

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

Twentieth Congress
First Regular Session

House Bill No. 9228



Introduced by Representative Timothy Joseph Cayton

“AN ACT INSTITUTIONALIZING THE OVERSEAS FILIPINO WORKER CRISIS PROTECTION AND ASSISTANCE SYSTEM, PROVIDING FOR TRIGGER-BASED EMERGENCY FUND RELEASE, A UNIFIED CRISIS COMMAND STRUCTURE, AN INTEGRATED OFW MONITORING DATABASE, AND FOR OTHER PURPOSES”

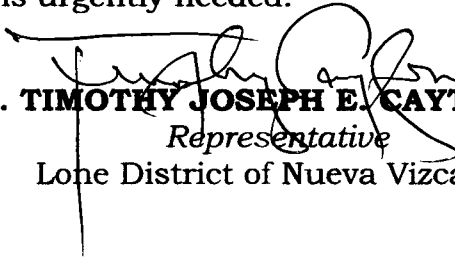
EXPLANATORY NOTE

The Overseas Filipino Worker (OFW) is the modern-day hero of the Filipino family. Yet, when crises erupt abroad, our workers are forced into an impossible choice: remain in danger to sustain their livelihood, or return home to economic uncertainty. Their sacrifice should not be repaid with abandonment.

The government has existing mechanisms, including the AKSYON Fund, the Emergency Repatriation Fund, and OWWA assistance programs. However, these remain application-based, document-intensive, and subject to administrative delays. In times of crisis, OFWs should not be required to comply with procedural requirements before receiving assistance. Support must be immediate, accessible, and reliable.

This bill establishes a trigger-based system where assistance is activated upon predefined crisis conditions. The measure ensures that no OFW is left behind due to procedural barriers or funding delays. It addresses not only evacuation, but also the economic realities that influence the decision of workers to remain in high-risk environments.

This bill is a necessary step toward strengthening the State’s protection of Filipino workers abroad. Its passage is urgently needed.


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DATABASE, AND FOR OTHER PURPOSES”**

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

SECTION 1. Short Title. — This Act shall be known as the “**OFW
Crisis Protection and Assistance Act.**”

SEC. 2. Declaration of Policy. — It is hereby declared the policy of the State to afford full protection to labor, local and overseas, as mandated under Article II, Section 18 and Article XIII, Section 3 of the 1987 Constitution. The State recognizes that overseas Filipino workers (OFWs) are disproportionately exposed to crisis situations beyond their control, including armed conflict, political instability, natural disasters, epidemics, and mass displacement events.

The State further recognizes that the primary barrier to OFW safety during crises is not logistical but economic, as workers remain in harm's way due to the absence of credible assurance that repatriation will not result in economic hardship for themselves and their families.

It is therefore the policy of the State to establish a pre-positioned, tiered, and trigger-based emergency protection and assistance mechanism that ensures calibrated and immediate financial support, evacuation, and post-return stability for OFWs during crises, regardless of documentation status, and to eliminate bureaucratic delays that currently compromise the safety and welfare of Filipino workers abroad.

SEC. 3. Definition of Terms. — As used in this Act:

(a) “**Automatic Assistance**” refers to the immediate release and delivery of financial aid, evacuation, repatriation, shelter, medical, psychosocial, and reintegration services to affected OFWs upon the

activation of any Emergency Trigger Event at Crisis Response Tier 2 or Tier 3, without the need for further executive, legislative, or administrative approval beyond the provisions of this Act.

(b) “Crisis Situation” refers to any armed conflict, war, political instability, civil unrest, terrorism, natural disaster, epidemic, pandemic, or any event in a host country or region that poses a serious and imminent threat to the life, safety, or welfare of OFWs.

(c) “Emergency Trigger Event” refers to any of the following occurrences that shall activate the tiered crisis response provisions of this Act:

(i) The declaration by the Department of Foreign Affairs (DFA) or the Department of Migrant Workers (DMW) of Crisis Alert Level 2 (Restriction Phase), Level 3 (Voluntary Repatriation Phase), or Level 4 (Mandatory Repatriation) for any country or region;

(ii) The declaration of armed conflict, war, or a state of emergency by the host country that affects areas where OFWs are deployed;

(iii) The closure of airports, seaports, or borders in the host country due to armed conflict, civil unrest, or natural disaster;

(iv) The declaration of a Public Health Emergency of International Concern (PHEIC) by the World Health Organization affecting a country where OFWs are deployed, provided that the OFW Crisis Response Council, by a majority vote, determines that the PHEIC creates an imminent and specific threat to the life, safety, or welfare of OFWs in the affected country, and that such determination is made in writing and published within forty-eight (48) hours;

(v) The occurrence of a natural disaster of such magnitude that it results in mass displacement, casualties, or the declaration of a state of calamity in the affected area; or

(vi) Any other event determined by the OFW Crisis Response Council, by a majority vote, to constitute an imminent and grave threat to the life, safety, or welfare of OFWs, provided that such determination is made in writing and published within twenty-four (24) hours.

(d) “Repatriation” refers to the organized transport of OFWs from the host country or transit country back to the Philippines, including all logistical, documentary, medical, and financial support necessary to complete the return to their respective provinces or cities of origin.

(e) “OFW” refers to any Filipino worker deployed overseas, whether land-based or sea-based, documented or undocumented, including those whose contracts have expired, who have run away from employers, or who are otherwise in an irregular situation abroad.

(f) “AKSYON Fund” refers to the fund established under Republic Act No. 11641 for the direct assistance to OFWs.

(g) “Emergency Repatriation Fund (ERF)” refers to the fund established under Republic Act No. 8042, as amended, for the repatriation of OFWs in crisis situations.

(h) “Crisis Response Tier” refers to the graduated level of government response as defined in Section 5-A of this Act, calibrated to the severity and scope of the Crisis Situation.

SEC. 4. Coverage. — This Act shall cover all OFWs as defined in Section 3(e). Filipino nationals who are tourists, students, or immigrants in affected countries may be extended assistance under this Act on a case-to-case basis as determined by the OFW Crisis Response Council, subject to the availability of funds and in accordance with the implementing rules and regulations.

SEC. 5. Tiered Crisis Response Framework. — Upon the occurrence of any Emergency Trigger Event, the crisis response shall be activated according to the following tiers:

(a) Tier 1 — Heightened Monitoring and Preparedness. — This tier shall be activated upon the declaration of Crisis Alert Level 2 (Restriction Phase) or upon the occurrence of a localized threat that does not yet warrant evacuation. Under this tier, the following shall be automatically activated:

- (i) Full activation of the Integrated OFW Crisis Monitoring Database for the affected country or region;
- (ii) Establishment of dedicated communication lines and monitoring desks at the relevant Philippine embassies, consulates, and Migrant Workers Offices;
- (iii) Deployment of advance assessment teams, as necessary; and
- (iv) Pre-positioning of emergency supplies and updating of contingency plans for the affected area.

No automatic cash disbursement shall be made under this tier. The Council may, however, authorize limited preparatory expenditures from the Fund not exceeding ten percent (10%) of the minimum Fund level.

(b) Tier 2 — Partial Activation. — This tier shall be activated upon the declaration of Crisis Alert Level 3 (Voluntary Repatriation Phase), localized armed conflict, closure of airports or seaports in specific areas, or the occurrence of a natural disaster affecting a defined area. Under this tier, the following shall be automatically activated for OFWs in the directly affected areas:

- (i) All measures under Tier 1;

(ii) Emergency cash aid as provided in Section 6(a), limited to OFWs in the directly affected provinces, regions, or territories as determined by the Council;

(iii) Evacuation and repatriation operations for OFWs who elect to return; and

(iv) Temporary shelter, medical, and psychosocial services.

Disbursements under this tier shall not exceed fifty percent (50%) of the minimum Fund level without prior authorization from the Council.

(c) Tier 3 — Full Activation. — This tier shall be activated upon the declaration of Crisis Alert Level 4 (Mandatory Repatriation), country-wide armed conflict, or a determination by the Council that the crisis is of such magnitude as to require full-scale response. Under this tier, the following shall be automatically activated:

(i) All measures under Tiers 1 and 2, extended to the entire affected country or region;

(ii) Full emergency cash aid to all affected OFWs;

(iii) Full-scale evacuation and repatriation operations;

(iv) Livelihood and reintegration support as provided in Section 6(e); and

(v) Activation of the supplemental funding mechanism under Section 9(d) of this Act, if the projected cost of the crisis response exceeds the available balance of the Fund.

SEC. 6. Standard Assistance Package. — Upon activation of Crisis Response Tier 2 or Tier 3, the following forms of assistance shall be made available to all covered OFWs in the affected country, region, or area:

(a) Emergency Cash Aid. — A one-time emergency cash grant in the amount of Fifty Thousand Pesos (PHP 50,000.00) per affected OFW, to be disbursed within seventy-two (72) hours from activation of Tier 2 or Tier 3, through digital transfer, embassy disbursement, or other available means. The cash aid shall be unconditional and shall not be subject to reimbursement or deduction from any other benefits. The Council may, through a resolution, adjust the amount upward based on the cost of living in the host country, the severity of the crisis, or other relevant circumstances. The implementing rules and regulations shall prescribe the guidelines for the identification and verification of eligible OFWs, including the manner of self-certification for undocumented OFWs subject to post-crisis verification.

(b) Evacuation and Repatriation. — Full transportation from the host country to the Philippines, including land transfer to exit points, airfare or sea passage, transit accommodations, documentation, and domestic transport to the OFW's province or city of origin.

(c) Temporary Shelter. — Provision of temporary shelter in the host country, transit country, or upon arrival in the Philippines, for a period not exceeding thirty (30) days, extendable by the Council as circumstances warrant.

(d) Medical and Psychosocial Services. — Emergency medical treatment, stress debriefing, trauma counseling, and referral to appropriate health facilities, to be provided from the point of evacuation through reintegration.

(e) Livelihood and Reintegration Support. — Access to skills training, job matching, enterprise development loans, and livelihood grants within sixty (60) days of repatriation, to be administered in coordination with the Department of Social Welfare and Development, the Technical Education and Skills Development Authority, and the Department of Trade and Industry.

SEC. 7. OFW Crisis Response Council. — There is hereby created an OFW Crisis Response Council (the “Council”), which shall serve as the supreme policy-making and coordinating body for all OFW crisis response operations. The Council shall be composed of the following:

- (a) The Secretary of Migrant Workers — Chairperson;
- (b) The Secretary of Foreign Affairs — Vice Chairperson;
- (c) The Administrator of the Overseas Workers Welfare Administration;
- (d) The Secretary of Social Welfare and Development;
- (e) The Secretary of Health;
- (f) The Secretary of National Defense;
- (g) The Secretary of Transportation;
- (h) The Secretary of Budget and Management;
- (i) The Secretary of the Interior and Local Government; and
- (j) Two (2) representatives from accredited OFW organizations, to be appointed by the President, each serving a term of three (3) years.

The Council shall convene automatically within twenty-four (24) hours of any Emergency Trigger Event and shall remain in continuous session until the crisis is declared resolved by a majority vote of the Council. The Council may convene in person or through electronic means.

The Council shall have the power to: (i) determine the appropriate Crisis Response Tier; (ii) authorize the escalation or de-escalation of response tiers; (iii) adjust cash aid amounts upward as provided in Section 6(a); (iv) make supplementary trigger determinations under Section 3(c)(iv) and (vi); and (v) perform such other functions as may be necessary to carry out the purposes of this Act.

SEC. 8. Lead Coordinating Agency. — During any activated crisis period, the Department of Migrant Workers shall serve as the lead coordinating agency for all OFW crisis response operations. In this capacity, the DMW shall:

- (a) Set priorities, timelines, and targets for the overall crisis response;
- (b) Coordinate the deployment of resources and personnel across all participating agencies;
- (c) Serve as the central point of communication for crisis response operations; and
- (d) Issue coordination directives to all concerned agencies, which shall be complied with in good faith.

The DFA, OWWA, DSWD, DOH, DOTr, DND, DILG, and all other concerned agencies shall each designate a senior liaison officer of not less than the rank of Undersecretary or Assistant Secretary to the Crisis Operations Center within twelve (12) hours of the activation of any Crisis Response Tier. Each agency shall retain operational control over its own personnel and assets but shall execute its functions in accordance with the coordination framework established by the DMW.

Any willful refusal or unreasonable delay by any agency or officer in complying with the coordination directives issued by the DMW under this section shall constitute a ground for administrative disciplinary action.

SEC. 9. OFW Crisis Assistance Fund. — There is hereby established an OFW Crisis Assistance Fund (the “Fund”) in the initial amount of Five Billion Pesos (PHP 5,000,000,000.00), to be maintained as a standing and non-lapsing fund under the administration of the DMW.

(a) Sources of the Fund. — The Fund shall be sourced from:

- (i) An initial appropriation from the General Appropriations Act;
- (ii) Mandatory annual contributions from OWWA’s investment income, in an amount not less than ten percent (10%) thereof;
- (iii) Upon deactivation of each crisis, any remaining balances from crisis-specific allocations of the Emergency Repatriation Fund (ERF), the AKSYON Fund, and the DFA Assistance-to-Nationals (ATN) Fund that were earmarked for the specific crisis and are no longer committed to ongoing operations: Provided, That the standing operational balances of said funds shall not be diminished; and
- (iv) Such other amounts as Congress may appropriate.

(b) Automatic Release. — Upon the activation of Crisis Response Tier 2 or Tier 3, the Fund shall be automatically released to the DMW, subject to the disbursement ceilings applicable to each tier as provided in Section 5, without the need for further approval from the

Department of Budget and Management, the Office of the President, or any other authority. The Secretary of Migrant Workers shall have disbursement authority over the released portion of the Fund during any activated crisis period, subject to post-audit by the Commission on Audit.

(c) Replenishment. — The Fund shall be replenished to its minimum level of Five Billion Pesos (PHP 5,000,000,000.00) within ninety (90) days following the resolution of each crisis, through automatic appropriation from the national budget or through augmentation from the Contingent Fund, the National Disaster Risk Reduction and Management Fund, or other available funds. In the event that replenishment cannot be completed within ninety (90) days, the Department of Budget and Management shall include the deficiency in the next available supplemental budget or in the succeeding General Appropriations Act, and the DMW shall report the shortfall to the Joint Congressional Oversight Committee established under Section 14 of this Act.

(d) Supplemental Funding Mechanism. — Upon the activation of Crisis Response Tier 3, if the projected cost of the crisis response, as determined by the Council, exceeds the available balance of the Fund, the President is hereby authorized to release supplemental funds from the Contingent Fund, Unprogrammed Appropriations, or the National Disaster Risk Reduction and Management Fund, in an amount not exceeding Fifteen Billion Pesos (PHP 15,000,000,000.00), subject to notification of both Houses of Congress within thirty (30) days of such release. For crises whose projected cost exceeds Twenty Billion Pesos (PHP 20,000,000,000.00), the Council shall recommend to the President the submission of a supplemental appropriation bill, which Congress shall act upon within fifteen (15) session days from receipt.

SEC. 10. Integrated OFW Crisis Monitoring Database. — The DMW, in coordination with the DFA, OWWA, the Philippine Statistics Authority, and the Department of Information and Communications Technology, shall develop and maintain a real-time, georeferenced Integrated OFW Crisis Monitoring Database (the “Database”) containing, at a minimum:

- (a) The identity, contact information, and geolocation of all deployed OFWs, disaggregated by country, region, and employer;
- (b) The crisis alert level and security status of each host country;
- (c) The locations of the nearest Philippine embassies, consulates, Migrant Workers Offices, safe havens, and exit points;
- (d) Contact information of employers, recruitment agencies, and emergency contacts designated by OFWs; and
- (e) Vulnerability indicators, including health conditions, dependents, and proximity to known conflict or disaster zones.

All recruitment agencies and foreign employers deploying Filipino workers shall be required to submit and regularly update data in the Database as a condition for the maintenance of their license or accreditation. Non-compliance shall be a ground for suspension or revocation of license or accreditation, without prejudice to other penalties provided by law.

The development, operation, and maintenance of the Database shall comply with the provisions of Republic Act No. 10173, or the Data Privacy Act of 2012, and its implementing rules and regulations. The National Privacy Commission shall certify the privacy impact assessment of the Database before it becomes operational. Access to the Database shall be restricted to authorized government personnel for the purposes of crisis response and OFW protection, and shall not be shared with foreign governments for immigration enforcement purposes. The implementing rules and regulations shall prescribe the specific data protection, access control, breach notification, and data retention protocols for the Database.

SEC. 11. Mandatory Contingency Planning. — All Philippine embassies, consulates, and Migrant Workers Offices in countries where OFWs are deployed shall maintain and regularly update contingency plans for mass evacuation, including:

- (a) Identified safe havens, evacuation centers, and exit routes;
- (b) Pre-negotiated agreements with local transport providers, hotels, and medical facilities;
- (c) Emergency communication protocols, including satellite and redundant communication systems; and
- (d) Pre-positioned emergency supplies, including food, water, medical kits, and hygiene packs.

These plans shall be reviewed, updated, and submitted to the DMW and the DFA not less than every six (6) months. Failure to maintain an updated contingency plan shall subject the responsible officers to administrative disciplinary action.

SEC. 12. 72-Hour Response Standard. — Upon activation of Crisis Response Tier 2 or Tier 3, the DMW shall, within seventy-two (72) hours:

- (a) Establish communication with all affected OFWs through all available channels, including text messaging, social media, embassy hotlines, and the Database;
- (b) Commence disbursement of emergency cash aid;
- (c) Activate evacuation and repatriation operations; and
- (d) Deploy augmentation teams to the affected country or region.

Failure to meet this standard shall be subject to administrative investigation by the Civil Service Commission, and responsible officials

found to have willfully or negligently caused the delay shall be held administratively liable. If the delay results in death, serious injury, or grave harm to any OFW, the responsible officials shall additionally be held criminally liable under the Revised Penal Code and other applicable laws.

SEC. 13. Transparency and Reporting. —

(a) Crisis Response Report. — The DMW shall submit to the President and to both Houses of Congress a Crisis Response Report within thirty (30) days from the deactivation of each crisis. The report shall contain:

- (i) The number of OFWs affected, assisted, and repatriated;
- (ii) The total amount disbursed from the Fund, disaggregated by type of assistance and by Crisis Response Tier;
- (iii) A timeline of response actions, including the time elapsed between trigger activation and first assistance delivery;
- (iv) Any operational challenges encountered; and
- (v) Recommendations for improving future crisis response.

(b) Quarterly Reports. — The DMW shall submit quarterly reports to the Joint Congressional Oversight Committee established under Section 14, and to the Committees on Migrant Workers, Foreign Affairs, and Appropriations of the Senate and the House of Representatives on the status of the Fund, the Database, and all ongoing crisis preparedness activities.

(c) Public Access. — All reports under this section shall be published on the DMW website and made available to the public, with redactions only for information that would compromise the safety of OFWs or ongoing operations.

SEC. 14. Joint Congressional Oversight Committee. — There is hereby created a Joint Congressional Oversight Committee on OFW Crisis Response (the "Oversight Committee"), composed of six (6) members from the Senate and six (6) members from the House of Representatives, to be appointed by the Senate President and the Speaker of the House, respectively. The Oversight Committee shall:

- (a) Monitor the implementation of this Act and the utilization of the Fund;
- (b) Review and assess all crisis response reports submitted by the DMW;
- (c) Conduct inquiries and hearings on the effectiveness and efficiency of OFW crisis response operations;
- (d) Review the adequacy of the Fund and recommend adjustments to the minimum Fund level as necessary; and

(e) Submit an annual report to both Houses of Congress on the status of implementation, including recommendations for legislative action.

SEC. 15. Separation from Discretionary Funds. — The assistance provided under this Act shall be released based on legislatively defined criteria and tiered conditions, and shall not be subject to executive impoundment, reprogramming, or discretionary withholding.

The Emergency Trigger Events defined in Section 3(c), together with the Crisis Response Tiers defined in Section 5, constitute objective, pre-determined conditions enacted by Congress. The release of the Fund and activation of assistance upon the occurrence of such conditions shall be a ministerial duty of the executive branch. The role of the Council and the DMW shall be operational and implementing in nature, and shall not constitute an unconstitutional delegation of the power of appropriation.

SEC. 16. Penalties. —

(a) Any public officer or employee who willfully delays, obstructs, or impedes the automatic release of funds or the delivery of assistance under this Act shall be administratively liable for grave misconduct and shall, upon conviction, suffer the penalty of dismissal from service with forfeiture of all benefits and perpetual disqualification from reemployment in the government.

(b) If the delay or obstruction results in death, serious injury, or grave harm to any OFW, the offending officer shall additionally be held criminally liable under the Revised Penal Code and other applicable laws, without prejudice to any civil liability for damages.

(c) Any recruitment agency or foreign employer found to have failed or refused to provide data required under Section 10 shall be subject to suspension of license or accreditation for the first offense, and revocation for the second offense.

SEC. 17. Mandatory Review. — Within five (5) years from the effectivity of this Act, and every five (5) years thereafter, the Joint Congressional Oversight Committee, in consultation with the DMW and the Council, shall conduct a comprehensive review of the implementation, effectiveness, and fiscal sustainability of this Act. The review shall include an assessment of the adequacy of the minimum Fund level, the appropriateness of the tiered crisis response framework, the performance of the Database, and the overall responsiveness of government agencies during activated crises. The findings and recommendations of the review shall be submitted to both Houses of Congress.

SEC. 18. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, the DMW, in coordination with the DFA, OWWA, DBM, DSWD, DOH, DOTr, DND, DILG, and the Commission on Audit, shall promulgate the implementing rules and regulations (IRR) necessary to carry out the provisions of this Act. The IRR shall include, among others:

- (a) Detailed procedures for crisis activation and deactivation, including the criteria for escalation and de-escalation between Crisis Response Tiers, and the roles of the DFA in alert level declarations and the Council in supplementary trigger determinations;
- (b) Specific benefit amounts, disbursement protocols, the mechanics for digital and manual cash aid distribution, and the guidelines for the differentiation of assistance based on the cost of living in the host country, number of dependents, and other relevant factors;
- (c) The composition, functions, and operational protocols of the Crisis Operations Center;
- (d) Guidelines for the operation, maintenance, security, and data privacy compliance of the Integrated OFW Crisis Monitoring Database, including the protocols for self-certification and post-crisis verification of undocumented OFWs;
- (e) Protocols for coordination with host countries, international organizations, and non-governmental partners; and
- (f) Post-audit procedures to ensure accountability while maintaining the speed of response.

SEC. 19. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall continue to be in full force and effect.

SEC. 20. Repealing Clause. — All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly: *Provided*, That the provisions of Republic Act No. 8042, as amended (Migrant Workers and Overseas Filipinos Act of 1995), Republic Act No. 11641 (Department of Migrant Workers Act), and their respective implementing rules shall remain in full force insofar as they are not inconsistent with this Act.

SEC. 21. Effectivity. — This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,