

HONORABLE ROSANNA “RIA” V. VERGARA

Chairperson

Committee on Social Services

House of Representatives

Quezon City

Dear Representative VERGARA,

This has reference to the request of the House Committee on Social Services to the Department of Social Welfare and Development (DSWD) for the submission of recommendations to the bill entitled: *“An Act Institutionalizing the Assistance to Individuals in Crisis Situation Program of the Department of Social Welfare and Development, Providing Penalties for the Violation of Certain Unlawful Acts, and Appropriating Funds Therefor”* or the **“Assistance to Individuals in Crisis Situation (AICS) Act”**, as requested during the 2nd Technical Working Group Meeting conducted on 14 December 2022.

In this connection, the DSWD respectfully submits the following:

1. Restatement of Sections 11 and 12 of the Reference Bill**1.1 On SEC. 11. *Personnel Complement***

The Crisis Intervention Office/Divisions/Units implementing the program shall be adequately operated by licensed Social Workers, Social Welfare and Development Workers, which include essential technical and administrative workers. The DSWD shall ensure availability of qualified personnel necessary for the effective implementation of AICS Program. For this purpose, appropriate organizational structure shall be developed and referred to as a National Program Management Office of AICS established in all levels of the DSWD Central Office, Field Offices and Social Welfare and Development Satellite Offices and in strategic locations.

The DBM shall ensure provision of allocation and necessary budget for the following minimum personnel complement of the program: Director IV (1); Director 3 (2); Social Welfare Officer V (18); Project Development Officer V (1); Chief Administrative Officer (1); Social Welfare Officer IV (19); Project Development Officer IV (1); Supervising Administrative Officer (1); Social Welfare Officer III (48); Project Development Officer III (247); Administrative Officer V (83); Social Welfare Officer II (288); Project Development Officer II (53); Administrative Officer IV (21); Social Welfare Officer I (956); Administrative Officer I (5); Administrative Assistant III (512); Administrative

Assistant II (1,053); Social Welfare Assistant (272); with a total of 3,582 personnel.

Further, the DSWD is hereby authorized to create the required plantilla positions and staffing pattern as necessary for the implementation of this Act in coordination with the Department of Budget and Management (DBM) and the Civil Service Commission (CSC).

The DSWD shall include in their budgetary submission to the DBM the required budget for Personnel Services (PS) and Miscellaneous and Other Operating Expenses (MOOE). Such budgetary requirements shall be included in the General Appropriations Act (GAA).

1.2 On SEC. 12. *Unlawful Acts, Offenses, and Penalties.*

It shall be unlawful for any individual or organization to:

- a. Defraud the government by issuing or presenting falsified documents or using false pretenses or other fraudulent acts to acquire the assistance provided under this Act; (adopted from the Reference HB)
- b. Invite or encourage persons to seek assistance from the DSWD for purposes of exacting from the beneficiary a portion of the assistance, before or after the receipt of assistance. (adopted from HB 6028)
- c. Misrepresent an individual or group to join, pay or cooperate with a group falsely representing connection or affiliation with DSWD or falsely promising priority in the processing of assistance. (adopted from HB 6028)

Any person who commits any of the foregoing unlawful acts shall be penalized with the following:

- a. 1st Offense - The offender shall be punished by one (1) year suspension from availing any assistance from the DSWD. (adopted from HB 6028)
- b. 2nd Offense - The offender shall be punished by imprisonment not less than six (6) months but not more than one (1) year.
- c. 3rd Offense - The offender shall be punished by imprisonment not less than one (1) year but not more than six (6) years. (adopted from HB 6028)

If the offender is an organization, the president, manager, or any officer of the organization who directly participated in the violation of the unlawful acts shall be held liable and may be punished by imprisonment of not less than six (6) years but no more than ten (10) years. This is without prejudice

to any action against the corporation or organization before appropriate government agencies. (adopted from HB 6028)

A public official or personnel who commits, abets, or aide in the commission of any of the acts provided herein shall be liable under the Revised Penal Code and other existing penal laws. Administrative sanctions shall be imposed without prejudice to prosecution in the proper courts. (adopted from HB 6028)

In all circumstances, the government shall be authorized to prosecute or to file cases on behalf of the private individual defrauded and damaged by the aforementioned acts. (adopted from the Reference Bill)

Any person who were coerced, invited, encouraged or misled while committing the crimes above, or any person who has witnessed or has knowledge or information on the commission of the crime and has testified or is testifying or about to testify before any judicial or quasi-judicial body, or before any investigating authority, may be admitted into the witness protection program, provided that to become a state witness for this crime, he/she shall not be the most guilty. (adopted from the Reference Bill)

2. Minimum Human Resource Complement Required for the Nationwide Implementation of AICS Program


Attached is a copy of the matrix highlighting the following:

- Minimum Human Resource (Manpower) Complement disaggregated per Region; and
- Positions and Levels

These are being submitted for the Chairperson's consideration.

Thank you.

Very truly yours,


EDUARDO M. PUNAY
OIC, Secretary
Date: 09 JAN 2023