

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 588

HOUSE OF REPRESENTATIVES
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Introduced by Representative Leopoldo N. Bataoil

EXPLANATORY NOTE

On December 25, 2013, a sting operation in a cock breeding farm in Lipa City, Batangas by members of the Philippine Drug Enforcement Agency (PDEA) and the Philippine National Police Anti-Illegal Drugs Special Operations Task Force (PNP-AIDSOTF) led to the arrest of three people connected with the Sinaloa drug cartel. The said operation found them in possession of 84 kilograms of methamphetamine hydrochloride, more commonly known as "shabu", along with two firearms. The Mexican Sinaloa drug cartel has been reputed to be the largest and most powerful drug trafficking organization in the Western Hemisphere.

How the country was penetrated by the drug cartel still remains under investigation; likewise, the possibility of the Mexicans being linked with similarly notorious Chinese drug syndicates is also being looked into. Global manufacturing of illegal drugs and its extensive trafficking network now span the Pacific, connecting Chinese chemical factories, drug cartels in Mexico, and drug users not only in the Americas but in Asia as well. Authorities involved with anti-illegal drug operations deem the infiltration of the Sinaloa drug cartel as a major leeway for the Philippines becoming a "narcotic state".

The enactment of Republic Act No. 9165, also known as the Comprehensive Dangerous Drugs Act of 2002, established the Philippine Drug Enforcement Agency as the country's lead agency in the enforcement of anti-drug law. Although the PDEA has posted a significant increase in the number of anti-illegal drug operations, the recent entry of the

Sinaloa drug cartel requires the strengthening of the PDEA, as well as increasing interoperability among the different organizations concerned in order to effectively counter this menace.

This Act seeks to amend some provisions of Republic Act No. 9165 in order to push for measures such as the enhancement of the facility of anti-illegal drug units, improvement of digital communications, increase in the manpower of PDEA, and the development of a systemic, wide-scope partnership with the Department of Transportation and Communications (DOTC), the Bureau of Immigration, and the Bureau of Customs in closely monitoring inbound imports for possible illegal drugs smuggling and the entry of people involved with illegal drug operations.

Immediate passage of this Bill is earnestly sought.



LEOPOLDO N. BATAOIL

Representative

2nd District, Pangasinan

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AN ACT
STRENGTHENING THE PHILIPPINE DRUG ENFORCEMENT AGENCY
(PDEA) AND PROVIDING SUPPLEMENTAL DUTIES THEREOF, AMENDING
FOR THE PURPOSE REPUBLIC ACT 9165, OTHERWISE KNOWN AS THE
“COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002”

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

SECTION 1. *Short Title* - This act shall be known as the “Philippine Drug Enforcement Agency (PDEA) Strengthening and Supplemental Duties Act of 2014”.

SECTION 2. *Declaration of State Policies* - Section 12, Article XIII of the 1987 Constitution states that, “The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems”.

SECTION 3. *PDEA Supplemental Duties Act*- Section 84 of Republic Act 9165 is hereby amended to read as follows:

“Section 84. Powers and Duties of the PDEA. – The PDEA shall:

(a) Implement or cause the efficient and effective implementation of the national drug control strategy formulated by the Board thereby carrying out a national drug

campaign program which shall include drug law enforcement, control and prevention campaign with the assistance of concerned government agencies;

(b) Undertake the enforcement of the provisions of Article II of this Act relative to the unlawful acts and penalties involving any dangerous drug and/or controlled precursor and essential chemical and investigate all violators and other matters involved in the commission of any crime relative to the use, abuse or trafficking of any dangerous drug and/or controlled precursor and essential chemical as provided for in this Act and the provisions of Presidential Decree No. 1619;

(c) Administer oath, issue subpoena and subpoena duces tecum relative to the conduct of investigation involving the violations of this Act;

(d) Arrest and apprehend as well as search all violators and seize or confiscate, the effects or proceeds of the crimes as provided by law and take custody thereof, for this purpose the prosecutors and enforcement agents are authorized to possess firearms, in accordance with existing laws;

(e) Take charge and have custody of all dangerous drugs and/or controlled precursors and essential chemicals seized, confiscated or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence in court;

(f) Establish forensic laboratories in each PNP office in every province and **CONDUCT A QUARTERLY EVALUATION AND ENRICHMENT PROGRAM FOR SUCH OFFICE**, in order to facilitate action on seize or confiscated drugs, thereby hastening its destruction without delay;

(g) Recommend to the DOJ the forfeiture of properties and other assets of persons and/or corporations found to be violating the provisions of this Act and in accordance with the pertinent provisions of the Anti-Money-Laundering Act of 2001;

(h) Prepare for prosecution or cause the filing of appropriate criminal and civil cases for violation of all laws on dangerous drugs, controlled precursors and essential chemicals, and other similar controlled substances, and assist, support and coordinate with other government agencies for the proper and effective prosecution of the same;

(i) Monitor and if warranted by circumstances, in coordination with the Philippine Postal Office, the Bureau of Customs, **THE BUREAU OF IMMIGRATION, THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, AS WELL AS LOCAL COMPANIES OPERATING PRIVATE PARCEL AND CARGO DELIVERIES,** inspect all air cargo packages, **PERSONAL BELONGINGS OF FOREIGN NATIONALS ENTERING THE COUNTRY,** parcels and mails in the central post office, which appear from the package and address itself to be a possible importation of dangerous drugs and/or controlled precursors and essential chemicals, through on-line or cyber shops via the internet or cyberspace;

(J) CLOSELY COORDINATE WITH THE INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICE OF THE DEPARTMENT OF SCIENCE AND TECHNOLOGY TO INDUCT ANTI-ILLEGAL DRUG UNITS ON THE EFFECTIVE USE OF DIGITAL COMMUNICATION IN THE CONDUCT OF ITS OPERATIONS;

(k) Conduct eradication programs to destroy wild or illegal growth of plants from which dangerous drugs may be extracted;

(l) Initiate and undertake the formation of a nationwide organization which shall coordinate and supervise all activities against drug abuse in every province, city, municipality and barangay with the active and direct participation of all such local government units and nongovernmental organizations, including the citizenry, subject to the provisions of previously formulated programs of action against dangerous drugs;

