



Governing the Philippine Bureaucracy:

Issues and Challenges of Legislative Oversight

Congressional Planning and Budget Department
House of Representatives
February 2006
Quezon City

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“ It is the proper duty of a representative to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use very means of acquainting itself with the acts and disposition of the administrative agents of government, the country must be helpless to learn how it is being served. The informing function of Congress should be preferred even to its legislative function.”

Woodrow Wilson. 1885

“ Virtually every democratic legislature and parliament has the authority to undertake and conduct oversight in almost every area of government activity...The House (of Representatives) can exercise competent, effective oversight to prod the Executive into more timely, proper and correct action....Information is critical to legislative oversight...Congressional oversight is about accountability and rule of law.... ”

Rep. Roilo Golez. 2005

“ The present legislative oversight lacks the necessary logistical support. Municipal councilors have adequate staff, computers and office equipment, while legislators with limited staff are equipped with outdated and obsolete office machines in carrying out their daily tasks. Congress should therefore work closely with COA in its oversight function. A memorandum of agreement between Congress and COA would be a good starting point to ensure an effective legislative oversight.”

Rep. Jesus Crispin Remulla.2005

“ Congressional oversight is an integral part of a democratic system of government. The exercise by the legislature of this power is essential if transparency, integrity and efficiency in the performance of the functions of the other branches of government are to be maintained.”

Rep. Joseph Emilio A. Abaya, Jr. 2005

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The main articles/sections in this publication were contributed by Dr. Clarita Carlos, who was tasked to sum up the reports of Dr. Divina Edralin and Mr. Miguel Guioguo, project consultants on the above items (1) and (2). Additional write ups were prepared by Director General Rodolfo Vicerra, Dr. Romulo Emmanuel Miral, Ms. Dina Pasagui, and Mr. Novel Bangsal – all with the CPBD. Mr. Vicerra edited and coordinated the production of this volume, with assistance from Mr. Rommel V. Asuncion, Ms. Portia Hazel Carlos and Ms. Ellen G. Mangiliman. Cover photo was courtesy of Deputy Secretary-General Emmanuel Albano and Director Ferdinand Bolislis of the Public Relations and Information Department. Mr. Vicerra was Chairman of the House' Task Force on Grant Implementation, with Dr. Miral and Dr. Ramon Ricardo Roque as members.

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MESSAGE

We, at the House of Representatives, carry the immense responsibility of making sure that Government policies and programs would lead to marked improvements in the lives and wellbeing of our people. We share a deep sense of urgency in pushing for various social, political and economic reforms even as we seek affirmative action to assist the poorest segments of our population.

Still, legislative oversight is a power that the Congress needs to exhaust and maximize. The proposals and ideas that this material suggests should help in improving the quality and regularity of oversight activity in Congress.

The exercise of legislative oversight is among of the most critical functions of the House of Representatives. It is one of the greatest expressions of our system of democratic representation. It is a duty and commitment that should be carried out by every responsible legislator in behalf of his/her constituents.

This publication was prepared as part of a World Bank-ASEM supported project of the Congressional Planning and Budget Department (CPBD) to help enhance the general understanding on the nature and importance of legislative oversight. It aims to condense and highlight in one readable monograph the insights and lessons from almost one year of study and technical consultations that the CPBD conducted in 2005.

I would like to commend the CPBD for this good work.



SPEAKER JOSE C. DEVENECIA

Foreword

No sooner is a law begotten than it is forgotten. Hence, the remarkable similarity between the proliferation of laws and the high incidence of fatherless children born into poverty. And yet lawmaking, unlike procreation, isn't anywhere near as much fun even if both are contact sports. Anyone who has seen how hard lawmakers actually work on legislative measures and how difficult it is to get them passed by just one, let alone both houses of Congress, would be amazed at the sudden indifference that overcomes Congress as soon as its legislative products leave its hands and passes into that of the bureaucracy.

Once in a while, when a bureaucrat crosses a lawmaker, the latter may threaten to inflict the congressional oversight function on him and his department. Which is to say, check up on how he is implementing a law.

But this threat is rarely carried out, either because the lawmaker is quickly appeased or he is unsure about how much more work he will have put into carrying out his threat. For oversight, as this slim but weighty volume shows, is hard, time-consuming, manpower intensive and at the best of times tedious work.

And yet it is critical. It needs to be done. It is very seldom that anything is ever gotten right the first or even the second time around.

This shows up when a legislative measure is returned to committee or to Congress as a whole just for textual defects. A good example is the first Anti-Money Laundering Law, which had to be redone.

But the defects that still lurk in the words measure show up even more and in more critical areas when the bureaucracy attempts to implement a law. Either the law itself is defective, is just plain wrong for its avowed purpose or for the bureaucracy that must run with it. Laws should be written not just to work well on paper but in fact out in the real world. It should be crafted with a profound understanding on its subject, and equally the strengths and weaknesses of those tasked to carry it out.

The proof of the pudding is indeed in the eating more than anything else. A good example is the second Anti-Money Laundering Law, which was so carefully crafted to avoid abuse that it is turning out inutile, although it appears to have impressed the international anti-money laundering authority abroad enough to remove the Philippines from its blacklist of uncooperative countries.

Congressional oversight committees created in the laws they are meant to monitor do a good job sometimes, but even then only fitfully. They lack the long, sustained and consistent commitment of a professionally staffed oversight body of the Congress itself.

Laws are like cars and lawmaking is sometimes like throwing good money after bad. First resources are spent making a law that turns out bad and then more money is spent trying to make it work, when an improved measure wouldn't cost nearly as much to get the work done right.

This book shows how to stop throwing good money after bad and how the legislature can continue to care effectively for its children, as one might call its enactments, even after they have gone out into the world to be tried and tested.

Rep. Teodoro L. Locsin, Jr.
1st District of Makati.

Abbreviations and Acronyms

AFP	Armed Forces of the Philippines
ASEM	Asia Europe Meeting
CBMS	Community Based Monitoring System
COA	Commission on Audit
CPBD	Congressional Planning and Budget Department
CSC	Civil Service Commission
DBM	Department of Budget and Management
DBCC	Development Budget Coordination Committee
EO	Executive Order
GAO	Government Accountability Office
GOCC	Government Owned and Controlled Corporation
ICT	Information and Communication Technology
IDRC	International development Research Center
KRA	Key Result Area
LGU	Local Government Unit
MFO	Major Final Outputs
MIMAP	Micro Impacts of Macroeconomic Adjustment Policies
MTPIP	Medium-Term Public Investment Plan
MTPDP	Medium-Term Philippine Development Plan
NAPC	National Anti-Poverty Commission
NEDA	National Economic and Development Authority
NEP	National Expenditure Program
PEM	Public Expenditure Management
PMS	Poverty Monitoring System
PNP	Philippine National Police
SWS	Social Weather Station
VFM	Value for Money
VPN	Virtual Private Network

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INTRODUCTION

1

Over the past few decades, the conduct of legislative oversight in the form of performance auditing or evaluation has increasingly grown in frequency and in terms of relevancy. As governments expanded in scope, functions and jurisdiction, so did their government bureaucracies.

It has been observed that the evolution and structure of legislative oversight developed within the framework of financial auditing standards and social methods of evaluation research. This may be explained by the fact that legislative oversight began as an effort “to oversee how taxpayer monies were spent.”²

Essentially, oversight has been associated with the legislature’s constitutionally mandated

¹Except where otherwise indicated, the major sections of this monograph were written by Prof. Clarita Carlos, Ph.D. based on consultants’ reports.

²<http://reform.house.gov/UploadedFiles/grchistory.pdf>

work of appropriations – a unique function in the governmental budgeting process wherein Congress bestows legal authorization on the use of public funds. The national budget –the financial plan of the government–formally comes out as a law designed to support the political, economic, and social objectives of the government, as well as to carry out its administrative policies. This is the basis of Congress’ so-called “power over the government’s purse”.

In order to ensure public accountability on the laws it passes, including the yearly appropriation laws, Congress has customarily summoned officials of concerned government agencies during budget hearings to report on their accomplishments and their future plans. In cases of known serious wrongdoing, “blue ribbon” investigations and legislative inquiries are often conducted after the fact. Thus, legislative oversight work can be seen as “attempts to detect and remedy executive branch violations of legislative goals.”³

Since the 1990s, the Philippine Congress has also enacted laws creating various oversight

³ Hamm, K. and Roby Robertson (1981), “Factors Influencing the Adoption of New Methods of Legislative Oversight in the U.S. States”, *Legislative Studies Quarterly*, VI, 1 (February): 133-150.

bodies with the aim of achieving more effective direction in the implementation of specific laws by the executive branch of government.

Agency Rule-making. Nonetheless, over the years, the bureaucracy has become skilled in exerting tremendous influence in the implementation of the laws. The tremendous growth of government activity also necessitated and heightened the “rule-making powers” of a much larger and more active bureaucracy.

What has been happening lately is that unelected officials in the bureaucracy have also increasingly become politicized so that they now bargain, compromise and advocate particular policy positions – often breaching the thin line between public administration and legislation. Thus, the oversight role of Congress also grew hand in hand with the increasing concerns about the extensive use of the rule making of the executive agencies.

Despite the reality of agency rule making, however, it remains a legitimate purpose of legislative oversight to ensure that agencies have correctly defined the boundaries of their policy-making powers. Hence, legislative oversight provides direct congressional role in the administrative process as a counterpoise to

executive power. In this context, legislative oversight has, indeed, become fundamentally the task of “governing the bureaucracy.”

Box 1: WHY DOES BUREAUCRACY NEED TO BE GOVERNED?

Public administration is supposedly a paragon of skill, rationality and humaneness according to political scientist, Joseph La Palombara. And yet, many times, the bureaucracy that we encounter is arrogant, aloof, arbitrary and corrupt in its behavior.

Why, indeed, should we pay attention to governing the actions of bureaucracy? In the entire life of our nation, why have there been continuing attempts to reform the bureaucracy?

A Civil Service Study has reported that almost 50% of government expenditures is lost to corruption. The report of wastage of government resources is legion. The CSC program started some years back called “Mamamayan muna, hindi mamaya na...” is significant of the serious effort by the Civil Service to address the continuing challenge of inability of civil servants to render effective service to the citizens in a courteous, honest and efficient manner.

The empirical literature suggests that economic development cannot proceed unless we have a rational, merit based, effective and efficient bureaucracy. Because of the crucial role that bureaucracy plays in the day to day running of the government, any campaign to transform society must, indeed, involve the effective governance of the bureaucracy.

Finally, bureaucracy is the “handmaiden” of government policies. Legislative oversight which consists of a review, evaluation and monitoring of how the bureaucracy implements the laws, rules and regulations set by the Congress is in effect the process of “governing the bureaucracy”.

=====

Source: Carlos, Clarita. *Towards Bureaucratic Reform: Issues and Challenges*. 2004.

WHAT IS LEGISLATIVE OVERSIGHT?

2

Legislative oversight (also known as congressional oversight) is the “congressional review of the actions of... departments, agencies, and commissions, and of the programs and policies they administer, including review that takes place during program and policy implementation as well as afterward.”⁴

Legislative oversight is the process by which Congress takes an active role in understanding monitoring and evaluating the performance of state bodies and instrumentalities and applies this knowledge to its three other functions, namely, making laws and public policy, setting budgets, and raising revenues. Oversight techniques also play a part in the various stages of the legislative process.

Other definitions of legislative oversight focus on congressional efforts to control the behavior of the executive branch. In this sense,

⁴ Aberbach, J. (1990), “Keeping a Watchful Eye: The Politics of Congressional Oversight”.

legislative oversight is also viewed as any “behavior by legislators and their staffs, individually or collectively, which results in an impact, intended or not, on bureaucratic behavior.”⁵

Legal Basis of Oversight in the Philippines. There is no specific provision in the Philippine Constitution expressly granting oversight powers to Congress. However, the power of the purse of Congress – or power to review appropriations – implies this oversight function. The constitutional power of Congress to create, abolish, and reorganize government agencies likewise presupposes the power of legislative oversight.

Likewise, Congress’ power of impeachment and confirmation of executive appointments are part of the overall oversight functions of the legislative. Further, the role of Congress as fiscalizer under the “check and balance” principle has highlighted its oversight role in curbing graft and corruption, promoting economy, efficiency and effectiveness in use of public resources, and in promoting transparency

⁵Ogul, M. and Bert Rockman (1990), “Overseeing Oversight: New Departures and Old Problems”, *Legislative Studies Quarterly*, VX, 1 (February): 5-24.

and accountability in government operations. Legislative oversight provides a mechanism for the early detection and institution of remedial measures against government waste, fraud and program mismanagement.⁶

Since the 1990's, a number of new laws, including the revised internal revenue code, agricultural modernization law, and the power sector reform law, have adopted provisions for the creation of Congressional oversight commissions, to ensure the implementation of said laws according to the legislative intent.

Finally, legislative oversight may be taken broadly as the legislature's ability to affect executive actions, engender accountability and effect changes in the performance of its function to ensure that the laws passed by the legislature are properly executed.

Objectives of Legislative Oversight.

Legislative oversight is ideally a way by which legislatures hold executive agencies accountable for their actions, especially in implementing laws

⁶ Rep. Joey Salceda (2001), Lecture on oversight experience of the House of Representatives.

passed by the legislative branch.⁷ Legislative oversight stems from the traditional notion that politics and administration are two conceptually distinct and separate activities.

Politics involves accommodating and responding to society's demands through the articulation of policy while administration is an instrumental process of implementing actions that can help fulfill policy objectives.⁸

The factors motivating oversight and the goals which legislative committees seek to achieve by reviewing executive activities are numerous and diverse. Such goals also vary according to circumstances. Various problems of executive agencies may also result in a composite of goals for undertaking legislative oversight.

Under the traditional model, Congress is primarily responsible for setting policy by enacting statutes, while the executive branch, led by the President, is in-charge of administration.

⁷ World Bank (2002), "Strengthening oversight by legislatures", *The World Bank Premnotes*, 74.

⁸ West W. and Joseph Cooper (1989-90), "Legislative Influence v. Presidential Dominance: Competing Models of Bureaucratic Control", *Political Science Quarterly*, 104 (4), 581-606.

The role of the President as chief executive consists of organizational structuring, recruitment, and supervision to ensure faithful policy implementation, primarily in the interest of efficiency. Congress' role, on the other hand, consists of monitoring or supervision as opposed to direct control. Meanwhile, the judiciary's role under the traditional paradigm is to guarantee the integrity of the politics-administration divide.

The essential purpose of congressional oversight is, therefore, to secure the information needed for the enactment of new statutes or the amendment of existing ones, and to ensure that government agencies comply with the legislative intent. Oversight also determines whether responsible parties are administering the laws fairly.

It has been demonstrated that legislative oversight can untangle the administrative network, affix responsibility and take corrective action.

Tight fiscal constraints make legislative oversight and its focus on the effective and efficient utilization of public sector resources even more critical. Oversight reviews can help Con-

gress recognize and prevent inefficiency in government, which includes the identification of extravagance, fraud, and misuse of public funds. Deeper and more specialized oversight studies can also aid in identifying agencies and functions that are duplicative, overlapping, or those needing redefinition, redirection, redistribution and/or restructuring.

Other Motivations. It has been contended that legislative oversight is often undertaken not to correct administrative problems but to establish support for or opposition to particular policies or individuals. Thus, oversight activity is seen as an engine for obtaining political mileage.

The two Chambers of the Philippine Congress have both been conducting inquiries in aid of legislation into the activities of executive agencies. Often, however, these congressional investigations “have been perceived by the public to be motivated more by political considerations rather than an honest-to-goodness desire to bring about greater accountability and efficiency in the utilization of public resources.”⁹

⁹Miral, E.M. and Vilma Carnicosa (1999), “Legislative Oversight: A Proposed Conceptual Framework and Methodology”, *Policy Brief*, 99-05, 1-7. Congressional Planning and Budget Office.


In Chile, it was noted that investigative committees are often used as *cajas de resonancia* (sounding boards) to transmit personal or political party messages of members. Opposition members there often seek simply to embarrass the government or enhance their own national political prominence through vocal and public criticism rather than exercising oversight.

Box 2: Some of the most frequently stated goals of legislative oversight:

- Clarify statutory and legislative intent*
- Examine the implementation of particular laws*
- Evaluate the overall effectiveness of program administration*
- Review of rules and regulations*
- Investigate alleged discriminatory or arbitrary actions*
- Disclose shortcomings, and illegal conduct*
- Assess the quality, quantity, efficiency of agency performance*
- Improve the administrative direction and control*
- Seek reallocation of expenditure priorities*
- Reduce needless waste, delays, red tape*
- Analyze audit reports on departments and agencies*
- Study and upgrade personnel practice*
- Minimize lack of national uniformity in government programs*
- Review the enforcement of criminal statutes*
- Appraise the handling of intergovernmental relations*
- Study the adequacy and effectiveness of diplomats abroad*
- Probe the practices and procedures of independent regulatory commissions*
- Uncover violations of personal and civil rights*
- Evaluate the awarding of Research & Development contracts*
- Approve specific executive actions or fund transfers*
- Control of restricted future executive actions*
- Secure information for future lawmaking decisions*
- Act on and/or investigate and provide official notice of constituent complaints*
- Encourage consultations on policy implementation problems*
- Study the impact of national policies on local governments*
- Establish specific criteria for evaluating agency programs and performance*
- Respond to issues of national interest*

LEGISLATIVE OVERSIGHT: A SIMPLIFIED FRAMEWORK ¹⁰

3

 It may not be very apparent but the central concern of a conscientious legislative oversight effort is really the implementation of the will of Congress as the highest policy making body of the government.

Legislative representation is premised on the idea that lawmakers represent the people. Their actions and decisions are expected to promote the interest of constituencies. Thus, legislators would have enormous interest in the executive department's implementation of the laws and policies because these affect the people either as the intended beneficiaries of government services or as political constituencies of the elected leaders.

Essentially, the focus of oversight attention would center on immediate outputs of the agencies – in terms of efficiency, economy, and effectiveness – and the strategic outcomes of a particular legislation and policy decisions and

¹⁰This section was written by Rodolfo V. Vicerra – Director-General, Congressional Planning and Budget Department.

how these impact on the quality of life of the ordinary citizen.

In this sense, legislative oversight could be thought of as a complex of political processes that permeate the affairs of, on the one hand, the government – with Congress providing the policy direction and political justifications, together with the actions of bureaucracy that it later oversees.

On the other side of the equation are the people, who should not only be seen as beneficiaries of government services – they include the taxpayers providing the resources needed to run the government. They are an important part of the electorate that chooses the leaders who would then run Congress and the government.

The Congress – taking into account the plans and political platform of the Chief Executive and the political parties in power – sets the policies, programs, and provides the resources and the mandate for the Executive agencies to carry out the intended government services and actions.

Oversight review activities are normally carried out through legislative study/inquiries,

the congressional budget authorization process, or as part of the crafting of a new law, or as the result of a House/Senate “blue ribbon-type” investigation.

Table 1. A SIMPLIFIED FRAMEWORK ON THE OVERSIGHT PROCESS ¹¹

Action	Congress/Legislative	Agencies/Executive	"the People"
Legislation	Formulation of Policies, Programs	Policy Implementation	Program and Policy Impact
	Grant of Resources, Authorizations	Program Execution	Quality of Life Improvements
	Creation of Agency, Organization, Mandates	Agreed Targets and Performance Indicators	
Oversight	Legislation-related	Regular and annual reports	Direct and Indirect Feedback
	Budget Authorization	Agency Plans and Proposed Budgets	Participation in bill deliberation
	"Blue Ribbon" Investigation	Reports on key incidents	
Oversight Support Efforts	Secretariat: <i>Policy Studies</i>	Reports of Oversight Agencies in the Executive, e.g. COA, NEDA, DBCC	Survey reports, e.g. SWS and Pulse Asia
	<i>Staff Review of the President's Budget</i>		Policy Studies/White Papers
	<i>Specialized Oversight Studies</i>		Expert Opinion Civil Society Advocacies

¹¹ This framework was the result of separate discussions between the writer and Exec. Director Romulo Miral, Dr. Claire Carlos, Dr. Divina Edralin, and Mr. Miguel Guioguo. The light arrows indicate the cycle/flow of oversight information,

Progress updates and annual reports can be gathered from the agencies on the immediate results of their operations and can be compared with agreed outputs and performance indicators. Reports from other parties and institutions, including the state audit body, and the oversight agencies in the Executive such as the Department of Budget and Management and the National Economic and Development Authority, can also provide a different view.

Oversight information should not only focus on the agency itself or its actions, though. Its clientele and the status of the sector that the agency is supposed to serve should be of utmost concern. Their clients' own views and feedback should provide the legislative and government in general the essential leads in evaluating the main thrusts of policies and programs.

Still and all, the ability of the general public to articulate their views and sentiments depends greatly on the presence of servant leadership, an active media, and/or a dynamic civil society that can take the cudgels on specific campaigns and community issues. To a limited extent in the Philippines, policy research institutes contribute to a deeper understanding of what is at stake with respect to the policy issues.

TECHNIQUES OF LEGISLATIVE OVERSIGHT

4

— here are two major areas of concern for legislative oversight. The first relates the regulatory function and the implementation of laws by the executive, which includes the issuance of administrative guidelines and implementing rules and regulations. Congress is duty bound to see to it that the rules and regulations prepared by the executive agencies, and their implementation are faithful to the policy intent of the laws.¹²

The second major area for legislative oversight is the management and delivery of government programs and services, which require expenditure of public funds. Since all government expenditures require prior authorization by Congress, an oversight interface would help ensure that the money it appropriates is judiciously spent.

Oversight Reviews. Oversight action may be conducted with or without the committee or plenary sitting. Oversight reviews may be

¹² Oleszek, Walter J (1984), "Congressional Procedures and the Policy Process", *USA: Congressional Quarterly Inc.*

undertaken as formal hearing or non-hearing activities, which may be classified into any of the following 3 types depending on the cluster of activities that are conducted, to wit: ¹³

A. *Comprehensive review* uses program evaluations and reports prepared by non-committee personnel. This is the least frequently employed oversight practice mainly because findings of non-committee personnel may not be within the control of the legislative committees and may sometimes be leaked or released to the detriment of the intended results that the legislative committee wants.

B. *Committee staff review* involves efforts like investigations and program analyses conducted by the staffs of committee units to review agency programs and policies. Staff reviews are, on average, used much more frequently because they “give committees maximum control over the timing of the studies as well as getting them done in the time frame desired by the committee and released or leaked to the committee’s advantage.”

¹³ Pelizzo, R. and Rick Stapenhurst (2004), “Tools for Legislative Oversight: An Empirical Investigation”, World Bank Policy Research Working Paper 3388, September 2004.

C. *Piecemeal review* techniques involve usual congressional approach to oversight, which is generally piece-by-piece, unsystematic, and often seen to be superficial scanning of information about the agencies being evaluated.

Table 2. Common Oversight Review Practices ¹⁴

Oversight Technique	Ranked According to Frequency of Use	Ranked According to Effectiveness
Staff communication with agency personnel	1	1
Member Communication with agency personnel	9	2
Oversight hearings	3	4
Program reauthorization hearings	5	3
Hearings on bills to amend ongoing programs	7	5
Review of casework	13	14
Staff investigations and field studies (other than preparation for hearings)	4	6
Analysis of policy rules and regulations	8	10
Program evaluations done by Congressional support agencies	2	8
Program evaluations done by the agencies	11	13
Program evaluations done by outsiders (nongovernmental personnel)	12	11
Program evaluation done by committee staff personnel	6	7
Legislative veto	14	9

¹⁴ Aberbach, 1990.

Common Oversight Practices. Table 2 above describes some of the most common oversight review techniques utilized by various legislatures and parliaments.¹⁵ It was observed that in many parliaments and legislatures, staff communications with the government agencies and program evaluations done by legislative staff have been the most important source of oversight information. Oversight hearings and investigations were also seen as common. However, in terms of effectiveness, the direct involvement of the legislator and his/her staff in oversight activities seems to be most helpful in eliciting response from the Executive agencies.

The Legislative Perspective in Oversight Work. As the legislative oversight function of Congress increasingly occupies its legislative agenda, the practice of oversight has taken on various forms and approaches. The **stance** of the committee or body undertaking the effort shapes the way oversight is carried out. This may be affected by the significance of the issues pertaining to the agency concerned and/or the urgency of the situation that may have evoked the oversight activity. Note that these forms

¹⁵ Aberbach, 1990.

listed below are not exclusive of each other but may be used as composites as may be required.

A. *Manifest/Overt vs. Latent/Covert Oversight.* Manifest or Overt oversight involves formal review activities done post hoc, i.e., after the implementation of the law has been done. Latent/Covert oversight includes both anticipatory and review modes of intervention which are least evident and usually seen as subtle signals emitted by congressional overseers.

B. *Police-patrol vs Fire-alarm oversight.* Police-patrol oversight is a fairly centralized, active, and direct action by a committee to monitor the executive branch. Under a police patrol oversight, Congress examines a sample of executive agency activities with the aim of detecting and remedying violations of legislative goals and by its surveillance discourages such violations. An agency's activities may be surveyed by any number of means such as poring through its documents, commissioning scientific studies, conducting field observations and holding hearings to question officials and affected citizens.

Fire alarm oversight is less centralized and involves less active and less direct intervention than police-patrol oversight. Under a fire-alarm oversight, Congress establishes a system of rules, procedures, and informal practices. This would give individual citizens and organized interest groups the ability to examine administrative decisions and charge executive agencies with violating congressional goals, and to seek remedies from agencies, courts, and Congress itself.

C. Advocacy Oversight vs Adversarial Review. In an advocacy oversight, the overseers seek to protect the programs in question even if they are often critical of the administrators. Such friendly oversight usually fits well with the notion that review committees use anticipatory mechanisms and give overt or covert signals to agencies or to central monitoring organs. This is preferred when it comes to heading off a more hostile review of the agency's work.

D. Ex ante vs Ex post / internal or external. Ex Ante oversight occurs when legislative oversight is performed before the

government enacts a specific policy or becomes engaged in a specific activity. Ex-Post oversight is when the legislative oversight is performed after the government has enacted a policy to check whether the policy is properly implemented. Hearings in committees, and deliberations in plenary sessions of the legislature, along with requests of documentation, are often classified as instruments of control ex-ante. The conduct of the question hour, interpellations, and the creation of committees of inquiry are considered ex-post oversight actions.

Approaches to Legislative Oversight. Oversight procedures may also be broadly classified based on the nature of the Congressional intent: into legislative, investigative, fiscal, evaluative, interpretative, supervisory, affirmative and prohibitive. Although some procedures are used more than the others, it is not unusual for legislative oversight committees to utilize several review procedures for different purposes.

A. *Legislative.* The hearings conducted to propose legislation may often be a conduit to inquire about government programs and performance of government

agencies. Investigations for this purpose may develop into some oversight of the agencies involved. Committee reports often influence the way the laws to be enacted will be implemented, which already constitutes some form of oversight.

B. Fiscal. Review of the fiscal program and operations of various government agencies also constitutes oversight. Studies conducted by the Congressional Planning and Budget Department of the House of Representatives, for example, focus on expenditures of public funds and can help guide discussions on the use by the agencies of their appropriated funds. Fiscal reviews may also provide opportunities for agency accountability.

C. Investigative. Oversight committees may use various investigative tools. Information/data gathering by these committees may come from interest groups, non-government organizations, civic and trade associations, think tanks or expert opinions. Regular investigative procedures may also be held to monitor the implementation of particular laws within the committees' jurisdiction. In some

cases, unexpected emergencies may warrant such investigative oversight activities.

D. Evaluative. A committee may obtain maximum potential for oversight if it is able to harness the result of substantive research and data analyses, departmental reports, and results of investigations, testimonies during hearings and external departmental evaluations. Utilization of social science methods of evaluation is important for this oversight function.

E. Interpretative. Oversight committees, through their reports, may direct the government agencies concerned to the congressional interpretation of the agency's function as it carries out laws.

F. Supervisory. Oversight committees may also help guide government agencies in the implementation of the laws through stewardship of its programs and close scrutiny of its performance. This supervisory function may also be obtained by way of regular hearings in which officials of the agency concerned are questioned.

G. Affirmative. Oversight may consist of legislative powers over executive appointments and “advice and consent” for international treaties. Ratification of treaties may also involve review of foreign policy. Confirmation of executive appointments may involve review of the agency function to which the official belongs.

H. Prohibitive. The use of the legislative veto is an important oversight function. In many cases though, advance legislative review of proposed executive actions are resorted to by some government agencies and legislative oversight may result in the withdrawal of such proposals before it even goes into the formal legislative mill.

Oversight tools and administrative controls. The usefulness of oversight action is only as good as the persuasive effect that it can have on the programs, policies and priorities of the concerned agencies. Legislators have a number of administrative tools and techniques that can help them impose Congress’ political will over the executive agencies.

It has been observed that the creation of special oversight committees has been very effective in pursuit of the oversight work. Inquiries, post-audit and the threat of program or agency sunset laws are likewise seen as valuable administrative controls.

Table 3 below shows some of the techniques in terms of their effectiveness with administrators, their agencies, and programs.

Table 3. Effectiveness Scores of Administrative Controls in Rank Order

Controls	Scores
1. Specialized legislative oversight committees	7.00
2. Legislative investigation	6.91
3. Legislative post-audit	6.84
4. Sunset laws or process	6.64
5. Line-item budgeting	6.62
6. Legislative veto	6.59
7. Zero-base budgeting	6.58
8. Legislative confirmation of appointments	5.85
9. Agency reorganization	5.84
10. Judicial review	5.79
11. An ombudsman	5.77
12. Administrative review	5.54
13. Executive appointment and removal	5.41

“Effectiveness scores” are averaged responses to a questionnaire item that asked state legislators to rate each administrative control device on an effectiveness scale from one (least effective) to ten (most effective). (Source: Pearson and Wiggington, 1986).

EVALUATING PERFORMANCE: THE NEED FOR INDICATORS¹⁶

5

Effective oversight requires the development of performance indicators by which government agencies can be made accountable. The performance indicators should be measurable and at the very least provide evidence as to how a given function is being performed; whether a given service or program is getting better or worse in some specific sense.¹⁷

Performance indicators can be broadly classified into three major categories: 1) inputs, 2) outputs, and 3) outcomes. Inputs consist of resources (e.g. capital, personnel, equipment) used to produce goods and services. Outputs are the goods and services delivered or performed, ranging from policy advice to the enforcement of regulations and delivery of basic social services. The last category, outcomes, refers to the impacts or results that the government want

¹⁶ This section was lifted from portions of Miral and Canicosa (1999).

¹⁷ Ukeles, Jacob B (1982), "Doing More with Less. New York: AMACOM".

to achieve such as lower crime rate or reduction in poverty incidence. ¹⁸

Outcomes may be the most desirable measure of performance. However, they are not measured often enough -either because it is costly to do so or they do not show significant movements when measured frequently.¹⁹ Another difficulty with the use of outcomes is that they are usually the product or the result of several outputs or services provided by the different agencies of the government. Hence, by themselves outcome indicators may not be enough to exact accountability from each agency and department of the government.

Input or output indicators are often used because they serve as intermediate or “lead indicators” presaging the outcome indicators. To maximize their usefulness in terms of monitoring performance and exacting accountability, individual outputs may be grouped together into output class. An output class consists of a group of homogenous or closely related outputs pertaining to a desired

¹⁸ New Zealand Treasury (1996), “Putting it together: An exploratory guide the New Zealand Public Sector Financial Management System”.

¹⁹ Manasan, Rosario G, E.T. Gonzalez & R.B. Gaffud (1999), “Towards better government: developing indicators of good governance for local government”. Makati City : National Economic and Development Authority

outcome or impact. Where possible, all three categories of performance indicators should be used as they complement each other.

The Three E's. Once the basic performance indicator categories are defined, it is relatively easy to move on to other measures of performance like efficiency, effectiveness and economy²⁰.

Efficiency is the relationship between the quantity and quality of the goods and services produced and the resources used to produce them. An operation is efficient if fewer inputs were used to produce a given output, or a given input resulted in increased output.

Effectiveness refers to the extent to which intended outcomes are achieved. It addresses the question of whether a particular program achieves its objectives and produces the expected results.

Economy relates to the money value paid for resources, that is, whether the money paid is excessive or not for the results produced. For example, it is not sufficient to know that the

²⁰ Office of the provincial, Canada (1995), "Value for Money (Performance) Audit Volume I and II".

purchased goods were received and paid for. One must also determine whether the goods were really needed, and if so, whether they were of the quality required and of the most economic quantity and price.

Carrot and Stick. For legislative oversight to be an effective tool in bringing about greater accountability and efficiency in the use of public resources, it should be linked to a system of reward and punishment. Congress can issue a quarterly or semestral report card of agencies' performance to promote transparency, accountability and competition among government agencies. On the basis of such performance rating, good performers can be rewarded and bad performers can be punished.

Rewarding good performance. Agencies, which have shown good performance, can be given greater flexibility in their budget. Their budget proposals can be assured in Congress, and they can be entitled to a simplified and faster release of funds. Good performance proves the capacity of agencies to manage government funds effectively and efficiently.

One way of rewarding good performance - which may require an amendment to existing budget laws - is to allow good performing agencies to keep their savings and use part of their savings for special projects. At present, there is no incentive for the departments to save money because at the end of the year these savings go back to the general fund.

Punishing bad performance. Agencies that are wanting in performance should face the threat of budget cuts. Low performance ratings can also get the attention of the President who may directly deal with concerned officials. In cases where fraud and corruption are uncovered, Congress can direct its findings to the President, the Department of Justice, the Presidential Commission Against Graft and Corruption, and the Office of the Ombudsman for the filing of appropriate administrative and criminal charges.

Congress can continue to look into the progress of these cases through the regular conduct of its oversight function. People lose their trust in the government if they see that nothing happens to the anomalies and scandals uncovered by media and investigated by Congress.

Negotiating Performance Contracts. As a first step, Congress and the Executive should agree on the set of performance indicators and their desired levels. Congress can ask the different departments and government agencies, including LGUs and GOCCs to support their proposed budget²¹ with a performance plan which indicates:

- what they aim to achieve (goals/outcomes)
- the goods/services they intend to produce
- or deliver to achieve these aims (outputs)
- the resources required to produce these
- outputs and corresponding cost (inputs)
- other financial performance indicators

It is suggested that the performance contract serve as justification for the budget request by the departments in the Executive and basis for the budget approval by Congress. In succeeding budget hearings, the departments should then submit performance reports of their accomplishments based on the performance contract, which would now serve as one of the considerations for the approval of the new budget proposals of the departments.

²¹ See CPBO, “Reforming the Budget Process” for a discussion of the proposed budget reforms which include greater involvement of the LGUs in the national budget process, and the shift in budget focus from accountability over inputs towards accountability over outputs and outcomes, otherwise known as performance budgeting.

THE OTHER OVERSIGHT AGENCIES OF GOVERNMENT

Oversight is generally associated with the conduct of performance monitoring as part of the greater process of promoting good governance. But by no means does the legislative department possess a monopoly over this role. The President has the ultimate administrative oversight responsibility over all government agencies, except for those under the Legislative, Judiciary and the Constitutional Commissions. Moreover, there are government agencies within the Executive department that perform oversight and monitoring functions inherent in their mandates and perhaps covering more than just one specific phase of the development cycles of programs and projects.

For one, there is the Commission on Audit (COA), which conducts annual financial audit of all agencies and instrumentalities of the government - both at the national and local levels mostly at the post-implementation stage of the programs. The National Economic and Development Authority (NEDA) tries to ensure that plans and budgets coincide and are

consistent with the development goals of the country. The Department of Budget and Management (DBM) through the Development and Budget Coordination Committee (DBCC), receives the budget proposals of the different government agencies, reviews and revises these according to set budget guidelines, and collates them as the President's Budget Proposal to Congress. The DBM mandates all government offices to submit their respective work and financial plans and monitors implementation through agency submission of progress reports.

Table 4. Formal venues and information sources for the conduct of Legislative Oversight

	<i>Internal</i>	<i>External</i>
Committee hearing	☑	
Hearing in plenary sitting	☑	
Committee of inquiry	☑	
Question hour	☑	
Interpellations	☑	
Ombudsman		☑
National Planning Agency		☑
Budget Agency/Commission		☑
Governmental Auditing Body		☑
Studies by policy research organizations		☑
Constituency Consultations		☑

Likewise, there is the Department of Finance, which, apart from overseeing revenue collection, regulates the borrowing activities of government agencies, so that the funding requirements are met to facilitate the implementation of

government programs. The NEDA has a regular periodic monitoring of big-ticket programs and projects to ascertain their conformity with the Medium-Term Philippine Development Plan (MTPDP) and the Medium-Term Public Investment Plan (MTPIP). The National Anti-Poverty Commission (NAPC), on the other hand, monitors policy and major programs on the sixteen (16) poorest provinces.

There may be inadequacies, on the part of many in the legislative department, in their understanding of the budget preparation and oversight as practiced in the Executive — i.e. what are their processes, procedures and innovations.

Indeed, there are various approaches, techniques and methodologies used by the different institutions to implement their respective versions of the oversight process. For instance, the COA conducts the so-called “value for money” audit or VFM – an audit or evaluation of the agency’s objectives which, are usually translated into implemented programs, projects and activities under the budget system. It is an audit of program results. COA also conducts “participatory audit” with civil society organizations, private professionals and

concerned citizens espousing good government such as the case in the audit of Abra projects.

On the other hand, the DBM developed an output-oriented approach to budgeting called the Public Expenditure Management (PEM) and instituted this to ensure the sound, efficient and effective management and utilization of government resources. This would enhance the efficiency of public expenditures; further substantiate the accountability of public officers and employees over government resources, and to promote client-orientation. Within the context of the PEM, all departments, bureaus, and offices would identify their Major Final and/or specific Outputs (MFOs) to be produced by their programs and services – consistent with the Medium-Term Philippine Development Plan.

Arguably, these different approaches lack synchronization and coordination, and may lead to duplication of activities among different agencies. There is also the possibility that these can result in possible variations of interpretations, and/or, worse, contradictions in assessment conclusions. However, there is also the view that different oversight groups have distinct objectives and that these should not

hamper or preclude the others' own assessment and evaluation of an agency's accomplishments.

As part of the CPBD's WB-ASEM project, representatives from the above-cited oversight offices were brought together in a series of workshops in 2005 with some of their counterparts in the legislative. This was to identify problems common to all and problems that are unique to their respective oversight functions, share innovative procedures and tools, and develop greater understanding and appreciation of how each agency implement their respective oversight activities. It has become apparent that:

- o There is no strongly coordinated and conscious effort among the major oversight agencies and Congress in monitoring specific programs and projects in education, health, livelihood, and environment at present;
- o The major oversight agencies in the Executive themselves have no regular and deliberate monitoring of pro-poor programs and projects;
- o Both Houses of Congress, while having the constitutional mandate to do oversight, have no current and focused effort in oversight and monitoring of pro-poor programs and projects.

In short, most have greatly depended on self-reports submitted by the monitored agencies. This defeats the very purpose of oversight – which should result from independent unbiased work.

Still, there maybe a need for the various oversight agencies to develop agency performance indicators and corresponding targets based on a cooperative effort to establish a common language and understanding of the goals and issues faced by the monitored agencies.

As an initial step, it is suggested that the oversight institutions establish communication lines for greater information and knowledge sharing for updates on current developments, new reports, and new findings. The conduct of regular exchange of information through inter-agency oversight conferences would be a helpful mechanism for this. Meanwhile, it has been suggested that a web portal where oversight literature, agency updates and information feeds can be posted by the concerned oversight agencies and accessed by legislators and the citizens at large would be a valuable mechanism for a more transparent exercise of oversight activities.

THE PEOPLE'S ROLE IN LEGISLATIVE OVERSIGHT²²

7

The business of government does not happen in a vacuum. The policies chosen and programs undertaken by government agencies, good or bad, would affect particular interests and constituencies, if not society at large. These can either hasten or delay economic development and advance or retard social mobility. Government's courses of action can either limit productivity or unleash the potential of the community to generate value.

The bureaucracy itself is not a monolithic entity. It is composed of dozens of organizations tackling a huge variety of societal concerns, including health, education, housing, currency, security, law and order, environment, and assistance to or regulation of industry and other production sectors. The people manning as well as those managing these organizations have various levels of efficiency, moral standards, and work ethic. It is but natural to expect that not all

²² This section was written by Rodolfo V. Vicerra – Director-General, Congressional Planning and Budget Department.

interests and constituencies will be satisfied with government services at all times.

The idea of people's involvement in government affairs is a principle enshrined in the Constitution. As taxpayers, they underwrite the logistical requirements of government operations and the salaries of the civil service. As the electorate, they collectively choose the political leaders who would run the bureaucracy. Electoral choices are made in the hope that the said leaders will direct the bureaucracy towards the appropriate reforms and strategies to bring about faster growth and development that would enhance the people's overall wellbeing.

Nevertheless, while elections perform a useful role in expressing the democratic voice of the majority, the challenge of knowing and understanding the actions and decisions of the elected official remains. It is a given that their options may at times be limited by lack of community consultations and/or be biased by the dominant political and economic interests in their locality. Some observers would claim that there is the risk of "moral hazard" – which, in economics, refers to the possibility that one party to a loan transaction (in this case, the election) would engage in activities undesirable and inimical to the interest the other party (the

electorate) after the loan (grant of political power) has been made.

What has been happening, however, is that citizens often feel short-changed by the seemingly unending series of failed government programs and reported incidents of corruption. The state of governance itself seems to be at the core of the problem and side-by-side with this is the unhealthy image of politics in the country. Another concern is the growing ethos of dependence and mendicancy, which can only thrive under conditions of considerable poverty, ignorance and mis-education. This feeds into the culture of patronage that politicians can easily take advantage of.

This very situation, of course, is part of the complex of problems that government itself and reform-minded political leaders wish to solve. Societal outcomes have to be guided towards increased people's well-being and participation to enhance social cohesion.

But the role of the citizenry must now go beyond merely paying taxes and voting in elections. Legislative oversight, through the elected representatives of the people in Congress, offers perhaps another venue through which the people can participate in governance. Congress needs to inter-act with those affected

by the government policies and programs. Agency actions and policies must be compared against expectations, agreed outputs and performance indicators.

To a limited extent, the legislators have been taking the initiative to consult their congressional constituencies on mostly local issues. But there have been little effort, if any, to engage said constituencies in regular official town-hall meetings to validate and assess the government agencies' self-reports.

Constituents and private sector groups possess great potential in providing the needed information for Congress to reliably assess the results of government policies and programs. This role can take various forms and may include:

- ❑ Responding to governance surveys
- ❑ Giving feedback on government projects where this is solicited
- ❑ Initiating Citizen-assessments and reviews of government programs and projects
- ❑ Lodging complaints against abusive and inefficient government agencies
- ❑ Providing leads and evidences to oversight and anti-corruption agencies on wrong-doings committed by civil servants and persons in authority

However, the most challenging obstacle to democratic consultative efforts has always been the ubiquity and vagueness of the notion of “the citizenry” or “the people”. As a starting point, oversight information can be gathered from the people through government censuses, regular surveys (such as those of SWS and Pulse Asia), the use of third party reporting systems such as the Community Based Monitoring System²³ (CBMS) and technical consultations by the Congress staff, among others. Again, a web portal that can accept direct inputs (letters, white papers, complaints, and Text Messages) from the general public would be of great value.

Also, the Philippines has no shortage of civil society groups, non-government organizations and, even local government units. Perhaps, it is these organized groups who can initially provide the organized feedback on the outputs and performance of government agencies.

Indeed, the people can and must be engaged in the process of oversight and governance. The people must have a voice in decisions that affect their lives. Broad partnerships for good governance can and, therefore, should be encouraged and forged.

²³ Please see Annex III

CUSTOMER FEEDBACK: A POTENT TOOL FOR OVERSIGHT²⁴

S

8

Seeking “feedback” from customers is an established practice among firms in the business sector in order to strengthen market share or competitive edge over their rivals. While the force of competition is lacking in the public sector, the practice of seeking user feedback in the delivery of government services is nonetheless gaining grounds along efforts to strengthen government accountability and improve public expenditure management.

It has been shown in a number of countries that user feedback conducted through scientific surveys can be a cost-effective means of finding out whether government services are reaching the people, at what quantity and quality.

It provides information on the degree of people’s satisfaction over the services provided by the government as well as on the efficiency and responsiveness of government agencies to the public they serve. Unlike anecdotes, its result can be generalized and thus, can galvanize

²⁴ This section was written by Romulo Emmanuel Miral, Jr., Ph.D. - Executive Director, CPBD

public opinion and exert pressure on the service provider.

User feedback can also be instrumental in improving the strategic allocation of the government's budget. It helps the government determine what public goods and services to produce, at what quantities, and where these are most needed.

At least two major factors should be observed for customer or user feedback to be effective. First, it is important that the methodology is scientific, and perceived to be fair and non-partisan. Surveys are the most commonly used instrument for generating user feedback since it is impossible to get the opinion of every individual. Surveys based on standard sampling procedures can generate results, which could be used for inferences on the general population. Second, it should be conducted with regularity to allow tracking of progress or the lack of it.

By providing a sense of whether a given service or program is getting better or worse, user feedback can put pressure as well as incentive for service providers to initiate action or reforms.

Institutionalizing the Filipino Report Card as a legislative oversight tool. In 2000, the World Bank in collaboration with the Social Weather Station (SWS) piloted a user feedback survey on five key pro-poor services in the Philippines that was known as the Filipino Report Card. The Filipino Report Card provided an appraisal of the quality and adequacy of the pro-poor services, the key constraints faced by the people in accessing them, and the treatment they received from the concerned government agencies.

The findings from the Filipino Report Card were reportedly used in, among others, the revision of the Philippines Medium Term Development Plan and the crafting of new poverty strategies and programs. However, the real potency of the Filipino Report Card in terms of bringing about improvement in government services and exacting accountability from government officials was lost, since it was relegated to a one-time exercise.

The Filipino Report Card could be a useful tool in legislative oversight in conjunction with the annual budget review and approval process by Congress.

As Allen Schick, a noted budget expert, pointed out: the appropriation process as an oversight technique is comparable to “the stick of spending reductions in case agencies cannot satisfactorily defend their budget and past performance, and the carrot of more money if agencies produce convincing success stories or the promise of future results”.

The Filipino Report Card could be very useful in the annual budget hearings of Congress. It provides the direct views of the ordinary citizens on the services funded by the government’s budget and provides an avenue for people participation in crafting the budget.

Using the findings from the Filipino Report Card, Congress through its “power of the purse” can exact accountability from the government service providers and effect constructive budget realignments to correct deficiencies and improve the strategic allocation and operational efficiency of public spending.

In the United States of America, all federal government agencies are required to submit their annual performance plans and accomplishment reports to Congress pursuant to the Government Performance and Results Act

of 1993. These annual agency performance plans are reviewed and studied by the General Accounting Office, a Congressional watchdog agency of the government, which then presents its findings and recommendations to Congress during the latter's review of the federal agency budget submissions. Another U.S. government agency known as the General Services Administration is tasked with conducting an independent assessment of the performance of the federal agencies through the American Customer Satisfaction Index.

The US experience provides a good model for institutionalizing customer or user feedback in strengthening government accountability in the Philippines. The Filipino Report Card could be expanded to cover other major and vital services of the government.

The Congressional Planning and Budget Department could be tasked with managing and reporting the results of the report card survey. The design, conduct and analysis of the survey could be done jointly with the National Statistics Office and other policy research institutions in the country.

PROPOSAL FOR A CONGRESS-COA
COOPERATION FOR OVERSIGHT ²⁵

9

— The Commission on Audit (COA) is vested with the power to examine and audit all receipts and expenditures or uses of government funds and property. It submits every year various annual reports to the President and to Congress on the financial conditions and operation of government (*including GOCCs and LGUs*).

To Congress, these reports could be valuable sources of information for oversight, policy and funding decisions. They indicate and identify accountable officials/agencies for any misuse of public funds or property, explain the circumstance when violations are committed, and recommend corrective action.

Value-for-money (VFM) audits could also provide Congress inputs as to how well certain programs, activities, and agencies are being managed based on economy, efficiency and effectiveness criteria. In particular, agency performance reviews can help Congress make

²⁵ This section was written by Ms. Dina Pasagui, Service Director -CPBD

decisions whether to discontinue or provide additional funding support, and propose for abolition or organizational adjustments as necessary.

COA produces audit reports on a regular basis but they have not been fully utilized by Congress. This may be due to a number of reasons: (a) absence of working relationship between COA and Congress; (b) lack of Congressional involvement in determining audit focus; (c) audit reports are usually filled with technical jargon addressed mainly to accountants; (d) reports are lengthy and time-consuming for busy Congress Members to process; and (e) orientation of reports are basically financial and may be difficult to relate to the set of legislative goals being examined by oversight.

Establishing the Congress-Audit Link.

The Commission on Audit is a constitutional body working independently of the Philippine Legislature. It sets its own audit focus that may not be entirely relevant to issues and priorities of Congress. By comparison, the Government Accountability Office (GAO) in the United States reports directly to the US Congress—hence, their greater congressional involvement in the selection of topics for performance audits.

The International Peer Review of the Performance Audit Practice of the United States GAO (April 2005) cites a number of good practices which can be considered when establishing a working relationship between the Philippine Congress and COA:

- (a) They have a six-year strategic plan that is updated periodically in consultation with Congress. Initially, the planning process involves the identification of key themes and high-risk areas—i.e., government programs that pose significant risks of *fraud*, *waste*, *abuse* and *mismanagement*—which will help ensure that requests for work are aligned with the strategic plan.

- (b) Before any audit is started, engagement acceptance meetings are held to determine the risk levels (*high*, *medium* and *low*) of each engagement based on *cost*, *complexity*, *controversy* of the work, and potential *access to records*. This practice helps ensure that GAO undertakes engagements that are within its scope of authority and competence, and that it preserves its independence to do future audit work.

- (c) The GAO has developed written protocols that provide clearly defined policies and practices to ensure objectivity and consistency in approaches when dealing with audit entities and all committees/Members of Congress. For example, the protocols define GAO's priority for initiating work and the factors it considers before accepting any congressional request.
- (d) Reports are designed for the convenience of readers by providing a Highlight Section (one-page summary of key points) which will help them decide whether to read the details in succeeding sections, a "letter to the requester" which serves as an executive summary (includes the context, approach and results), and appendices which presents the objectives, scope and methodology.

Initial Steps. There have been attempts to utilize COA reports to support policy making and oversight functions of Congress. The Congressional Planning and Budget Department (CPBD) has been preparing digests of selected COA Findings/Recommendations to provide

House Members with inputs during the deliberation of agency budgets.

COA reports and institutional annual financial reports, particularly on government corporations and local government units have been valuable sources of data in support of CPBD's research function for oversight and other policy studies.

To further maximize the use of audit information by Congress, the following measures may be taken:

- ❑ CPBD digest of Audit Findings and Recommendations should cover more agencies, and publication should be harmonized with the schedule of budget hearings in Congress.
- ❑ COA is urged to hold regular briefings upon publication of audit reports. This will give Congress Members better appreciation of the findings, opportunity to interact and clarify issues with auditors, and suggest improvements on audit design and focus.
- ❑ There is need to initiate the formulation of a protocol (similar to that of the US Congress and GAO) that will clearly define the policies for interaction between Congress and the Commission on Audit.

THE USE OF ICT IN LEGISLATIVE OVERSIGHT ²⁶

10

New ways of handling and communicating information now make it possible for public sector institutions to enhance their quality of service even when existing public resources are severely constrained. More importantly, new channels of interaction are changing traditional images of government—from a rigid and centralized monolith to an organization that relates to individual constituents with a new depth and frequency. Indeed, Information and Communication Technology (ICT) can add an entirely new dimension to government relationship to its stakeholders.

Various ICT applications in government transactions can also empower ordinary citizens to take greater control of their own agenda for deliberation. Among the many possibilities, electronic discussion boards may be set up, even in local dialects, so that specific proposals or grievances may be taken up for collective improvements in design and scope. This effectively overcomes barriers of language, literacy and localism that usually hinder people

²⁶ This section was written by Mr. Novel Bangsal, Service Director -CPBD

from participating in the policy process. In addition, such innovations can be used to provide organized feedback on the quality of government services and investment projects.

Improving oversight function through ICT.

Oversight is generally associated with performance audit/monitoring as part of the larger process of public expenditure management. Specifically, it entails extensive reporting and information generating activities to gather feedback on the outcome of specific policy actions of a given national government agency.

Like most government functions, the effective conduct of legislative oversight is constrained by lack of resources and proper coordination. It is apparent that a number of oversight activities are being performed in both executive and legislative departments.

But the mixed results of the impact of the programs and projects, particularly on pro-poor projects, show symptoms that the oversight processes in the country are inadequate. The disparate oversight activities by different government institutions strongly suggest lack of synchronization and coordination, which often

leads to duplication of activities and, worse, conflicting in impact assessments.

But what is a more glaring handicap, is the inadequacy of citizen feedback mechanisms. Congress must ensure that its constituency is knowledgeable on the conduct and affairs of the government. This aspect requires interaction with the constituents. One important element is the mechanism through which people can to convey their expectations of government's performance. Without such system, it would be difficult to secure meaningful participation in pursuit of effective oversight.

ICT can offer some solutions to these institutional challenges. One of the innovations being considered is the development of a "transactional" and inter-active web portal²⁷ that the CPBD of the House of Representatives hopes to establish and manage together with partner institutions, colleagues within Congress, and civil society organizations and local government units. The proposed web portal will provide a platform to spur community and networking activities like collaboration, knowledge exchange and conducting virtual meetings and conferences.


²⁷ Based on a project proposal submitted by CPBD to World Bank in 2005.

Other important services of the web-based portal are the provision of a specialized database for tracking pro-poor policy and government programs and recently approved laws, and establishment of a Virtual Private Network (VPN) service—a special digital communication tunnel that will allow direct exclusive links between CPBD and its partners.

But the success of this innovation will depend on the grassroots partnerships that will be developed. There is a crying need on the part of the grassroots—local citizens, community groups and non-government organizations; national and local government agencies; business enterprise, and others to get involved.

Equally important, while there is need to develop community infrastructure, Internet facilities and other ICT services have become very common even in far-flung provinces of the country. Still, the effort to create such an oversight web portal in tandem with the establishment of a network of civil society and non-governmental partners should be a helpful start in enhancing the oversight function of Congress. This will allow more citizens to have a direct “voice” in the public policy process.

FACTORS AFFECTING LEGISLATIVE OVERSIGHT 11



Research on legislative oversight has, nonetheless, lagged behind other areas of congressional behavior. Much of the extant literature is normative, i.e., stating what legislative oversight should and ought to be. Also, the limited case studies available while instructive are limited in their ability to propose a design that will precisely measure legislative oversight. In many cases, the unit of analysis is the individual congressman and his legislative actions rather than a multilevel analysis encompassing the individuals, the groups, the committees and the legislature as a whole.

The regularity, scope and nature of oversight activities generally depend on a combination of various attributes of the legislature that affects the workings of its functional units. The conduct of legislative oversight can be subject to the following factors:

A. *Individual Factors.* It is contended that “the scope and nature of oversight activities are directly related to the role

perceptions and role expectations of legislators”²⁸ Others suggest that “the amount and impact of oversight depends crucially on the importance attached to such behavior by legislators.”²⁹

Another analyst observed that the availability of sufficient resources will not stimulate oversight efforts “unless the personal, political career or policy rewards for a legislator doing it are greater than those to be secured from the investment of time and energy in other legislative activities.”³⁰

It is believed that a legislator could “get as much press from oversight and evaluation activity as from sponsoring bills”. Some legislators felt that constituents are “beginning to see that the number of bills sponsored is not the only or best indication of how good a legislator is doing.”³¹

Finally, since oversight is usually conducted at the committee level, it is also

²⁸ Lees, J (1977), “Legislatures and Oversight: A Review Article on a Neglected Area of Research”, *Legislative Studies Quarterly*, II, 2, (May): 193-208.

²⁹ Ogul, M. and Bert Rockman (1990), “Overseeing Oversight: New Departures and Old Problems”, *Legislative Studies Quarterly*, VX, 1 (February): 5-24.

³⁰ Elling, R (1984), “State Legislative Influence in the Administrative Process: Consequences and Constraints”, *Public Administration Quarterly*, (Winter).

³¹ Ibid.

important to note the perception of the Chairman of the Committee on how his committee should operate and how it will perform its oversight functions.

B. *Structural/Institutional Factors.* It is contended that there is no single pattern that explains oversight in all circumstances, but that it is most likely to occur when there exists a legal basis for such activity, adequate staff resources and a decentralized committee structure.³²

Increasing staff size has been viewed as a means of encouraging oversight. This is based on the assumption that larger legislative staffs increase the resources available to legislators, provides them permanent data collection and analytical capabilities independent of the executive branch and thus reduces legislative reliance on implementing agencies for information.

A contrary view, however, claims that a larger staff size does not necessarily result in the increase in the conduct of more systematic and effective oversight.

³² Ogul. 1976.

Conversely, when the overseer function is spread among several committees, this increases the executive agency's ability to fend off legislative control as committees tend to compete rather than to cooperate.

C. *Environmental Factors.* External factors are those which consist of the factors and forces external to the legislature. Five external factors have been identified that accounts for increased oversight, namely:

i. Increasing size and complexity of government. One of the reasons for the growth of bureaucratic power is that legislators have been willing to pass laws that leave considerable discretion to the agencies. One specific area is the increase in agency authority to promulgate rules and regulations based on fairly general and often unclear standards.

ii. Participation of new sectors interested in oversight. A well-developed civil society can contribute to the ability of the legislative in holding agencies accountable. In many developing countries, however, civil society is still weak, and they have less

knowledge and skills to contribute to legislative oversight.

iii. Form of government. It has been noted that parliamentary governments, have higher income levels, and are more democratic have more analytical tools and greater oversight potential.³³


iv. Income level. Oversight potential is also seen to be affected by income level. Thus, legislatures in low-income countries have, on average, a much smaller amount of oversight resources tools at their disposal compared to their counterparts in both middle and high income countries.

v. Level of democracy. Finally, the number of oversight tools is almost linearly related to the level of democracy, so that the more democratic a country is, the more oversight inputs and tools are at the disposal of that country's legislature.

³³ Pelizzo, R. and Rick Staphenurst (2004), "Tools for Legislative Oversight: An Empirical Investigation", World Bank Policy Research Working Paper 3388, September 2004.

MAJOR CHALLENGES AND RECOMMENDATIONS ³⁴

12

As the Congress conducts its oversight functions, it is challenged from many quarters by procedural, organizational, and coordination, cooperation and communication problems. In addition, there are clearly political problems, which also serve to exacerbate these challenges. Finally, logistical challenges have the net effect of dampening even the most noble and spirited campaign to improve governance of the bureaucracy through legislative oversight.

Information is Key. There is perhaps no argument that the most important consideration in any oversight effort is the need for timely, accurate, relevant, unbiased information. The legislative oversight experience in the country thus far has depended mostly on agency self-reports and other information coming from the Executive department. This is not to say that the said reports and information sources are not well founded or are inadequate. To be sure, the government people involved in a particular

³⁴ This section was jointly written by RV Vicerra and Dr. Clarita Carlos.

socio-economic domain are perhaps among the most knowledgeable professionals when it comes to analyzing that particular sector's needs and problems.

However, the paucity of third party information and independent evaluation of

outputs and outcomes can give the said agencies the upper hand in deciding policy directions. Likewise, it is not unusual to hear comments that "agency reports may have been 'sanitized'." In policy areas where the legislators themselves have had little or no prior exposure or involvement, the Executive department can easily dictate Congress' policy agenda. Indeed, Congress' most glaring handicap in this vital legislative function is the very lack of independent third party sources of information.

Executive Order. The recent issuance of Executive Order 464 has even made things worse for the Legislative. Requiring the prior consent of the Chief Executive for the appearance of all government personnel, (including those from the AFP and the PNP) in Congress budget hearings, has effectively proscribed the congressional oversight function. Until the Supreme Court rules on its constitutionality, any effort by either the House of Representatives and/or the Senate to monitor,

evaluate and seek accountability and responsibility of any agency of the government can be rendered inutile. Under this Executive Order, the concerned agencies or personnel can effectively prevent legislative investigations of corruption, wastage, ineffectiveness and inefficiencies in their respective units.

In-house Oversight Reports and Studies.

Still, the most serious procedural challenge involves the gathering, analysis and utilization of data for oversight purposes. There is little or no evaluation of the validity and reliability of agency reports and the performance criteria used to evaluate their programs and projects are seriously lacking. External examiners rarely validate the non-financial aspects of self-reports.

Reviews and analyses of agency reports are usually limited, deficient in methodology and incomplete. What passes for expert opinions are made by some think tanks and research groups that are also, for most parts, driven by availability of funding for their studies. Also, the quantity and quality of independent studies to aid in oversight is minimal because budgetary constraints prevent the commissioning of such independent studies by expert groups. Further, preliminary studies conducted on concerned agencies usually are uncritical, shallow and

incomplete. This is exacerbated by logistical limitations of the staff when fieldwork is required of such oversight. Data validity and reliability are also major concerns of legislative oversight work. The need for comprehensive data-bases integral to the oversight function cannot be overemphasized.

Logistics Problems. The continuing demand for logistical support in many congressional offices providing data, research and analytical studies for legislative oversight committees clearly demonstrates that even the most diligent congressional staff cannot perform well under conditions of either equipment lack or sharing of very limited equipment by numerous offices. Where the legislators themselves are unable to attend to the details of a particular monitoring activity or assessment studies, particular research units or committee staff should be assigned to conduct the technical consultations.³⁵

While adequacy of logistical support does not by itself guarantee successful legislative oversight, it is also quite clear that its lack will greatly hamper not only the actual oversight

³⁵ This was certainly the case in the 1960s when the Congressional Economic Planning Office (CEPO) was empowered to conduct its own technical consultations with various socio-economic sectors.

function of congressional committees but its support services as well. If a minuscule percentage of the “pork” that legislators of both Houses receive annually is channeled to the logistical requirements of its oversight committees and their support staff, this challenge can be addressed quite readily.

Knowledge Sharing. The lack of inter-office cooperation in terms of sharing of data, information and relevant documents is not an unusual occurrence. For instance, the agency involved does not provide the requested data in order to limit possible criticisms to its program outputs and outcomes. In some cases, some units even within Congress secretariat support groups may tend to adopt a policy of “exclusivity” with respect to information materials that they receive. The growing practice of *knowledge management* and information sharing is a basic measure to address this problem. However, it is a culture that still needs propagation in the government bureaucracy and among the support groups and staff within Congress.

What is to be done? The most important ingredient to strengthening and re-invigorating the congressional power of oversight is the political will on the part of the legislators themselves – and, perhaps, a deeper and

broader understanding of this area of responsibility. But first, it must be recognized that legislative oversight is not limited to the yearly budget hearings. Nor is it limited to congressional inquiries and “blue ribbon” investigations whenever there are allegations of wrongdoing in the bureaucracy.

Oversight must be seen in terms of the idea of “continuous watchfulness” and should, therefore, be organized, as an active year-round effort to assist the Executive in faithfully implementing the intent of the laws passed by Congress. This means that there should be conscious effort to study, monitor, analyze, assess and evaluate the most important, if not all, of the on-going policies, programs and projects of the government, in place of the current sporadic conduct of oversight in both houses of Congress.

Evidently, there is need for a stronger commitment by the country’s executive and legislative leadership to bring to fruition an effective legislative oversight function. There is also a need for a *modus vivendi*, a modicum of cooperation, among the executive and legislative branches of government that will allow for the effective oversight of the bureaucracy. It is also

quite plain that executive actions like the aforementioned EO 464 do not augur well for the success of any legislative oversight.

All these would require a combination of measures to generate the key informational inputs to be used by the legislators in the conduct of legislative oversight, to wit:

- ❑ Networking with the oversight agencies in the Executive department (i.e. COA, NEDA, DBM, NAPC, etc.) which regularly come up monitoring reports;
- ❑ Partnering with civil society, non-governmental organizations, other policy research institutions, and local government units in monitoring socio-economic data and developments in the field at the grassroots level;
- ❑ Supporting and strengthening the policy research and analytical capabilities of relevant units in Congress. This may mean additional training, increased staffing, revising internal operations providing for better equipment and training support;
- ❑ Conducting oversight committee hearings and oversight technical consultations on periodic and regular intervals;

- ❑ Obtaining the support of the media in reporting out oversight results and their implications;
- ❑ Creation of the proposed Web Portal on Oversight, which will include provision for accepting inputs from the general public, and for the establishment of a central database that is accessible to all concerned.

A National Policy Research Network. A suggestion to develop a network of independent policy research institutions in every region of the country will need the support of legislators and/or international funding organizations. This proposal should be designed to include among others a common training program on data and policy analyses, peer review of researches made, a common publication on Oversight, and, perhaps, at least twice a year conduct of Oversight conferences where legislators would be invited to react. Alternatively, the creation of an independent *National Institute for Strategic Studies* is likewise recommended as a possible critical source of expert opinion and studies conducted by natural and social scientists, who can be above the political fray. Evaluation and monitoring of agency performance, including

congressional performance, may also be done by these entities.

Conclusion. The results of key informant interviews done by the consultants confirmed that there is no shortage of congressional investments and oversight actions conducted at the House of Representatives over the years. However, the current practice in the Philippines gives emphasis to congressional investigations as the core of legislative oversight function. The goal of enhancing policy and legislation is a far second motive in the conduct of such function.

While, it is not for this study to make a judgment on the effectiveness of oversight efforts already done, it is highly evident that Congress needs to greatly enhance its own support mechanisms in gathering oversight information as a matter of course.

Liberal democracy, which is the fundamental philosophy of our political system, is based on the principles of accountability and responsibility. Legislative oversight is perhaps a function that can be placed at the core of this philosophy. The principle of separation of powers and checks and balances among the executive, legislature and judiciary is best

articulated in the effective functioning of legislative oversight. Thus, to the extent that procedural, organizational and other environmental factors and forces compromise legislative oversight processes, one can say that the foundation of representative democracy is also at risk.

The increasing complexity of government bureaucracy, the meshing of economies and the inter-linking of the economic and political life of our nation with those of other nations can only lead to greater demands for a more dynamic, sustained and effective governance of the political system.

Legislative oversight, indeed, is not only at the crux of the governance of the bureaucracy, it is also a key mission of the legislators that could give a richer meaning to the principles of representative democracy.

ANNEX I

Questions that can be asked during the Budget Authorization Phase³⁶

1. When reviewing the budget, legislators could focus on the following things, among others:

- the alignment of the goals and objectives of the department or agency in relation to the priorities of the National Government as indicated in the MTPDP and the NEP
- the priorities of the department or agency among its different programs, projects, and activities
- the relevance and expected impact of the programs, projects, and activities on targeted sectors
- the impact of previous programs, projects, and activities that require continued funding.
- the mechanisms of control set in place to ensure the efficient and proper utilization of financial resources

A. Alignment of goals/objectives to national priorities

1. What are the major goals of your department / agency? How are these related to, or consistent with the MTPDP? Or how do these goals fit in the priorities of the National Government?
2. What are the Key result areas (KRAs) of your department/agency, and what are the specific performance indicators (PI's), e.g. quantity, quality, timeliness, and cost of the programs or services you plan to implement?
3. What particular laws and public policies are your programs/services supporting or intend to implement?

³⁶ Taken from Edralin “Budget Oversight Handbook”

B. Priority programs and projects of the department/ agency

1. Based on your KRAs, what programs, projects, and activities do you intend to undertake?
2. Which of these programs/services would be considered the highest priorities of your department/ agency? Or please rank these programs/services in terms of priority (1-highest priority; 2- second highest priority and so on...)?
3. Are these programs/ services that could be undertaken later?

C. Relevance of programs and expected impact

1. Who are the target sectors or target beneficiaries of your programs/services? What programs/ services do you intend to provide these target sectors/beneficiaries?
2. What programs/services do you plan to implement at the: (a) local, (b) regional, and (c) national levels? Which of these programs/ services would have the greatest impact on your target beneficiaries.
3. What is the basis for the geographical and sectoral segmentation of your proposed / services.

D. Impact of previous/continuing programs

1. What has been the impact of the current programs, services of your department/agency that require continued funding?
2. What is the feedback of the targeted sectors/ beneficiaries concerning these programs/ services?
3. Why should the government continue to fund these programs/activities?

2. Questions that can be asked during the Budget Accountability Phase

In the budget accountability phase, legislators could focus on:

- the attainment of previously stated goals/ objectives
- the efficiency in the utilization of funds
- the impact of funded programs on targeted sectors
- the constraints that have led to failure in attaining goals

A. Attainment of previously stated goals

1. Based on the approved budget, what planned programs and services were achieved during the past year?
2. To what extent did the programs and services achieve your agency's / department's goals and objectives?
3. To what extent are your programs and services appropriate / relevant to the needs of the (a) areas— local, regional, national; and (b) sectors you targeted to serve?

B. Efficiency in the utilization of funds

- What is the level of your efficiency considering the actual achievements based on your performance indicators vis-à-vis your incurred obligations, personnel utilized, and other expenditures?
- To what extent have you become cost effective?
- What strategies have you adapted to efficiently mobilize and allocate your resources during the year?
- What schemes have you adopted to stay within the allotted budget?
- What is the status of your current assets and liabilities?

C. Impact of funded programs on targeted sectors

1. Why is there a need for some of your programs / services to continue?
2. What is the level of satisfaction of your intended beneficiaries?
3. What are your indicators to show that your agency / department has improved the quality of life of the Filipino, especially the poor?

D. Constraints/Difficulties

1. What prevented your department/agency from fulfilling its commitments/stated goods and objectives?
2. What can be done to address these difficulties?

E. Mechanisms of control

1. What are the bases of your set goals and objectives?
2. What are your indicators to show that your agency/department has been transparent and accountable in its actions and transactions?
3. What is the level of satisfaction of your intended beneficiaries?
4. What strategies have you adapted to efficiently mobilize and allocate your resources during the year?
5. What schemes have you adopted to stay within the allotted budget?

ANNEX II

Framework for Assessing the Performance of Legislative Oversight Bodies

Activity level (measurement of events and input resources)	<ul style="list-style-type: none"> ➤ Keeping up to date with legislative auditor's reports ➤ Cost and time of staff, members, witness and others involved
Output level (immediate visible results of committee work)	<ul style="list-style-type: none"> ➤ Recommendations made ➤ Recommendations followed up ➤ Recommendations implemented
Outcomes level (durable improvements in public administration)	<ul style="list-style-type: none"> ➤ Increased economy, efficiency, or effectiveness of government programs ➤ Better compliance with laws on regulation Improvements in financial and control structures, such as prosecution of wrong doers, stronger powers of legislative auditor ➤ Availability of more accurate, timely government information ➤ Enhanced public awareness of government programs ➤ Enhanced legislative knowledge about the state of management of programs

ANNEX III

Community Based Monitoring System (CBMS)³⁷

Since the early 1990s, the International Development Research Centre (IDRC) - Canada has supported the design and piloting of community-based monitoring and local development systems in selected countries in Asia and Africa through the Micro Impacts of Macroeconomic Adjustment Policies (MIMAP) research program. Community-based monitoring systems (CBMS), in which communities are active participants in monitoring their welfare and development situations, are often essential for the design, implementation and monitoring of poverty reduction strategies and programs.

Standard poverty monitoring systems (PMS) generally rely on a few heavy surveys (income-expenditure surveys, health surveys, census, etc.) that are too costly to be replicated frequently. Moreover, the coverage and reference periods of these surveys being different, it is impossible to get a comprehensive profile of the different socio-demographic groups of interest at a specific point in time. Also, the sampling designs of these surveys do not usually correspond to the geographical dis-aggregation needed for policy planning. As a result, standard PMS do not provide regular and up-to-date picture of the poverty status of vulnerable groups, making it difficult to take appropriate and timely measures to combat poverty.

The Community-Based Monitoring System (CBMS) addresses this need by frequently collecting carefully designed but relatively simple sets of indicators. Because it involves the participation of the communities in the collection and primary use of data, it is a low-cost and easy-to-sustain system. The information intended for village development planning is fed to municipal/city and provincial levels for budget and other related development programs decision-making. Over time, policymakers at all geopolitical levels are expected to monitor the impacts of programs, and determine whether conditions are improving, getting worse, or have remained the same. A major intent of CBMS is to aid in poverty reduction, but other important associated benefits include capacity building of local government units, increased gender equity, and early warning of crisis impacts.

³⁷ Taken from http://www.idrc.ca/uploads/user-S/11165145751cbms-brochure_january2004.pdf

The MIMAP Community-Based Monitoring System (MIMAP-CBMS) is an organized way of collecting information at the local level for use of local government units, national government agencies, non-government organizations and civil society. The CBMS has several features: (1) *it is LGU-based*; (2) *taps existing LGU personnel as monitors*; and (3) *has a core set of indicators*. Being LGU-Based, the CBMS adopts the concept of mobilizing and developing the capability of communities for data generation and utilization. The CBMS taps local personnel to do the data collection, processing and analysis of data. The key players at each geopolitical level include:

- Provincial Level: Provincial Planning and Development Office
- Municipal Level: Municipal Planning and Development Office
- Barangay Level: Barangay Development Council
- Community leaders and volunteers
- Health workers, nutrition scholars
- Teachers and students in some barangays

The CBMS adopts a core set of indicators covering the different dimensions of poverty. These indicators have been chosen based on the multi-dimensional aspects of poverty and have been confined largely to output and impact indicators. Table 1 shows the 14 core indicators. These indicators are recommended to be collected annually or at most every 2 years.

A. Health	1. Proportion of households with child deaths 2. Maternal mortality rate
B. Nutrition	3. Malnutrition prevalence
C. Shelter	4. Proportion of households living in makeshift housing 5. Proportion of households who are squatters 6. Proportion of households without access to sage water supply
D. Water and Sanitation	7. Proportion of households without access to sanitary toilet
E. Education/Literacy	8. Proportion of children 6-11 yrs old not in elementary school 9. Proportion of children 12-15 yrs old not in secondary school
F. Income	10. Poverty Incidence 11. Subsistence Incidence 12. Proportion of households who experienced food shortage
G. Employment	13. Unemployment Rate
H. Peace and Order	14. Proportion of persons who were victims of crime

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