

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **9529**



Introduced by Representative **DIBU S. TUAN**

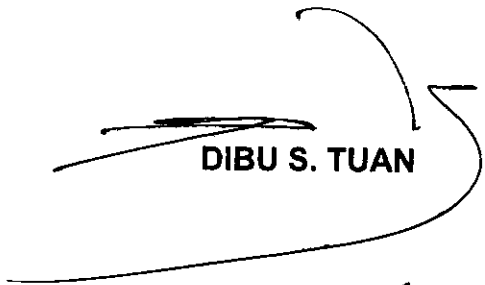
EXPLANATORY NOTE

The uplands are home to many indigenous tribes, and it holds our country's remaining forests and mineral resources. As early as 2000, an estimated 20 million Filipinos, approximately 26% of the population, lived in the uplands, with over eight million hectares of which are under some kind of cultivation (Guiang in Tacio, 2000). Despite the rich natural resources, the uplands remain to have the highest poverty incidence, largely due to low productivity. In effect, upland farmers struggle to survive. This situation leaves our remaining forest vulnerable to unregulated exploitation and exposes our upland communities to risks, including involvement in insurgency and other illegal activities.

A clear policy and effective implementation strategy for upland development can address these pressing issues; protect the environment, fight poverty and eliminate crimes and insurgency. In 2013, Agusan del Sur launched the Upland Sustainable Agri-Forestry Development (USAD) Program, which significantly contributed to the province's poverty reduction. Between 2015 to 2018, provincial poverty dropped from 45% to 32.4%. Today, USAD manages nearly 5,000 hectares of upland farms with high value crops, providing an alternative livelihood for thousands of upland families. Each year, USAD continues to expand its reach, greening thousands of hectares of denuded uplands and strengthening the province's agricultural economy.

More than just growing crops, USAD focuses on "growing people" by empowering individuals and communities for greater productivity and sustainability. With a clear implementation framework rooted in transparency and accountability, both program beneficiaries and government workers have cultivated a deep pride in their work, fostering transformation across upland communities.

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


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AN ACT
ESTABLISHING THE UPLAND SUSTAINABLE AGRI-FORESTRY DEVELOPMENT
(USAD) PROGRAM IN UPLAND AGRICULTURAL LANDS AND APPROPRIATING
FUNDS THEREFOR

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

ARTICLE I

SECTION 1. Short Title. - This Act shall be known as the "USAD Act".

SECTION 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 toward economic growth and sustained national development in harmony with environmental conservation and ecological balance.

SECTION 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 especially 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 mainstream through comprehensive development programs;

- e. Empower the individuals and communities for sustainability through holistic development approach that addresses the multi-dimensionality of poverty;
- f. Optimize agricultural productivity on idle lands owned by marginalized landowners.

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

- a. *Agricultural land* - refers to 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 forest lands';
- b. *Convergence approach* - refers to multi-stakeholders and 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* - refer to upland dwellers which are identified as recipients of the USAD Program;
- e. *Home and Backyard Small Business* - refers to small income-generating 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* - the conduct of preliminary social analysis of the community where organizer, engage in institution preparations, area selection and social investigation/integration.- It also refers to series of pre-implementation activities involving individuals 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 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 the 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 of 18% or higher, (2) lands within mountainous zones, and (3) lands within terrain classified as hilly to mountainous.
- i. Upland Sustainable Agri-Forestry Development - refers to a 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.

SECTION 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

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

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

SECTION 8. Functions. - The function of the USAD Coordinating Unit are as follows:

- a. USAD Program Coordinator. - The Program Coordinator shall be the head of the Provincial/Municipal/City USAD Programs Unit mandated to prepare and capacitate individuals and communities for the productive and beneficial absorption of government's 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 assessments 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 program and/or projects;
 8. Conducts meeting with Program Team Leaders;
 9. Conducts validation of submitted reports and presents progress report to the province/city/municipal government in the implementation process under the USAD Program;
 10. Provides updates for the Provincial 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 relative to the implementation of USAD Programs;
- b. USAD Team. - For provincial USAD Unit, one (1) USAD Team shall be assigned for every municipality or component city enrolled to USAD. Each USAD Team 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 Unit 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 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, projects 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.

SECTION 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 Provincial/City/Municipal Agriculture Office (PAO/CAO/MAO), Provincial/City/Municipal Veterinary (PVO/CO/MVO), Provincial/City/Municipal Social Welfare and Development Office (PSWDO/CSWDO/MSWDO), Provincial/City/Municipal Engineering (PEO/CEO/MEO), Provincial/City/Municipal Health Office (PHO/CHO/MHO), Provincial/City/Municipal 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 validating;

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.

SECTION 10. 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 Offices of the following offices: Bids and Awards Offices (BAC), Provincial/City/Municipal General Services Office (PGSO/CGSO/MGSO), Provincial/City/Municipal Accounting 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 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 PMT is represented in every progress report presentation. The PMT 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 courses of action and policies, provide feedback to policy makers, project developers, examine the objectives of the proposed programs, evaluate the progress and achievement reports and report and perform other functions deemed necessary to aid the program coordinator in ensuring the success of the programs and projects.

SECTION 11. Municipal/City USAD Units. - The Municipal/City Government shall organize a Municipal/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.

SECTION 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 III

Project Establishment Phase

SECTION 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 shall be given to those with the existing Barangay Development Plan.

SECTION 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 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 business, 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.

SECTION 15. Selection of Enrollees. - Selection of enrollees shall be made for the livelihood projects only. The prospective enrollee 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/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 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.

SECTION 16. Duties and Responsibilities of Enrollees. - Upon agreeing with the terms and conditions of the Program, the enrollees shall comply with all requirements of the USAD's projects, programs and activities which include 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;
- c. Provide timely and necessary feedback and/or report to the USAD Team on the progress of the projects under their care.

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

SECTION 18. Social Preparation and Capacity Development of Enrollees. - The USAID Provincial, City, and Municipal Team in coordination with the Implementing Offices shall conduct Participatory Rapid Appraisal (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 community.

The USAID Coordinating Unit shall also assist in the organization of the enrollees who shall have a set of officers, approved policy and/or by-laws. This organization shall be registered with the Securities and Exchange Commission (SEC).

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

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

SECTION 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 the USAID Teams. The guideline for the proper distribution shall be strictly observed; and
4. The USAID team along with the Implementing Offices and its technical staff 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 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.

SECTION 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 Office shall likewise supervise the project's delivery and installation. It shall also conduct capacity development training for the assigned custodian while the projects are still in progress and involved the same in the formulation of the maintained plan.

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

SECTION 21. Project Maintenance Phase. - The 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 shall be called wherein the Implementing Office shall make necessary recommendations and take the necessary actions concerning the report. The USAD Team shall ensure that 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.

SECTION 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 commodities and market matching for possible buyers shall also be made.

SECTION 23. Graduation of Enrollees. - An enrollee is deemed to have graduated from the program if his/her household earned an income above the prevailing poverty threshold as reflected by their respective Progress Report Card created for that purpose.

The graduated enrollee is hereby granted the option to continually attend the training and education conducted under the SAD Program.

SECTION 24. Reportorial Requirements. - It shall be mandatory for every USAD Team to submit monthly progress reports to the Program Coordinator. The latter

shall provide updates to the Provincial Governor/City/Municipal 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 vis-a-vis progress of the USAD projects and its impact on the communities.

SECTION 25. Development Program Harmonization. - All national line agencies, civil society organizations and other institutions that implement socioeconomic development programs shall harmonize and align policies, plans and programs for a sustainable USAD implementation.

ARTICLE III

Miscellaneous Provisions

SECTION 26. Appropriations. - The amount necessary to carry out the provision of this Act shall be charged against the General Appropriations Act.

SECTION 27. Implementing Rules and Regulations. - Within sixty (60) days after the effectivity of this Act, the Department of Interior and Local Government (DILG) in coordination with the Department of Agriculture, 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 Educational Skills Development Authority (TESDA) shall formulate the rules and regulations to fully implement the provisions of this Act.

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

SECTION 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.

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

Approved,