NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

HOUSE OF REPRESENTATIVES
E-Filed
RECEIVED
DATE September 17, 2024
TIME 11:03 am
BY Reli
BILLS AND INDEX SERVICE

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 10921

EXPLANATORY NOTE

The Asia-Pacific region faces evolving security challenges due to geopolitical tensions, territorial disputes, and military assertiveness[1]. The geopolitical tensions in the Taiwan's straight certainly has military tension in the Northern Philippines as well as the tensions brought about by the West Philippine Sea dispute, the territorial and maritime disputes between several countries in the South China Sea, including the Philippines, China, Vietnam, Malaysia, Taiwan, and Brunei. These disputes primarily revolve around overlapping claims to various islands, reefs, and shoals in the region, as well as the rights to explore and exploit the resources, such as fisheries and potential oil and gas reserves. The Philippines, being strategically located in this region, must adapt its security posture to safeguard national interests.

Despite the landmark ruling by the Permanent Court of Arbitration (PCA) in 2016[2], tensions and disputes in the West Philippine Sea continue to persist, with occasional confrontations between naval forces and ongoing discussions and negotiations among the claimant countries to resolve the issues peacefully. The region's strategic importance, rich fisheries, and potential oil and gas reserves continue to make it a contentious and complex geopolitical issue.

One incident where a Chinese RHIB [Rigid Hull Inflatable Boat] arrived and rammed a Philippine Navy Boat that seriously injured a Philippine sailor, Seaman First Class Jeffrey Facundo of the Philippine Navy[3], who lost his right thumb while on a resupply mission, on June 17, 2024, to BRP Sierra Madre which was docked at Ayungin Shoal and well within the Exclusive Economic Zone (EEZ) of the Philippines. This incident is a clear indication of China's increasing military aggression in the West Philippine Sea.

Taiwan's geopolitical significance and proximity to the Philippines underscore the importance of preparedness. Heightened tensions between China and Taiwan necessitate vigilance. This gives rise for the AFP to exercise prudence and at the same time exercise greater vigilance and diligence in safeguarding the northern part of the Philippines to contribute to regional stability and deter potential threats.

While internal insurgencies have diminished, external threats persist. It is imperative therefore that the AFP must prepare for any eventuality[4], considering geopolitical dynamics and regional security concerns. The transition from internal security operations to external defense requires timely adjustments and coordination between the AFP and PNP.

Given this regional security development, the Department of National Defense is now geared towards the adoption of a new defense concept, the Comprehensive Archipelagic Defense Concept (CADC)[5], which is a long-awaited paradigm shift[6] in the country's defense strategy. This strategy entails a shift from an internal security focus to a more outward security

[1] https://www.iiss.org/publications/Adelphi/2021/Asias-New-Geopolitics
[2] https://docs.pca-cpa.org/2016/07/PH-CN-20160712-Press-Release-No-11-English.pdf
[3] https://www.inquirer.net/407382/ph-navy-man-who-lost-thumb-recounts-china-aggression-at-ayungin/
[4] https://www.pna.gov.ph/articles/1226649
[5] https://thediplomat.com/2024/04/a-paradigm-shift-in-the-philippines-defense-strategy/
[6] https://www.benarnews.org/english/commentaries/abuza-philippines-security-02212023060615.html

orientation of the military Therefore, the AFP plays a critical role in maintaining stability, ensuring territorial integrity, and responding to external threats.

The communist insurgency in the Philippines has spanned over 56 years, resulting in casualties and hindering development in affected areas. Since then, Internal Security Functions has been the traditional and primary role of the Armed Forces of the Philippines with the now-defunct Philippine Constabulary, one of its major service commands, as its main fighting unit tasked to handle its auxiliary force, through the Civilian Home Defense Force (CHDF). With the transition from the martial rule to the advent of the 1987 Constitution, the CHDF was deactivated, auxiliary force management was transferred to the Philippine Army with the creation of the Citizen Armed Force in Geographical Units (CAFGU) by virtue of E.O. No. 264 on July 25, 1987[7]. Auxiliary forces, such as the Civilian Armed Forces Geographical Units (CAFGUs), have played a crucial role as an augmentation force to Philippine Army units in dismantling guerrilla fronts and weakening armed components of the communist insurgency[8].

Through the years, the communist insurgency has evolved and transformed from active Marxist-Leninist-Maoist ideological advocacy with the ultimate goal of overthrowing the duly constituted government with a socialist/communist government and a classless society, to plain banditry and criminality with the use various modus operandi including but not limited extortion, collection of revolutionary taxes, ambuscade, liquidation, social media exploitation, deceptive recruitment activities among vulnerable sectors of society such as Indigenous Peoples, Farmers, Fisherfolks, Youths, Factory Workers, among others[9]. The communist insurgency's shift from ideological pursuit to criminal activities necessitates a recalibration of security measures. On the other hand, the government campaign against insurgency likewise evolved with the replication of enemy strategies and tactics such as adoption of Agitate, Organize, Mobilize (AOM) approach, use of "Cadre" Battalions, as well as the advent of modern legislation with the enactment of R.A. 11479 (Anti-Terrorism Act of 2020)[10] that repealed R.A. 9372 (Human Security Act of 2007)[11] and the issuance of E.O. 70 that institutionalized the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC)[12]. Relatedly, the AFP's experience in counter-insurgency demonstrates the need for the sustained adoption and implementations of the whole-of-nation approach to finally put an end to the evils of insurgency.

Based on the official accounts of the Armed Forces of the Philippines, the military establishment claims, with sufficient bases, that it is winning the war[13] against insurgency and may be prepared to turn over the primary role on Internal Security Operations to the PNP with the former retaining active support role. Thus, the National Security Policy 2023-2028 underscores the necessity for the government to transition the internal security operations (ISO) from the Armed Forces of the Philippines (AFP) to the Philippine National Police (PNP) to allow the AFP to effectively protect the country's territories and boundaries[14].

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[7]https://lawphil.net/executive/execord/eo1987/eo_264_1987.html#:~:text=All%20able%2Dbodied%20citizens%20shall,individually%20or%20as%20a%20unit.

[8] https://www.pna.gov.ph/articles/1125809; http://news.pia.gov.ph/article/view/1001442473367/afp-conducts-assessment-of-cafgu-performance; https://army.mil.ph/home/images/2021/trans-seal-21/sep-24-2021/AFS2018/iii._Executive_Summary.pdf

[9] https://www.philstar.com/headlines/2024/07/15/2370348/rep-france-castro-satur-ocampo-guilty-endangering-minors-court

[10] https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/2/92597

[11] https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/2/5340

[12] https://lawphil.net/executive/execord/eo2018/eo_70_2018.html

[13] https://www.gmanetwork.com/news/topstories/nation/902764/nsc-afp-to-crush-11-remaining-npa-fronts-by-end-2024/story/; https://www.pna.gov.ph/articles/1217155; https://newsinfo.inquirer.net/1797416/npa-only-has-one-active-guerrilla-front-says-afp-chief; https://www.pna.gov.ph/articles/1198271

[14] https://nsc.gov.ph/images/NSS_NSP/National_Security_Policy_Manual_FINAL_E-COPY_with_WATERMARK_140823.pdf

As the AFP transitions, timely turnover of ISO responsibilities ensures continuity. With the PNP's increasing and improving capacity to handle internal security, the AFP may now focus on external defense. With significant gains in ISO, the AFP can eventually shift to external security operations (ESO) as it strengthens its security posture with the increased conduct of aerial and surface maritime patrols, employment of air surveillance radar systems, monitoring of sea lines of communications and redeployment of naval special operations units and the Philippine Marines Corps, as well as its increased capacity and capability and professionalism brought by the AFP modernization and transformation programs.

Further, the AFP has significantly improved its capabilities and presence in strategic locations with the increase in the number of naval vessels and the effective presence of our maritime detachments in the Batanes group of islands and the West Philippine Sea. These are complemented by AFP partnering with its allies and strategic partner armed forces from global and regional allied countries that enables leveraging of capabilities through information sharing, subject matter expert exchange, and joint and combined maritime patrols which are realized through an interagency-wholistic effort through the National Task Force-West Philippine Sea. Moreover, the AFP also seeks further improvements on reserve force development, cyber defense, resource programming and prioritization, and human resource competencies.

As proven by the AFP experience in terms of its operational accomplishments in its campaign against communist insurgency and complemented by the whole-of-nation approach, utilizing auxiliary forces is a potent formula against internal security threats that seek to undermines its democratic institution and frustrates the national government's gains in improving the welfare of the people. Therefore, there is urgency and necessity in transferring the Internal Security Operation functions from the AFP to the PNP and establishing and maintaining the Police Auxiliary Force.

In view of the foregoing, immediate approval of this measure is earnestly requested

RUFUS B. RODRIGUEZ

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 10921

AN ACT
TRANSFERRING THE INTERNAL SECURITY OPERATION FUNCTIONS FROM THE ARMED FORCES OF THE PHILIPPINES TO THE PHILIPPINE NATIONAL POLICE ESTABLISHING THE PNP AUXILIARY FORCE, AMENDING FOR THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 8551, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. This Act shall be known as the "*Internal Security Operations and Police Auxiliary Force Management Act*".

SECTION 2. Declaration of Policy and Principles.

The prime duty of the Government is to serve and protect the people. Likewise, the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

It is hereby declared the policy of the State to effectively address all threats to internal security as it adopts the *whole-of-nation* approach in confronting and solving the root causes of insurgency and other sources of internal threats. Towards this end, the State shall support and reinforce a seamless community and development-oriented system of coordination and cooperation among agencies of the government, including local government units, with the support of the citizenry.

To promote efficiency and accountability in public service, it being a public trust, the State shall take concrete steps in ensuring the cost-effective implementation of public safety and internal operations to address insurgency and other sources of internal threats through the use of police auxiliary forces and other force multipliers as well as other related program components.

SECTION 3. Definition of Terms. As used in this Act:

(a) Active Support – refers to the collaborative efforts where the AFP actively assists the PNP in addressing internal security threats, such as in countering insurgency and terrorism. This also includes sharing of personnel, material, intelligence, systems, and technology resources.

(b) Administrative Control – the exercise of directive and coordinative authority over subordinate or other organizations with respect to administration and support, including organization of auxiliary forces, control of resources and equipment, personnel management, unit logistics, individual, unit, and joint training, discipline and other matters not included in the operational functions of the subordinate or other organizations.

(c) Auxiliary Force - also known as "militia", "paramilitary", or "irregular force" in military parlance or "civilian volunteer organizations", "barangay police action

teams", "police auxiliary units", "force multipliers" in police parlance , refers to an entity within a law enforcement organization designed to assist in addressing and performing specific law enforcement functions such as internal security, anti-criminality, peacekeeping, or public safety.

(d) Combat Operations – offensive operations that are carried out by the PNP with the objective of destroying or neutralizing enemy combat forces if after the area has been declared SIPS Zone/Area a resurgence has taken place.

(e) Conflict-Manageable Stage – in this stage, insurgency in the provinces is classified as Passive (DND-DILG, 2006). Passive Phase refers to the level or category of progression of insurgency in a conflict-affected area. More specifically, this is limited to criminal acts, usually characterized by the presence of at least 30 armed group insurgents with low capability to initiate violent attacks and sporadic occurrences of NPA-related violent incidents (PNP Directorate for Operations, 2023).

(f) Coordinative Authority – authority given to a commander or individual to coordinate specific functions or activities involving two or more forces. This includes the authority to require consultations between the agencies involved but not the authority to compel the other unit/agency to enter into an agreement (DND-DILG, 2006).

(g) Counterinsurgency – refers to activities designed to protect, defend, and preserve internal security against Communist Terrorist Groups (CTG) (PNP, 2010). It includes various lines of efforts in addressing CTG namely: Community Support Program, Focus Police and Military Operations, Law Enforcement Operations, Legal Offensive, Inter-agency Engagement, Intelligence Operations, Information Operations, Cyberspace Operations, Support to other Clusters, Critical Infrastructure Protection Security Operations, and International Police Engagement/International Defense Security Engagement (AFP-PNP, 2018).

(h) Counterinsurgency Operations Program - refers to a long-range program of the Philippine National Police designed to ultimately defeat the insurgency problem in the country using a set of strategies, techniques, and tactics in intelligence gathering and analysis, law enforcement operations, legal offensive, and community engagement following the operational methodology of Shape, Clear, Transform, and Sustain.

(i) Criminal Justice System – is both a criminological and a sociological concept in the enforcement, administration, and dispensation of justice in a particular society composed of 5 pillars namely, Law Enforcement, Prosecution, Courts, Corrections, and Community. While each pillar is considered exclusive, coefficient, co-existent, and distinct, all four pillars inevitably belong to the community pillar which encompasses all the other pillars.

(j) Directive Authority – authority given to an operational commander to issue necessary directives to subordinate commanders to ensure compliance to a specific order (DND-DILG, 2006).

(k) Information Operations – is the integrated and synchronized use of selected military and non-military capabilities to affect friendly, neutral, and adversarial human and automated decision-making systems while protecting its own (DND-DILG, 2006).

(l) Insurgency – refers to an organized, protracted politico-military struggle designed to weaken the control and legitimacy of an established government, occupying power, or other political authority while increasing insurgent control (Jomalesa, 2017). It can also mean a form of rebellion in which a dissident faction instigates the commission of acts of civil disobedience, sabotage, and terrorism and wages irregular warfare in order to overthrow a government or disintegrate part of its national territory in its ultimate stages. It could escalate to a conflict on conventional lines. Although insurgency often starts internally, it has seldom been known to succeed without outside assistance, support, and encouragement (DND-DILG, 2006) (AFP-PNP, 2011) (PNP, 2014).

(m) Insurgency Stage – this stage refers to the condition of a province/area classified as Active or Less Active insurgency (DND-DILG, 2006).

(n) Internal Security Operations – activities designed to preserve internal security against insurgents, secessionists, or terrorists. Among others, these include community defense operations, intelligence, combat, military and police civil relations, legal offensives, police internal security operations, and psychological operations (DND-DILG, 2006).

(o) Joint PNP-AFP Intelligence Committee (JPAIC) – refers to the body created by virtue of the PNP-AFP Joint Standing Operating Procedures, shall be the source of the authenticity of the Former Rebels.

(p) Joint PNP-AFP Intelligence Committee Certification – issued by the Joint PNP-AFP Intelligence Committee (JPAIC). This certificate confirms any of the following: a) the fact that the applicant was a Former Rebel and b) exemption to any of the following requirements: age, residency, educational attainment, and/or clearance.

(q) Law Enforcement Operations (LEOs) – the performance of the police of their duties and responsibilities in relation to their powers and functions as mandated by law. These cover a wide range of activities such as, but not limited to: enforcement of laws; civil disturbance and disaster management; anti-terrorism; counter-terrorism; deployment of troops; internal security operations; and community- oriented policing, with due regard to human rights (DND-DILG, 2006).

(r) Lead Role – also referred to as Primary role, shall mean providing the principal planning, direction control, and resources for the conduct of operations (DND-DILG, 2006).

(s) Legal Offensive – refers to the use of legal measures and judicial processes (including but not limited to case build-up; preparation and certification of judicial affidavits; gathering of evidence; criminal investigation; filing of verified complaints; among others) to combat and suppress activities deemed illegal and harmful, such as but not limited to terrorism, rebellion, insurrection, or any other similar or analogous crime against the State including predicate crimes.

(t) NCIP Certification – issued by the National Commission on Indigenous Peoples (NCIP) in the Philippines. This certificate confirms any of the following: a) the authenticity and ethnicity of an individual as a bona fide member of an Indigenous Cultural Community/Indigenous Peoples (ICCs/IPs) as defined by Republic Act No. 8371, also known as the Indigenous Peoples' Rights Act of 1997 and b) exemption to any of the following requirements: age, residency, educational attainment, and/or clearance.

(u) Normalization – the process of stabilizing the security situation in an area where the civil authorities have total control of the state of affairs of the locality to make the government work, delivering basic services to the people by the appropriate government agencies and rendering insurgency irrelevant (DND-DILG, 2006).

(v) Operational Control – the exercise of directive and coordinative authority to perform functions over subordinate units/forces involving organizing and employing commands and forces, assigning tasks, designating objectives necessary to accomplish the mission. OPCON includes coordinative and directive authority over all aspects of public safety and internal security operations necessary to accomplish missions assigned to the force. OPCON normally provides full authority to organize commands and forces and to employ and deploy those forces, including but not limited to mobilization/demobilization, as the commander in operational control considers necessary to accomplish assigned tasks.

(w) Police Auxiliary Force (PAF) – refers to the auxiliary force of the PNP that supports the organization in various capacities. These include public safety and internal security operations; law enforcement operations; humanitarian operations; search, rescue, and retrieval operations; community organization and development activities; data gathering activities; information operations; and other similar or analogous activities/operations.

(x) Red Area – is a predominantly rural area where a landlord-peasant contradiction exists. This is an area, normally a typical farming barangay or a fishing community, within a guerilla front. It is the base of political organs and armed units necessary to advance the revolution under the strategy of encircling the cities from the countryside. The Red Area provides the armed presence necessary to maintain a psychological environment required to advance AOM activities and a secured place of refuge for activists from the White Areas (GHQ-AFP and NHQ-PNP, 2020).

(y) Service-essential equipment – refers to the tools and resources that are crucial for the effective execution of safety and security tasks essential for maintaining operational readiness and effectiveness in addressing internal security threats.

(z) Support Role – shall mean assisting the lead agency with adequate personnel, material, intelligence, systems, and technology resources.

(aa) Support to Combat Operations – assistance to the lead agency in terms of personnel, material, intelligence, systems, and technology resources within the capability of the supporting agency during the conduct of combat and law enforcement operations.

(bb) Suppressed Insurgency Stage – under this stage, insurgency in the province is Dormant (DND-DILG, 2006). Dormant phase - refers to the level or category of progression of insurgency in a conflict-affected area. More specifically, this is limited to movements and sightings, presence of 10 insurgents with limited capabilities, and no occurrence of NPA-related violent incidents (PNP Directorate for Operations, 2023).

(cc) Stable Internal Peace and Security - in this stage, the provinces are categorized as Cleared and Unaffected and are relatively peaceful. The LGU-PNP acknowledges and accepts that only LEOs are needed in the province and will signify that the province is already normalized (DND-DILG, 2006).

(dd) White Area – is a technical term (initially used by CTG and adapted by the AFP-PNP) which refers to areas where CTG influence is exerted through legal struggle as their primary strategy and armed struggle such as partisan operation (SP ARU/Liquidation), the secondary. These are usually urbanized a r e a s where government and political structures are established; center of commerce and of population, which Is dominated by laborers, professionals, and students; and the control arid influence over resources, primarily population (masses) are contested by the government and the CTG (GHQ-AFP and NHQ-PNP, 2020).

(ee) Whole-of-Nation Approach – is a multi-stakeholder effort borne out of partnerships with different government institutions, non-government stakeholders, such as NGOs and CSOs, and the local communities. It is not just burden-sharing, but it is creating a concept and understanding of security that is shared not just among security forces and government institutions but also with civil society and the communities (DND-DILG, 2006).

SECTION 4. Section 12 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 12. Relationship of the Department with the Department of National Defense. – The Department of the Interior and Local Government shall EXERCISE the primary responsibility on matters involving the suppression of insurgency and other serious INTERNAL SECURITY THREATS. THE ARMED FORCES OF THE PHILIPPINES SHALL PROVIDE ACTIVE SUPPORT TO THE PHILIPPINE NATIONAL POLICE ON MATTERS INVOLVING SUPPRESSION OF INSURGENCY, EXCEPT IN CASES WHERE THE PRESIDENT SHALL CALL ON THE AFP TO SUPPORT THE PNP IN COUNTERINSURGENCY OPERATIONS.

"In times of national emergency, the PNP, the Bureau of Fire Protection, and the Bureau of Jail Management and Penology shall, upon the direction of the President, assist the armed forces in meeting the national emergency."

SECTION 5. Section 24 of Republic Act No. 6975 is hereby amended to read as follows:

Section 24. Powers and Functions. – The PNP shall have the following powers and functions:

(a) Enforce all laws and ordinances relative to the protection of lives and properties;

(b) Maintain peace and order and take all necessary steps to ensure public safety;

(c) PERFORM PUBLIC SAFETY AND INTERNAL SECURITY OPERATIONS AGAINST ALL FORMS OF INTERNAL SECURITY THREATS EXCEPT EXTERNAL THREATS THAT ENTAIL TERRITORIAL/EXTERNAL DEFENSE STRATEGIES AND MEASURES;

(d) Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice, and assist in their prosecution;

(e) Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;

(f) Detain an arrested person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution;

(g) Issue licenses for the possession of firearms and explosives in accordance with law;

(h) Supervise and control the training and operations of security agencies and issue licenses to operate security agencies, and to security guards and private detectives, for the practice of their professions; and

(i) Perform such other duties and exercise all other functions as may be provided by law.

SECTION 6. Stages or Phases of Internal Security (Insurgency to Stable Peace and Security Spectrum). – The following stages: Insurgency Stage, Conflict-Manageable Stage, Suppressed Insurgency Stage, and Stable Internal Peace and Security Stage with their corresponding parameters, conditions, and guidelines, shall be the basis of the declaration of SIPS Zone or areas in the country as provided for in the Implementing Rules and Regulations under Section 19 of this Act.

SECTION 7. SIPS Zone/Area Turnover to the PNP. – On the basis of a joint AFP-PNP declaration of a SIPS Zone/Area, the same must, mandatorily, immediately, and without any further delay, be turned over to the PNP in so far as internal security operations and police auxiliary force management are concerned.

SECTION 8. Status of members of the Police Auxiliary Force.

(a) General Qualifications for Appointment. – Members of the Police Auxiliary Force shall be appointed based on the guidelines to be promulgated by the CPNP upon the recommendation of the Police Auxiliary Force Admissions Committee headed by the Director for Personnel and Records Management with the Director for Police Auxiliary Force as the Head Secretariat.

(b) No person shall be appointed as a member of the Police Auxiliary Force unless he possesses the following qualifications:
    (1) Natural-born Filipino Citizen;
    (2) Not more than 51 years old upon admission;
    (3) Must be a resident of the Barangay for a period of not less than six (6) months six where he/she is seeking admission;
    (4) Must be at least a high-school graduate;
    (5) Must be physically and mentally fit for training or auxiliary service duty; and
    (6) Must not have been convicted of a crime involving moral turpitude.

(c) The minimum qualification standards for aspiring members of the Police Auxiliary Force who are either members of Indigenous Peoples, as certified by the National Commission on Indigenous Peoples (NCIP) or Former Rebels, as certified by the Joint PNP-AFP Intelligence Committee (JPAIC) shall be the following:
    (1) Natural-born Filipino citizen;
    (2) Age: Subject to NCIP/JPAIC certification/evaluation;
    (3) Residency requirement: Subject to NCIP/JPAIC certification/evaluation;
    (4) Educational attainment: Subject to NCIP/JPAIC certification/evaluation;
    (5) Must be physically and mentally fit for training; and
    (6) Clearance requirement: Subject to NCIP/JPAIC certification/evaluation

(d) All CAFGUs who signified their intention and willingness to be absorbed to be members of the Police Auxiliary Force shall, upon evaluation of the CAFGU Ad-hoc Integration Committee, be deemed absorbed and appointed as members thereof subject to the following terms and conditions as prescribed under as provided for in the Implementing Rules and Regulations under Section 19 of this Act.

(e) Members of the Police Auxiliary Force shall be entitled to the following:
    (1) Monthly subsistence allowance to be fixed by law but shall not be less than Php8,000.00;
    (2) Combat Clothing and Individual Equipment;
    (3) Training Allowance;
    (4) Hospitalization and medical benefits;
    (5) Disability benefits;
    (6) Death and burial benefits;
    (7) Separation Gratuity;
    (8) Other special financial assistance as may be provided by law; and
    (9) Maintenance and Operational Expenses.

(f) Members of the Police Auxiliary Force shall be required to undergo the following training:
    (1) Basic Internal Security Operations Support Training;
    (2) Basic Law Enforcement Operations Support Training;
    (3) Basic Humanitarian Operations Support Training;
    (4) Basic Search, Rescue, and Retrieval Operations Support Training;
    (5) Community Organization and Development Support Training;
    (6) Basic Information Collection Support Seminar;
    (7) Basic Service-Essential Equipment Training; and
    (8) Such other trainings and seminars that may be required by the Training Committee, Directorate for Police Auxiliary Force.

SECTION 9. Functions of Police Auxiliary Force. – All members of the Police Auxiliary Force shall perform the following functions:

(a) When mobilized/deployed as an augmentation force, assist in the enforcement of all laws and ordinances relative to the protection of lives and properties;

(b) When mobilized/deployed as an augmentation force, maintain peace and order and take all necessary steps to ensure public safety;

(c) When mobilized/deployed as an augmentation force, perform public safety and internal security operations; law enforcement operations; humanitarian operations; search, rescue, and retrieval operations; community organization and development activities; data gathering activities; information operations; and other similar or analogous activities/operations;

SECTION 10. Section 35 of Republic Act No. 6975 is hereby amended to read as follows:

"Support Units. — The PNP shall be supported by administrative and operational support units. The administrative support units shall consist of the Crime Laboratory, Logistic Unit, Communications Unit, Computer Center, Finance Center and Civil Security Unit. The operational support units shall be composed of the Maritime Police Unit, Police Intelligence Unit, Police Security Unit, Criminal Investigation Unit, Special Action Force, POLICE AUXILIARY FORCE, Narcotics units, Aviation Security Unit, Traffic Management Unit, the Medical and Dental Centers and the Civil Relations Unit. To enhance police operational efficiency and effectiveness, the Chief of the PNP may constitute such other support units as may be necessary subject to the approval of the Commission: Provided, That no support unit headed by a chief superintendent or a higher rank can be created unless provided by law. xxx

(b) Operational Support Units. — (1) Maritime Police Unit. Headed by a Director with the rank of chief superintendent, the Maritime Police Unit shall perform all police functions over Philippine territorial waters and rivers.

(2) Police Intelligence Unit. — Headed by a Director with the rank of chief superintendent, the Police Intelligence Unit shall serve as the intelligence and counterintelligence operating unit of the PNP;

(3) Police Security Unit. — Headed by a Director with the rank of chief superintendent, Police Security Unit shall provide security for government officials, visiting dignitaries and private individuals authorized to be given protection;

(4) Criminal Investigation Unit. — Headed by a Director with the rank of chief superintendent, the Criminal Investigation Unit shall undertake the monitoring, investigation and prosecution of all crimes involving economic sabotage, and other crimes of such magnitude and extent as to indicate their commission by highly placed or professional criminal syndicates and organizations;

This unit shall likewise investigate all major cases involving violations of the Revised Penal Code and operate against organized crime groups, unless the President assigns the case exclusively to the National Bureau of Investigation (NBI);

(5) Special Action Force. — Headed by a Director with the rank of chief superintendent, the Special Action Force shall function as a mobile strike force or reaction unit to augment regional, provincial, municipal and city police forces for civil disturbance control, counterinsurgency, hostage-taking rescue operations, and other special operations;

(6) POLICE AUXILIARY FORCE – HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL. THE POLICE AUXILIARY FORCE SHALL FUNCTION AS A SUPPORT UNIT TO AUGMENT PNP FIELD/OPERATING UNITS IN PUBLIC SAFETY AND INTERNAL SECURITY OPERATIONS;

(7) Narcotics Unit. — Headed by a Director with the rank of chief superintendent, the Narcotics Unit shall enforce all laws relative to the protection of the citizenry against dangerous and other prohibited drugs and substances;

(8) Aviation Security Unit. — Headed by a Director with the rank of chief superintendent, the Aviation Security Unit, in coordination with airport authorities, shall secure all the country's airports against offensive and terroristic acts that threaten civil aviation, exercise operational control and supervision over all agencies involved in airport security operation, and enforce all laws and regulations relative to air travel protection and safety;

(9) Traffic Management Unit. — Headed by a Director with the rank of chief superintendent, the Traffic Management Unit shall enforce traffic laws and regulations;

(10) Medical and Dental Centers. — Headed by a Director with the rank of chief superintendent, the Medical and Dental Centers shall be responsible for providing medical and dental services for the PNP; and

(11) Civil Relations Units. — Headed with a Director with the rank of chief superintendent, the Civil Relations Unit shall implement plans and programs that will promote community and citizens' participation in the maintenance of peace and order and public safety. xxx"

SECTION 11. Organization of Police Auxiliary Force. – Following the community/village defense concept, Police Auxiliary Forces shall be established, organized, and maintained in all barangays throughout the country whenever feasible or necessary as determined by the CPNP through the recommendation of the Directorate for Police Auxiliary Force.

(1) Director, Police Auxiliary Force. – The head of the Directorate who holds the rank of Police Major General shall assist the CPNP in providing appropriate overall management, direction, supervision, and control of all members of the Police Auxiliary Force in the country;

(2) Deputy Director. – With the rank of Police Brigadier General, shall assist the Director for Police Auxiliary Force in the proper implementation of administrative and operational policies, procedures, and guidelines governing members of the Police Auxiliary Force;

(3) Executive Officer. – With the rank of Police Colonel, shall be responsible in the supervision of the divisional staff on the proper implementation of administrative and operational policies, procedures, and guidelines governing members of the Police Auxiliary Force;

(4) Personnel, Training, and Records Management Division. – Headed by a Division Chief with the rank of Police Colonel, shall assist and advise the Director for Police Auxiliary Force in human resource management functions, including but not limited to manpower procurement, personnel records and reports, morale and welfare, personnel services and personnel procedures, recruitment, selection, appointment, re-appointment/replacement, attrition, separation, training, and records management;

(5) Operations and Plans Division. – Headed by a Division Chief with the rank of Police Colonel, shall assist and advise the Director for Police Auxiliary Force in the coordination of all activities and operations, including but not limited to employment and deployment of Police Auxiliary Forces in support to public safety and internal security operations; law enforcement operations; humanitarian operations; search, rescue, and retrieval operations; community organization and development activities; data gathering activities; information operations; and other similar or analogous activities/operations;

(6) Community Affairs Division. – Headed by a Division Chief with the rank of Police Colonel shall assist and advise the Director for Police Auxiliary Force in planning, directing, coordinating, and supervising the implementation of sustainable programs for citizen's participation in the maintenance of public order including peace policy for socio-economic development, value orientation, and continuing education, gender awareness and development, auxiliary force multiplier development;

(7) Logistics and Supply Management Division. – Headed by a Division Chief with the rank of Police Colonel shall assist and advise the Director for Police Auxiliary Force in the administration and management of logistics and related functions;

(8) Financial Management Division. – Headed by a Division Chief with the rank of Police Colonel, shall assist and advise the Director for Police Auxiliary Force in budgeting, accounting, financial management, and internal auditing matters; and

(9) Police Auxiliary Inspectorate Division. – Headed by a Division Chief with the rank of Police Colonel shall assist and advise the Director for Police Auxiliary Force in pro-actively conducting inspections and audits on members of the Police Auxiliary Force and units; investigating complaints and gathering evidence in support of an open investigation; conducting summary hearings on members of the Police Auxiliary Force facing administrative charges; periodic submission of reports on the assessment,

analysis, and evaluation of the character and behavior of members of the Police Auxiliary Force.

(10) Relationship of Police Auxiliary Force with Regional Mobile Force Battalions. – The Police Auxiliary Force shall exercise administrative control over members of the Police Auxiliary Force while Regional Mobile Force Battalions of Police Regional Offices nationwide shall exercise operational control which shall include but not limited to direction, command and control, coordination, supervision of employment and deployment of Police Auxiliary Forces in support to public safety and internal security operations; law enforcement operations; humanitarian operations; search, rescue, and retrieval operations; community organization and development activities; data gathering activities; information operations; and other similar or analogous activities/operations.

(a) The Police Auxiliary Force Battalion shall be organized and function in accordance with the prescribed organization structure of Annex "A" of this Act;

(b) Duties and responsibilities of PNP members assigned in Police Auxiliary Force battalions, companies, and platoons shall be prescribed in the IRR under Section 19 of this Act;

(c) The deployment of a Police Auxiliary Force platoons in a particular barangay shall be based on the assessment of the Director, Police Auxiliary Force as recommended by the Regional Director of Police Regional Offices;

(d) Should a barangay require the deployment of a Police Auxiliary Force Platoon this may be made possible through a threat assessment/intelligence report from the Regional Mobile Force Battalion exercising jurisdiction over the area concerned; and

(e) Personnel complement may be constituted from adjacent municipalities where there are existing deployments on the basis of the RMFB Battalion Commander's judgment and discretion based on operational exigencies and threat assessment.

SECTION 12. Equipage. – Police Auxiliary Force Members shall be provided with service-essential equipment to effectively perform police auxiliary functions. In the interim, while waiting for the procurement of service-essential equipment, the PNP in coordination with the PNP shall jointly formulate guidelines on the provisional use of mission-essential equipment for the members of the Police Auxiliary Force until such time that they shall have been completely provided with service-essential equipment.

SECTION 13. Morale and Welfare. – Any member may be entitled to awards subject to the guidelines and procedures as provided for in the implementing rules and regulations under Section 19 of this Act.

SECTION 14. Discipline. – All members of the Police Auxiliary Force shall be subject to the disciplinary guidelines to be promulgated by the CPNP through the recommendation of the Directorate for Police Auxiliary Force with the Chief, Police Auxiliary Force Inspectorate Division as Head Secretariat.

SECTION 15. Separation. – Members of Police Auxiliary Forces are entitled to separation gratuity to the guidelines and procedures as provided for in the implementing rules and regulations under Section 19 of this Act.

SECTION 16. Termination. – Members of Police Auxiliary Forces may be separated from auxiliary service or terminated for cause subject to the guidelines and procedures as provided for in the implementing rules and regulations under Section 19 of this Act.

SECTION 17. Re-Appointment/Replacement. – Members of Police Auxiliary Forces may be re-appointed/replaced subject to the guidelines and procedures as provided for in the implementing rules and regulations under Section 19 of this Act.

SECTION 18. Transfer of Assets. – All properties, equipment, and finances of the transferred and/or absorbed CAFGU units and personnel, are hereby transferred to the PNP. The transfer and/or absorption of any government office/unit concerned shall include the functions, appropriations, funds, records, equipment, and facilities.

SECTION 19. Implementing Rules and Regulations. – The Chief of the Philippine National Police, in consultation with the relevant agencies of the National Government, local government units, and other stakeholders shall, within one hundred eighty (180) days, upon its effectivity, promulgate rules and regulations for the effective implementation of this Act. Such rules and regulations shall take effect upon their publication in the Official Gazette or in a newspaper of general circulation. Furthermore, the Chief PNP shall consult with the relevant agencies of the National Government, local government units, and other stakeholders prior to the issuance of all regulations and issuances related to and affecting the implementation of this Act. The PNP is mandated to review the IRR annually.

SECTION 20. Appropriations. – The amount necessary to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 21. Repealing Clause. – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations, Department Circulars, Memorandum Circulars, Letter Directives, and other similar or analogous issuances, insofar as they are inconsistent with this Act, are hereby repealed, nullified, rescinded, amended, or modified accordingly as the case may be.

SECTION 22. Separability Clause. – In case any provision of this Act or any portion thereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

SECTION 23. Effectivity Clause. – This Act shall take effect after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,