



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

Fifteenth Congress
Third Regular Session

House Bill No. 5973

Introduced by Representatives RUFUS B. RODRIGUEZ,
MAXIMO B. RODRIGUEZ, JR. and JEFFREY P. FERRER

EXPLANATORY NOTE

Section 86 of the Comprehensive Dangerous Drugs Act of 2002 deals with the Transfer, Absorption and Integration of All Operating Units on Illegal Drugs into the PDEA and Transitory Provisions. It also provided for the abolition of the former NARC GROUP of the Philippine National Police (PNP), National Bureau of Investigation (NBI) and the Bureau of Customs (BOC) to give way for the creation of the Philippine Drug Enforcement Agency.

On June 18, 2003, the PNP Anti-Illegal Drugs Special Operations Task Force (PNP-AIDSOTF), the NBI Anti-Illegal Drugs Task Force (NBI-AIDTF) and the Bureau of Customs Task Force were created pursuant to Executive Order No 218 to strengthen the support mechanism for PDEA. At present, despite its interim nature and lack of regular funding, the PNP AIDSOTF and the NBI AIDTF still exist and continue to perform its anti-illegal drug operations in support of PDEA. Their accomplishments include the arrest and eventual convictions of Mayor Ronnie Mitra and Amin Imam Boratong; discovery and dismantling of multi-million peso clandestine laboratories; and the arrest of members of West African Drug Syndicates.

The transition period provided for by law under Section 86, within which the PDEA should have absorbed, transferred and integrated all operating units on illegal drugs has passed in 2007. PNP and NBI personnel who were assigned in detailed service at PDEA opted to go back to their respective mother units. Needless to say that Section 86 of Republic Act No 9165 had been met.

However, with the complexity of anti-illegal drug operations, involvement of organized crime groups in drug trafficking, recruitment of drug couriers and the presence of clandestine laboratories in posh villages and high end subdivisions, the government thrust's against illegal drugs should be intensified.

The illegal drug problem continues to be a constant social menace that permeates even the remotest barangay in the countryside. There must be a holistic approach and consolidated effort between and among the law enforcement agencies since the drug problem remains a law enforcement/police concern, and the PDEA, in reality, cannot address the drug problem without the indispensable support of other law enforcement agencies.

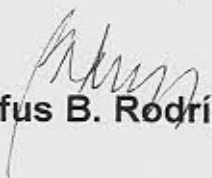
Dangerous Drugs will always remain as one of the primary concerns of the PNP, NBI and the Bureau of Customs as we recognize the social cost of the continuing drug problem that is correlated and intrinsically interwoven with the other forms of criminality.

Recently, statistics will bear that the over all anti-illegal drug campaign of the government has been weakened by the evolving misconception that the drug problem is no longer a PNP or NBI concern but solely of PDEA. The PNP and NBI is still looked upon by the public as law enforcement agencies primarily responsible in the conduct of anti-illegal drugs operations especially in the remote areas. Their decades of experience and expertise in the anti-drug campaign should not be undermined.

The PNP and NBI can also maximize building networks with foreign counterparts and international organizations that could extend technical and capacity building assistance for anti-drug operations. However, with the current interim set-up, international drug control agencies and organizations are hesitant to provide capability building assistance for their anti-drug operations.

It is high time to institutionalize the support mechanism of the PNP, the NBI and the BOC to the lead agency, the PDEA.

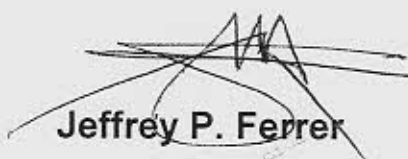
In view of the foregoing, early passage of this bill is earnestly requested.



Rufus B. Rodriguez



Maximo B. Rodriguez, Jr.



Jeffrey P. Ferrer

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**AN ACT TO INTENSIFY THE ANTI-DRUG CAMPAIGN OF THE
GOVERNMENT AMENDING FOR THE PURPOSE SECTION 86 OF
REPUBLIC ACT 9165 OTHERWISE KNOWN AS THE COMPREHENSIVE
DANGEROUS DRUGS ACT OF 2002**

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

1 **SECTION 1.** Section 86 of Republic Act No. 9165, otherwise known as
2 the Comprehensive Dangerous Drugs Act of 2002, is hereby amended to read
3 as follows:

4 **"SEC. 86. [Transfer, Absorption, and Integration of All**
5 **Operating Units on Illegal Drugs into the PDEA and**
6 **Transitory Provisions.] RELATIONSHIP BETWEEN PDEA**
7 **AND THE PNP, NBI AND BOC – [The Narcotics Group of**
8 the PNP, the Narcotics Division of the NBI and the Customs
9 Narcotics Interdiction Unit are hereby abolished; however
10 they shall continue with the performance of their task as
11 detail service with the PDEA, subject to screening, until such
12 time that the organizational structure of the Agency is fully
13 operational and the number of graduates of the PDEA
14 Academy is sufficient to do the task themselves: *Provided,*
15 That such personnel who are affected shall have the option
16 of either being integrated into the PDEA or remain with their
17 original mother agencies and shall, thereafter, be
18 immediately reassigned to other units therein by the head of
19 such agencies. Such personnel who are transferred,
20 absorbed and integrated in the PDEA shall be extended
21 appointments to positions similar in rank, salary, and other
22 emoluments and privileges granted to their respective
23 positions in their original mother agencies]. **THE PDEA**
24 **SHALL BE THE LEAD AGENCY IN THE ENFORCEMENT**
25 **OF THIS ACT, WHILE THE PNP, THE NBI AND THE**
26 **BUREAU OF CUSTOMS SHALL CONTINUE TO**
27 **CONDUCT ANTI-DRUG OPERATIONS IN SUPPORT OF**
28 **PDEA. TOWARD THIS END, THE PNP, NBI AND BOC**
29 **SHALL MAINTAIN THEIR RESPECTIVE PERMANENT**
30 **AND REGULAR ANTI-ILLEGAL DRUGS UNIT TO**
31 **STRENGTHEN THEIR SUPPORT MECHANISM TO PDEA:**

1 **PROVIDED, THAT SAID AGENCIES SHALL**
2 **COORDINATE WITH PDEA PRIOR TO THEIR**
3 **OPERATIONS AND INFORM THE PDEA OF THEIR ANTI-**
4 **DRUG OPERATIONS WITHIN (24) HOURS AFTER THE**
5 **TERMINATION OF THE INVESTIGATION AND ACTUAL**
6 **CUSTODY OF THE SUSPECTS OR SEIZURE OF ANY**
7 **DANGEROUS DRUGS AND CONTROLLED PRECURSOR**
8 **AND ESSENTIAL CHEMICALS: PROVIDED, FURTHER,**
9 **THAT THE NBI, PNP AND THE BOC SHALL MAINTAIN**
10 **CLOSE COORDINATION WITH THE PDEA ON ALL DRUG**
11 **RELATED MATTERS.**

12 "[The transfer, absorption and integration of the different
13 offices and units provided for in this Section shall take effect
14 within eighteen (18) months from the effectivity of this Act:
15 *Provided, That personnel absorbed and on detail service*
16 *shall be given until five (5) years to finally decide to join the*
17 *PDEA.]*

18 "[Nothing in this Act shall mean a diminution of the
19 investigative powers of the NBI and the PNP on all other
20 crimes as provided for in their respective organic laws:
21 *Provided, however, That when the investigation being*
22 *conducted by the NBI, PNP or any ad hoc anti-drug task*
23 *force is found to be a violation of any of the provisions of this*
24 *Act, the PDEA shall be the lead agency. The NBI, PNP or*
25 *any of the task force shall immediately transfer the same to*
26 *the PDEA: Provided, further, That the NBI, PNP and the*
27 *Bureau of Customs shall maintain close coordination with*
28 *the PDEA on all drug related matters.]"*

29 **SEC. 2. Separability Clause.** – If any of this Act or part hereof is held
30 invalid, or unconstitutional, the remainder of the law or the provisions not
31 otherwise affected shall remain valid and subsisting.

32 **SEC. 3. Repealing Clause.** – All laws, presidential decrees or
33 issuances, executive orders, letters of instruction, administrative orders, rules
34 and regulations contrary to or inconsistent with the provisions of this Act are
35 hereby repealed, modified or amended accordingly.

36 **SEC. 4. Effectivity.** – This Act shall take effect fifteen (15) days after
37 its complete publication in at least two (2) newspapers of general circulation.

38 Approved,