



Senate of the Philippines

JOEL VILLANUEVA

Senator

Comments and Recommendations on the Sixth (May 4) Report on the Implementation of the Bayanihan Act (RA 11469)

6 May 2020

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

1. We appreciate the consideration made on our previous feedbacks. Regarding our comments that were partially considered, we hope to raise additional points for review and deliberation of the concerned agency/ies.

- *On Contact Tracing:* According to the Report, the DOH has traced 32,107 cumulative close contacts traced from 7,906 cumulative cases as of April 28, 2020. This is a remarkable progress from the 7,521 contacts traced based on the 4th Bayanihan Report.

For a more complete picture, we hope to know the actions taken on these contacts traced: Where are they located? How many of them display symptoms? How many have been tested, isolated, quarantined, or referred to facilities?

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.

- *On Accounting of PPEs:* We are glad to see in the 6th Report a more detailed breakdown of the PPEs contributed, procured, or donated by the agencies. Such is helpful in assessing how slow or fast we close the gap in the supplies needed by the health sector in battling against COVID-19.

In addition to this breakdown, we hope to see in the next report a clear *weekly or monthly* target number of PPEs required by facilities, which is to be compared to the actual PPEs dispatched to them. Such is needed to better assess the shortage of PPEs, if any. For instance, does the fact that there are 1.9 million facemasks, 300,000 gloves, 353,000 head caps, and 301,000 shoe covers that are *pending allocation (not delivered nor processed)* means that all facilities have already met their required number of PPEs? The report further states that 10% of donated PPEs are yet to be distributed "based on necessity". Does this buffer imply that no facility has recorded any shortage of PPEs?

2. **We hope to reiterate our other comments that remain fully or partially unaddressed in the Sixth Bayanihan Report. Among others, these include items (1) and (2) on data disclosure and management, item (3) on expanding the duration of engagement of temporary healthcare frontliners, item (5) on release of PhilHealth funds, item (10) on the establishment of an online monitoring system of DOLE’s assistance to formal and informal workers, and OFWs, and items (17) and (18) on the operations and academic policies of educational institutions, in our official submission dated April 29, 2020.**

The summary of these comments can be found in the last part of this document.

Assistance to Affected Sectors

3. **We again seek a response as to why the progress on distributing assistance to already-listed 4Ps beneficiaries and TNVS/PUV drivers barely made a dent or had no increase at all. We also previously recommended the harmonization of assistance to tricycle and pedicab drivers—the sector of drivers who are also affected by the suspension of mass transportation—but are not currently part of SAP for Drivers.**

- After another week, the DSWD has reached only an additional 84,228 4Ps beneficiaries, and still failed to record an accomplishment rate of near 100%. The same is the case for TNVS/PUVs where no additional target beneficiary was reached after yet another week, pegging the accomplishment rate of SAP for drivers at still 44.9%.
- In this light, the government may want to consider expanding its list of beneficiaries under SAP for Drivers, and perhaps including tricycle and pedicab drivers, whose members are easily identifiable through their transport associations.
- Considering that profiling these two groups of beneficiaries is not supposed to be less of an issue compared to that of the non-4Ps, we hope to know the factors responsible for the delay in delivering assistance.

Number of Beneficiaries Served (and accomplishment rate)			
DSWD AICS	As of 4th (April 20) Bayanihan Report	As of 5th (April 27) Bayanihan Report	As of 6th (May 4) Bayanihan Report
4Ps	3,721,833 (84.6%)	3,721,883 (84.6%)	3,806,111 (86.5%)
TNVS/PUVs	40,418 (44.9%)	40,418 (44.9%)	40,418 (44.9%)

4. We have noted that the average amount of COVID-19 Emergency Subsidy assistance received by 4Ps beneficiaries is the lowest compared to the other groups targeted under different Social Amelioration Programs.

While we understand that such subsidy is on top of the conditional cash transfers they are already receiving, the implementation of lockdowns impact more tremendously those without access to financial resources, food stock, and decent shelter. 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 inequality, brought about the COVID-19 crisis.¹

In line with this, we also hope to see in the next report details on distribution of food packs and other non-cash assistance, which are also part of the Social Amelioration Programs for 18 million families in need.

- 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.

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

- 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.²
- The DSWD has maintained stockpiles of 409,520 family food packs (FFPs) amounting to Php168 million, and other food and non-food items amounting to Php797.1 million. We hope to know the government’s plan on its rice aid and non-cash aid distribution across LGUs or sectors, and on preventing and addressing problems similar to what happened in Naic Cavite, where the rice aid for 4Ps families were taken back hours after distribution.³

¹ <https://business.inquirer.net/281269/ph-poverty-rate-seen-falling-below-20-starting-2020>

² *Ibid*

³ <https://www.rappler.com/nation/259747-naic-rice-distribution-incident-april-30-2020>

5. The Report presented three (3) major factors for the low distribution of SAP. These are (i) the postponement of payout due to exposure of staff to positive COVID-19 during distribution, (ii) threats received by DSWD personnel from LGU officials in some areas, and (iii) slow processing by the LGUs, specifically at the barangay level, due to reports of politicizing or inaccurate lists of eligible beneficiaries.

Not part of this list, however, is what a number of LGUs have relayed—the difficulty to comply with the stringent conditions or guidelines on the SAP Implementation. DSWD might have missed looking into this as a legitimate factor for the low distribution of SAP. Hence, may we request for DSWD and the DILG to work on identifying and addressing the factors for the delay in the distribution of the assistance, especially considering the upcoming implementation of the second tranche.

- Data from the 6th Report shows that less than half (47.5%) of the target beneficiaries have been served under the DSWD Assistance to Individuals in Crisis Situations. Also, nine out of 17 regions have recorded distributing subsidy to less than half of the identified families in need.

Field Office	% of Target Beneficiaries Reached
I	51.8%
II	71.5%
CAR	70.4%
III	56.5%
NCR	19.9%
IVA	42.3%
IVB	69.6%
V	69.3%
VI	47.5%
VII	38.3%
VIII	44.0%
IX	41.7%
X	45.0%
XI	34.8%
XII	60.8%
CARAGA	89.9%
BARMM	6.4%
Total	47.5%

6. 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 AKAP⁴), as doing so is mandated in Section 4(v)(4) of the Bayanihan to Heal as One Act^{5,6}, and will further solidify the government's safety nets for workers together with the Small Business Wage Subsidy (SBWS) implementation.

On Assistance to MSMEs

7. According to the Report, applications for approximately 1.2 million employees under the SBWS Program have already been approved as of April 30, 2020. As this constitutes only 35% of the target 3.4 million workers/beneficiaries, we hope to know (i) the likelihood that the extension of application to May 8 will cover the remaining workers, and (ii) what course of action, if any, will be adopted if a significant portion of the target beneficiaries would remain unserved by that deadline.
8. We would like to seek explanation for the low portion of beneficiaries reached under the following programs—3.4% for Assistance for Marginalized and Small Farmers and Fisherfolk (MSFFS) and 14% Assistance for Agri-based MSMEs.

On Health Sector Capacity

9. According to the 6th Bayanihan Report, 37.57% of the 9,932 dedicated beds for COVID-19 is occupied. We hope to seek further validation/confirmation with regard to this figure, especially in light of the accounts given by citizens and hospitals who mention that hospitals have continuously rejected the admission of suspected COVID-19 patients due to lack of space.

⁴ (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

⁵ 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 an Employment, such as but not limited to Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers and COVID-19 Adjustment Measures Program (CAMP)

⁶ <https://www.senate.gov.ph/Bayanihan-to-Heal-as-One-Act-RA-11469.pdf>

On Assistance to Students, and on Academic Policies

- 10. As of the 6th Bayanihan Report, the Tertiary Education Subsidy (TES)⁷ 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.**
- 11. 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.**

On Assessment of and Gradual Lifting of Lockdown

- 12. We hope that the next Bayanihan Report will include updates and quick assessment of the implementation of the various types of community quarantine implemented by various LGUs nationwide.**
 - There are areas with “total” lockdown, “hard” lockdown, and “extreme” lockdown. Update on these in terms of effectiveness in reducing the risk of COVID-19 transmission as well as in terms of workforce requirements, can better paint a picture on the capacity of LGUs to gradually lift the lockdown and on the range of options available moving forward.
- 13. 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.**
- 14. We would like to request more updates on the implementation of the Rapidpass system. We have heard cases wherein military or police personnel in the checkpoints do not have QR Code scanners or special devices to detect the authenticity of Rapidpasses.**
 - While this suggestion may seem belated, as the ECQ is about to end, we still advise our government agencies to find cost-effective solutions that need not be high-tech. The experience on the implementation of the Rapidpass system shows us that not all technological applications are the best solutions to a problem.

⁷ TES is an additional stipend given to students in SUCs/LUCs who are in the Listahanan 2.0 of the DSWD

15. 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.⁸
 - 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.

⁸ 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.

Summary of Comments Raised that Remain Unaddressed in the 6th Report

1. We previously requested for updates on the (i) geographic and socio-demographic profiles of persons tested for COVID-19, (ii) details of contacts traced, (iii) breakdown of probable and suspected cases, (iv) full accounting of Personal Protective Equipment (PPEs) procured, received (both as to PPEs purchased and donated), and dispatched, and (v) status of accreditation of mass testing centers, among others.

- Tests Conducted: While the distribution of tests conducted by laboratory is released online, more granulated data on mass testing (e.g. tested patients' area of residence, age, gender, pre-existing conditions), which can provide an accurate picture of the spread of COVID-19 and can help strategize on the distribution of test kits, is not disclosed in any of the DOH portals, nor in the past Bayanihan Reports.
- Suspected and Probable Cases: DOH announced that it would prioritize testing individuals with suspected and probable cases (those that show symptoms).⁹ While some regional offices of DOH release their own estimates on suspected and probable cases (see poster from DOH-NCR¹⁰ below), to this date, the DOH Central has not provided a national total and comprehensive distribution of the same. Such information is also not available in the 5th Bayanihan Act Report.

The latest NDRRMC report¹¹ (April 28, 2020) also shows that the number of PUMs, suspected, and probable cases are still under verification. Note, the NDRRMC report dated April 13, 2020¹² showed that there are a total of 215,990 PUMs and 14,931 PUIs in the country (excluding NCR). Such figures were supposed to be validated by the DOH Central Office, but no update on this was released since then.

- Status of Approval of Testing Centers: We hope to see in the next report the updated list of accredited mass testing facilities or centers established by the LGUs and other agencies. If the approval of testing centers remains slow, we hope to know the major cause/s of the delay, as well as specific standards in the construction of the testing facility that most LGUs find to be the most difficult to comply with. We hope that the next Bayanihan Report would also detail the actions undertaken by DOH to expedite this process, specifically in providing technical assistance to LGUs.

⁹PhilHealth 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

¹⁰ <https://www.facebook.com/dohncro.hpmru/photos/a.1010846762281708/3242315832468112/?type=3&theater>

¹¹ NDRRMC Situational Report as of April 26, 2020

¹² NDRRMC Report, April 13, 2020

On COVID-19 Data Discrepancies

- 2. We hope that the DOH can identify and address the usual sources of inconsistencies in COVID-19 data reporting both in the national and local levels. For example, we have noticed a discrepancy of 732 between the total confirmed COVID-19 cases published in the DOH tracker for the region of NCR (5,466) and the figure released by DOH NCR regional office in their own social media platform (4,714) as of April 28, 2020.¹³**

On Hiring of Human Resources for Health (HRH)

- 3. We propose to expand the duration of engagement of temporary healthcare frontliners from 3 months to a period between 5 to 10 months. This is in line with the projections made by the Philippine Institute for Development Studies (PIDS) suggesting that the COVID-19 epidemic may reach its peak anytime from July 2020 to July 2021 depending on the interventions and choices made by the government in the implementation of quarantine.¹⁴**

On the Release of PhilHealth Funds

- 4. We welcome the news that PhilHealth has already downloaded Php10.075 Billion to 317 hospitals and other medical institutions. In the next Reports, we also hope to see a breakdown on the amount of funds downloaded to each hospital, the date disbursed, and other relevant information. We also reiterate our request that PhilHealth should give a target date for the full release of the Php30 Billion COVID-19 funds to various hospitals.**

On DOLE Programs for Affected Workers

- 5. We hope that DSWD and DOLE can harmonize assistance to tricycle and pedicab drivers (and the reporting thereof), who are affected by the ban on mass transportation but are not part of DSWD's SAP for Drivers.**
 - 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. Hence, we would like to know what portion of the 220,320 current TUPAD beneficiaries they constitute, and the efforts done to extend help to the rest of our pedicab and tricycle drivers at present.

¹³ <https://www.facebook.com/dohncro.hpmru/photos/a.1010846762281708/3242315832468112/?type=3&theater>

¹⁴ <https://pidswebs.pids.gov.ph/CDN/PUBLICATIONS/pidsdps2015.pdf>

6. We believe that no one should be left behind during this time. In order to provide assistance to a broader set of workers (both in the formal and informal sectors), we support continuing the implementation of the DOLE programs, alongside the recently launched SBWS Program.

- **First, we must continue financing TUPAD-BKKB, which is nearing its full capacity, which covers affected informal workers.**^{15,16}
 - As of April 23, a total of 220,320 workers have availed of the TUPAD BKKB, representing already 93.4% of the target beneficiaries. Given the size of the informal sector (estimated by the 2018 Informal Sector Survey to be at 15.68 million,¹⁷ bigger than the MSME Sector) and the extension of the lockdown to May 15, 2020 in certain areas, we can expect that more Filipinos are seeking to apply for TUPAD BKKB. This makes increasing the available funds for the said program imperative. We note that the amount disbursed for this program was only Php966.5 Million.
- **Second, the CAMP should continue to provide assistance to the remaining 2.3 Million workers not covered under SBWS.**
 - The SBWS Program covers only the small businesses under (i) non-essential and (ii) quasi-essential sectors, effectively excluding small businesses from the essential sector (e.g. agriculture, and food manufacturing). Although allowed to operate during the quarantine, MSMEs in the essential sector are also still grappling with the impact of COVID-19 on their operations. The imposition of ECQ has caused not only lack of workforce but also loss of buyers and suppliers, and higher costs of logistics and materials.

7. We also hope to see in the coming week the launch of DOLE's online monitoring system, which provides real-time updates on the distribution of financial assistance to formal and informal workers and OFWs.

- Such portal shall include, among others, with respect to CAMP, the number of establishments that applied for CAMP (divided per province), the number of approved, denied or pending applications, the number of employees granted assistance, and the actual date of remittance of the financial assistance to the bank account of the worker or to designated money remittance centers; with respect to TUPAD-BKKB, the number of workers who applied for assistance, the number of approved applications,

¹⁵ Informal sector workers mostly include subsistence workers. The Social Reform and Poverty Alleviation Act (RA 8425) defines workers in the informal sector as "poor individuals who operate businesses that are very small in scale and are not registered with any national government agency, and to the workers in such enterprises who sell their services in exchange for subsistence-level wages or other forms of compensation." <https://www.pcw.gov.ph/wpla/-magna-carta-workers-informal-economy>

¹⁶ In fact, the implementation of this Program was recognized by the UN Food and Agriculture Organization, who noted that the Philippines is among the only 11 countries that have adopted a program targeting the most vulnerable workers displaced by COVID-19, <https://www.gmanetwork.com/news/money/economy/735585/fao-cites-dole-program-for-informal-workers-displaced-by-covid-19/story/>

¹⁷ Ibid

profile of the applicant or nature of work, their location, and the date of remittance of assistance; and with respect to DOLE AKAP for OFWs, the number of OFWs who applied for assistance, the number of approved applications, profile of applicants, country where OFW used to work, etc.

- We hope that DOLE will be able to launch this online monitoring system as soon as possible, as we have raised this for several weeks now. This will also promote transparency and accountability and ensure that proper assistance is given to those who are in need the most.

On the Operations and Academic Policies of Educational Institutions

- 8. Considering the very small chance that actual physical classes will resume right away after the lockdown, we hope that CHED can step in to give guidance to all private and public higher education institutions to end the current semester or equivalent academic period by April 2020 (or as soon as possible) and to adopt a “pass” or “drop” grading system.**
- 9. 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.**