



A Civil Society
Monitoring Tool

Looking into the Pork Barrel

PDAF Watch Report 2005 - 2007





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CODE
NGO

PDAF Watch Report

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Executive Summary

Government monitoring of the Priority Development Assistance Fund (PDAF) and the Congressional Allocations (CA) projects in the Philippines is quite limited. Usage of the PDAF and CA involves at least four government agencies: the legislator and his office, which identifies the PDAF/CA projects to be funded, the Department of Budget and Management (DBM), which releases the said funds, the DPWH or other Implementing Agencies, which receives the funds and implements the project and the Commission on Audit (COA), which undertakes the audit of the funds. These four bodies monitor the funded projects but only to a limited extent. The legislators' offices play a minor part. Based on our PDAF Watch interviews, most monitor only if the projects have been implemented and they only do so from time to time – and some don't even monitor them at all.

The DBM checks whether the identified projects fit within the menu or guidelines it has set on the types of projects that can be funded. The main responsibility for project monitoring falls upon the implementing agencies that make sure that the project implementation follows set government guidelines and rules from the conduct of bidding and awarding of the contract to the implementation of the projects. The COA's part in monitoring is limited to audit. These four bodies can be seen as all belonging to the same family, since all of them are government agencies. This model can be considered to have limited effectiveness in preventing corruption since there is no independent or third party monitoring body.

Our model provides people's organizations, other non-government organizations and ordinary citizens the opportunity to act as a third party in monitoring the funded projects, checking the proper utilization of the pork barrel funds. It also maximizes the networks of development NGOs that have been established in the provinces, regions and at the national level.

With the task of monitoring the proper utilization of the pork barrel funds, CODE-NGO, with its Regional Coordinating Networks (RCNs) and volunteers, has conducted these main activities: initial data gathering, development of the monitoring tools and templates, training of trainers and monitors, actual project monitoring and reporting, and data analysis/report writing. For the second phase of the project, we trained additional volunteer monitors and conducted updating sessions for continuing volunteers.

In initial data gathering, CODE-NGO concentrated on deriving basic project information from the most reliable sources of these, the Department of Budget and Management (DBM) and the Department of Public Works and Highways

(DPWH). The data gathered were considered in developing the tools and the training modules, and were later distributed to the volunteer monitors to facilitate their monitoring efforts. In late 2005, letters were sent to all legislators. This was done to inform them about the project, to request for information and documents regarding their PDAF/CA-funded projects and to ask for their support for the project. After eleven months, only twenty legislators (8 district representatives, 6 party list congresspersons and 6 senators or 8% of the total) provided information. Given this, it is apparent that there is a lack of transparency regarding pork barrel-funded projects. In October 2007, another round of letters has been sent to all the legislators who were elected in May 2007.

In Phase 1, ten regional training workshops for volunteer monitors were conducted. For Phase 2, six more regional training workshops were conducted. This was done to train additional volunteers and to update continuing volunteers of the refined monitoring toolkit that we had produced. With this, we have trained a total of 114 active volunteers from sixty six (66) partner organizations from various districts across the country to act as project monitors.

In Phase 1 of the project (in 2006), the 80 monitoring reports that we received and were able to use came from a total of 37 districts or 17 % of all congressional districts. These reports covered 64 road projects, 7 IT-computer projects and 9 LGU priority projects.

The data gathered show that of the 64 Road Projects monitored, 2 road projects (3%) were missing. Also, eighteen (18) or 28% of the 64 road projects monitored were found to be defective. The total cost of the defective projects is 14 Million pesos or 17% of the 81.6 M pesos total cost of all 64 roads monitored. This would imply that 544 Million Pesos (17% of 3.2 Billion Pesos) could have been spent on defective projects in 2004.

For Phase 2 (in 2007), the 137 monitoring reports that we received and were able to use came from a total of 64 districts or 30% of all congressional districts. These reports covered 78 road projects, 13 IT-computer projects and 46 LGU priority projects.

The data gathered show that of the 78 Road Projects monitored, 15 road projects (20%) were defective. The total cost for the fifteen defective projects is 21 Million pesos or 18% of the 118 M pesos total cost of all 78 roads monitored. This would imply that 311 Million pesos (18% of 1.7 Billion Pesos) could have been spent for defective road projects in 2005.

Phase 1 data showed that six IT (Computer) projects in public schools that were monitored were likely overpriced with each unbranded computer costing 217,500 pesos. Also, one LGU project, a planned dormitory with canteen, was found to be

very incomplete such that it was only being used as a stockroom.

Phase 2 data, in addition, revealed one IT (Computer) project that was likely overpriced, with this unbranded computer costing 250,000 pesos. Also, six (46%) of the thirteen computer projects monitored were found to be defective. The total cost for these defective computers is 9 Million pesos or 44% of the 21 Million total cost of all thirteen computer projects monitored. This would imply that 182 Million pesos (44% of Php 415 Million Pesos) could have been spent on defective computer projects for 2005.



In September 2006, at a focus group discussion when the results and recommendations of the first round of the PDAF Watch were presented, Senator Franklin Drilon, then chairperson of the Senate Finance Committee, agreed to support the inclusion of a transparency provision in the 2007 Budget of the government. This resulted to the transparency or right to information provision in the 2007 General Appropriations Act.

As we continue to monitor the PDAF and the CA, PDAF Watch recommends greater transparency in the PDAF, CA and other public projects through the inclusion of a strong transparency provision in the 2008 General Appropriation Act (GAA) and the issuance by Malacanang of an executive order (EO) providing for rules on access to information on public projects for national government agencies. We also recommend that local government units (LGUs) approve similar guidelines on access to information.

In order to further promote transparency and accountability, PDAF Watch also recommends that all legislators submit an annual report to their constituents on their PDAF/CA projects and that Implementing Agencies give copies of the project details, including schedules, to the appropriate government officials and NGOs/POs in the project site (e.g. barangay officials, parent-teacher-community associations).

We also recommend that people's participation in the identification and planning of the PDAF/CA projects be improved. In line with this, all PDAF/CA projects should be part of the approved Municipal/Provincial Development Plan or endorsed by the Sangguniang Bayan or Sangguniang Panlalawigan after meaningful consultations with the accredited NGOs/POs.

In preparation for the institutionalization of the project, a PDAF Watch website will be made available to the general public very soon. The website will contain the PDAF Watch monitoring tools and materials free for downloading in order to facilitate PDAF/CA-monitoring initiatives that might be entered into by any individual or organization.



Training volunteer monitors in the Western Visayas

Looking into the Pork Barrel

Introduction

This report covers the entire duration of the PDAF Watch Project, which started in mid-2005. It includes both phases, including the monitoring in 2006 and in 2007 of randomly selected projects funded by the Priority Development Assistance Fund (PDAF) and the Congressional Allocations (CA).

This report is divided into six main parts: (a) The PDAF and the CA, (b) The PDAF Watch Project, (c) Results of the PDAF Watch, (d) Initial Gains of PDAF Watch (e) Recommendations and (f) Plans for PDAF Watch. Additional information is provided in the Annexes.

The Priority Development Assistance Fund (PDAF) and Congressional Allocations (CA)

Around ten years ago, the "Countrywide Development Fund" or CDF and the Congressional Initiative Allocation (CIA) allocated to the congresspersons and senators for their chosen infrastructure and other projects became the subject of an expose by a leading newspaper and of heated debates in Congress. It was reported then that 20 to 50% of the CDF/CIA funds were lost to corruption. As a result, Congress renamed the fund the Priority Development Assistance Fund (PDAF) and instituted reforms, including specifying a 'menu' of projects that may be funded by PDAF. However, many still view the PDAF as "pork barrel" funds that are very susceptible to corruption. This is a major cause for concern, because if we assume that 20-30% of the PDAF is lost due to corruption, this is equal to P2.4 to 6.4 Billion that is wasted every year.

The main bulk of what is often referred to as the "pork barrel" funds of legislators are formally called the Priority Development Assistance Fund (PDAF) and the Congressional Allocations (CA) in the budget of the Department of Public Works and Highways (DPWH). Projects to be funded by the PDAF and the CA are identified by the legislators based on a pre-approved "menu of options".

I. The PDAF Watch Project

The PDAF Watch project is a civil society monitoring initiative intended to cover a significant number of the country's more than 200 congressional districts. This allows us to present an overall picture of the use of the so-called pork barrel funds. In order to do this, CODE-NGO capitalizes on its being the largest network of development NGOs in the Philippines.

The Caucus of Development NGO Networks (CODE-NGO) has taken the initiative of taking on the arduous task of monitoring "pork barrel"-funded projects in an effort to make sure that the funds are used responsibly and effectively.

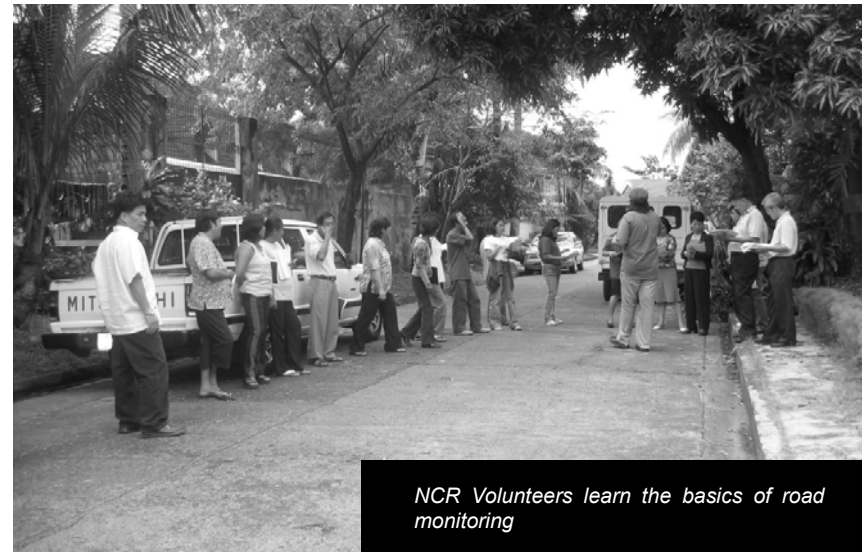
The PDAF Watch project monitors a sizable sample of the PDAF and CA funded projects, both by the House of Representatives and the Senate, and checks the projects' compliance with specifications, their quality and their appropriateness. Through the PDAF Watch, we aim to derive a general picture of how the PDAF and CA are used, and to develop and advocate policy reform measures that would improve the effectiveness and efficiency of the use of the PDAF and CA.

The project included the development of monitoring tools, gathering and analysis of information from the Department of Budget and Management (DBM), the Department of Public Works and Highways (DPWH), other government agencies and the legislators, training of trainers, training of volunteer PDAF Watch monitors, project monitoring and reporting, and data collection and analysis.

Member networks of CODE-NGO volunteered to act as Regional Coordinating Networks (RCNs) whose main responsibility is to manage, monitor and support volunteers from their respective regions of operation. The RCNs are responsible for identifying volunteers from both member and partner NGOs and people's organizations (POs). The RCNs also assist the monitors in gathering data/information, endorsements and other assistance from the regional offices of the concerned government agencies, review the reports of the monitors to ensure that they are correctly and completely filled-up and submit the reports to CODE-NGO. The RCNs include the Mindanao Coalition of Development NGO Networks (MINCODE), Western Visayas Network of Social Development NGOs (WEVNET), Central Visayas Network of NGOs (CENVISNET), Eastern Visayas Network of NGOs and POs (EVNET), Coalition for Bicol Development (CBD) and the Cordillera Network of NGOs and POs (CORDNET). For Phase 2 of the project, an additional RCN was the Cagayan Valley Center for Rural Empowerment and Development (CREDO), which has taken the initiative of acting as the coordinating network for Region 2.

PDAF Watch partners also include more than 130 local organizations in the various congressional districts which fielded and supported the volunteer monitors.

CODE-NGO works with the Coalition Against Corruption (CAC), which includes business groups and church-based groups as well as the Transparency and Accountability Network (TAN). With the assistance of CAC, CODE-NGO has also forged partnerships for this project with various government agencies, particularly the Department of Budget and Management (DBM) and the Department of Public Works and Highways (DPWH).



II. Results of PDAF Watch

After successfully monitoring in 2006 and 2007 a substantial sample of year 2004 to 2005 PDAF/CA-funded projects, we have arrived at a general picture of PDAF/CA-funded projects, including the transparency of these funds, the projects' compliance with plans and specifications the appropriateness of the said projects with regards to the actual needs of the beneficiaries, their participation in the projects and the perceptions about corruption in these projects.

A. Transparency of the PDAF/CA

Transparency in the use of public funds has long been an issue, especially when put in perspective with the right of citizens to freely access information about public projects. We have come to consider transparency as one of the main concerns in the monitoring of the Priority Development Assistance Fund and Congressional Allocations.

In monitoring projects funded by our legislators' PDAF and CA, we have derived a three-tier image of the present state of transparency with regards to these funds, both at the national and at the local level. The current state of transparency of the PDAF/CA has been derived from our interactions with the legislators, both congresspersons and senators, with the national government agencies (NGAs) and with local government units (LGUs).

Transparency of Legislators

In October 2005, we sent letters to all 235 congresspersons (210 district congresspersons, 25 party list members) and 23 senators. We informed them about the PDAF Watch project and to ask for their assistance by providing any data and materials on their funded projects and on their policies for their Priority Development Assistance Fund (PDAF) and Congressional Allocation (CA) projects. We followed up on our request through repeated phone calls.

In June 2006, we sent another letter to the legislators who had not yet responded. We also made follow-up phone calls.

With the wait for documents almost nearing a whole year, we opted to set September 12, 2006 as the final deadline for their submission of all PDAF/CA project –related information.

Below is a table summarizing their replies:

Table 1. Responses of Legislators as of September 12, 2006
 *(Senate) Can no longer locate files/documents
 **(Party List) Cannot submit due to security reasons

District Congresspersons - 210 Total			
Responded Positively		No Response	Responded Negatively
Provided Documents/ Info	Still to Provide		
8 (4%)	2 (1%)	183 (87%)	17 (8%)
Party List Congresspersons - 25 Total			
6 (24%)	8 (32%)	10 (40%)	1* (4%)
Senators – 23 Total (with 3 Senators who did not avail of the PDAF/CA)			
6 (35%)	4 (17%)	10 (43%)	3* (13%)
Senators – 20 Total (without 3 Senators who did not avail of the PDAF/CA)			
3 (15%)	4 (20%)	10 (50%)	3** (15%)

Given this data, it would seem that the Senate is the more transparent of the two Houses of Congress, with 15% to 35% of its membership providing information on their PDAF/CA projects as compared to only 6% of the membership of the House of Representatives (14 out of 235). Within the Lower House, the party-list congresspersons seem to be more transparent with 24% of the total party-list congresspersons providing data on the PDAF/CA.

However, with only 20 legislators or 8% of the total providing information, it is apparent that there is much area for improvement in the transparency of the PDAF/CA projects of Congress as a whole.

Transparency of National Government Agencies (NGAs)

As a means of laying the foundation for the project, CODE-NGO and other members of the Coalition Against Corruption (CAC) crafted alliances with two of the government departments closely related to the PDAF/CA projects. In February 2005, a Memorandum of Support and Cooperation was signed between CODE-NGO and the Department of Budget and Management (DBM), through then Acting Secretary Mario Relampagos, and the Department of Public Works and Highways (DPWH), through Secretary Hermogenes Ebdane.

In close coordination with the said agencies, PDAF and CA project information for years 2004 and 2005 were downloaded from the DBM website. Also, the DPWH provided hard copies of Congressional Allocation (CA) data for the same years. These documents were then distributed to our volunteer monitors, who in turn used these as starting points in their individual project monitoring efforts.

Box 1. Best Practice: Cong. Rodolfo Agbayani of Nueva Vizcaya

As of December 2005, only eight of the 235 congresspersons provided the requested information on the PDAF/CA projects. These were Cong. Rodolfo Agbayani of Nueva Vizcaya, Cong. Mauricio Domogan of Baguio City, Cong. Raul Gonzales, Jr. of Iloilo City, Cong. Lorenzo Tanada III of Quezon Province, Cong. Rolex Suplico of Iloilo and the three Akbayan party-list congresspersons, Cong. Etta Rosales, Cong. Mario Aguja and Cong. Risa Hontiveros-Baraquel. (By Sept. 12, 2006, only 6 more congresspersons had provided information: Cong. Generoso Tulagan of Pangasinan, Cong. Henedina Abad of Batanes, Cong. Ruffino Biazon of Muntinlupa City, ALIF Party-list Cong. Hadji Acmad Tomawis, COOP-NATCCO Party-list Cong. Guillermo Cua and CIBAC Cong. Joel Villanueva.)

An exemplary case of transparency among these few congresspersons is Cong. Agbayani of Nueva Vizcaya. While the other 13 congresspersons took up CODE-NGO's offer to pick up the information from their offices at the Batasan, Cong. Agbayani had the information and documents delivered by one of his staff to the CODE-NGO office.

More remarkably, in January 2006, without being asked, he had his staff deliver to the CODE-NGO office a copy of his printed annual report to his constituents. The report included information on his PDAF/CA projects. During the Northern Luzon Regional Cluster Training in March 2006, it was confirmed by a PDAF Watch volunteer monitor from Nueva Vizcaya that copies of Cong. Agbayani's annual report were distributed to the barangays of Nueva Vizcaya.

Clearly, the central offices of these two departments were very cooperative with the PDAF Watch monitoring efforts as they readily provided us with the needed information. But through the course of the project monitoring conducted by our volunteers in their respective localities or districts, we have come to realize that this openness and cooperation may have been limited only to the central offices of DBM, and especially DPWH.

Part of our monitoring process is the procurement of more detailed project documents from the regional or district offices by our volunteers. For Phase 1 of the project, 19 monitors out of the 67 active districts or 28% found it difficult to access information from the district and regional offices. They had a hard time in their requests for documents. Eighteen (18) of the 19 volunteers had difficulty with the DPWH district engineering offices while the remaining one volunteer had difficulty with the Regional Office of the Department of Education (DepEd). In Phase 2, two monitors out of 79 active districts or 3% had difficulty in accessing information from the government agencies at the local level; both of whom transacted with the DPWH district offices. . In one case, one of our volunteers in Luzon was even asked by the agency for a court order for the release of a project's Program of Work (POW).

Transparency of Local Government Units (LGUs)

With regards to our volunteers who monitored priority projects of LGUs funded by the PDAF, a number also experienced some difficulty in accessing project documents. For Phase 1, three (3) out of 12 districts (25%) that monitored LGU projects encountered problems accessing information. For the second phase, two (2) out of 48 districts (4%) who monitored LGU projects encountered problems accessing information. This experienced difficulty led these volunteers to submit incomplete monitoring reports for the said projects, with some totally stopping in the monitoring of these LGU projects.

There is no specific law in the Philippines that explicitly governs the access of ordinary citizens to public documents, especially on public projects, from government agencies. Though this is enshrined as a basic right in our Constitution, the lack of a specific law for such gives the government agencies the opportunity to disallow or to sit on requests for documents for various reasons, including confidentiality, right to privacy, etc.

Through the course of the first monitoring run of the project, the main problem encountered by the volunteers was the denial of their request for the project documents by agencies at the local level, with the agencies saying that such requests need further clearance from their superiors or that the volunteers have no standing or deputization to file such requests.

Also, there seems to be an unwritten agreement among most of the legislators about their "vested rights" on their PDAF/CA funds so that in fact the pressure is

on the few among them who choose to be more transparent and accountable in the use of their PDAF/CA.

Box 2. Difficulties in Monitoring: Ruperto Supena, PDAF Watch Volunteer

Ruperto Supena or Manong Pert, a PDAF Watch volunteer in Western Visayas, started in his project monitoring efforts by gathering data from concerned agencies last February 2007. He visited the regional office of the Department of Budget and Management (DBM) to get all available information about the 3 projects he planned to monitor. He presented a letter requesting the necessary information/documents about the projects. The DBM provided only the SARO numbers. After this, he went to the City Planning Office to check if the 3 projects identified were present in the City's Annual Investment Plan. He discovered that those projects were not included in the AIP of the city and they have no records present with regards to the said projects.

Manong Pert then asked the City Budget Officer for any available records or documents related to the projects, specifically the IT project that he was monitoring. But unfortunately, the Budget Officer did not have any record at hand.

He then went to the office of Representative Raul Gonzales, Jr. of Iloilo City to conduct an interview. There, he met the Chief of Staff of the Congressman who then filled up the interview form while Manong Pert inquired on the process of fund release. The congressional staff replied that the fund is already with the city government. He also provided Manong Pert a copy of Accomplishment Report of Representative Gonzales for 2006.

He then visited the Department of Education Regional Office for the needed documents. He approached and talked to the accounting clerk. He asked for relevant records regarding the IT or computer project delivered to SPED and La Paz National High School. They referred Manong Pert to the school beneficiaries and city government. He sent a letter to the city mayor inquiring about the status of the project. They forwarded the letter to the City Administrators' office to take action on the request. Manong Pert also inquired at the City Treasurers' office on how the funds were disbursed. To his dismay, they also had no records that can be provided. With this, he asked the Accounting Office for some documents, but there were none available.

After a week, he followed up his letter of request with the City Administrators' Office. He was referred again to the Accounting Office, but the accountant present said that she will just provide the documents to the administrator.

Given this difficulty in his request, Manong Pert directly went to the project beneficiary (the school) for any project documents. The school principal provided Manong Pert a copy of Acknowledgement Receipt of the equipment delivered to them. The receipt indicated the specifications of the computer package that was provided to the school. He found out that the entire package was worth 250,000 pesos and that it stopped functioning after a month of use.

B. PDAF/CA Projects' Compliance with Specifications

For the first phase of the project, we covered a total of 37 districts or 17% of all congressional districts with the 80 monitoring reports that we received. These reports include 64 (80%) on Road Projects, 7 (9%) on IT-Computer Projects and 9 (11%) on Priority Programs and Projects of LGUs.

In Phase 2, we received a total of 137 project inspection reports from 64 congressional districts across the country.

The 137 monitoring reports that we have used cover a total of 64 districts or 30% of all congressional districts. These reports include 78 (57%) on Road Projects, 13 (9%) on IT-Computer Projects and 46 (34%) on Priority Programs and Projects of LGUs.

Table 2. PDAF Watch Monitoring Results Overview

Region	Districts Cov-	Roads	IT-	Priority
Phase 1				
Northern Luzon	4	7	-	-
Bicol	7	12	-	1
NCR/ C. Luzon / S.	7	14	6	2
Visayas	8	15	-	2
Mindanao	11	16	1	4
Total	37	64	7 (9%)	9 (11 %)
Phase 2				
Northern Luzon	7	8	0	4
Bicol	7	11	3	2
NCR/ C. Luzon / S.	8	10	3	4
Visayas	21	27	5	17
Mindanao	21	22	2	19
Total	64	78	13 (9%)	46 (34%)

Road Projects

In Phase 1, PDAF Watch volunteers were able to monitor 64 road projects. Of the 64, only 41 projects or 64% were completed and without any defects. One (1) project or 2% of the total was found to be incomplete when compared to the original project plans. Eighteen (18) of the 64 Road Projects or 28% were found to have defects in their physical structure, either caused by the use of substandard materials or through natural wear and tear. Two (2) projects or 3%, even though they were approved in 2004, were still being constructed. It is also alarming to find that 2 projects or 3 % of the total were reported to be missing by the monitors.

For Phase 2, the data gathered show that of the 78 Road Projects monitored, 61 projects or 78% were completed and are in good condition. Fifteen (15) of the 78 road projects or 20% were found to have defects in their physical structure, either caused by the use of substandard materials or through natural wear and tear. One project or 1% was suspended due to a fund re-alignment. One other project even though approved in 2005, has not yet been implemented, with the implementing agency still waiting for fund disbursement.

Table 3. PDAF Watch Monitoring Results: Road Projects

Region	No. of Projects	Completed	Incomplete	Defective	Missing	Ongoing	Suspended	Not Yet Started
Phase 1								
Northern	7	5	1	1	-	-	-	-
Bicol	12	5	-	3	1	2	-	-
NCR / C.	14	10	-	4	-	-	-	-
Visayas	15	8	-	5	1	-	-	-
Mindanao	16	11	-	5	-	-	-	-
Total	64	41 (64)	1 (2%)	18 (28)	2 (3)	2 (3)	-	-
Phase 2								
Region	No. of Projects	Completed	Incomplete	Defective	Missing	Ongoing	Suspended	Not Yet Started
Northern	8	8	-	-	-	-	-	-
Bicol	11	8	-	3	-	-	-	-
NCR / C.	10	8	-	2	-	-	-	-
Visayas	27	22	-	4	-	-	-	-
Mindanao	22	14	-	6	-	-	1	1
Total	78	61	-	15 (20)	-	-	1 (1%)	1

IT-Related Projects

For Phase 1, the data gathered show that of the seven (7) IT-related projects monitored, six seem to have been overpriced.

Phase 2 data show that only 5 or 38% of the thirteen (13) IT-related projects monitored were delivered and are in good working condition. Six (6) or 46% were found to have defects in their hardware. One or 8% of the thirteen has not yet been delivered, with the school still waiting for the computer's delivery. It is also alarming to see that one project or 8% was found to be likely overpriced.

Table 4. PDAF Watch Monitoring Results: IT-Related Projects

Region	No. of Pro-	Completed Projects	Defective	Overpriced	Not Yet Delivered
Phase 1					
NCR/ C. Lu-	6	6	-	6	-
Mindanao	1	1	-	-	-
Total	7	7 (100 %)		6 of 7 (86%)	
Phase 2					
Northern Lu-	-	-	-	-	-
Bicol	3	2	1	-	-
NCR/C. Lu-	3	3	-	-	-
Visayas	5	-	3	1	1
Mindanao	2	-	2	-	-
Total	13	5 (38%)			

Priority Programs and Projects of LGUs

In Phase 1, 9 Priority Projects of the LGUs were monitored. Of these, eight (8) projects or 89% of the total were completed. One project (11 % of the total) was found to be incomplete when compared to the project plans.

Regarding the Priority LGU Projects monitored, the data show that of the 46 projects monitored, forty four (44) projects or 95% of the total were actually

completed and are in good condition. Two of the projects or 5% of the total, though approved in 2005, have not yet been implemented. It is said that the implementing agencies are still waiting for fund disbursement.

Table 5. PDAF Watch Monitoring Results: Priority LGU Programs/Projects

Region	No. of Projects	Completed Projects	Incomplete Projects	Not yet Started
Phase 1				
Bicol	1	1	-	-
NCR/ C. Luzon/ S. Tagalog	2	2	-	-
Visayas	2	2	-	-
Mindanao	4	3	1	-
Total	9	8 (89 %)	1 (11 %)	-
Phase 2				
Northern Luzon	4	4	-	-
Bicol	2	2	-	-
NCR/C. Luzon/S.	4	4	-	-
Visayas	17	16	-	1
Mindanao	19	17	-	1
Total	46	44 (95%)	-	2 (5%)

Missing Projects

For Phase 1, two (2) road projects (3% of the 64 roads monitored) were reported missing by the PDAF Watch volunteers (1 road not concretized and 1 lacking in asphalt covering). The total cost for the said projects is 5.9 Million Pesos. This is 7% of the 81.6 M pesos total cost of all 64 roads Monitored. A total of 3.2 Billion pesos was allocated from the PDAF/CA for Road Projects for Y2004. With this, it can be indicated that 7% of 3.2 Billion pesos or 224 Million pesos could have been lost to ghost projects in 2004.

Defective Road Projects

In the first phase of the project, eighteen (18) or 28% of the 64 roads monitored were found to be defective. Minor cracks were found in 9 projects. Two roads have potholes. Two roads have pools of water and 1 is covered partially by mud. Four roads were found to be rocky, with 1 asphalt road's surface depleted by floods, 1 gravel road lacking in gravel covering and 2 concrete roads with the gravel layer already showing. The total cost of these defective roads is 14 Million pesos or 17% of the 81.6 M pesos total cost of all 64 roads. This would imply that around 544 Million Pesos (17% of 3.2 Billion Pesos) could have been spent on defective projects in 2004.

For the second phase, fifteen (15) or 20% of the 78 road projects monitored were found to be defective. This is alarming since these projects were mostly only 1 year old. Minor cracks were found in ten (10) projects. Two roads have potholes. Three roads were found to be rough and rocky, with these road rehabilitation projects suffering from a flood flash-out (surface depleted by floods).

The total cost of the defective projects is Php 21,120,000 or 18% of the Php 118,299,000 total cost of all 78 roads monitored. This would imply that Php 311,265,000 (18% of the total Php 1,729,250,000 spent for road projects) could have been spent on defective projects.



Volunteers from Northern Luzon monitor a road project

Overpriced Computer Projects

For Phase 1, 6 IT (Computer) projects monitored in Southern Tagalog were found to be likely overpriced. The projects cost 217,500 pesos per computer unit even if their parts were unbranded. One unbranded computer unit with licensed software and the specified educational CDs/programs will cost about 50,000 pesos, giving us the overprice per unit to be 167,500 Pesos. It can be said that 1,005,000 pesos was lost due to overpricing when looking at these 6 computer projects. This is 39 % of the 2.6 Million pesos total cost of all 7 IT projects monitored. A total of 600 Million pesos was allocated for IT Projects for Year 2004. With this, it can be indicated that 39% of 600 Million pesos or 234 Million pesos was possibly lost to computer overpricing in 2004.

For Phase 2, the IT (Computer) project monitored in the Visayas Region was found to be overpriced. The total project cost amounted to 250,000 pesos for a package consisting of sixteen (16) educational CD-ROMS, 1 computer set of unbranded parts and a branded printer (with 1-year warranty) and a one day basic computer training.

Based on an independent query on the retail prices and details of the items listed in the Acknowledgement of Receipt of the said computer package, we have come to the conclusion that the entire package amounts only to Php 51, 631.60, including the cost of computer training for one person. In giving the benefit of the doubt, we computed the total package cost if it included the training of thirty (30) individuals in basic computer skills. This, in turn, would only cost Php 98, 031.60.

With this IT (Computer) project, it can be said that as much as Php 198,368.40 was lost due to overpricing. This is 79% of the Php 250,000 cost of the IT project monitored. A total of Php 415,900,000 was allocated for IT Projects for Year 2005. It can thus be indicated that 79% of Php 415,900,000 or Php 328 Million was possibly lost to computer overpricing in 2005.

Defective Computer Projects

Six (6) of the thirteen (13) computer projects monitored in Phase 2 were found to be defective. At the time of monitoring, two (2) projects were found to have no software installed in the units. Three (3) were found to have malfunctioning hardware, causing the units to hang abruptly when being used. One (1) of the six defective projects was distributed to two schools. Two (2) units from the set delivered to one of the schools hung when being used. The other sets found in the other school were found unused and still in the school's stockroom during the time of inspection.

The total cost for these defective projects is Php 9,487,000 or 44% of the Php 21,625,400 total cost of all thirteen computer projects monitored. This would imply that Php 183 Million (44% of Php 415,900,000) could have been spent on defective computer projects.

Incomplete LGU project

In the first phase, one LGU project was found to be lacking in essential parts in order for it to be properly utilized. Based on the report of our volunteer, the original plan specifications have not been met. The project, which is a dormitory with canteen, is being used as a stockroom instead.



C) Appropriateness of PDAF/CA Projects

Aside from the objective data that we have gathered with regards to the present status of these PDAF/CA-funded projects, it is also important that we derive an impression of these projects from the point-of-view or perception of the end users or beneficiaries. They can be considered as the most authoritative source on whether these projects, aside from physically being there, really address their needs or concerns and fulfill the purpose for their being set-up within their area.

It is with this objective that we have asked our volunteers to include interviews with the government officials and people's organizations (POs) who have first-hand knowledge with the projects being monitored.

Of the 133 reports that we received for Phase 2 of the project, 66 reports included interviews with government officials and 31 included interviews with PO leaders.

Focusing on the important issue of the utility or usefulness of these projects in the district, the interviews state that both government (57 of 66, 86%) and PO representatives (29 of 31, 94%) agree that the projects are appropriate / responsive to the needs of the end users.

Table 6. Project Utility

Respon- dents	No Data	Useful	Not Use- ful	Not Directly Addressing Needs	Not Yet Finished
Government (66)	2 (2%)	57(85%)	3(5%)	3(5%)	1(2%)
POs (31)	-	29(94%)	-	1(3%)	1(3%)

D) People's Participation in PDAF/CA Project Identification

Aside from project utility, another point worth discussing is how these projects were identified. The more important issue here is whether the end users or project beneficiaries were made part of this most important stage in project

implementation, which is the identification of what projects are needed within their areas.

Based on the interviews, around a third of both government and PO informants said that their projects were identified through Barangay Council Resolutions. But it is important to point out that more than half of the PO leaders did not answer or said that they do not know how the projects were chosen.

Table 7. Project Identification

Respondents	Don't Know	Brgy. Council	Congresspersons	Meeting with POs	LGU	Needs of Constituents	Executive Order	No Answer
Government (66)	5 (8%)	21 (32%)	8 (12%)	6 (9%)	1 (2%)	23 (35%)	1 (2%)	1 (2%)
POs (31)	6 (19%)	10 (32%)	-	-	-	4 (13%)	-	11 (35%)

E) Perception of Corruption

When asked whether they think or believe that there was corruption in the project, only 15% of the government officials and 7% of the PO leaders answered "Yes." On the other hand, only half of both government and PO leaders answered a straightforward "No", meaning that they perceive that there was no form of corruption in the project. The other half stated that there *may* be some form of corruption present (29% of government officials and 37% of PO leaders) or said that they could not answer or had no answer to this question.

Table 8. Perception of Corruption

Respondents	Maybe	Yes	No	Can't Answer
Government (59)	10 (17%)	9 (15%)	33 (56%)	7 (12%)
POs (27)	6 (22%)	2 (7%)	15 (56%)	4 (15%)

III. Initial Gains of PDAF Watch

"Right to Information. Subject to such limitations as may be provided by law, the right of the people to information on matters of public concern, guaranteed under Section 7, Article III of the Constitution, as well as with the State policy of full disclosure of all its transactions involving public interest, every government agency shall, upon request by any citizen, make available the data under their possession for information, scrutiny, copying, or reproduction all records of information, in any form whatsoever, pertaining to the implementation of the appropriations under this Act including but not limited to information on projects, disbursement of funds, reports, contract biddings and awards."

General Provisions, Section 90, Republic Act No. 9401,
FY 2007 General Appropriations Act

After a round table discussion on the preliminary results of PDAF Watch in September 2006, Senator Franklin M. Drilon, then Finance Committee Chairperson, CODE-NGO and the Transparency and Accountability Network (TAN) agreed on and worked for the inclusion of a transparency provision in the General Appropriations Act of 2007. PDAF Watch was also featured prominently in various newspaper reports and a TV news magazine show in March-April 2007. The project results and the media coverage that it got also contributed to the cancellation of the bidding for a questionable Php 150 Million school computer project in one region in April 2007.

The wide coverage of PDAF Watch and its clear and objective process enabled it to present a broad and credible picture of the legislators' pork barrel projects, which could not be dismissed as isolated incidents. Thus, when its preliminary report painted the limited transparency and the questionable projects of the PDAF/CA, Congress had to take some action to address a number of these weaknesses.

The results of the PDAF Watch Project have highlighted the lack of transparency with regards to documents and information on the use of the said funds. This has opened the eyes of various sectors to the importance of the citizens making a stand and actively seeking transparency and accountability to ensure the proper utilization of public funds.

IV. Recommendations

The general recommendations that can be derived from the PDAF Watch Project would be to ensure greater transparency in the use of the PDAF and CA funds, from conceptualization to actual implementation, and to strengthen the participation of the project beneficiaries or constituents.

A) Ensuring Greater Transparency

1. Transparency Provision in all future General Appropriations Acts (with the 15-day deadline for GAs to answer requests for documents)

The presence of a Transparency Provision in the GAA helps ensure that the citizens' right to access to public information and documents is observed. Such a provision should also include a timeframe within which public officials shall provide the requesting party with the said information. The absence of a delimiting timeframe could generally act as a loophole by which government agencies may delay action on pending document requests.

2. E.O. on Access to Information – on processes, timetable, exemptions, penalties

President Gloria Macapagal-Arroyo, in her Veto Message on the 2007 approved national budget, stated that, with regards to the Transparency Provision, "the right to public information should always be weighed against other genuine interests necessary for the proper functioning of the government." This message of President Arroyo basically leaves the implementation of the said provision to the discretion of the department heads, with no definite guidelines.

With this situation, we recommend that the President issue an Executive Order defining the basic process and timetable for access to public information including applicable restrictions or exemptions to such access as well as the penalties for non-compliance with the provisions of the EO.

3. LGU Guidelines on access to information, particularly PDAF/CA-funded projects.

We also recommend that local government units should create specific guidelines on access to information, particularly about PDAF/CA-funded projects. This is to

facilitate the processing of requests for public documents by citizens in their localities.

4. District Representatives to submit an Annual Report to his/her constituents (cc: municipal/provincial development councils, all accredited POs/NGOs and barangay captains and to be posted at the barangay/municipal halls for at least 1 month)
5. Require all Party List Representatives and Senators to submit an Annual Report to all Regional and Provincial Development Councils (incl. the Private Sector Representatives)

The senators and the congresspersons have been elected as the people's representatives. In recognition of this, they need to continuously ensure that they are able to regularly report to their constituents the work that they do in their behalf – primarily their legislative work, but also their use of the PDAF, CA and other public funds that they are able to have allocated for their constituents' needs. Following on the good practice by former Congressperson Rodolfo Agbayani that has been highlighted in this report, we suggest that all congresspersons and senators also prepare and submit annual reports on the use of their PDAF and CA funds.

6. DBM to get and post in their website basic information about all projects (project type, amount, location, implementing agency), including financial assistance to priority projects of LGUs

The Department of Budget and Management (DBM) has undertaken the important step of making basic information about the releases of the PDAF and the CA available on its website. The data on releases for physical infrastructures and most other projects are very helpful because these include the specific nature and location of the project. However, for priority projects of LGUs, the DBM website contain no other information other than the amount released and the recipient LGU. Since volunteer monitors find it difficult to access information from many LGUs, this has caused difficulties. The DBM central office explain that the data on these LGU projects may be found in their regional offices. We suggest that the DBM regional offices immediately submit this information to the central office and the DBM post this information on their website as well. This is important because a big chunk of the PDAF goes to priority LGU projects.

7. DPWH to ensure that project billboards with complete information are put up and maintained while the project is being implemented.

The Department of Public Works and Highways (DPWH) already has rules regarding the installation of project billboards with basic project information for

the general public. This guarantees that citizens have access to this information for their study and/or scrutiny. However, it has been noticed that many not all projects now have the required billboards and that many of those that do have little information (often just the name of the project and the names of the "sponsoring congressperson or senator" plus the DPWH Secretary and the President). It is suggested that the DPWH reviews its rules on this and adopt measures to ensure that all contractors put up the required billboards.

B. Enhancing Participation

1. Include in the guidelines that the Implementing Agency should give a copy of the Program of Work (project details), including schedules, to the Barangay Captain and at least one PO in the barangay or to the appropriate government agency and NGO/PO (e.g. school principal and PTCA President).
2. Project should be part of the approved Municipal/ Provincial Development Plan or endorsed by the Sangguniang Bayan or Sangguniang Panlalawigan (after substantial consultation with concerned NGOs/POs)

There are projects being implemented that have undergone a process totally devoid of any participation from the constituents. Implementing agencies should ensure the involvement of the stakeholders in all aspects of project implementation, from project selection, bidding and actual implementation. As an end result, we believe that such a closer and inseparable involvement would result to the implementation of projects improved in both design and construction and in projects that directly answer the specific needs of the project beneficiaries.

V. PDAF Watch: A Continuing Commitment

Using the results of the project, CODE-NGO shall continue its advocacy for policy reforms towards a more transparent, effective and responsive use of the PDAF/CA funds. We plan to build on our initial successes to sustain and even expand PDAF Watch.

We shall continue to conduct annual requests for project-related documents or information about the PDAF/CA from all legislators. In this light, a letter requesting for such documents and their renewed support for this advocacy, has been sent to all legislators last October 2007.

Also, CODE-NGO shall continue to support all local PDAF Watch initiatives that may be undertaken by its member networks and volunteers and other organizations in their respective localities. In support of these initiatives, CODE-NGO has prepared a PDAF Watch website, which will provide the needed materials and basic data for monitoring PDAF/CA-funded projects. The website contains relevant materials such as the guide book, tools, and regularly updated information/data on PDAF/CA projects. These will be available for downloading by those interested. Also, if the need arises, CODE-NGO is willing to provide training workshops on PDAF Watch monitoring.

CODE-NGO is committed to undertake a nationally coordinated monitoring of the PDAF/CA projects once during the three-year term of the legislators. The next nationwide monitoring will be done in 2009. This would be done in order that we, as citizens, may review the status of these funded projects and the transparency, effectiveness and responsiveness of our legislators' PDAF/CA.

We hope that with this and with the citizens' initiatives to make governance more transparent, accountable and participatory, we will soon realize our vision of a Philippine society that promotes the total well-being of the Filipino people and the full realization of our human rights.

Annexes

Annex 1. Legislators' Responses – as relayed by their staff (Information as of September 12, 2006)

A. List of congresspersons who responded positively:

District House Member/c-Terms	Province/City	Region	District	Remarks
1. AGBAYANI, RODOLFO Q. (1)	NUEVA VIZCAYA	II	Lone	Provided Documents/ Info
2. DOMOGAN, MAURICIO G. (2)	BAGUIO CITY	CAR	Lone	Provided Documents/ Info
3. GONZALES, RAUL JR. (1)	ILOILO CITY	VI	Lone	Provided Documents/ Info
4. TAÑADA, LORENZO III R. (1)	QUEZON	IV	4	Provided Documents/ Info
5. BIAZON, ROZZANO RUFINO (2)	MUNTINLUPA CITY	NCR	Lone	Provided Documents/ Info
6. CELESTE, ARTHUR F. (2)	PANGASINAN	1	1	Still to Provide
7. CUENCO, ANTONIO V (2)	CEBU CITY	VII	2	Still to Provide
8. TULAGAN, GENEROSO D. (3)	PANGASINAN	1	3	Provided Documents/ Info
9. ABAD, HENEDINA (LONE)	BATANES	II	Lone	Provided Documents/ Info
10. SUPLICO, ROLEX	ILOILO	VI	5	Provided Info

List of congresspersons who responded positively (continued)

(Party List) House Member (Terms)	Party	Remarks
1. AGUJA, MARIO JOYO	AKBAYAN	Provided Documents/ Info
2. HONTIVEROS-BARAQUEL, ANNA THERESEA	AKBAYAN	Provided Documents/ Info
3. ROSALES, LORETTA	AKBAYAN	Provided Documents/ Info
4. TOMAWIS, HADJI ACMAD	ALIF	Provided Documents/ Info
5. CUA, GUILLERMO P.	COOP NATCCO	Provided Documents/ Info
6. CHAVEZ, LEONILA	BUTIL	Will Provide Documents
7. MARCOLETA, RODANTE	ALAGAD	Will Provide Documents
8. VELARDE, RENE	BUHAY	Will Provide Documents
9. GIDAYA, ERNESTO	VFP	Will Provide Documents
10. HATAMAN, MUJIV	AMIN	Will Provide Documents
11. NOEL, BEM	AN WARAY	Will Provide Documents
12. MAGSAYSAY, AMANG	AVE	Will Provide Documents
13. MAZA, LIZA	GABRIELA	Cannot provide documents (for security reasons)
14. VILLANUEVA, JOEL	CIBAC	Provided Documents/ Info
15. MAGTUBO, RENATO	PM	Will Provide Documents