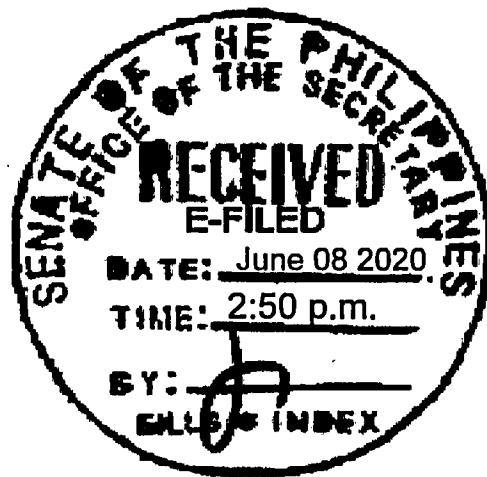


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

P.S. Res. No. 441

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

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DISTRIBUTION OF THE SOCIAL AMELIORATION PROGRAM (SAP) UNDER REPUBLIC ACT NO. 11469, OTHERWISE KNOWN AS THE “BAYANIHAN TO HEAL AS ONE ACT”, WITH THE END IN VIEW OF UPHOLDING AND PROMOTING SOCIAL JUSTICE, AND ENSURING THAT SOCIAL PROTECTION AS A HUMAN RIGHT IS PROTECTED ESPECIALLY IN THE TIME OF A PANDEMIC, BY EXAMINING THE VERACITY OF THE CLAIMS OF THE DEPARTMENT SOCIAL WELFARE AND DEVELOPMENT (DSWD) APPEARING IN THE SIXTH REPORT OF PRESIDENT RODRIGO DUTERTE TO THE JOINT CONGRESSIONAL COMMITTEE PURSUANT TO THE BAYANIHAN ACT, AS TO THE SLOW DISTRIBUTION OF THE SAP

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

3 WHEREAS, on 11 March 2020, the World Health Organization (WHO)
4 declared COVID-19 as a pandemic.¹ Consequently, Presidential Proclamation No. 929
5 which was issued on 17 March 2020 by President Rodrigo Duterte placed the entire
6 Philippines under a State of Calamity.² Congress for its part enacted Republic Act No.
7 11469, otherwise known as the “Bayanihan to Heal as One Act” (Bayanihan Act), which
8 granted the power to undertake extraordinary measures to contain COVID-19;

9 WHEREAS, Joint Memorandum Circular No. 1 Series of 2020 which was issued
10 in relation to the Bayanihan Act, acknowledged that “[g]iven the context of the

¹ Gumbrecht, Jamie and Howard, Jacqueline. “WHO declares novel coronavirus outbreak a pandemic.” 12 March 2020. CNN Philippines. Retrieved from: https://cnnphilippines.com/world/2020/3/12/WHO-COVID-19-pandemic.html?fbclid=IwAR3TGIWCI-GRuRfTV7WcWCa0xymJi208ZaegQey_bTeKvthls7oMla8otU

² “Philippines under state of calamity due to COVID-19.” 17 March 2020. CNN Philippines. Retrieved from: <https://cnnphilippines.com/news/2020/3/17/ph-state-of-calamity-coronavirus.html>

1 situation, it is deemed necessary for the government as a duty-bearer to ensure that
2 rights and welfare of affected sectors are protected and promoted”;³

3 WHEREAS, on the eve of 30 March 2020, President Duterte, in his televised
4 public address, said that the ₱200-billion-worth of aid which will be allotted for “low
5 income households who are badly affected by this crisis”, is the “largest and widest
6 social protection program in the country’s history”;⁴

7 WHEREAS, following the said public address, many Filipinos flocked to the
8 offices of their respective LGUs expecting to receive the promised assistance which
9 they so direly needed. It was thus observed that the televised public address of
10 President Duterte generated confusion because he failed to lay down the guidelines
11 in determining the target-beneficiaries. In the earliest days of the government’s SAP,
12 “[t]here are some gaps in the information being disseminated by the government so
13 far. xxx We see as early as now the growing level of misinformation about the
14 government’s social amelioration package. The vague, general, and fragmented
15 information being provided by the government is causing distress among citizens
16 and implementers on the ground”;⁵

17 WHEREAS, despite issuing the guidelines on the implementation of the SAP
18 by the DSWD, their apparent lack of coordination with the LGUs, attended by their
19 failure to immediately mobilize an information drive, unnecessarily created an even
20 more burdensome scenario for Filipinos needing to be promptly catered to. The
21 Inter-Agency Task Force for the Management of Emerging Infectious Diseases
22 (IATF-EID) “apologized for the delay in the distribution of the emergency subsidy”;⁶

23 WHEREAS, in the *Laging Handa* live streamed briefing on 02 April 2020⁷,
24 DSWD Secretary Rolando Bautista said that the process is not tedious, “[a]ctually,
25 *madali lang ito eh, kung gagawin ng mga katulong nating LGU personnel.*” When
26 asked about the target dates for the release of the dole-outs, however, DSWD

³ Retrieved from: <https://www.covid19.gov.ph/wp-content/uploads/2020/04/DSDW-JOINT-MEMO-CIRC.pdf>

⁴ Nakpil, Danielle. “Duterte assures ₱200-billion aid for the ‘most affected’ in COVID-19 crisis.” 31 March 2020. CNN Philippines. Retrieved from: <https://www.cnnphilippines.com/news/2020/3/31/Duterte-assures-%E2%82%B1200-billion-aid-for-the-most-affected-in-COVID-19-crisis-.html>

⁵ Acheron, Joy. “[ANALYSIS] Challenges facing social amelioration for the coronavirus.” 02 April 2020. Rappler. Retrieved from: <https://www.rappler.com/thought-leaders/256782-analysis-challenges-government-social-amelioration-coronavirus>

⁶ Geducos, Argyll. “Gov’t apologizes for lapses in distribution of emergency subsidy.” 13 April 2020. Manila Bulletin. Retrieved from: <https://news.mb.com.ph/2020/04/13/govt-apologizes-for-lapses-in-distribution-of-emergency-subsidy/>

⁷ Video available at: <https://www.facebook.com/LagingHandaPHL/videos/647527962647459>

1 Spokesperson Irene Dumlao who was also present in the briefing did not answer, and
2 instead admitted that “we have yet to start with the distribution”;⁸

3 WHEREAS, in the same briefing, DSWD Spokesperson Dumlao announced
4 that they had already distributed the Social Amelioration Card forms to LGUs.
5 However, in sharp contrast to such proclamation, Antipolo Mayor Andrea Bautista-
6 Ynares revealed that they have not received the SAC forms yet.⁹ Such “bureaucratic
7 blunders” which delayed the release of the cash aid included the failure to
8 immediately release the necessary forms to LGUs so that the latter could enter into a
9 Memorandum of Agreement with the DSWD as mandated by law, to facilitate the
10 release of Emergency Subsidy Program (ESP) funds;¹⁰

11 WHEREAS, President Duterte stripped LGUs of their role in distributing the
12 cash aid across the country, and put Secretary Bautista “in charge of all”. “This is now
13 purely national government operations”, Duterte disclosed;¹¹

14 WHEREAS, House Deputy Speaker Villafuerte pointed out, however, that it
15 was the requirement which DSWD put in place that made the system “vulnerable to
16 politicking and corruption.” He “hit the requirement of the DSWD for barangay
17 chairpersons to first certify and endorse a beneficiary before the cash transfers are
18 released.” He added that the barcoding requirement of DSWD “presents its own set
19 of a bureaucratic snag because this would mean a different system for each and every
20 barangay... DSWD leadership appears bereft of any sense of urgency”;¹²

21 WHEREAS, the DSWD eventually amended several guidelines to expedite the
22 distribution of cash assistance.¹³ However, as of 30 April 2020, data from the DSWD
23 shared during the meeting of the House of Representatives’ Defeat COVID-19
24 Committee (DCC) Technical Working Group (TWG) on SAP showed that only
25 10,135,634 families have so far received the first tranche of the cash aid out of the 18

⁸ “DSWD To Take Charge: Duterte Centralizes Distribution Of Aid Despite Delays.” 03 April 2020. One News. Retrieved from: <https://www.onenews.ph/dswd-to-take-charge-duterte-centralizes-distribution-of-aid-despite-delays>

⁹ Ynares, Andeng. 01 April 2020. Facebook. Retrieved from: <https://www.facebook.com/junynaresofficial/posts/864271024047754>

¹⁰ Mercado, Neil. “Villafuerte hits DSWD for delayed release of cash subsidy.” 01 April 2020. Inquirer. Retrieved from: <https://newsinfo.inquirer.net/1252507/villafuerte-hits-dswd-for-delayed-release-of-cash-subsidy>

¹¹ Panares, Joyce and Ramos-Araneta, Macon. “DSWD takes over distribution of aid.” 03 April 2020. Manila Standard. Retrieved from: <https://manilastandard.net/news/top-stories/320973/dswd-takes-over-distribution-of-aid.html>

¹² *Supra* Note 13.

¹³ “DSWD amends SAP guidelines.” 17 April 2020. PTV News. Retrieved from: <https://ptvnews.ph/dswd-amends-sap-guidelines/>

1 million Filipino families targeted to receive emergency subsidy¹⁴ - comprising only
2 about 12% of local governments;

3 WHEREAS, on 04 May 2020, it was reported that the DSWD has confessed
4 that "it has 'limited capacity' to fully implement the emergency subsidy program"
5 which prodded them to ask the assistance of the previously stripped off LGUs to
6 distribute the cash subsidies;¹⁵

7 WHEREAS, the 6th Weekly Report of President Rodrigo Duterte to the Joint
8 Congressional Committee pursuant to the Bayanihan Act revealed that the DSWD
9 said that the delays were due to the "(1) postponement of payout due to exposure of
10 staff to positive COVID-19 cases and non-observance by target-recipients of
11 preventive measures against COVID-19 during distribution; (2) threats received by
12 DSWD personnel from LGU officials in some areas; (3) slow processing by the LGUs,
13 specifically at the barangay level, due to reports of politicizing or inaccurate lists of
14 eligible beneficiaries." Glaringly, DSWD who was previously quoted telling LGUs that
15 this is not the time for a blame game, did not mention any culpability on its part in
16 the delay of the implementation of the SAP;

17 WHEREAS, the Senate's Congressional Oversight Committee Comments on
18 the 6th Weekly Report declared that it reiterates its "concern regarding the slow
19 distribution of emergency cash subsidy, unclear and slow communication of
20 programs to the public, insufficient allocation of beneficiaries, and inconsistent
21 reporting and monitoring of SAP distribution." It added that the "DSWD has given
22 information worthy of congressional inquiry regarding its explanation on the reasons
23 for the slow distribution of emergency subsidy and logistical problems experienced in
24 the implementation of SAP. Deeper probe should be conducted, and the DSWD
25 should be ready to present evidence";

26 WHEREAS, it is necessary to determine the veracity of the claims of the
27 DSWD in order to make the necessary improvements to be implemented in ensuring
28 that the right of Filipinos to social protection is upheld especially in the time of a
29 pandemic where the consequences of their social status is most felt by them;

¹⁴ Gonzales, Cathrine. "P53.8B distributed to over 10 million families under SAP—DSWD." 01 May 2020. Inquirer. Retrieved from: <https://newsinfo.inquirer.net/1267898/dswd-distributes-p53-8b-to-over-10-million-families-under-sap>

¹⁵ Luci-Atienza. "DSWD admits 'limited capacity' to implement SAP on schedule." 04 May 2020. Manila Bulletin. Retrieved from: <https://news.mb.com.ph/2020/05/04/dswd-admits-limited-capacity-to-implement-sap-on-schedule>

1 WHEREAS, there must be synergy between the efforts of the DSWD, LGUs
2 and other concerned government agencies – which can only be achieved once the
3 existing gaps are addressed and weaknesses resolved. A senate inquiry in aid of
4 legislation will be the proper venue to hear the conflicting claims between the
5 stakeholders, and help resolve the reported attendant issues in the implementation
6 of the SAP – which the Senate, along with the House of Representatives, granted
7 unto the President through the Bayanihan Act;

8 WHEREAS, in order for the distribution of the remaining cash aid under the
9 first tranche of the SAP and the cash aid under its second tranche may be facilitated
10 in an expeditious and smooth manner, mechanisms that will respond to the glitches
11 faced in the implementation thereof must be reviewed;

12 **NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY**
13 **RESOLVED**, directing the appropriate Senate Committee to conduct an inquiry, in
14 aid of legislation, on the distribution of the Social Amelioration Program (SAP) under
15 Republic Act No. 11469, otherwise known as the “Bayanihan to Heal as One Act”,
16 with the end in view of upholding and promoting social justice and ensuring that
17 social protection as a human right is protected especially in the time of a global
18 pandemic, by examining the veracity of the claims of the Department Social Welfare
19 and Development (DSWD) appearing in the Sixth Report of President Rodrigo
20 Duterte to the Joint Congressional Committee pursuant to the Bayanihan Act, as to
21 the slow distribution of the SAP.

Adopted,


HEILA M. DE LIMA