantly higher compared to the infection rate of 2-3% for healthcare workers in the Western Pacific Region.¹³ While we understand that DOH believes that this is not due to lack of PPEs, but partly due to wrong practices by healthcare workers after their shifts, and to community transmission, DOH should intensify its information dissemination protocols to properly inform the healthcare workers of the correct protocols to be followed after their duty, and to provide lodging to healthcare workers to avoid community transmission. In any case, DOH should also ensure that PPEs are delivered promptly to healthcare facilities, as there are reports that hospitals are already resorting to recycling their PPEs due to lack of supply.

¹¹ <https://www.rappler.com/nation/260423-galvez-government-procurement-ppe-for-june-august-2020>

¹² covid19stats.ph/stats Accessed May 13, 2020

¹³ <https://www.cnn.ph/news/2020/4/22/COVID-19-frontliners-healthcare-workers-coronavirus.html>

Telemedicine

- 11. The 7th Report cited that the DOH, DILG, and DICT shall jointly implement the Second Phase of the DOH Telemedicine Program, which implies completion of the 1st phase of the said program. We hope to see a performance report or statistics showing how many COVID-19 queries were received and attended to in the past months, and the kinds of actions or assistance provided (e.g. teleconsultation, delivery of medicine to home, referral to facility, etc.)**

Summary of Unaddressed Comments and Recommendations

1. We also wish to convey our disagreement to the decision of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID or Task Force) on classifying the Philippine Offshore Gaming Operators (POGOs) as members of the BPO sector.
 - Consistent with our earlier recommendation to adopt a sectoral policy in gradually lifting the lockdown, it is our humble opinion that POGOs not only do not have significant contribution to the economy, they also pose serious threat to our country's efforts to flatten the curve of transmission of SARS-COV-2. Thus, allowing them to re-open at this time, when there is still very little testing done, is ill-advised.
 - Based on our hearings in the Senate, we have discovered the following alarming facts about the industry:
 - The POGO industry has not benefitted Filipino workers, and has made very little, if at all, impact in curbing the rate of unemployment in the Philippines. Based on the data submitted to our office, only about two in every 10 jobs in POGOs are held by Filipinos.¹⁴
 - The POGO industry has very little contribution to the country's Gross Domestic Product (GDP), having only Php7 billion in net financial inflows (or 0.04% of GDP) from 2017 to 2019. In contrast, it owes the country around Php50 billion in unpaid taxes, which is 3.6 times more than the Php14 billion taxes and fees the industry paid in 2019.
 - The influx of POGOs has resulted in rising criminality, including prostitution, and increased threat of money laundering, among others. For example, of the total 1,338 foreign nationals deported from the country in 2019, 733 are fugitives who are mostly involved in POGO operations in the country. Around 10 raids have also been conducted in prostitution dens catering mostly to POGO workers.
 - The POGO industry has not been traditionally considered as part of the BPO industry. Unlike POGOs, BPOs generate local employment. In 2019, the BPO sector employed 1.33 million full-time equivalent workers, and generated USD22.4 billion in revenues.
 - On May 5, 2020, we sent a letter to IATF-EID, thru Secretary Duque, regarding this matter. Unfortunately, to date, we have not received any response from the Task Force.

¹⁴ Note, however, that we entertain some doubts as to the veracity and accuracy of the reports submitted by PAGCOR due to the fact its reports do not tally with the figures reported by other agencies, such as the DOLE and the POGO Task Force.

2. To reduce the risk of spread of COVID-19 upon implementation of General Community Quarantine (GCQ), we recommend that DOLE coordinate and monitor all establishments, especially those that recorded poor compliance with Occupational Safety and Health Standards (OSHS) in the most recent DOLE inspections, and ensure that they are aware of the proposed protocol for screening employees and visitors. We also hope that DOLE will provide a clearer set of guidelines on the safety and health protocols that must be adhered to at this time.

3. We have noted that the average amounts of COVID-19 Emergency Subsidy assistance received by 4Ps beneficiaries and informal workers are the lowest compared to the other groups targeted under different Social Amelioration Programs. Hence, we hope that the government can outline a clear strategy to prevent the further deepening of inequality or the “undoing” of the progress made by 4Ps on cutting income inequality¹⁵, brought about the COVID-19 crisis.¹⁶
 - While we understand that such subsidy is on top of the conditional cash transfers 4Ps beneficiaries are already receiving, the implementation of lockdowns impact more tremendously those without access to financial resources, food stock, and decent shelter.
 - From the Sixth Bayanihan Report, it can be calculated that the average amount of assistance received by 4Ps beneficiaries—Php4,380—is the lowest compared to the other target groups (e.g. Average assistance of Php 5,841 to non-4Ps, Php

Program	Target	Beneficiaries Served	Total Amount Received	Ave. Amount of Assistance Received
AICS	Total	10,292,435	54,647,554,300	5,309.49
AICS	4Ps	3,806,111	16,672,946,650	4,380.57
AICS	Non-4Ps	6,445,906	37,651,263,650	5,841.11
AICS	TNVS/PUVs	40,418	323,344,000	8,000.00
CAMP	Formal Workers	522,855	2,614,000,000	4,999.47
AKAP	OFWs	44,878	459,000,000	10,227.7
TUPAD	Informal Workers	254,071	993,100,000	3,908.7
FSRF	Farmers	266,284	2,956,000,000	11,100.9

¹⁵ Prior to the pandemic, the country's poverty rate was projected to fall below 20% beginning 2020. The World Bank has projected the country's poverty rate to be at 19.8 percent this year and then 18.7 percent in 2021, partially attributing it to the cash transfer schemes that have cushioned this vulnerable sector from negative economic shocks.

¹⁶ <https://business.inquirer.net/281269/ph-poverty-rate-seen-falling-below-20-starting-2020>

4. Recently, the DOLE has realigned Php1.5 billion of its 2020 budget to augment the funds available to implement COVID-19 Adjustment Measures Program (CAMP). However, such realignment in its internally sourced funds is not adequate to cover the estimated 2.3 million formal sector workers displaced by the COVID-19 pandemic, and could only expand CAMP's coverage to up to 650,000 workers. We reiterate our call for DBM to augment the funds available for the implementation of crucial DOLE Programs (i.e. CAMP, TUPAD, and AKAP¹⁷), as doing so is mandated in Section 4(v)(4) of the Bayanihan to Heal as One Act^{18,19}, and will further solidify the government's safety nets for workers together with the Small Business Wage Subsidy (SBWS) implementation.
5. As of the 6th Bayanihan Report, the Tertiary Education Subsidy (TES)²⁰ funds of only 33 out of 106 State Universities and Colleges (SUCs) and 18 out of 60 Local Universities and Colleges (LUCs) have been processed. We hope that the Commission on Higher Education (CHED) can fast track the disbursement of the said funds and assist higher education institutions that have difficulty completing the submission of their documents due to the ongoing lockdown.
6. In basic education, considering the recent announcement that the next school year has been set on August 24, 2020, we hope to see an outline of what the Department of Education (DepEd) plans to do (including the timeline) to ensure that issues with alternative learning systems, such as lack of access to internet and computers by some students, would not hamper the delivery and effectiveness of education.
7. We also hope to know the status of preparedness of HEIs, students and faculty to shift to online modes of learning in light of the continuing threat of COVID-19. Likewise, the quality of the internet connectivity in the country must also be studied to determine the feasibility and reliability of such resorting to such mode of learning. In this regard, we are glad that the CHED and DICT are already talking about this, but we still hope to get a clearer picture on the arrangements that they have agreed upon in the coming days.

¹⁷ (i) COVID-19 Adjustment Measures Program (CAMP) is for workers in the formal sector (regardless of status of employment) affected by Flexible Work Arrangements or temporary closure; (ii) Tulong Panghanapbuhay sa Ating Displaced/ Disadvantaged Workers Program (TUPAD) Barangay Ko, Bahay Ko (BKBK) is for workers in the informal sector who are affected by the Enhanced Community Quarantine, (iii) Abot Kama yang Pagtulong (AKAP) is for on-site and returning OFWs

¹⁸ Section 4 (v) of the Bayanihan to Heal as One Act provides: The following items in the budget shall be prioritized for augmentation: (4) Programs of the Department of Labor and Employment, such as but not limited to Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers and COVID-19 Adjustment Measures Program (CAMP)

¹⁹ <https://www.senate.gov.ph/Bayanihan-to-Heal-as-One-Act-RA-11469.pdf>

²⁰ TES is an additional stipend given to students in SUCs/LUCs who are in the Listahanan 2.0 of the DSWD