



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3361

Introduced by:

**Hon. FERDINAND MARTIN G. ROMUALDEZ, Hon. GLORIA MACAPAGAL
ARROYO, Hon. DIOSDADO M. ARROYO, Hon. JOSE L. ATIENZA JR., Hon.
JONATHAN A. DE LA CRUZ, HON. VICTOR FRANCISCO C. ORTEGA, Hon.
PHILIP A. PICHAY, Hon. LANI MERCADO-REVILLA, Hon. ALETA C. SUAREZ,
Hon. TOBY M. TIANGCO**

**AN ACT
APPROPRIATING THE SUM OF TWENTY FIVE BILLION PESOS FOR
THE AID, RELIEF, REHABILITATION AND LIVELIHOOD SERVICES
AS WELL AS INFRASTRUCTURE SUPPORT FOR THE VICTIMS OF
TYPHOON YOLANDA OF NOVEMBER 08, 2013, CREATING THE
TYPHOON YOLANDA ASSISTANCE AND DEVELOPMENT
COMMISSION (TYADeC) AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Last November 8, 2013, our country was hit by typhoon Yolanda. The catastrophe with a maximum category-five storm with ground winds of up to 235 mph was considered as the world's strongest ever to reach land. It brought havocs and devastation to most provinces in the Visaya's and some part of Southern Luzon and Northern part of Mindanao. Initial reports said that a hundred individuals were perished but with the strong magnitude, many believed that casualties could reach in to a thousand bodies and almost five (5) million individuals feared affected, not to mention billions of pesos of public and private infrastructures and livelihoods destroyed or damaged.

States of calamity were immediately declared by most of the affected local government units. Government offices also responded immediately to provide assistance to the victims of this catastrophic incident and immediately mobilized all its personnel for the search, rescue and clearing operations.

President Benigno Simeon C. Aquino III, issued a Presidential Proclamation last November 11, 2013, declaring our country in the national state of calamity. Proclamation 628 will help the national government to fast track the on-going relief operations, control prices of basic necessities and prime commodities, prevention on overpricing/profitteering and hoarding of prime commodities, medicines and petroleum products.

However, said efforts coming from the national and local government units and various agencies will not be sufficient for the immediate relief of the victims in those communities which suffered heavy losses and the short and long termed rehabilitation and reconstruction of various infrastructures that were destroyed from the said typhoon.

The National Government must and should pour in such additional funds as would be necessary to augment the available resources of the primary agencies involved in helping the affected provinces and cities recover from the recent natural disaster.

In view of the urgency of this bill and the welfare of the citizens of the affected areas the passage of this measure is earnestly requested.


FERDINAND MARTIN G. ROMUALDEZ

1st District, Leyte


GLORIA MACAPAGAL ARROYO

2ND District, Pampanga



DOISDADO M. ARROYO

2nd District, Camarines Sur



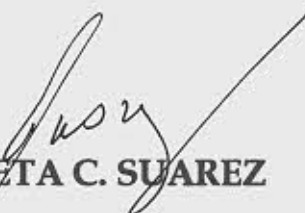
PHILIP A. PICHAY

2nd District, Surigao del Sur



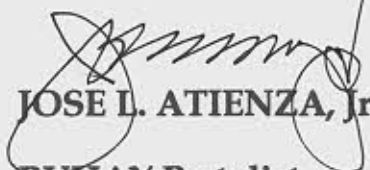
JONATHAN DELA CRUZ

ABAKADA-GURO Party List



ALETA C. SUAREZ

3rd District, Quezon



JOSE L. ATIENZA, Jr.

BUHAY Partylist

VICTOR FRANCISCO ORTEGA

1st District, La Union



LANI MERCADO -REVILLA

2nd District, Cavite



TOBY M. TIANGCO

Lone District, Navotas City

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*Be it enacted by the Senate and House of Representatives of the Republic of
the Philippines in Congress assembled:*

**SECTION 1. Short title. – This act shall be known as the “Typhoon
Yolanda Assistance and Development Fund.”**

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to assist the victims in the communities damaged or destroyed or adversely affected by typhoon Yolanda of November 08, 2013 by extending to them adequate aid, relief, rehabilitation or repair and reconstruction of infrastructure to the end that life may return to the normalcy at the earliest possible time and the development of the affected provinces may be accelerated.

Countless individuals, organizations and financial institutions here and abroad, as well as foreign governments, have spontaneously and unselfishly contributed their time, effort and resources which the State acknowledges with gratitude.

SECTION 3. *Statement of Objectives and Guidelines.* – This Act is intended to help the victims of the typhoon Yolanda of November 08, 2013 and its after effects. It aims to provide additional funds for the immediate relief of the victims; to provide livelihood and employment opportunities; to repair, reconstruct or replace government infrastructure damaged or destroyed by said disaster whenever economically, socially and technically advisable; and to construct new infrastructure facilities and housing projects needed by the community.

The term "victims" when used for purposes of this Act refers to the following:

- (a) Individuals who have died or disappeared as a result of the aforementioned typhoon;
- (b) Individuals who were displaced and/or who sustained injury or suffered death in the family as a result of the aforementioned typhoon who need and deserve assistance; and
- (c) Individuals whose homes have been or are threatened to be destroyed or rendered uninhabitable and those who have lost permanently their livelihood as a direct result of the typhoon who similarly need and deserve assistance.

SECTION 4. *Guidelines in the Allocation of Funds.* – The government funds and resources herein appropriated shall be spent judiciously and effectively in consonance with the principle of providing the greatest good for the greatest number. Accordingly, the following guidelines shall be observed in allocating the funds made available under this Act:

(a) In the construction or repair and reconstruction of government infrastructure and facilities, priority shall be given to homesites, townsites and such other projects as river system and drainage works, roads, bridges, communication and power lines, hospitals, school buildings, irrigation and water systems, and the like;

(b) Aid, relief, rehabilitation and livelihood services shall be equitably extended to all victims, irrespective of political or party affiliation, sex, creed, religious belief, or ethnic origin, giving emphasis to livelihood and employment opportunities;

(c) No money shall be released without any identified program and project nor shall it be used to pay obligations incurred before the approval of this Act.

SECTION 5. *Appropriations Clause.* - To carry out the purposes of this Act, the sum of Twenty Five billion pesos (P25,000,000,000) is hereby appropriated out of any available funds in the 2013 General Appropriations Act, with the concurrence of Congress.

Disbursement of said Twenty Five billion pesos (P25,000,000,000) shall be programmed as follows:

(a) From the approval of this Act to December 31, 2013, the sum of Sixteen billion pesos (P16,000,000,000), at least Ten billion pesos (10,000,000,000) of which shall be for livelihood projects and Six billion pesos (P6,000,000,000) shall be for vital infrastructure;

(b) For the year 2014, the sum of Six billion pesos (P6,000,000,000);
and

(c) For the year 2015, the sum of Three billion pesos (P3,000,000,000).

Provided, however, that undisbursed amounts at the end of any year shall be carried over to the succeeding year.

SECTION 6. *Creation of the Typhoon Yolanda Assistance and Development Commission (TYADeC).* - For purposes of this Act, there is hereby created the Typhoon Yolanda Assistance and Development Commission, hereinafter referred to as the Commission.

It shall be organized within thirty (30) days after the approval of this Act. It shall have a term of six (6) years from its organization: provided, that the President by proclamation may, within six (6) months prior to the expiration of the term, extend the period of its existence once for not more than three (3) years.

Such amount as may be necessary for the initial organization and/or operational expenses of the Commission shall be set aside from the amount herein appropriated.

For administrative purposes, the Commission shall be attached to the Office of the President.

SECTION 7. *Powers of the Commission.* - To carry out its objectives under this Act, the Commission shall have the following powers:

(a) To formulate policies and plans for the relief, rehabilitation and livelihood services as well as infrastructure support in harmony with the other plans and policies of the National Government and other agencies;

(b) To prioritize and coordinate the implementation of the various programs and projects of the Commission;

(c) To sue and be sued in its name, and to adopt, alter and use a seal;

(d) To enter into, make, perform and carry out contracts of every class, kind and description which are necessary to the realization of its

purposes with any person, firm or corporation, private or public, and, upon consultation with the President, with foreign government entities, subject to the usual accounting and auditing requirements;

(e) To apply for, receive and accept grants and donation of funds, equipment, materials and services needed for the development of the area, within and outside the Philippines;

(f) To monitor the progress of the relief, rehabilitation and livelihood as well as infrastructure support programs and projects;

(g) To coordinate and consult with concerned national and local officials, both elective and appointive, in the prioritization and prosecution of the programs and projects;

(h) To call upon any department, office, instrumentality, agency, or any political subdivision of the Government for such assistance as may be necessary for the attainment of the objectives of the Commission; and

(i) In general, to perform such other powers as may be necessary and proper to carry out the purposes of this Act.

SECTION 8. *Composition of the Commission.* - The Commission shall be composed of nine (9) members: six (6) coming from the public sector, namely, the Secretaries of the Department of Public Works and Highways, Department of Transportation and Communication, Department of Agriculture, Department of Social Welfare and Development, Department of Labor and Employment and the General Manager of National Housing Authority, and three (3) from the private sector to be appointed by the President who shall serve for six (6) years unless sooner removed for cause. The President shall designate from among the members of the Cabinet to be the Chairman thereof.

SECTION 9. *Executive Director; Powers and Responsibilities.* - The President shall appoint a professional manager as the Executive Director of the Commission with compensation to be determined by the Commission, who shall serve as the chief executive officer. He shall serve until such time

as the Commission is dissolved or unless sooner removed from office by the President. He shall have the following powers and functions:

(a) Execute and administer the policies and decisions of the Commission;

(b) Directly coordinate the activities of all agencies and instrumentalities of the Government in the planning and implementation of projects on site;

(c) Monitor the programs and projects and evaluate the effects of execution by these agencies and instrumentalities and submit to the Commission periodic reports relating to the development of the areas; and

(d) Perform such other functions as are inherently necessary in the operational management of the areas developed in accordance with the policies and guidelines formulated by the Commission.

SECTION 10. *Implementation.* - The survey, construction or repair and reconstruction of damaged, destroyed, required or alternate government infrastructure and facilities shall be undertaken by the implementing government agencies concerned by public bidding, administration or through negotiated contracts, subject to the usual accounting and auditing rules and regulations. However, in case of negotiated contracts, only duly prequalified and duly licensed contractors as of the approval of this Act can be awarded such contracts. Whenever suitable, labor-based technology shall be used in the implementation of the programs and projects.

With respect to aid, relief, rehabilitation and livelihood services to individual beneficiaries, the Commission may seek the assistance and use the services of the Philippine National Red Cross and all other relief agencies and volunteer organizations with proven record in providing relief work.

The departments and agencies of the Government involved with the aid, relief, rehabilitation and livelihood services as well as infrastructure

support shall continue to be the implementing agencies of the Commission and shall submit to the Commission every quarter the data and information required under Section 12 hereof.

SECTION 11. *Preference for Local Residents.* - Residents in the affected areas, especially the victims, shall be given preference in hiring or employment in the construction or repair and reconstruction of damaged or destroyed government infrastructure and facilities and other labor requirements in all other projects.

SECTION 12. *Report to Congress.* - The Commission shall submit to the President and to Congress a detailed quarterly report on the funds allocated indicating the amount released, obligated and disbursed for:

(a) Aid, relief, rehabilitation and livelihood services, including the list of names of approved individual beneficiaries and contractors and the evaluation of the effectiveness of the delivery systems of such services; and

(b) Construction or repair and reconstruction of infrastructure projects, including the list of contractors and projects being financed, and the accomplishments for the expended appropriations, including the percentage of completion.

The Commission shall cause to be disseminated in the community the list of beneficiaries and contractors mentioned above.

The Commission shall also submit as part of the quarterly report a list of local and foreign donors and the nature of their donations.

SECTION 13. *Joint Congressional Oversight Committee.* - There is hereby created the Joint Congressional Oversight Committee to monitor the implementation of this Act. The Committee shall be composed of five (5) senators and five (5) representatives to be appointed by the Senate President and the Speaker of the House of Representatives, respectively. The Oversight Committee shall be co-chaired by a senator and a representative designated by the Senate President and the Speaker of the House of Representatives, respectively.

The mandate given to the Joint Congressional Oversight Committee under this Act shall be without prejudice to the performance of the duties and functions by the respective existing oversight committees of the Senate and the House of Representatives.

SECTION 14. *Prohibition against Running for Public Office.* - An officer or employee of the Commission shall not be qualified to be a candidate for public office for the election next following his resignation or separation. This prohibition does not apply to the Chairman and members of the Commission.

SECTION 15. *Punishable Acts.* - Any person who takes advantage of the calamity by buying and selling relief goods which he knows or should be known to him as intended for donation, or misrepresenting and/or mislabelling the source of relief goods, or submitting or approving a false or inflated claim shall be prosecuted and, upon conviction, suffer a fine of not less than Fifty thousand pesos (P50,000) nor more than One million pesos (P1,000,000) or imprisonment for not less than six (6) years nor more than fifteen (15) years, or both, at the discretion of the court, including perpetual disqualification from public office if he is a public officer, and confiscation or forfeiture in favor of the Government of any prohibited interest. If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association, or entity responsible for the violation and, if such officer is an alien, he shall, in addition to the penalties prescribed, be deported without further proceedings after service of sentence.

SECTION 16. *Rules and Regulations.* - The President shall, within ten (10) days after the organization of the Commission, issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 17. *Separability Clause.* - If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 18. *Repealing Clause.* - Any law, decree, or rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.

SECTION 19. *Effectivity Clause.* - This Act shall take effect upon its publication in at least two (2) national newspapers of general circulation.

APPROVED,