

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

Office of the Secretary

'22 JUL 13 P1:23

SENATE
S. No. 498

RECEIVED



Introduced by Senator Loren B. Legarda

**AN ACT
ESTABLISHING THE PHILIPPINE DEFENSE UNIVERSITY SYSTEM AND
FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Constitution provides that the State must prioritize education to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development. This policy is anchored on the State's recognition of the protection of life, liberty, and property, and the promotion of general welfare as essential for the enjoyment by all the people of the blessings of democracy. Continuing advancement in national defense and security education is one way to promote and uphold this principle.

Basic national frameworks such as the country's defense and security education have slowly become incapable of adapting to the significant changes taking place in the 21st century. The Philippine security environment is rapidly evolving and has become more complex, as evidenced by the rise of terrorism and violent extremism, increased cybercrime incidents, and the need for hybrid warfare, among others. One crucial step to promote Philippine national security amidst significant developments in the 21st century is to ensure a more systems-integrated education by reducing functional overlaps and dispensing with the learning silos evident in the country's defense and security institutions today. A more integrated national defense and security education must produce national security leaders and strategic thinkers

from various sectors to address multi-faceted and sometimes metamorphosed security issues. In this regard, the country's defense and security education should be able to link its component institutions into a more comprehensive and integrated system without disregarding individual mandates.

The absence of a mechanism that organizes and integrates the Philippine national security and defense education program at present is demonstrated by the poorly coordinated and independently pursued programs of defense and security academic institutions within the Philippine Government. Offerings are seen as either fragmented or overlapping, thus, the need for the overall integration of the educational programs offered by existing defense and security academic institutions within the Philippine government is necessary.

This bill seeks to ensure that defense and security education is holistic, integrated, comprehensive, and attuned to the country's defense and national security requirements through the establishment of the Philippine Defense University System that will promote the enhancement and development of defense and security education, research and training.


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



LOREN LEGARDA

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AN ACT
ESTABLISHING THE PHILIPPINE DEFENSE UNIVERSITY SYSTEM AND
FOR OTHER PURPOSES

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

1 Section 1. *Title.* – This act shall be known as the “Philippine Defense University
2 System of 2022.”

3 Sec. 2. *Policy.* – It shall be the policy of the State to provide a continuing
4 advanced education in the field of defense and security to outstanding and qualified
5 men and women in the military service as well as to key officers in the government
6 service, the private sector and civil society organizations both local and international.
7 The State shall likewise ensure that defense and security education is holistic,
8 integrated, comprehensive, and attuned to the evolving defense and security
9 requirements of the country.

10 Sec. 3. *Establishment of Philippine Defense University System* – In furtherance of
11 the policy enunciated in Section 2 of this Act, an educational institution known as the
12 Philippine Defense University System (PDUS) shall be established at Camp General
13 Emilio Aguinaldo, Quezon City.

14 Sec. 4. *Objectives* – The PDUS shall be established to serve as the over-all
15 integrating and coordinating institution in the field of defense and security education
16 in the country. It shall aim to promote, to the highest degree possible, the enhancement
17 and development of defense and security education, research, training and extension

1 in the country. It shall also aim to strengthen the career system, and to prevent overlap
2 and fragmentation among defense and security educational institutions.

3 Sec. 5. *Organization and Administration* – The PDUS shall be organized as an
4 educational institution under the Department of National Defense (DND).

5 a. The PDUS shall be headed by a University President who shall be
6 appointed by the President of the Philippines upon the recommendation of
7 the Secretary of National Defense (SND). The University President of the
8 PDUS shall be a PhD holder who shall have the rank a Department
9 Undersecretary. The University President shall serve as the chief executive
10 officer, chief academic officer, and head of the University Faculty of the
11 PDUS. The University President shall preside over the meetings of the
12 autonomous schools and colleges of the PDUS and exercise powers
13 specifically provided for in this Act, those determined by the Board of
14 Regents, and such other powers as may be provided by related laws and
15 executive issuances.

16 b. The University President shall be assisted by an Executive Vice-President
17 (EVP) and three (3) Vice-Presidents who shall be appointed in the same
18 manner as the University President. The EVP who shall have the rank of a
19 Department Assistant Secretary shall be a Master's degree holder and with
20 X years of experience in defense and security. The EVP shall act as
21 University President of the PDUS in the absence or incapacity of the
22 University President, and perform such other functions and duties as may
23 be assigned by the University President or the SND. The EVP shall have
24 supervisory functions over Academic Affairs, Administration and Research
25 and Extension.

26 c. The PDUS Vice Presidents shall have the rank of a Department Director.
27 The Vice President for Administration shall be responsible for providing
28 overall administrative support to the activities of the PDUS; the Vice
29 President for Academic Affairs who shall be a PhD holder shall be
30 responsible for the development, implementation, supervision, and
31 evaluation of academic programs; and the Vice President for Research and

1 Extension shall be responsible for the conduct and supervision of research
2 and special studies and policy formulation and review for the DND.

3 d. The PDUS shall likewise have an Academic Council who shall assist the
4 University President in the discharge of the following functions:

- 5 1. Supervise the academic affairs of the University;
- 6 2. Recommend the courses of studies to be conducted by the University to
7 accomplish its objectives; and
- 8 3. Recommend academic consultants, professors, lecturers, instructors,
9 research assistants and other resource persons of the University.

10 The Academic Council shall be composed of the PDUS President as Chair, the
11 Vice President for Academic Affairs as Vice Chair, and the Heads of the PDUS
12 constituent schools and colleges as well as the Heads of their respective faculties as
13 Members, subject to the approval of the Secretary of National Defense as
14 recommended by the PDUS President.

15 Sec. 6. *Board of Regents* – The PDUS shall have a Board of Regents to be
16 composed of the following:

- | | |
|-----------------------------------------------------------------------|-----------------|
| 17 a. Secretary of National Defense | - Chairman |
| 18 b. PDUS President | - Co-Chair |
| 19 c. Representative, Office of the President | - Vice-Chairman |
| 20 d. Director-General, National Security Council | - Member |
| 21 e. Chairman, Senate Committee on Defense
22 and Security | - Member |
| 23 f. Chairman, House Committee on Defense
24 And Security | - Member |
| 25 g. Director-General, National Economic
26 Development Authority | - Member |
| 27 h. Chief of Staff, Armed Forces of the Philippines | - Member |
| 28 i. Secretary of the Interior and Local Government | - Member |
| 29 j. Secretary of Budget and Management | - Member |
| 30 k. Chairman, Commission on Higher Education | - Member |

1 Sec. 7. *Powers and Functions of the Board of Regents* – The Board of Regents shall
2 act on all matters related to the conduct of defense and security education in the
3 country which shall include but not limited to the following:

- 4 a. To adopt and define the thrusts of the PDUS and provide policy guidelines
5 to ensure their implementation;
- 6 b. To approve the graduation of students as recommended by their
7 respective colleges and schools and confer honorary degrees upon persons
8 in recognition of their outstanding contributions to defense and security
9 of the country;
- 10 c. To approve and promulgate rules on admission and discipline of students
11 as recommended by the Heads of the autonomous schools and colleges
12 within the PDUS;
- 13 d. To approve proposals for the creation, organization, abolition, merger or
14 reorganization of training and research centers and institutes within the
15 PDUS and in each autonomous college and school;
- 16 e. To establish and maintain chairs in the autonomous schools and colleges
17 and provide for fellowship and scholarship programs to faculty, staff and
18 students who demonstrate exceptional merit and fitness;
- 19 f. To appoint heads of autonomous schools and colleges and other officials,
20 to draw up a position classification and compensation plan for its faculty
21 and staff, and to fix and adjust salaries and benefits of the faculty members
22 and other employees; to determine their hours of service, and such other
23 terms and conditions as it may deem proper; and to remove them for cause
24 as provided by law after due investigation and proper hearing;
- 25 g. To receive and appropriate all sums as may be provided by law for the
26 support of the PDUS to the ends specified by law; and all other sums in
27 the manner it may, in its discretion, determine to carry out the purposes
28 and functions of this Act;
- 29 h. To authorize the construction or repair of its buildings, machinery,
30 equipment and other facilities, and the purchase and acquisition of real
31 and personal properties, including the necessary supplies, materials and
32 equipment;

- i. To receive in trust legacies, gifts and donations of real and personal property of all kinds and to administer and dispose the same when necessary for the benefit of the PDUS and subject to the instructions of the donor, if any;
- j. To propose, subject to the approval of the Secretary of National Defense, for the inclusion of other AFP training and educational institutions not covered by Section 8 of this Act, into the PDUS system;
- k. To delegate any of its powers to the PDUS University President or any other officials or officers as it may deem necessary; and
- l. To prescribe rules for its own government and the discipline of the faculty and other personnel and to enact for the government of the University such general policies, rules and regulations, not contrary to law, as are consistent with the purposes of this Act.

The Board of Regents shall have a regular meeting. A simple majority of all the members of the Board of Regents holding office at the time the meeting is called shall constitute a quorum.

Sec. 8. The Constituent and Autonomous Schools and Colleges – The following schools and colleges existing under the DND and Armed Forces of the Philippines (AFP) shall be integrated under the system:

- a. The National Defense College of the Philippines (NDCP);
- b. The Command and General Staff College (CGSC);
- c. The Philippine Military Academy (PMA); and,
- d. Strategic Intelligence Training School (SITS).

The aforementioned schools and colleges shall have an autonomous status and shall be exempted from the standards, rules, and regulations prescribed by the Commission on Higher Education.

Sec. 9. The National Defense College of the Philippines – The National Defense College of the Philippines shall be the country's highest educational, research and training institution in the field of defense and national security. For this purpose, it shall maintain, establish and operate centers and institutes for research, training and continuing studies in the field of defense and national security addition to the regular courses in currently undertakes.

1 Sec. 10. *Academic Programs of the NDCP* – Within two years after effectivity of
2 this Act, the Academic Board of the NDCP shall offer, subject to the approval of the
3 Board of Regents, the course curriculum and other requirements for the conduct of
4 the Doctor of National Security Administration (DNSA), on top of the Master in
5 National Security Administration (MNSA) program. Upon the approval of the course
6 curriculum and other requirements by the Board of Regents, the NDCP shall
7 immediately offer the DNSA program. Provided that no person shall be admitted to
8 the program unless he is more than 40 years old at the time of admission, holder of an
9 MNSA degree, and with a rank of Colonel or Naval Captain if from the military or
10 Assistant Secretary or its equivalent in the government service or Chairman, President
11 or CEO of a private industry or corporation vital to national security and interest
12 identified by the Board of Regents.

13 There shall be a regular review and enhancement of the courses and programs
14 being offered by NDCP to address the evolving defense and national security
15 requirements of the country.

16 Sec. 11. *Promotion to General/Flag Rank.* – The MNSA or its equivalent in military
17 career development course shall be required for appointment or designation to key
18 positions.

19 Sec. 12. *Grant of Commission to Civilian Graduates.* – Subject to existing AFP
20 regulations, civilian graduates of regular courses from NDCP may be commissioned
21 as officers in the Reserve Corps of the AFP with the initial rank of lieutenant colonel
22 or its equivalent for those who are holders of the MNSA degree. For those holding the
23 degree of DNSA, the rank of full colonel may be given provided that the candidates
24 are at least forty (40) years old, have completed their CGSC course, and hold a rank
25 equivalent to Department Assistant Secretary.

26 Sec. 13. *The Command and General Staff College.* – The Armed Forces of the
27 Philippines Education, Training and Doctrine Command (AFPETDC) shall ensure
28 complementation of curriculum and course offerings of the CGSC with the PDUS. All
29 academic programs, training programs, curricula, modules currently conducted by
30 the abovementioned college, shall, upon effectivity of this Act and subject to existing
31 DND and AFP regulations, be reviewed, evaluated and approved by the Board of
32 Regents.

1 There shall be a regular review and enhancement of the courses and programs
2 being offered by CGSC to address the command and general staff academic
3 requirements of AFP regular and reserve officers.

4 Sec. 14. *The Philippine Military Academy.* – The Philippine Military Academy
5 (PMA) shall ensure complementation of curriculum and course offerings with the
6 PDUS. All academic programs, training programs, curricula, modules currently
7 conducted by the PMA shall, effectivity of this Act and subject existing DND and AFP
8 regulations, be reviewed, evaluated and approved by the Board of Regents.

9 There shall be a regular review and enhancement of the courses and programs
10 being offered by PMA to address the military academic requirements of the AFP
11 cadets.

12 Sec. 15. *The Special Intelligence Training School.* – The Special Intelligence
13 Training School (SITS) which runs the Special Intelligence Course for future Defense
14 Armed Forces Attaches (DAFAs) shall ensure complementation of curriculum and
15 course offerings with the PDUS. All academic programs, training programs, curricula,
16 modules currently conducted by the SITS shall, effectivity of this Act and subject
17 existing DND and AFP regulations, be reviewed, evaluated and approved by the
18 Board of Regents.

19 There shall be a regular review and enhancement of the courses and programs
20 being offered by the SITS to enhance the competency of the intelligence community
21 and address the requirements of the AFP.

22 Sec. 16. *Faculty Members and Consultants.* – The PDUS shall have a core faculty
23 composed of civilian and military professors, instructors and lecturers serving on a
24 full-time basis. Upon the recommendation of the Academic Council, the Board of
25 Regents shall appoint Senior Military Officers, with the rank of Brigadier General or
26 higher, as members of the respective core faculty of the PDUS constituent academic
27 institutions.

28 Full-time adjunct professors and the consultants of the PDUS serving on a part-
29 time basis may be drawn from both the military and civilian branches of the national
30 government, from the business sector, and from public and private educational
31 institutions upon the approval of the PDUS President as recommended by the
32 Academic Council. All instructors, professors and lecturers may be rotated and

1 assigned to other autonomous colleges and schools if the exigency of service so
2 requires. All academic consultants, professors, instructors or lecturers, whether
3 civilian or military personnel, in addition to their regular salaries, shall be entitled to
4 receive honorarium or fees as may be approved by the Board of Regents.

5 Faculty members, permanent or part-time shall comply with the qualification
6 standards of the Commission on Higher Education and the Civil service Commission.

7 Sec. 17. *Fiscal Autonomy.* – The PDUS shall enjoy fiscal autonomy. Pursuant to
8 each authority to collect various fees in all academic and training courses, it shall be
9 allowed to retain the proceeds of such collection and to appropriate the same for the
10 regular expenditure of PDUS subject to government accounting rules and regulations.
11 The PDUS may receive in trust legacies, devises, gifts, donations of real and personal
12 property of all kinds and nature and to administer the same for the benefit of the PDUS
13 in accordance with the instructions or directions of the donor or in default thereof, as
14 the law on donation may provide.

15 Sec. 18. *Personnel Details or Secondment.* – Heads of bureaus and officers of the
16 national government are hereby authorized to loan or transfer such apparatus or
17 supplies as may be needed by the PDUS and to assign employees on detail or
18 secondment for duty therein. For the purpose of promotion or other personnel
19 transactions, service in the university either by uniformed or civilian personnel shall
20 be counted as part of active service in their mother units.

21 Sec. 19. *Promulgation of Implementing Rules.* – The Secretary of National Defense
22 is hereby empowered to promulgate rules and regulations to effectively implement
23 the objectives and purposes of this Act.

24 Sec. 20. *Initial Appropriations.* – The amount of Five Hundred Million Pesos
25 (P500,000,000.00) or such sum or sums as may be needed to carry out the provisions
26 of this Act shall be appropriated and shall be carried generally under the DND in the
27 General Appropriations Act.

28 Sec. 21. *Repealing Clause.* – All laws, decrees, executive orders, presidential
29 issuances, rules and regulations or part thereof contrary to or inconsistent with any
30 provision of this Act are hereby repealed or amended accordingly. If any part or
31 provision of this Act is declared unconstitutional, the remaining provisions which are
32 not affected thereby shall continue to have the force and effect of law.

1 Sec. 22. *Effectivity.* This Act shall take effect fifteen (15) days after its complete
2 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,