



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
Second Regular Session

House Bill No. **8630**

Introduced by Representative TEODORICO "NONONG" T. HARESCO, JR.

AN ACT
PROVIDING FOR A NATIONAL DEFENSE ACT, TO FOSTER THE
SUPPRESSION OF INSURGENCY AND OTHER SERIOUS THREATS TO
NATIONAL SECURITY, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The 1987 Constitution affirms the State's commitment to national defense in pursuit of its mandate to protect the citizens' life, liberty, and property. Despite being embodied as national principles in the Constitution, national defense remains to be a complex and multi-dimensional matter. In fact, the current operative law on national defense in the country is still Commonwealth Act No. 1 or the National Defense Act of 1935.

With the ever-changing times, the existing National Defense Act of 1935 has fallen short in responding to the country's present political and social climate, including its identity as a sovereign nation-state. When the National Defense Act of 1935 was crafted, the country was in a time submerged in world war, in addition to its recent liberation from a four-decade colonial rule.

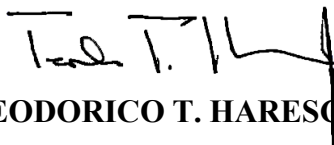
The proposed "National Defense Act" is a comprehensive measure that seeks to address the critical issues concerning the security and stability of our nation. In today's complex and ever-evolving global landscape, safeguarding the sovereignty and integrity of our country is of utmost importance. This proposed legislation aims to bolster the national defense apparatus, enhance the capabilities of our armed forces, and ensure a swift and decisive response to insurgency and other serious threats to our national security.

This proposed measure represents a significant step towards ensuring the safety and sovereignty of our beloved nation. By providing a comprehensive framework for national defense, this proposed legislation aims to foster an environment of peace, stability, and progress for our citizens. We firmly believe that through proactive measures and sustained efforts, we can suppress insurgency and other serious threats to national security, safeguarding our country's future for generations to come.

This bill seeks to establish a Comprehensive National Defense Act which will provide mechanisms and layout for the coordination of various agencies in addressing the multi-dimensional aspect of national security and defense. In addition, this proposed measure will also provide a link that will redirect the spirit of national defense from the National Defense Act of 1935 to the 1987 Constitution. The Department of the Interior and Local Government (DILG) shall be relieved of the primary responsibility on matters involving the suppression of insurgency and other serious threats to national security. The Department of National Defense shall support the Armed Forces of the Philippines (AFP) on matters involving suppression of insurgency.

This proposed legislation is also in consonance with the priority of the Marcos administration to create a National Defense Act in hopes of safeguarding the collective welfare and security of our nation.

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


TEODORICO T. HARESCO, JR

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "*National Defense Act.*"

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3 **SECTION 2. *Declaration of Policy.*** - It is hereby declared the policy of the State to establish
4 a highly efficient and competent national defense force which is national in scope and civilian
5 in character administered and controlled by the national defense department.

6
7 There is hereby created a comprehensive National Defense Act. The Department of National
8 Defense (DND) shall be a community and service-oriented agency responsible for the
9 maintenance of peace and order, public safety.

10
11 The DND shall be so organized to ensure accountability and uprightness in police exercise of
12 discretion as well as to achieve efficiency and effectiveness of its members and units in the
13 performance of their functions.

14
15 Towards this end, the State shall hereby provide an additional authorize funding of Two Billion
16 pesos (P2,000,000,000.00) to evolve and implement a comprehensive national program to the
17 suppression of insurgency and other serious threats to national security and to maintain the
18 continuity of its mandate.

19
20 **SECTION 3. *Appropriations.*** – The amount of Two Billion pesos (P2,000,000,000.00)
21 necessary to carry out the purposes of this Act shall be included in the annual budget of the
22 implementing agency in the General Appropriations Act (GAA) of the year following its
23 enactment into law and every year thereafter.
24

25 The state shall hereby authorize the DND to re-align its appropriations, in the current year of
26 the date of the effectivity of this Act to conform with its mandate and requirements.

27
28 **SECTION 4. *Role of the DND in Counter-Insurgency Functions.*** – The DND shall have the
29 primary responsibility on matters involving the suppression of insurgency and other serious
30 threats to national security. The DND shall, through information gathering and performance of
31 its functions, support the Armed Forces of the Philippines (AFP) on matters involving
32 suppression of insurgency, except in cases where the president shall call on the DND to support
33 the AFP in combat operations.

34
35 In times of national emergency, the Philippine National Police (PNP), the Bureau of Fire
36 Protection (BFP), and the Bureau of Jail Management and Penology (BJMP) shall, upon the
37 direction of the President, assist the armed forces in meeting the national emergency.

38
39 **SECTION 5. *Periodic Reports.*** – The DND shall submit periodic reports on its findings and
40 make recommendations on actions to be taken by Congress and Senate and the appropriate
41 department, and in order to carry out the objectives and mandates of this Act.

42
43 **SECTION 6. *Automatic Review.*** – Every three (3) years after the effectivity of this Act, an
44 independent review panel composed of experts to be appointed by the President shall review
45 the policies and programs in the DND and shall make recommendations, based on its findings,
46 to the President and to both Houses of Congress.

47
48 **SECTION 7. *Repealing Clause.*** – All laws, executive orders, issuances, rules and regulations
49 inconsistent with this Act are hereby amended, repealed or modified accordingly.

50
51 **SECTION 8. *Separability Clause.*** – If, for any reason or reasons, any portion or provision of
52 this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby
53 shall continue to be in full force and effect.

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55 **SECTION 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
56 publication in the Official Gazette and in any newspaper of general circulation.

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58 *Approved,*