

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS

HOUSE BILL NO. 2294

Introduced by:

Rep. Godofredo V. Arquiza

EXPLANATORY NOTE

Inefficiency, ineffectiveness, and unaccountability in implementing the one percent (1%) allocation of different government agencies and one percent (1%) of IRA of Local Government Units pursuant to Section 29, R.A. 9162 (General Appropriations Act) - undermines the confidence of the Filipino elderly people in the Government and reduces the National Government's ability to adequately address vital programs and projects for the elderly and the differently abled. Insufficient information on programs and project performance seriously disadvantages National managers in their efforts to improve program efficiency, effectiveness, and accountability. Congressional policy making, spending decisions, and program oversight are handicapped by insufficient attention to programs and project performance and results of its implementation.

Programs and projects performing similar or duplicative functions that exist within a single agency or across multiple agencies should be identified and their performance and results shared among all such programs and projects to improve their performance and results. Advocates of good government continue to seek ways to improve efficiency, effectiveness, and accountability; focus on results; and integrate the performance of programs and projects with decisions about budgets. Congress needs to direct the executive branch to seek improvements in the effectiveness, efficiency, and accountability of national programs and projects for the senior citizens and the differently-abled by institutionalizing the one percent allocation of different Government agencies and one percent (1%) of the IRA of LGU by having agencies focus on program results.

This act seeks to institute a strong framework for the executive branch to monitor the long-term goals and annual performance of its government agencies and LGU's in the apportionate allocation (Pro rata) and implementation of one percent (1%) of government agencies' annual budget and one percent (1%) of the IRA of Local Government Units (LGU) for programs and projects for senior citizens and the differently-abled.



HON. GODOFREDO V. ARQUIZA

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AN ACT INSTITUTIONALIZING 1% ALLOCATION OF GOVERNMENT AGENCIES BUDGET AND 1% OF THE IRA OF LOCAL GOVERNMENT UNITS FOR SENIOR CITIZENS AND THE DIFFERENTLY-ABLED.

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled.

SECTION 1. Short Title.

This Act may be cited as the ' INSTITUTIONALIZING 1% ALLOCATION OF GOVERNMENT AGENCIES BUDGET AND 1% OF THE IRA OF LOCAL GOVERNMENT UNITS FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES ACT OF 2010.'

SECTION 2. Strategic and Implementation Plans of the Government.

(1) The President should establish a government-wide strategic plan and a government-wide implementation plan of the 1% allocation from the budget of Government agencies and LGUs; and

(2) the head of each Government agency and Local Government Units should consult with the committees with jurisdiction over the agency and other interested members of Congress at the beginning of each Congress regarding the implementation plan of the agency.

SECTION 3. Goals of the Institutionalization of this Act.

(1) to improve the Government agencies and LGUs' performance and results by the enhancement of proportionate allocation (Pro rata) of 1% of government agencies budget and 1% of IRA of Local Government Units for Senior Citizens and persons with disabilities for programs and project assessment and evaluation process that attempts to determine the strengths and weaknesses of national programs for older persons and the differently-abled with a particular focus on the efficiency, effectiveness, and accountability of national programs and projects;

(2) to use the information gathered in the assessment and evaluation process to build on the groundwork laid in the Government agencies and LGUs' performance and results to help the executive branch make informed management decisions and results-based funding requests aimed at achieving positive results;

(3) to provide congressional policy makers the information needed to conduct more effective oversight, to make better-informed authorization decisions, and to make more results-based spending decisions that achieve positive results for the senior citizens and the differently-abled people;

(4) to encourage the proper and wise expenditure of funds intended for programs and projects for the senior citizens and the differently-abled on the most effective implementation.

(5) to identify best practices in national programs for the proportionate allocation (Pro rata) of 1% of government agencies budget and 1% of IRA of Local Government Units for Senior Citizens and persons with disabilities in an efficient and effective manner;

(6) to provide Government agencies and LGUs with the information needed to track low-performing programs and projects for senior citizens and the differently-abled; and

(7) to provide Government agencies and LGUs with the information needed to quickly respond to poor performance of agency projects and programs.

SECTION 4. Definition of Terms. – For the purposes of this Act, these terms are defined as follows:

‘(1) *Senior Citizen* -The term ‘senior citizen’ means “ Senior citizen” or “elderly” shall mean any resident of the Philippines at least sixty (60) years old or older as defined in Republic Act 9257, otherwise known as the “*Expanded Senior Citizens Act OF 2003.*”

‘(2) *Differently-Abled* -The term ‘differently-abled’ means any person with handicap or otherwise known as “disabled” persons.

'(3) *Institutionalization* -The term 'institutionalization' means the process of making something become embedded within an organization, social system, or society as an established custom or norm within that system.

'(4) *Allocation* - The term 'allocation' means plans for using available resources for various projects, especially in the near term, to achieve goals for the future.

'(5) *Government Agency* -The term 'government agency' means a permanent or semi-permanent organization in the machinery of government that is responsible for the oversight and administration of specific functions.

'(6) *Local Government Unit* -The term 'government agency' means an administrative office that are smaller than a state. The term is used to contrast with offices at nation-state level, which are referred to as the central government, national government,

'(7) *Internal Revenue Allotment (IRA)* -The term 'internal revenue allotment' means a local government's share of revenues from the national government. It is largely based on land area and population.

'(8) *Implementation* -The term 'implementation ' means the carrying out of public policy. Legislatures pass laws that are then carried out by public servants working in bureaucratic agencies , this process consists of rule-making, rule-administration and rule-adjudication.

'(9) *Assessment* -The term 'assessment' means to review the current state of a program or project, uncover areas of potential problems and to make recommendations that will address these areas and significantly increase the likelihood of program or project success.

SECTION 5. Programs and Projects Assessment.

'(a) **Assessment-** The head of each Government agency, in consultation with the the Secretary of the Department of Budget and Management (DBM), shall, to the maximum extent practicable, conduct an assessment of each program and projects for the senior citizens and the differently abled of the Government agency and LGU at least once every fiscal year.

'(b) **Assessment Requirements-** In conducting an assessment of the programs and projects under subsection (a), the head of a Government agency and LGU, in consultation with the Secretary of the Department of Budget and Management (DBM), shall--

`(1) coordinate to determine the programs and projects to be assessed;
and

`(2) evaluate the purpose, design, strategic plan, management, efficiency, effectiveness, accountability, performance measures, and results of the program, and such other matters as the head of the agency and LGU considers appropriate.

`(c) Additional Requirements- After a fiscal year during which one or more programs and projects of Government agency and LGU have been assessed under subsection (a), the head of the agency and LGU shall--

`(1) determine how the information gathered from the assessments can help in the effective implantation of the provision under Section 29, R.A. 9162;

`(2) with respect to any assessed programs, develop a plan for programs and projects that will result in the betterment of senior citizens and the differently abled;

`(3) identify, within any programs and projects assessed, the best practices conducted in the program for allocating resources in an efficient and effective manner that resulted in positive outcomes, and the key reasons why such practices resulted in positive outcomes; and

`(4) determine the level of performance of any program and projects assessed, determine the reasons for any substantial variation from the targeted level of performance of the program, and develop a quick response to improve any low-performing programs and projects.

`(d) Criteria for Identifying Programs and Projects to Assess- The head of each Government agency and LGU, in consultation with the Secretary of the Department of Budget and Management (DBM), shall develop criteria for identifying programs and projects to be assessed within the agency of each fiscal year. In developing the criteria, the head of the agency shall take into account the advantages of assessing during the same fiscal year any programs that are performing similar functions, have similar purposes, share common goals, or have similar outcomes.

`(e) Criteria for More Frequent Assessments- The head of each government agencies and LGUs, in consultation with the Secretary of the Department of Budget and Management, shall make every effort to assess programs more frequently than required under subsection (a) in cases in which programs are determined to be of higher priority, special circumstances exist, improvements have been made, or the head of the Government agency and LGU and the Secretary determine that more frequent assessment is warranted.

`(f) Cross-Referencing System- The Secretary of the Department of Budget and Management (DBM) shall develop a government-wide system to cross reference programs within each Government agency and LGU for the following purposes:

`(1) To identify best practices within the programs and projects for allocating resources in an efficient and effective manner;

“(2) To make the program and project for the senior citizens and differently-abled more effective and efficient.

“(g) **Notice and Comment Requirement-** At the beginning of each fiscal year, the Secretary of the Department of Budget and Management (DBM) shall, by publication, provide notice and an opportunity for public comment on a detailed description in draft form of each program and project to be assessed in that fiscal year by Government agencies and LGUs, the performance goals in draft form for each such program and project, and the criteria in draft form that will be used to evaluate each such program and project. Upon conclusion of the comment period, which shall be at least 60 days, the Secretary of the Department of Budget and Management (DBM) shall publish a final detailed description of each program and project to be assessed in that fiscal year, the final performance goals for each such program and project, and the final criteria that will be used to evaluate each such program and project, including a summary of all public comments and their disposition.

“(h) **Report-**

“(1) The results of the assessments conducted during a fiscal year shall be submitted in a report to Congress at the same time that the President submits the next budget after the end of that fiscal year.

“(2) The report shall--

“(A) include the performance goals and performance measures for each program and project assessment;

“(B) specify the criteria used for each assessment;

“(C) describe the results of each assessment, including any significant limitation in the assessments;

“(D) describe significant modifications to the Government agencies and LGUs’ performance plan made as a result of the assessments;

“(E) describe best practices identified during program and project assessments for allocating resources in an efficient and effective manner;

“(F) include recommendations for the resources necessary to improve any low performing program and project;

“(G) include a summary of the actions taken by the head of the Government agency and LGU with respect to program and project assessments conducted by that Government and LGU agency, including a summary of any plan for merging programs and projects; and

“(H) be available in electronic form through the Department of Budget and Management website or any successor website.

“(i) **Classified Information-**

(1) With respect to program and project assessments conducted during a fiscal year that contain classified information, the President shall submit on the same date as the report is submitted under subsection (f)--

`(A) a copy of each such assessment (including the classified information), to the appropriate committees of jurisdiction of the House of Representatives and the Senate; and

`(B) consistent with law governing the disclosure of classified information, an appendix containing a list of each such assessment and the committee to which a copy of the assessment was submitted under subparagraph (A), to the appropriate committee with jurisdiction of the House of Representatives.

`(2) Upon request from the Committee with jurisdiction of the House of Representatives and the Senate, the Secretary of the Department of Budget and Management shall, consistent with law governing the disclosure of classified information, provide to the Committee a copy of--

`(A) any assessment described in subparagraph (A) of paragraph (1) (including any assessment not listed in any appendix submitted under subparagraph (B) of such paragraph); and

`(B) any appendix described in subparagraph (B) of paragraph (1).

`(j) **Inherently Governmental Functions-** The functions and activities authorized or required by this section shall be considered inherently governmental functions and shall be performed only by national government employees.

`(k) **Quality Control and Certification of Data-** The Secretary of the Department of Budget and Management, in consultation with the heads of Government agencies and LGUs, shall develop a process for controlling the quality of data produced from the conduct of assessments under this section and shall certify the quality of such data.

SECTION 6. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 8. Effectivity Clause. - This Act shall take effect immediately after its approval.

Approved,


GODFREDO V. ARQUIZA