

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 7371

Introduced by: **“KUYA” JOSE ANTONIO R. SY-ALVARADO**

EXPLANATORY NOTE

The 1987 Constitution states that the Government must give importance to the education of the youth in order to nurture the knowledge, discipline and social development of the young generation. It aims to inculcate patriotism and nationalism, foster love of humanity, respect for human rights and teach them the rights and duties of being a citizen of the Philippines.

The Philippines’s national structure program relating to defense and security education is not given priority despite the challenging national security issues, terrorism activities and extremism among lawless groups. The State must create an enabling law that will promote the development of the defense and security education, research and training being offered by various defense and security academic institutions.

This bill intends to create a defense and security education that is responsive to the present predicaments related to national defense and security.

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

“KUYA” JOSE ANTONIO R. SY-ALVARADO

*Representative
First District of Bulacan*

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Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

AN ACT
ESTABLISHING THE PHILIPPINE DEFENSE UNIVERSITY
SYSTEM AND FOR OTHER PURPOSES

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

SECTION 1. **Title.** - This act shall be known as the "Philippine Defense University System of 2017".

SECTION 2. **Policy.** – It shall be the policy of the State to provide a continuing advanced education in the field of defense and security to outstanding and qualified men and women in the military service as well as to key officers in the government service and private sector. The State shall likewise ensure that defense and security education is holistic, integrated, comprehensive, and attuned to defense and security requirements of the country.

SECTION 3. Establishment of Philippine Defense University System - In furtherance of the policy enunciated in Section 2 of this Act, an educational institution known as the Philippine Defense University System (PDUS) shall be established.

j. Chancellor, PDUS

- Member

SECTION 4. **Objectives** – The PDUS shall be established to serve as the over-all administrative and operational educational institution in the field of defense and security education in the country. It shall aim to promote, to the highest degree possible, the enhancement and development of defense and security education, research and training in the country.

SECTION 5. **Organization and Administration** – The PDUS shall be organized as a bureau of the Department of National Defense (DND).

a. The PDUS shall be headed by a University President who shall be appointed by the President of the Philippines upon the recommendation of the Secretary of

National Defense. The University President of the PDUS shall have the rank of a Lieutenant General or a Department Undersecretary. The University President shall serve as the chief executive officer, chief academic officer, and head of the University Faculty of the PDUS. The University President shall likewise preside over the meetings of the autonomous schools and colleges of the PDUS and exercise powers specifically provided for in this Act, those determined by the Board of Regents, and such other powers as may be provided by related laws and executive issuances.

b. The University President shall be assisted by an Executive Vice-President and three (3) Vice-Presidents who shall be appointed in the same manner as the University President. The Executive Vice President shall have the rank of a Major General or a Department Assistant Secretary. The Executive Vice President shall act as University President of the PDUS in the absence or incapacity of the University President, and perform such other functions and duties as may be assigned by the University President or the Secretary of National Defense.

c. The PDUS Vice Presidents shall have the rank of a Department Director. The Vice President for Administration shall be responsible for providing overall administrative support to the activities of the PDUS; the Vice President for Academic Affairs shall be responsible for the development, implementation, supervision, and evaluation of academic programs; and the Vice President for Research shall be responsible for the conduct and supervision of research and special studies and policy formulation and review for the DND.

The PDUS shall likewise have an Academic Council who shall assist the University President in the discharge of the following functions:

2. Supervise the academic affairs of the University; Recommend academic consultants, professors, lecturers, instructors, research assistants and other resource persons of the University; and Recommend the courses of studies to be conducted by the University to accomplish its objectives.

3. The Academic Council shall be composed of the PDUS University President as Chair, the Vice President for Academic Affairs as Vice Chair, and the Heads of the PDUS constituent schools and colleges as well as the Heads of their respective faculties as Members, subject to the approval of the Secretary of National Defense as recommended by the PDUS University President.

SECTION 6. *Board of Regents* – The PDUS shall have a Board of Regents to be composed of the following:

- a. - Chairman -Vice Chairman
- Member
- Member Secretary of National Defense Director-General, National Security Council Director-General,

National Economic Development Authority Chairman, House Committee on Defense and Security Chairman, Senate Committee on Defense and Security Chief of

Staff, Armed Forces of the Philippines Secretary of Interior and Local Government Secretary of Budget and Management Chairman, Commission on Higher Education.

SECTION 7. Powers and Functions of the Board of Regents - The Board of Regents shall act on all matters related to the conduct of defense and security education in the country which shall include but not limited to the following:

a. To adopt and define the thrusts of the PDUS and provide policy guidelines to ensure their implementation;

b. To approve any proposal for revision, merger or abolition of any academic or training programs or curriculum offered in its autonomous schools and colleges;

c. To approve the graduation of students as recommended by their respective colleges and schools and confer honorary degrees upon persons in recognition of their outstanding contributions to defense and security of the country;

d. To approve and promulgate rules on admission and discipline of students as recommended by the Heads of the autonomous schools and colleges within the PDUS;

e. To approve proposals for the creation, organization, abolition, merger or reorganization of training and research centers and institutes within the PDUS and in each autonomous college and school;

f. To establish and maintain chairs in the autonomous schools and colleges and provide for fellowship and scholarship programs to faculty, staff and students who demonstrate exceptional merit and fitness;

g. To appoint heads of autonomous schools and colleges and other officials, to draw up a position classification and compensation plan for its faculty and staff, and to fix and adjust salaries and benefits of the faculty members and other employees; to determine their hours of service, and such other terms and conditions as it may deem proper; and to

h. To receive and appropriate all sums as may be provided by law for the support of the PDUS to the ends specified by law, and all other sums in the manner it may, in its discretion, determine to carry out the purposes and functions of this Act;

i. To authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real and personal property including the necessary supplies, materials and equipment;

j. To receive in trust legacies, gifts and donations of real and personal property of all kinds and to administer and dispose the same when necessary for the benefit of the PDUS and subject to the instructions of the donor, if any;

k. To propose, subject to the approval of the Secretary of National Defense, for the inclusion of other AFP training and education institutions not covered by Section 8 of this Act, into the PDUS system;

1. To delegate any of its powers to the PDUS University President or any other officials or officers as it may deem necessary; and

m. To prescribe rules for its own government and the discipline of the faculty and other personnel and to enact for the government of the University such general policies, rules and regulations, not contrary to law, as are consistent with the purposes of this Act. The Board of Regents shall have a regular meeting. A simple majority of all the members of the Board of Regents holding office at the time the meeting is called shall constitute a quorum.

SECTION 8. *The Constituent and Autonomous Schools and Colleges* – The following schools and colleges existing under the DND and Armed Forces of the Philippines (AFP) shall be reorganized and placed under the PDUS:

- a. The National Defense College of the Philippines (NDCP);
- b. The Command and General Staff College (CGSC); and c. The Philippine Military Academy (PMA);

The aforementioned schools and colleges shall have an autonomous status and shall be exempted from the standards, rules, and regulations prescribed by the Commission on Higher Education.

SECTION 9. *The National Defense College of the Philippines* - The National Defense College of the Philippines shall be the country's highest educational, research and training institution in the field of defense and national security. For this purpose, it shall maintain, establish and operate centers and institutes for research, training and continuing studies in the field of defense and national security in addition to the regular courses it currently undertakes.

SECTION 10. *Academic Programs of the NDCP* - Within two years after effectivity of this Act, the Academic Board of the NDCP shall offer, subject to the approval of the Board of Regents, the course curriculum and other requirements for the conduct of the Doctor of National Security Affairs (DNSA). Upon the approval of the course curriculum and other requirements by the Board of Regents, the NDCP shall immediately offer the DNSA program. Provided that no person shall be admitted to the program unless he is more than 40 years old at the time of admission, holder of a Master in National Security Administration (MNSA) degree, and with a rank of Colonel or Naval Captain if from the military or Assistant Secretary or its equivalent in the government service or Chairman, President or CEO of a private industry or corporation vital to national security and interest to be identified by the Board of Regents.

There shall be a regular review and enhancement of the courses and programs being offered by NDCP to address the evolving defense and national security requirements of the country remove them for cause as provided by law after due investigation and proper hearing;

SECTION 11. ***Promotion to General / Flag Rank.*** -The Master's in National Security Administration (MNSA) or its equivalent in military career development course shall be required for appointment or designation to key positions and promotion of AFP officers to the grade of O-7 (Brigadier General/Commodore).

SECTION 12. ***Grant of Commission to Civilian Graduates.*** - Subject to existing AFP regulations, civilian graduates of regular courses from NDCP may be commissioned as officers in the Reserve Corps of the AFP with the initial rank of lieutenant colonel for those who are holders of the MNSA degree. For those holding the degree of DNSA, the rank of full colonel may be given provided that the candidate is at least forty (40) years old and holds a rank equivalent to a Department Assistant Secretary.

SECTION 13. ***The Command and General Staff College.*** - The Armed Forces of the Philippines Command and General Staff College shall be placed under the operational and administrative supervision of the PDUS. All academic programs, training programs, curricula, modules currently conducted by the abovementioned colleges shall, upon effectivity of this Act and subject to existing DND and AFP regulations, be reviewed, evaluated and approved by the Board of Regents. There shall be a regular review and enhancement of the courses and programs being offered by CGSC to address the command and general staff academic requirements of AFP regular and reserve officers.

SECTION 15. ***The Philippine Military Academy.*** - The operational and administrative supervision over the Philippine Military Academy shall be transferred to the PDUS. All academic programs, training programs, curricula, modules currently conducted by the PMA shall, effectivity of this Act and subject to existing DND and AFP regulations, be reviewed, evaluated and approved by the Board of Regents. There shall be a regular review and enhancement of the courses and programs being offered by PMA to address the military academic requirements of the AFP cadets.

SECTION 16. ***Faculty Members and Consultants.*** - The PDUS shall have a core faculty composed of civilian and military professors, instructors and lecturers serving on a full-time basis. Upon the recommendation of the Academic Council, the Board of Regents shall appoint Senior Military Officers, with the rank of Brigadier General or higher, as members of the respective core faculty of the PDUS constituent academic institutions.

Consultants of the PDUS on serving on a part-time basis may be drawn from the military and civilian branches of the national government, from business, and from public and private educational institutions upon the approval of the PDUS Chancellor as recommended by the Academic Council. All instructors, professors and lecturers may be rotated and assigned to other autonomous colleges and schools if the exigency of service so requires. All academic consultants, professors, instructors or lecturers, whether civilian or military personnel, in addition to their regular salaries, shall be entitled to receive honorarium or fees as may be approved by the Board of Regents.

SECTION 17. ***Fiscal Autonomy.*** The PDUS shall enjoy fiscal autonomy. Pursuant to each authority to collect various fees in all academic and training courses, it shall be allowed to retain the proceeds of such collection and to appropriate the same for the regular expenditure of PDUS subject to government accounting rules and regulations. The PDUS may receive in trust legacies, devises, gifts, donations of real and personal property of all kinds and nature and to administer the same for the benefit of the PDUS in accordance with the instructions or directions of the donor or in default thereof, as the law on donation may provide.

SECTION 18. ***Personnel Details or Secondment.*** – Heads of bureaus and officers of the national government are hereby authorized to loan or transfer such apparatus or supplies as may be needed by the PDUS and to assign employees on detail or secondment for duty therein. For the purpose of promotion or other personnel transactions, service in the university either by uniformed or civilian personnel shall be counted as part of active service in their mother units.

SECTION 19. ***Promulgation of Implementing Rules.*** - The Secretary of National Defense is hereby empowered to promulgate rules and regulations to effectively implement the objectives and purposes of this Act.

SECTION 20. ***Initial Appropriations.*** - The amount of Five Hundred Million Pesos (P500,000,000.00) or such sum or sums as may be needed to carry out the provisions of this Act shall be appropriated and shall be carried generally under the DND in the General Appropriations Act.

SECTION 21. ***Repealing Clause.*** - All laws, decrees, executive orders, presidential issuances, rules and regulations or part thereof contrary to or inconsistent with any of provisions of this Act are hereby repealed or amended accordingly. If any part or provision of this Act is declared unconstitutional, the remaining provisions which are not affected thereby shall continue to have the force and effect of law.

SECTION 22. ***Effectivity.*** This Act shall take effect immediately upon approval.

Approved,

