

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Nineteenth Congress
First Regular Session



Committee Report No. 206

Submitted by the Committee on National Defense and Security on December 6, 2022

Re: House Bill No. 6517,

Recommending its approval in substitution of House Bill No. 6482

Sponsor: Representative Raul "Boboy" C. Tupas

Mr. Speaker:

The Committee on National Defense and Security, to which was referred House Bill No. 6482 introduced by Representatives Ferdinand Martin G. Romualdez, Raul "Boboy" C. Tupas, Mercedes K. Alvarez, Divina Grace C. Yu, and Jorge "PATROL" Bustos, entitled:

AN ACT FURTHER STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES

has considered the same and recommends that the attached House Bill No. 6517 entitled:

AN ACT FURTHER STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES

be approved in substitution of House Bill No. 6482, with Representatives Ferdinand Martin G. Romualdez, Raul "Boboy" C. Tupas, Mercedes K. Alvarez, Divina Grace C. Yu, and Jorge "PATROL" Bustos, Jonathan Keith T. Flores, John Tracy F. Cagas, Isidro T. Ungab, Ziaur-Rahman "Zia" Alonto Adiong, Joseph Stephen "Caraps" S. Paduano, Lex Anthony Cris A. Colada, Michael B. Gorriceta, Arnan C. Panaligan, Rodolfo "Ompong" M. Ordanes, Presley C. De Jesus, Jurdin Jesus M. Romualdo, Yevgeny Vicente "Bambi" B. Emano, Edwin L. Gardiola, Khymer Adan T. Olaso, Maria Carmen S. Zamora, Jude A. Acidre, Dimszar M. Sali, Anthony Rolando T. Golez, Jr., and Ernesto M. Dionisio, Jr. as authors.

Respectfully submitted:



REP. RAUL "BOBOY" C. TUPAS

Chairperson

Committee on National Defense and Security

THE HONORABLE SPEAKER

House of Representatives

Quezon City

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **6517**
IN SUBSTITUTION OF HOUSE BILL NO. 6482

Introduced by Representatives Ferdinand Martin G. Romualdez, Raul “Boboy” C. Tupas, Mercedes K. Alvarez, Divina Grace C. Yu, Jorge “PATROL” Bustos, Jonathan Keith T. Flores, John Tracy F. Cagas, Isidro T. Ungab, Ziaur-Rahman “Zia” Alonto Adiong, Joseph Stephen “Caraps” S. Paduano, Lex Anthony Cris A. Colada, Michael B. Gorriceta, Arnan C. Panaligan, Rodolfo “Ompong” M. Ordanes, Presley C. De Jesus, Jurdin Jesus M. Romualdo, Yevgeny Vicente “Bambi” B. Emano, Edwin L. Gardiola, Khymer Adan T. Olaso, Maria Carmen S. Zamora, Jude A. Acidre, Dimszar M. Sali, Anthony Rolando T. Golez, Jr., and Ernesto M. Dionisio, Jr.

AN ACT
FURTHER STRENGTHENING PROFESSIONALISM AND PROMOTING THE
CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE
ARMED FORCES OF THE PHILIPPINES

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

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5 SECTION 1. Section 2 of Republic Act No. 11709 is hereby amended to read as:

6
7 **SEC. 2. *FIXED Tour of Duty AND LATERAL MOVEMENT of Key Officers.* – (A)**
8 The following officers holding key positions in the AFP, upon [appointment]
9 **DESIGNATION** shall have a fixed tour of duty of three (3) **CONSECUTIVE** years,
10 **UNLESS SOONER TERMINATED BY THE PRESIDENT**

11
12 [(a)] (1) Chief of Staff

13 [(b)] [Vice Chief of Staff]

14 [(c)] [The Deputy Chief of Staff]

15 [(d)] (2) Commanding General, Philippine Army

16 [(e)] (3) Commanding General, Philippine Air Force; **AND**

17 [(f)] (4) Flag Officer in Command, Philippine Navy

18 [(g)] [Unified Command Commanders; and]

19 [(h)] [Inspector General.]
20

1 [The tour of duty of the aforementioned officers shall commence on the date the
2 appointment is signed and shall be for three (3) consecutive years unless sooner
3 terminated by the President;] *Provided*, That **THE COMMANDING**
4 **GENERALS/FLAG OFFICER IN COMMAND OF THE MAJOR SERVICES**
5 [those mentioned in Section 2(b) to 2(h)] shall not be eligible for any other position in
6 the AFP unless promoted to the position of Chief of Staff.
7

8 **(B) LATERAL MOVEMENT SHALL BE ALLOWED FOR OFFICERS**
9 **HOLDING THE FOLLOWING KEY POSITIONS:**

- 10
11 **(a) VICE CHIEF OF STAFF**
12 **(b) THE DEPUTY CHIEF OF STAFF**
13 **(c) UNIFIED COMMAND COMMANDERS; AND**
14 **(d) THE INSPECTOR GENERAL AFP**
15

16 ***PROVIDED, THAT, EXCEPT FOR THE POSITION OF CHIEF OF STAFF, NO***
17 ***OFFICER SHALL BE DESIGNATED TO KEY POSITIONS IF THE OFFICER***
18 ***HAS LESS THAN ONE (1) YEAR OF ACTIVE SERVICE REMAINING PRIOR***
19 ***TO COMPULSORY RETIREMENT OR PROMOTED TO THE RANK OF***
20 ***BRIGADIER GENERAL/COMMODORE, OR HIGHER IF THE OFFICER***
21 ***HAS LESS THAN SIX (6) MONTHS OF ACTIVE SERVICE REMAINING***
22 ***PRIOR TO COMPULSORY RETIREMENT.***
23

24
25 SEC. 2. Section 6, subsection (a), paragraph (3) of the same Act is hereby amended to read
26 as:

27
28 SEC. 6. *Compulsory Retirement for Military Personnel.*

29
30 (a) The following officers of the AFP shall be compulsorily retired:

31
32 (1) X x x
33

34 (2) Those in the grades of Brigadier General/Commodore (O-7) upon reaching the age
35 of **FIFTY-SEVEN (57); MAJOR GENERAL/REAR ADMIRAL (O-8) UPON**
36 **REACHING THE AGE OF FIFTY-EIGHT (58); LIEUTENANT**
37 **GENERAL/VICE ADMIRAL (O9) UPON REACHING THE AGE OF** fifty-nine
38 (59) or the maximum tenure-in-grade as defined in this Act, whichever comes earlier;
39

40 (3) Those occupying [a] key positionS, as defined in Section 2 of this Act, upon
41 completion of the fixed tour of duty regardless of age, unless promoted [to Chief of
42 Staff] **IN ACCORDANCE WITH SAID SECTION 2** or who is relieved from post
43 [and is not designated to or occupying any position in the AFP Table of organization];
44 and

45 (4) X x x
46

47 SEC. 3. Section 8 of the same Act is hereby repealed.
48

49 SEC. 4. Section 10, subsection (b), paragraph (2) of the same Act is hereby amended to read
50 as:

1
2 SEC. 10. *Forced Attrition of Officers. X x x*

3
4 (a) X x x

5
6 (b) *Maximum Tenure-In-Grade for Officers*

7
8 (1) Generals/Flag Officers. X X X

9
10 (2) *Officers.* – The maximum tenure of officers in the grades of Colonel, Lieutenant
11 Colonel, Major, and Captain, or their equivalent in the other services in the AFP are
12 hereby prescribed as follows:

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Grade	Maximum Tenure-in-Grade
Colonel/Captain (PN) (O-6)	[Eight (8)] NINE (9) years
Lieutenant Colonel/Commander (PN) (O-5)	Seven (7) years
Major/Lieutenant Commander (PN) (O-4)	Six (6) years
Captain/Lieutenant (PN) (O-3)	Six (6) years

16
17 **PROVIDED, THAT THE PRESIDENT MAY LENGTHEN THE ACTIVE**
18 **SERVICE-IN-GRADE OF OFFICERS IN THE PERMANENT GRADES OF**
19 **CAPTAIN, MAJOR, AND LIEUTENANT COLONEL, OR THEIR**
20 **EQUIVALENT, UP TO THREE (3) CYCLES WHEN NECESSARY, TO**
21 **MAINTAIN THE DESIRABLE OFFICER RANK STRUCTURE AND UPHOLD**
22 **THE PROGRESSIVE PROFESSIONAL DEVELOPMENT OF THE OFFICER**
23 **CORPS: PROVIDED FURTHER, THAT THE MAXIMUM TENURE-IN-**
24 **GRADE HEREIN PRESCRIBED FOR THE GRADE OF COLONEL/CAPTAIN**
25 **(PN) SHALL APPLY TO THOSE PROMOTED UNDER REPUBLIC ACT NO.**
26 **11709.**

27
28 X X X

29
30 SEC. 5. Section 11, subsection (b) of the same Act is hereby amended to read as:

31
32 SEC. 11. *Forced Attrition of Enlisted Personnel*

33
34 (a) X x x

35
36 (b) *Maximum Tenure-in-Grade for Enlisted Personnel.* – [An enlisted personnel shall
37 be separated or retired in accordance with the provisions of existing laws for failure to
38 be promoted after having attained the maximum allowable tenure for the present grade
39 except if occupying a position calling for a higher grade in the AFP Table of
40 Organization:]

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[Grade]	[Maximum Tenure-in-Grade]
[First Chief Master Sergeant (E-10)]	[Three (3) years]
[Chief Master Sergeant (E-9)]	[Three (3) years]
[Senior Master Sergeant (E-8)]	[Three (3) years]
[Master Sergeant (E-7)]	[Three (3) years]
[Technical Sergeant (E-6)]	[Five (5) years]
[Staff Sergeant (E-5)]	[Five (5) years]
[Sergeant (E-4)]	[Four (4) years]
[Corporal (E-3)]	[Four (4) years]
[Private First Class (E-2)]	[Four (4) years]
[Private (E-1)]	[Four (4) years]

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THE SECRETARY OF NATIONAL DEFENSE SHALL DETERMINE THE MAXIMUM TENURE-IN-GRADE OF ENLISTED PERSONNEL.

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SEC. 6. Section 15 of the same Act is hereby amended to read as:

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SEC. 15. AUTHORIZED NUMBER OF OFFICERS *[Officer Grade Distribution]*. – The Secretary of National Defense, **IN CONSULTATION WITH THE AFP**, shall prescribe the authorized number of officers in the active force in each grade and in each major, technical or administrative service. [and shall implement the gradual decrease in the number of officers in each officer rank as] **THE AUTHORIZED NUMBER OF OFFICERS IN EACH RANK SHALL BE** [part of, and] in line with[,] the Modernization Program of the AFP: *[Provided, That one (1) year after the approval of this Act, such number shall not exceed the number in each grade authorized in the Table of Organization of units of the active force distributed as follows:]*

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(1) One percent (1%) in the General/Flag Officer grade based on the total officer strength authorized for the AFP or zero point one *per centum* (0.1%) of the total troop strength authorized for the AFP, whichever is lower;]

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(2) Six percent (6%) in the grade of Colonel/Captain (PN) based on the total officer strength authorized for the AFP;]

1 [(3) Twelve percent (12%) in the grade of Lieutenant Colonel/Commander (PN)
2 based on the total officer strength authorized for the AFP;]

3
4 [(4) Eighteen percent (18%) in the grade of Major/Lieutenant Commander (PN)
5 based on the total officer strength authorized for the AFP;]

6
7 [(5) Twenty percent (20%) in the grade of Captain/Lieutenant (PN) based on
8 the total officer strength authorized for the AFP; and]

9
10 [(6) Forty-three percent (43%) in the grades of First Lieutenant/Lieutenant
11 Junior Grade (PN) and Second Lieutenant/Ensign (PN) based on the total officer
12 strength authorized for the AFP.]

13
14 *Provided [, further],* That the Table of Organization of units of the active force shall be
15 adjusted in accordance with their respective missions and officer requirements, [and
16 shall be gradually decreased pursuant to this section and] **UNDER** such rules and
17 regulations as the Secretary of National Defense shall prescribe[, subject to the
18 condition that the schedule of percentage for each grade as herein prescribed shall not
19 be exceeded]: *Provided [, furthermore]* **FURTHER**, That in the determination of the
20 officer to enlisted personnel ratio, the mission requirement, capabilities, scope of
21 responsibility, technical nature of the position and task, and equipment inventory of
22 units shall be taken into consideration: *Provided, furthermore,* That considering the
23 highly technical nature of the Air Force and the Navy, they shall be allocated a higher
24 officer to enlisted personnel ratio [which shall not exceed fifteen percent (15%) of the
25 officer to enlisted personnel ratio allocated in the Philippine Army]: *Provided,*
26 *furthermore,* That as far as practicable, officers in the technical or administrative
27 services such as surgeon general, chief dental service and chief nurse may be eligible
28 for promotion to General/Flag Officer grade:[*Provided, furthermore,* That the quota
29 limitation provided herein shall not apply in the promotion to the rank of General/Flag
30 Officer of reserve officers in the inactive service:] *Provided, finally,* That if the actual
31 number in a grade is less than the number prescribed, the difference may be applied as
32 an increase to the number prescribed in a lower grade.
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35 SEC. 7. There is hereby created a Congressional Oversight Committee to monitor and oversee
36 the implementation of the provisions of this Act. The Committee shall be composed of six (6)
37 members from the Senate and six (6) members from the House of Representatives with the
38 Chairpersons of the Committee on National Defense and Security, Peace, Unity and
39 Reconciliation of the Senate and the Committee on National Defense and Security of the House
40 of Representatives as joint Chairpersons of this Committee. The five (5) other members from
41 each Chamber are to be designated by the Senate President and the Speaker of the House of
42 Representatives, respectively. The minority shall be entitled to pro rata representation but shall
43 have at least two (2) representatives from each Chamber.
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45 SEC. 8. The Department of National Defense shall conduct a systematic review, evaluation
46 and impact assessment of this Act within five (5) years of its effectivity. A report shall be
47 submitted to the Congressional Oversight Committee created under Section 7 hereof, the
48 Committee on National Defense and Security, Peace, Unification and Reconciliation of the
49 Senate of the Philippines and the Committee on National Defense and Security of the House
50 of Representatives within thirty (30) days after its review and assessment.

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SEC. 9. If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 10. All laws, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

SEC. 11. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

FACT SHEET

HB NO. 6517

AN ACT FURTHER STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES

Introduced by Representatives Ferdinand Martin G. Romualdez, Raul "Boboy" C. Tupas, Mercedes K. Alvarez, Divina Grace C. Yu, Jorge "PATROL" Bustos, Jonathan Keith T. Flores, John Tracy F. Cagas, Isidro T. Ungab, Ziaur-Rahman "Zia" Alonto Adiong, Joseph Stephen "Caraps" S. Paduano, Lex Anthony Cris A. Colada, Michael B. Gorriceta, Arnan C. Panaligan, Rodolfo "Ompong" M. Ordanes, Presley C. De Jesus, Jurdin Jesus M. Romualdo, Yevgeny Vicente "Bambi" B. Emano, Edwin L. Gardiola, Khymer Adan T. Olaso, Maria Carmen S. Zamora, Jude A. Acidre, Dimszar M. Sali, Anthony Rolando T. Golez, Jr., and Ernesto M. Dionisio, Jr.

*Committee Referral: Committee on National Defense and Security
Committee Chairperson: Rep. Raul "Boboy" C. Tupas*

OBJECTIVES:

- To make the law, Republic Act No. 11709, more responsive to the needs, organizational culture, and human resource development goals of the Armed Forces of the Philippines (AFP)
- To promote the professional development of the AFP's Officer Corps

KEY PROVISIONS:

- Deletes Section 11 (b) with respect to the Maximum Tenure-In-Grade for Enlisted Personnel.
- Limits the fixed tour of duty of three (3) years to the following officers:
 - a. Chief of Staff;
 - b. Commanding General, Philippine Army;
 - c. Commanding General, Philippine Air Force;
 - d. Flag Officer in Command, Philippine Navy.

- Allows the lateral movement of the Vice Chief of Staff, Deputy Chief of Staff, Unified Command Commanders, and The Inspector General AFP to other key positions provided that they have at least one (1) year of active service remaining prior to compulsory retirement.
- Prohibits the designation of an officer to a key position or the promotion of an officer to the rank of Brigadier General/Commodore, or to a higher rank, if the officer has less than six (6) months of active service remaining prior to compulsory retirement;
- Authorizes the Secretary of National Defense, in consultation with the Armed Forces of the Philippines, to prescribe the authorized number of officers in the active force in each grade and in each major, technical, or administrative service. In the determination of the officer to enlisted personnel ratio, the mission requirement, capabilities, scope of responsibility, technical nature of the position and task, and equipment inventory of units shall be taken into consideration;
- Authorizes the President to lengthen the active service-in-grade of officers in the permanent grades of Captain, Major and Lieutenant Colonel, or their equivalent, when necessary, to maintain the desirable officer rank structure and uphold the progressive professional development of the officer corps.
- Restores the maximum tenure-in-grade for Colonel/Captain (PN) (O-6) from eight (8) years to nine (9) years.

RELATED LAW:

RA No. 11709 entitled, “An Act Strengthening Professionalism and Promoting the Continuity of Policies and Modernization Initiatives in the Armed Forces of the Philippines, by Prescribing Fixed Terms for Key Officers Thereof, Increasing the Mandatory Retirement Age of Generals/Flag Officers, Providing for a More Effective Attrition System, and Providing Funds Therefor”