

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Third Regular Session

HOUSE BILL NO. 9944



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**Introduced by Representative Michael L. Romero**

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### **EXPLANATORY NOTE**

In the Republic of the Philippines, the Department of National Defense (**DND**) is fully committed in continuing to push for the military's modernization and measures to improve its personnel management. The State shall foster the modernization of the AFP (**Armed Forces of the Philippines**), enact laws to improve the personnel management of the AFP and focus on the other priorities.

Inspired by the overwhelming support from the President, the DND shall exert all efforts in fulfilling its mandate to secure the country and contribute to national development.

The State shall further the improvement of the welfare and capabilities of the **AFP**, increasing their salaries. The President of the Republic has always prioritized strengthening the capability of the country's military and police forces.

This House Bill seeks to create a comprehensive **AFP Modernization program**, proving appropriations therefor.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read "Michael L. Romero", written over a horizontal dashed line.

**MICHAEL L. ROMERO**

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AN ACT

ESTABLISHING A COMPREHENSIVE **AFP MODERNIZATION PROGRAM**, PROVIDING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES

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

**SECTION 1. DECLARATION OF POLICY** - It shall hereby be a declared policy of the State to modernize the Armed Forces of the Philippines (**AFP**) to a degree where it can effectively and fully perform its constitutional mandate to uphold the sovereignty and preserve the patrimony of the Republic of the Philippines.

**SECTION 2. MASTER PLAN** - The principal aims of the modernization program under this Act shall be:

- The development of a self-reliant and credible strategic armed force along the concept of a "Citizens Armed Force"; the reconfiguration of the Armed Forces of the Philippines structure; and the professionalization of the AFP;

- The undertaking of reforms in the recruitment, training, employment and management of AFP personnel;
- The development, validation or modification of AFP doctrines;
- The acquisition and upgrading of appropriate technology and equipment; and
- The relocation, improvement, and construction of bases and other facilities.

**SECTION 3. PURPOSES OF THE AFP MODERNIZATION PROGRAM.** — The AFP modernization program shall be implemented in accordance with the following purposes:

- To develop its capability to uphold the sovereignty and territorial integrity of the Republic and to secure the national territory from all forms of intrusion and encroachment;
- To develop its capability to assist civilian agencies in the preservation of the national patrimony, including the country's living and nonliving marine, submarine, mineral, forest and other natural resources located within its territory and its exclusive economic zone (EEZ);
- To enhance its capability to fulfill its mandate to protect the Filipino people not only from armed threats but from the ill effects of life-threatening and destructive consequences of natural and man-made disasters and calamities, including typhoons, earthquakes, volcanic eruptions, major accidents in far-flung or inaccessible terrain or at sea and from all forms of ecological damage;
- To improve its capability to assist other agencies in the enforcement of domestic and foreign policies as well as international covenants against piracy, white slavery, smuggling, drug trafficking, hijacking of aircraft and seacraft and the transport of toxic and other ecologically-harmful substances taking place in or through Philippine territory;

- To enhance its capability to assist the Philippine National Police in law enforcement and internal security operations;
- To enhance its capability to fulfill the country's international commitments; and
- To develop its capability to support national development.

**SECTION 4. PHASE OF IMPLEMENTATION.** — The modernization program under this Act shall be implemented over a period of Ten **(10)** years:

Provided, however, That the payments for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond this period.

**SECTION 5. APPROPRIATIONS.** — The annual appropriations for the AFP modernization program shall include the amounts necessary to support the funding requirements for all modernization projects approved by both houses of Congress.

The funds to be appropriated by Congress under this Act shall be treated as a distinct and separate budget item from the regular appropriation for the Department of National Defense **(DND)** and the **AFP** and shall be administered by the Secretary of National Defense.

The proposed program shall be based on a maximum amount, for the first five **(5)** years of One Hundred billion pesos **(Php 100,000,000,000.00)**:

Provided, that hereafter, this amount may be increased commensurate to the increase in the Gross National Product **(GNP)**.

**SECTION 6. AFP MODERNIZATION TRUST FUND.** — There shall hereby be created a trust fund, to be known as the AFP Modernization Trust

Fund. Said trust fund, which shall be used **exclusively** for the **AFP modernization program**, but not to include salaries and allowances, shall be funded out of the following:

- Appropriations for the AFP modernization program;
- The proceeds from the sale, lease or joint development of military reservations, as may be authorized by Congress, including such immovable and other facilities as may be found therein, not covered by the Bases Conversion Development Authority, as provided for in Republic Act No. 7227;
- Shares of the AFP from the proceeds of the sale of military camps provided for under Republic Act No. 7227;
- Proceeds from the sale of the products of the government arsenal;
- The proceeds from the disposal of excess and/or uneconomically repairable equipment and other movable assets of the AFP and the government arsenal;
- Funds from budgetary surplus, if any, as may be authorized by Congress subject to the provisions existing rules and regulations; and
- All interest income of the trust fund.

The **AFP trust fund** shall be administered by the **Secretary of National Defense** in accordance with existing government auditing rules and regulations.

**SECTION 7. GUIDANCE FOR THE PRESIDENT.** — To meet the unforeseen national security emergencies, the *president of the Republic of the Philippines*, upon the recommendation of the *Secretary of National Defense*, may modify the program through substitution or revision of a component project therein:

Provided, however, that he shall report such action to Congress within thirty **(30)** days.

**SECTION 8. PERIODIC REPORTS.** — Not later than the end of the second quarter of the succeeding year:

- *The Secretary of national Defense* shall submit to the President and Congress an annual report on the status of the AFP Modernization Trust Fund;
- *The Chief of Staff, AFP* shall submit to the President and Congress, through the Secretary of national Defense, an annual report containing the progress of the implementation of the modernization program under this Act to include the AFP modernization activities implemented prior to the approval of this Act.

**SECTION 9. TRANSITORY PROVISION** – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

**SECTION 10. IMPLEMENTING RULES AND REGULATIONS.** – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

**SECTION 11. REPEALING CLAUSE.** – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 12. SEPARABILITY CLAUSE.** – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

**SECTION 13. EFFECTIVITY CLAUSE.** – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,