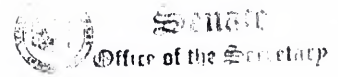


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NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 14 P4:08

SENATE
S. No. 654

RECEIVED BY: 

Introduced by SENATOR FRANCIS "TOL" N. TOLENTINO

**AN ACT
INSTITUTIONALIZING THE PHILIPPINE NAVY FORWARD OPERATING
BASES, APPROPRIATING FUNDS FOR THE ESTABLISHMENT THEREOF, AND
FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines, as an archipelagic country, is surrounded by a coastline stretching up to 36,289 kilometers and by both external and internal waters, thus forming part of the national territory. As such, the Armed Forces of the Philippines is mandated by the State to defend the national territory from external aggression, secure the country's maritime areas from all forms of intrusions and encroachment, piracy and drug trafficking and shall likewise assist other government agencies in protecting our marine resources and environment, among others.

This is pursuant to the policy of the State, as enshrined in Sec. 3, Art. II of the 1987 Constitution, which states:

Section 3. Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory.

In line with the Philippine Navy Strategic Basing Plan 2040, the Philippine Navy has identified several strategic sites around the country which are existing for further development or which are proposed to be developed. However, the

establishment of bases in such areas remains a challenge as there are difficulties in acquiring these properties or in developing these due to lack of resources, among others.

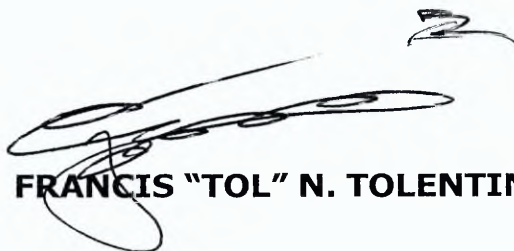
However, in light of the changing times and growing modern-day complexities in the region, there remains the need to continue strengthening and upgrading the equipment, facilities and manpower of the Philippine Navy in order to enable it to perform its duties and functions, for national security reasons.

It is hereby proposed that the Philippine Navy be empowered to establish forward operating bases in the sites identified by the Philippine Navy in its Strategic Basing Plan 2040 for its bases and installations.

A forward operating base, which is smaller than a main naval base and naval operating base, will not require the same budgetary allocation as the latter, and shall serve as an outpost in strategic locations near the West Philippine Sea and the Philippine Rise. These forward operating bases are to be established with the end in view of serving as a naval and military facility that can immediately carry out the mandate of the Philippine Navy in the far-flung areas of the country and as a potential site for future upgrade and expansion.

The proposed measure is likewise consistent with Republic Act No. 7898, otherwise known as the "AFP Modernization Act," which provides that it is the policy of the State to modernize the Armed Forces of the Philippines (AFP) to a level where it can effectively and fully perform its constitutional mandate to uphold the sovereignty and preserve the patrimony of the Republic of the Philippines.

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



FRANCIS "TOL" N. TOLENTINO

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AN ACT
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AND FOR OTHER PURPOSES

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

1 **Section 1. Short Title.** - This Act shall be known as the "Philippine Navy
2 Archipelagic Defense Act."

3 **Sec. 2. Declaration of Policy.** - The State declares that the Armed Forces
4 of the Philippines (AFP) is the protector of the people and the State. The goal of the
5 AFP is to secure the sovereignty of the State and the integrity of the national
6 territory.

7 The State likewise recognizes the mission of the Philippine Navy, as a branch
8 of the AFP, to organize, train, equip, maintain, develop and deploy forces for the
9 prompt and sustained naval and maritime operations in support of the Unified
10 Commands in the accomplishment of the AFP mission.

11 It is the policy of the State to modernize the AFP to a level where it can
12 effectively and fully perform its constitutional mandate to uphold the sovereignty
13 and preserve the patrimony of the Republic of the Philippines.

1 In order to effectively carry out the mandate of the Philippine Navy, the
2 establishment of forward operating bases in the sites identified by the Philippine
3 Navy in its Strategic Basing Plan 2040 is hereby pursued by the State.

4 **Sec. 3. Scope and Limitations.** – The Act shall be limited in scope,
5 application, and effectivity to the sites identified by the Philippine Navy in its
6 Strategic Basing Plan 2040 as priority sites, as enumerated in Section 5 of this Act,
7 for the establishment of its bases and installations.

8 **Sec. 4. Definition of Terms.** – For purposes of the Act, the following terms
9 shall mean:

10 a. *Forward operating bases (FOB)* – It shall refer to a small-scale naval and
11 military facility or outpost where the Philippine Navy can carry out its basic
12 functions and duties and which can serve as a potential site for future
13 upgrade and expansion, for national security purposes.

14 b. *Strategic Basing Plan 2040* – It shall refer to the existing plan of the
15 Philippine Navy to acquire and develop properties for the establishment of
16 bases and installations in strategic sites throughout the country.

17 **Sec. 5. Priority Sites.** – The strategic locations identified by the Philippine
18 Navy Directorate for Real Estate Management as priority sites in its Strategic Basing
19 Plan 2040 by reason of its strategic location shall serve as the sites of the FOBs.

20 These sites include and shall be limited to the following:

- 21 a. Busuanga, Palawan;
- 22 b. Subic Bay, Zambales;
- 23 c. Mavulis Island, Batanes;
- 24 d. Lubang Island, Mindoro;
- 25 e. Surigao, Surigao del Norte;
- 26 f. Allen, Northern Samar;
- 27 g. Polilio Island, Quezon;
- 28 h. Bicobian, Divilacan, Isabela;
- 29 i. Casiguran, Aurora;

- 1 j. Sarangani, Davao Occidental;
- 2 k. Balabac, Palawan; and
- 3 l. Mapun, Tawi-Tawi

4 **Sec. 6. Masterplan for the Establishment of Forward Operating**
5 **Bases.** – To be able to attain the policy and objectives set forth in this Act, there
6 shall be established a Masterplan Governing the Establishment of Forward Operating
7 Bases, hereinafter referred to as the Masterplan, which shall be confidential, and
8 shall contain the priority sites, the schedule, the proposed facilities therein, the
9 estimated cost of the same, among others.

10 In particular, the Masterplan shall contain the following:

- 11 a. Set a timeline for the acquisition of the properties in the priority sites, as
12 defined in Section 5, the planning for the development of the same, and
13 the development of the forward operating bases itself, provided that the
14 timelines to be set shall not exceed three years; and
- 15 b. Features of the proposed facilities to be acquired, developed, constructed
16 or installed in the forward operating bases in the priority areas.

17 **Sec. 7. Preparation of the Masterplan.** – Within sixty (60) days from the
18 effectivity of this Act, upon the recommendation of the Secretaries of National
19 Defense and Budget and Management, the Masterplan shall be submitted by the
20 Philippine Navy for the approval of the President of the Philippines.

21 **Sec. 8. Funding.** – An appropriation of One Billion Pesos
22 (Php1,000,000,000.00) shall be allocated for the initial budgetary requirements of
23 this Act. Thereafter, such amount as may be necessary for the implementation of
24 the Masterplan as provided for in this Act shall be included in the Annual General
25 Appropriation Act (GAA) of the Department of National Defense.

26 **Sec. 9. Separability Clause.** – If any portion or provision of this Act is
27 declared unconstitutional or invalid, the same shall not affect the validity and
28 effectivity of the other portions or provisions not affected thereby.

1 **Sec. 10. *Repealing Clause.*** – All laws, presidential decrees, letters of
2 instructions, executive orders, rules and regulations, and other issuances or parts
3 thereof which are contrary to or inconsistent with the provisions of this act are
4 hereby repealed, amended or modified accordingly.

5 **Sec. 11. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
6 following its publication in the *Official Gazette* or in a newspaper of general
7 circulation.

Approved,