



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



EIGHTEENTH CONGRESS

First Regular Session

6422

House Bill No. _____

Introduced by Representative **EDDIEBONG G. PLAZA**
2ND District, Agusan Del Sur

EXPLANATORY NOTE

The uplands are the preferred destination for rural migration. It is home to many Indigenous Tribes and hosts much of our forest resources and underground minerals. In 2000, an estimated 20 million Filipinos, approximately 26% of the population then, lived in uplands. Roughly 11.9 million hectares of the country are classified as uplands and more than 8 million hectares of which are under some kind of cultivation (Guiang in Tacio, 2000). The uplands are also where we can find the highest incidence of poverty. Productivity is very low; upland farmers are barely surviving, their children suffers from malnourishment. The situation is very alarming as it exposes further our remaining forest cover to unhampered exploitation while keeping upland dwellers poor and destitute making them susceptible to encouragements by lawless elements to commit crimes and violence.

A clear policy and implementation strategy on upland development can kill three birds with one stone: protect the environment, fight poverty and eliminate crimes and insurgency. The Upland Sustainable Agro-Forestry Development (USAD) Program of the Province of Agusan del Sur launched in late 2013 was very instrumental in reducing poverty in the Province from 45% in 2015 to 32.4% in 2018. Currently the Agusan del Sur's USAD maintains nearly 5,000 hectares of upland farms planted with high value crops providing alternative source of livelihood to thousands of upland families. The USAD farms hectarage increases geometrically every year greening thousands of hectares of denuded uplands which helps in improving the quality of the Province's forests and timberlands.

It should be emphasized that growing crops is only secondary to USAD's main thrust on 'growing people' - the empowerment of individuals and communities for greater productivity and sustainability. With a clear-cut implementation procedure that gives premium on accountability, both people- beneficiaries and government

workers of the Program have developed pride in hard work that brings tangible results to the benefit of the people and the service. With Agusan del Sur's successful experiment with USAD, this humble representation wish to share this experience with the entire nation.

In view of the foregoing, the approval of this bill is earnestly sought.



HON. EDDIEBONG G. PLAZA



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**AN ACT ESTABLISHING UPLAND SUSTAINABLE AGROFORESTRY
DEVELOPMENT (USAD) PROGRAM IN UPLAND AGRICULTURAL LANDS AND
APPROPRIATING FUNDS THEREFOR**

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

SEC. 1. Short Title. This Act shall be known as the “**USAD ACT**”

ARTICLE I

**Declaration of Policy, Purpose and Objectives, Definition of Terms, Scope and
Coverage**

SEC.2. Declaration of Policy. Consistent with the policy of the State to free the people from poverty through policies that provide adequate social services, a rising standard of living and an improved quality of life, the State shall adopt a comprehensive and holistic approach in poverty alleviation wherein every Filipino is able to meet the basic needs of food, nutrition, environmental sanitation, shelter, education and income security.

It is also the policy of the State to protect and promote the right of the people to a balanced and healthful ecology. The State shall implement projects and programs geared towards economic growth and sustained national development in harmony with environmental conservation and ecological balance.

SEC. 3. Purpose and Objectives. It is the purpose and objective of this Act to reduce poverty incidence in the uplands and specifically aims to:

- (a) Employ a convergence approach in alleviating poverty in the most marginalized sectors in the country - the upland and indigenous communities;
- (b) Create and increase economic opportunities for upland communities specially for those who make a living out of farming;
- (c) Protect and conserve the natural resources by providing alternative sources of livelihood for people in upland communities;
- (d) Involve the indigenous people communities into the mainstream through comprehensive development programs;
- (e) Empower the individuals and communities for sustainability through a holistic development approach that addresses the multi-dimensionality of poverty; and
- (f) Optimize agricultural productivity on idle lands owned by marginalized landowners.

SEC. 4. Definition of Terms. Whenever used in this Act, the following terms shall mean:

- (a) **Agricultural land-** refers to a land devoted principally to the raising of crops such as rice, corn, sugar cane, tobacco, coconut, etc., or to pasturing, dairying, inland fishery, salt making and others, including timberlands and forest lands¹.
- (b) **Convergence approach** - refers to multi-stakeholders or multi-agency cooperation in sprouting sustainable economic development.
- (c) **Custodian-** refers to the designated authority and/or accountable person over the non-livelihood infrastructures.
- (d) **Enrollees** - refers to upland dwellers which are identified as recipients of USAD program.
- (e) **Home and Backyard Small Business-** refers to small income-generating activities being run from someone's home or backyard which may include, but not limited to, baking, pastry-making etc., handicrafts such as but not limited to weaving, knitting; dressmaking and tailoring, and others.
- (f) **Social Preparation** – is the conduct of preliminary social analysis of the community where organizer, engage in institution preparations, area selection and social investigation/integration.(DSWD MC 06, S.2014) It also refers to series of pre-implementation activities involving individuals

¹PD 464 Sec. 3 (c)

and communities intended for the proper and effective discharge or execution of the USAD Program such as but not limited to:

- (i) educating and informing the enrollees and their respective communities on the poverty situation and other relevant data that will contextualize their participation in the program;
 - (ii) the conduct of Participatory Rapid Assessment (PRA) and evaluation, if any, of barangay development plan; and
 - (iii) the assessment of the absorptive capacity of the communities and enrollees based on availability of labor and/or land.
- (g) **Participatory Rapid Assessment (PRA)**- an interactive data collection process conducted at a community level or with a specific community group of interest. PRA is applied at the design, early implementation and evaluation phases of a project cycle.
- (h) **Upland**- refers to areas comprising: (1) marginal lands with slopes 18 percent or higher, (2) lands within mountainous zones and (3) lands within terrain classified as hilly to mountainous.
- (i) **Upland Sustainable Agro-forestry Development (USAD)** - refers to comprehensive development framework aimed at alleviating poverty in the upland communities by way of convergence approach providing livelihood programs, non-livelihood and infrastructure projects and conducting continuous education and trainings relative thereto.

SEC. 5. Scope and Coverage. This Act shall apply and cover provinces, cities and municipalities with upland communities.

ARTICLE II

Structure Composition, Operation of the USAD Program

SEC. 6. Creation of USAD Coordinating Unit. It is hereby created an USAD Coordinating Unit in every province, city and municipality which will be under the direct supervision of the Local Chief Executive (LCE). It shall organize and assign USAD coordinator and teams for the effective implementation of the USAD Program. The Provincial USAD Coordinating Unit shall serve as lead unit to municipal counterparts, the Municipal USAD Coordinating Unit.

SEC. 7. Composition of USAD Coordinating Unit. The USAD Coordinating Unit shall be composed of a Program Coordinator, USAD Teams and its respective team members.

SEC. 8. Functions. The functions of the USAD Coordinating Unit are as follows:

- (a) **USAD Program Coordinator.** The Program Coordinator shall be the head

of the Provincial/City/Municipal USAD Programs Unit whom shall be mandated to prepare and capacitate individuals and communities for the productive and beneficial absorption of government's development programs. He/She shall coordinate with the Program Management Team and the Implementing Offices for the programs, projects and activities for an integrated intervention approach on any given target community for development. He/She shall perform the following functions:

1. Requires implementing offices for the submission of detailed work and financial plan for USAD areas along with initial impact assessment report;
2. Requires updates on all programs, projects and activities under USAD Programs and recommends measures based on the implementation procedure from the Implementing Offices;
3. For municipal USAD, coordinates with the Municipal Local Chief Executive, municipal or the barangay focal person if deemed necessary;
4. Coordinates with other national agencies relative to USAD convergence programs;
5. Participates in the planning process to any programs and projects development particularly in the reduction of poverty condition of the province;
6. Supervises the USAD teams;
7. Coordinates with the program management team to ensure success of the programs and/or projects;
8. Conducts meeting with Program Team Leaders;
9. Conducts validation of submitted reports and present progress report to the province/city/municipal government regarding the program;
10. Provides updates for the Governor/City/Municipal Mayor and make recommendations for constant improvement in the implementation process under the USAD Program; and
11. Performs any functions as required by the Provincial Governor/City/Municipal Mayors.

(b) USAD Team. For provincial USAD Unit, one (1) USAD team shall be assigned for every municipality or component city enrolled to USAD.

The USAD teams shall be composed of a team leader and its respective members. The functions of a **team leader** are as follows:

- 1.) Prepares action plan;

- 2.) Leads in the conduct of the USAD activities in the field;
- 3.) Conducts monitoring and submit reports on the progress of the implementation of the programs, projects, and activities;
- 4.) Coordinates with the City/Municipal /Barangay Local Government Units and USAD focal person for the efficient implementation of the programs, projects and activities;
- 5.) Attends regular meetings and update the program coordinator on the progress of USAD programs in their respective area of assignments.
- 6.) Submit to the program coordinator a written report based on the validated report from the field.

The **team members** shall perform the following functions:

- 1.) Conduct social preparation and capacity development of enrollees and communities;
- 2.) Participate in the team planning process in the conduct of field implementation, monitoring and reporting of programs, project and activities in their respective area of assignments,
- 3.) Conduct close monitoring and reporting on every stage of the implementation processes,
- 4.) Provide updated information to guide the implementing office for a timely intervention and/or technical assistance to USAD Program enrollees; and
- 5.) Submit to the team leader validated reports from the field.

SEC.9. Implementing Offices. The Implementing Offices shall propose, formulate, and implement programs, projects and activities (PPAs) on the target and identified areas having high poverty incidence. It shall be composed of the following offices: Provincial/City/Municipal Agriculture Office (PAO/CAO/MAO), Provincial/City/Municipal Veterinary Office (PVO/CVO/MVO), Provincial/City/Municipal Social Welfare and Development Office (PSWDO/CSWDO/MSWDO), Provincial/City/Municipal Engineering Office (PEO/CEO/MEO), Provincial/City/Municipal Health Office (PHO/CHO/MHO), Provincial/City/Municipal Environment and Natural Resources Offices (PENRO/CENRO/MENRO), Provincial/City/Municipal Employment Services Offices (PESO/CESO/MESO). It is hereby mandated to perform the following functions:

- 1.) Implement and manage their respective programs or projects identified under USAD;
- 2.) Provide technical support to the USAD Program especially to the USAD teams in the field in assisting enrollees to ensure success of the Program;

- 3.) Prepare and provide necessary data to the program coordinator which will be used by the USAD teams in monitoring and validation;
- 4.) Prepare and provide progress report in each implementation phase and final report at the end of each fiscal year; and
- 5.) Participate in the USAD general meetings.

SEC.10. Program Management Team. It is hereby created a Program Management Team (PMT) who shall serve as the overseer of the USAD Program Units' activities. The Program Management Team shall comprise with the Heads of Office of the following offices: Provincial/City/Municipal Planning and Development Office (PPDO/CPDO/MPDO), Bids and Awards Offices (BAC), Provincial/City/Municipal General Services Office (PGSO/CGSO/MGSO), Provincial/City/Municipal Accounting Office (PACCO/CACCO/MACCO), Provincial/City/Municipal Budget Office (PBO/CBO/MBO), Provincial/City/Municipal Administration and Management Office (PAdMO/CadMO/MadMO), Provincial/City/Municipal Human Resource and Management Office (PHRMO/CHRMO/MHRMO), Internal Audit Offices (IAOs), Information Management Offices (IMOs), Provincial/City/Municipal Assessment Office (PASSO/CASSO/MASSO) and Provincial/City/Municipal Treasury Office (PTO/CTO/MTO) and a representative of the municipal and barangay councils. The Municipal Management Team shall also be created which shall closely coordinate with the PMT.

It shall be mandatory that the Program Management Team is represented in every progress report presentation. The Program Management Team shall hold meetings as often as necessary which shall be attended by the members sitting in ex-officio capacity.

It shall, thereafter, provide policy support, review and recommend course of actions and policies, provide feedback to policy makers, project developers, examine the objectives of the proposed programs, evaluate the progress and achievement reports and perform other functions deemed necessary to aid the program coordinator in ensuring the success of the programs and projects.

SEC.11. Municipal/Component City USAD Units. The Municipal/City Government shall organize a Municipal/ Component City USAD Unit which shall work under close coordination with the Provincial USAD Program Unit. Its programs and projects shall be consistent with those of the Provincial USAD Unit.

SEC.12. Personnel, Members and Staff. Only non-ex-officio personnel, members and staff of the USAD Program Units, Program Management Team and the Program Implementing Office shall be entitled to remunerations to be determined by the concerned local government units taking into account their actual duties and responsibilities. It may be increased as per yearly reviews on the merits based on their productivity.

ARTICLE II

Project Establishment Phase

SEC.13. Selection of Barangays. Barangays shall be selected and ranked according to their poverty incidence based on the results of Community Based-Monitoring System. Among those selected barangays, priority will be given to those with existing Barangay Development Plan.

SEC.14. Non-livelihood and Livelihood Projects. The Program shall serve as an avenue for infrastructure, social and non-livelihood projects and livelihood programs for upland residents towards comprehensive intervention and holistic development framework.

- (a) **Non-livelihood and Infrastructure Projects.** Non-livelihood projects shall cover health, education, cultural and sports programs. Infrastructure projects shall include barangay halls, multi-purpose buildings, farm to market roads, barangay health units, day care centers, sanitation and water facilities.
- (b) **Livelihood Projects.** The USAD Program Unit shall determine the priority commodities and other support crops, home and backyard small businesses, fishery, livestock and poultry suitable for the livelihood projects.
- (c) **Documentary Requirements.** The Implementing Offices shall issue the guidelines for the projects and project proposal. Non-compliance to the guidelines may result to automatic rejection without prejudice to its reversal upon compliance of the guidelines within the prescribed schedule.

SEC. 15. Selection of Enrollees. Selection of enrollees shall be made for the livelihood projects only. The prospective enrollees shall come from the list of households with income below poverty threshold provided that they are able to meet the requirements of the project such as labor, time and/or land.

All prospective enrollees must present a barangay certification attesting that he or she is a resident of the barangay at least six (6) months prior to the application to the Program validated through the Community-Based Monitoring System (CBMS). Enrollees not listed in CBMS must register with the system prior to the acceptance to the Program. The Implementing Office may also require additional requirements as may be necessary in the enrollment of the Program.

For agricultural development programs and projects, the Implementing Office shall require a confirmation and validation from the Register of Deeds as to land status.

SEC.16. Duties and Responsibilities of Enrollees. Upon agreeing with the terms and conditions of the Program, the enrollees shall comply with all the requirements of the USAD's projects, programs and activities which includes but not limited to:

- a.) attending capacity development trainings;
- b.) strictly observe guidelines and modules provided by the technical staff or expert resource person of the Implementing Office; and
- c.) provide timely and necessary feedback and/or report to the USAD Team on the progress of the projects under their care.

SEC. 17. *Procurement of Materials.* The procurement of materials shall be prioritized and in accordance to existing procurement laws. The procurement process shall take into consideration farms' schedule, timely field implementation and to avoid delays as much as possible.

SEC. 18. *Social Preparation and Capacity Development of Enrollees.* The USAD Provincial, City and Municipal Team in coordination with the Implementing Offices shall conduct PRA to identify community needs, assist in the crafting of a Barangay Development Plan if in case such is not updated and hold program orientation to barangay councils, enrollees and any interested member(s) of the communities.

The USAD Coordinating Unit shall also assist in the organization of the enrollees whom shall have a set of officers, approved policy and/or by-laws. This organization shall be registered at the Department of Labor and Employment (DOLE) or at the Securities and Exchange Commission (SEC), as the case may be.

In case of existing registered organization, the Implementing Office shall review the organization's constitution and by-laws to determine its compatibility with the project's objectives. Non-member enrollees shall be enlisted with the organization.

A Memorandum of Agreement or Memorandum of Understanding shall be entered into by the Provincial/City Government, Municipality, Barangay and Enrollees' Organization prior to the establishments of the projects.

It shall be mandatory to conduct capacity development training which shall be attended by the enrollees whom shall be assessed after. Appropriate assessment tools shall be developed for that purpose.

SEC.19.*Establishment of Livelihood Projects.* For agricultural farm projects, the following activities shall be undertaken:

1. the concerned agricultural extension worker and agriculturist shall assist the enrollees in getting a soil sample from their respective farm site for laboratory analysis to determine its suitability for farming and appropriate crops;
2. lay-outing of the farm and geo tagging;
3. the timely delivery of planting materials, seedlings, and other necessary material inputs shall also be made to the concerned enrollees by the Implementing Offices along with USAD Teams. The guidelines for the proper distribution shall be strictly observed; and

4. the USAD Team along with the Implementing Offices and its technical staff shall monitor and assist enrollees, if needed, in the implementation activities such as, but not limited to, land preparation, planting, trimming and application of fertilizer.

Technical assistance shall be made available to enrollees from their corresponding Implementing Office all throughout the process from land preparation, planting, harvesting, farm maintenance, value-adding, processing, marketing and financial management.

For non-agricultural programs and projects, the Implementing Offices along with the USAD Teams shall conduct ocular inspections of the sites to assess its suitability to the intended project, program and activities. The same shall deliver to the enrollees all material inputs, and the kits needed for the approved projects, programs and activities.

SEC.20. *Establishment of Non-livelihood and Infrastructure Projects.* The assigned custodian shall submit quarterly maintenance report to the USAD unit who shall coordinate with the Implementing Office for timely and necessary assistance and feedback. The delivery of the projects shall be done in accordance with the approved implementation procedure.

The Implementing Offices shall likewise supervise the projects' delivery and installation. It shall also conduct capacity development training to assigned custodian while the projects are still in progress and involved the same in the formulation of the maintenance plan.

The assigned custodian shall submit quarterly maintenance report to concerned Implementing Offices on which the latter shall provide necessary assistance and feedback.

SEC. 21. *Project Maintenance Phase (Sustainability).* Reports submitted by the enrollees to the USAD Team shall be validated and verified by the Implementing Office in the field after which a meeting will be called wherein the Implementing Office shall make necessary recommendations and take the necessary actions concerning the report. The USAD Team shall ensure that said recommendations are properly carried out in the field.

It shall be mandatory for the Implementing Offices in coordination with the USAD Unit to conduct continuing training and education of the enrollees taking into consideration issues and concerns in the field.

SEC. 22. *Project Marketing Phase.* The Implementing Office shall conduct an inventory of areas with agriculture production and organize the enrollees into associations in preparation for the marketing phase. Capacity building on value-adding commodity and market matching for possible buyers shall also be made.

SEC. 23. *Graduation of Enrollees.* The enrollees are deemed to have graduated from the program if the household earned an income above the prevailing poverty threshold as reflected by their respective Progress Report Card created for that purpose.

The graduated enrollees are hereby granted the option to continually attend the trainings and education conducted under the USAD Program.

SEC. 24. Reportorial Requirements. It shall be mandatory for every USAD teams to submit monthly progress reports to the Program Coordinator. The latter shall provide updates to the Provincial Governor/City Mayor accordingly.

A mid-year assessment report shall be conducted by the USAD Program Unit taking into consideration the progress of the projects, programs, activities in each barangay, the general status of the USAD Program and other issues and concerns in the implementation phase.

The annual report shall cover the barangay status prior to the implementation of the projects (physical profile, demographic, brief history, and poverty profile) vis-à-vis the progress of the USAD projects and its impact in the communities.

SEC. 25. Development Program Harmonization. All national line agencies, civil society organizations and other institutions that implements socio-economic development projects shall harmonize and align policies, plans and programs for a sustainable USAD implementation.

ARTICLE III Miscellaneous Provisions

SEC. 26. Appropriations. The amount necessary to carry out the provisions of this Act shall be charged against the General Appropriations Act.

SEC. 27. Implementing Rules and Regulations. Within sixty (60) days after effectivity of this Act, the Department of Interior and Local Government (DILG) in coordination with the Department of Agriculture (DA), Department of Agrarian Reform (DAR), Department of Health (DOH), Department of Environment and Natural Resources (DENR), Department of Social Welfare and Development (DSWD), Department of Trade and Industry (DTI) and Technical Education and Skills Development Authority (TESDA) shall formulate the rules and regulations to fully implement the provisions of this Act.

SEC. 28. Separability Clause. If, for any reason, any part or provisions of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 29. Repealing Clause. All laws, presidential decrees, executive orders and rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 30. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

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