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SENATE

P.S. Res. No. 367

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION

URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CONFUSION AND FRUSTRATION AT THE LOCAL ADMINISTRATIVE LEVEL WITH REGARD TO THE IMPLEMENTATION OF THE EMERGENCY SUBSIDY PROGRAM OF THE NATIONAL GOVERNMENT IN COMBATING THE COVID-19 OUTBREAK, WITH THE END VIEW OF IDENTIFYING GAPS IN PROGRAM DESIGN AND IMPLEMENTATION AND IMPROVING DELIVERY SYSTEMS TO ITS TARGET BENEFICIARIES

1 WHEREAS, Article II, Section 15 of the 1987 Constitution provides, in part, that
2 “[t]he State shall protect and promote the right to health of the people”;

3 WHEREAS, Article XIII, Section 11 of the same mandates that the State “adopt
4 an integrated and comprehensive approach to health development which shall
5 endeavor to make essential goods, health and other social services available to all the
6 people at affordable cost. There shall be priority for the needs of the under-privileged,
7 sick, elderly, disabled, women, and children”;

8 WHEREAS, Article II, Section 10 of the same mandates that”, [t]he State shall
9 promote social justice in all phases of national development”;

10 WHEREAS, social justice has been defined by the Supreme Court in the case of
11 *Calalang v. Williams*¹ as, “the promotion of the welfare of all the people, the adoption
12 by the Government of measures calculated to insure economic stability of all the
13 competent elements of society, through the maintenance of a proper economic and
14 social equilibrium in the interrelations of the members of the community,

¹ G.R. No. 47800 (December 2, 1940)

1 constitutionally, through the adoption of measures legally justifiable, or extra-
2 constitutionally, through the exercise of powers underlying the existence of all
3 governments on the time-honored principle of *salus populi est suprema lex*”;

4 WHEREAS, Article XII, Section 1 of the Constitution lays down as amongst the
5 goals of national economy a “more equitable distribution of opportunities, income,
6 and wealth”;

7 WHEREAS, on 9 March 2020, President Rodrigo Duterte declared a state of
8 public health emergency after health officials recorded additional cases of the 2019
9 novel coronavirus, including the first case of local transmission in the Philippines;²

10 WHEREAS, on 11 March 2020, the World Health Organization (WHO)
11 officially declared the COVID-19 virus as a pandemic;³

12 WHEREAS, on 16 March 2020, President Duterte issued Presidential
13 Proclamation No. 929 declaring a nationwide state of calamity as a result of the
14 unabated increase in the number of COVID-19 positive cases in the Philippines;⁴

15 WHEREAS, on the same day, the Philippine government put in place stringent
16 social or physical distancing measures in Luzon in a bid to contain the spread of the
17 novel coronavirus. Described as an “enhanced community quarantine”, it was set to
18 last until 12 April 2020 initially, and extended until 30 April 2020, and further
19 extended until 15 May 2020 in the National Capital Region (NCR) and other areas. It
20 set in motion efforts to limit the movement of people going in and out of the island
21 region which is home to at least 57 million individuals;⁵

22 WHEREAS, President Duterte also told millions of Filipinos in Luzon who will
23 be under the enhanced community quarantine to seek out their barangay officials and
24 mayors in order to ask for food in order to avoid going hungry amidst the lockdown;⁶

² Tomacruz, S. (2020, March 9). *Duterte declares state of public health emergency amid rise in coronavirus cases*. Retrieved April 21, 2020, from <https://www.rappler.com/nation/253833-duterte-declares-state-public-health-emergency-rise-coronavirus-cases-march-2020>

³ WHO announces COVID-19 outbreak a pandemic. (2020, March 12). Retrieved April 21, 2020, from <http://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/news/news/2020/3/who-announces-covid-19-outbreak-a-pandemic>

⁴ CNN Philippines Staff. (2020, March 17). *Philippines under state of calamity due to COVID-19*. Retrieved April 21, 2020, from <https://cnnphilippines.com/news/2020/3/17/ph-state-of-calamity-coronavirus.html>

⁵ Tomacruz, S. (2020, April 7). *Duterte extends Luzon lockdown until April 30*. Retrieved April 21, 2020, from <https://www.rappler.com/nation/256432-duterte-extends-luzon-lockdown-april-30-2020-coronavirus-pandemic>

⁶ Talabong, R. (2020, March 16). *Need food? Turn to your barangay officials, mayors – Duterte*. Retrieved April 21, 2020, from <https://www.rappler.com/nation/254774-duterte-says-turn-barangay-officials-mayors-for-food>

1 WHEREAS, on 25 March 2020, Republic Act No. 11469, otherwise known as
2 the “Bayanihan to Heal as One Act” (the “Bayanihan Act”), was enacted. It granted
3 President Duterte certain authorized powers to address the COVID-19 virus outbreak;⁷

4 WHEREAS, one of the principal features of the aforementioned law is an
5 emergency subsidy program which allocates a ₱200 billion social amelioration fund to
6 be distributed to 18 million low-income household-beneficiaries who have lost their
7 sources of livelihood due to the pandemic;

8 WHEREAS, under the program, each household-beneficiary shall be entitled to
9 receive ₱5,000 to ₱8,000 per month – computed according to their respective region’s
10 minimum wage rates – covering the months of April and May 2020;⁸

11 WHEREAS, target beneficiaries were identified as families belonging to either
12 the poor or informal sector which are at risk of not earning a living during the
13 enhanced community quarantine, and who may have at least one member belonging
14 to any of the following vulnerable or disadvantaged sectors: senior citizens, persons
15 with disability (PWD), pregnant and lactating women, solo parents, Overseas Filipinos
16 (OFs) in distress, indigent indigenous peoples, underprivileged sector and homeless
17 citizens, and informal economy workers;

18 WHEREAS, due to unclear guidelines and incoherent statements, this cash
19 assistance program has been mishandled by the government on multiple levels,
20 resulting in much confusion and the potential disqualification of many vulnerable
21 families from being identified by the program⁹ as well as low distribution rate to its
22 target beneficiaries as published in the fourth weekly report of the President to the
23 Joint Congressional Oversight Committee, pursuant to Section 5 of the Bayanihan Act;

24 WHEREAS, for instance, if even one family member is employed by the
25 government in any capacity, the whole family is disqualified, even if the status of
26 employment is merely job order or honorarium-based that pays less than ₱5,000 per

⁷ Tomacruz, S. (2020, March 25). *Duterte signs law granting himself special powers to address coronavirus outbreak*. Retrieved April 21, 2020, from <https://www.rappler.com/nation/255718-duterte-signs-law-granting-special-powers-coronavirus-outbreak>

⁸ Butuyan, J. R. (2020, April 20). *Amelioration turned nightmare*. Retrieved, April 21, 2020, from <https://opinion.inquirer.net/129047/amelioration-turned-nightmare>

⁹ Chui, P. (2020 April 5) *Local officials gripe against 'quota system' for cash aid*. Retrieved April 21, 2020, from <https://newsinfo.inquirer.net/1254004/local-officials-gripe-against-quota-system-for-cash-aid#ixzz6KFI2lPIj>

1 month. On the other hand, if any family member is formally employed in the private
2 sector, the entire family is disqualified even if no salary is received for the duration of
3 the enhanced community quarantine period. Finally, if a family member is a pension-
4 receiving senior citizen, even if the pension is less than ₱5,000, the whole family is
5 disqualified;

6 WHEREAS, it is also no longer uncommon for “households” to comprise of
7 multiple “families” living under one roof, especially in the lower-income sectors. Since
8 “household” and “family” are used interchangeably under the guidelines, households
9 with multiple families are placed in a more vulnerable position. They can either qualify
10 for the program as a single “household” and split the already meager cash aid among
11 themselves, or they can all be disqualified altogether because a single disqualified
12 member results in disqualifying the entire multifamily household;¹⁰

13 WHEREAS, many local officials are being overwhelmed by the social relief
14 crisis and the spread of the disease, all while being left confused and uncertain by the
15 administration’s policy guidelines and issuances. Certain LGUs have commendably
16 moved to augment the shortfall that the national government has left in its wake¹¹
17 while some have had to deal with threats of violence from their constituents amidst
18 the anger and confusion surrounding the exclusion of certain households in the cash
19 assistance program;¹²

20 WHEREAS, the implementation process is also riddled with bureaucratic red
21 tape which needlessly delayed the delivery of the emergency subsidy program to the
22 most vulnerable segments of our population, resulting to the low distribution rate of
23 the said assistance to non-4Ps beneficiaries which accounts to 12.9 million households
24 as reported by the President to the Joint Congressional Oversight Committee;

25 WHEREAS, the national government needs to expeditiously refine and shape
26 up the targeting and distribution process of the emergency subsidy program in order

¹⁰ Butuyan, J. R. (2020, April 20). *Amelioration turned nightmare*. Retrieved, April 21, 2020, from <https://opinion.inquirer.net/129047/amelioration-turned-nightmare>

¹¹ Magsino, D. (2020, April 15). *Pasig City identifies over P1B for supplemental cash aid to 150k families not covered by DSWD*. Retrieved April 21, 2020, from https://www.gmanetwork.com/news/news/metro/734056/pasig-city-identifies-over-p1b-for-supplemental-cash-aid-to-150k-families-not-covered-by-dswd/story/?utm_source=GMANews&utm_medium=Facebook

¹² Talabong, R. (2020, April 9). *Duterte chaos leaves barangay officials 'helpless' amid lockdown*. Retrieved April 21, 2020, from <https://www.rappler.com/newsbreak/in-depth/257497-duterte-chaos-leaves-barangay-officials-helpless-coronavirus-lockdown>

1 to ensure that those who are most vulnerable are guaranteed cash aid amidst the
2 economic uncertainty and other risks brought upon by the COVID-19 outbreak;

3 WHEREAS, the national government also needs to cut the red tape out of the
4 process of delivering vital aid and relief for the millions of low-income households
5 exposed to numerous vulnerabilities and risks under the restrictions imposed under
6 the enhanced community quarantine;

7 WHEREAS, these gaps must be addressed to ensure that the flagship program
8 under the Bayanihan Act is optimized to function for the poorest and most
9 marginalized of Filipino citizens and efficiently deliver the financial assistance that
10 they so desperately need in these trying times;

11 WHEREAS, the disbursement of funds for distribution to those whose social
12 status have made surviving the pandemic even more burdensome, must be
13 complemented with direct, efficient and responsive government mobilization that is
14 unimpaired by corruption and bureaucratic red tape;

15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, urging the
16 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the
17 confusion and frustration at the local administrative level with regard to the
18 implementation of the emergency subsidy program of the national government in
19 combating the COVID-19 outbreak, with the end view of identifying gaps in program
20 design and implementation and improving delivery systems to its target beneficiaries.

Adopted,


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