

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1192



Introduced by HON. LORD ALLAN JAY Q. VELASCO

AN ACT MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS TRAINING CORPS (ROTC) IN GRADES 11 AND 12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to re-institutionalize the mandatory military training for Grades 11 and 12 students through a basic Reserve Officers' Training Corp (ROTC) program, which would increase each student's love for country, social awareness and national identity.

Section 13 of the 1987 Philippine Constitution puts it in no clearer terms, "the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

France's President Emmanuel Macron has already begun the process of compelling the French youth to undergo mandatory basic military service. Said "[p]roposed national service in France emphasizes civic duty."¹

Arguing for the institution of mandatory military service in the United States, governance studies scholar William Galston theorized about the negative effects of relying on an all-volunteer force, and the potential benefits of a limited prescribed period of civic service.²

Galston writes that volunteer-based recruitment contributes to what he calls "optional citizenship – the belief that being a citizen involves rights without responsibilities and that we need to do for our country only what we choose to do."³ Galston further notes the power of communal service to foster a sense of solidarity and country.⁴

In a time where borders between and among nations are being diminished by the phenomenon of globalization, wherein nationals of one country (and even the influx of multinational corporations and foreign companies) may easily travel to and migrate to another country and bring his or her cultural influence to that other country, thus,

¹ Farah Mohammed, "Is Mandatory Military Service Good for a Country?," 16 July 2018 at <https://daily.jstor.org/is-mandatory-military-service-good-for-a-country>.

² *Id.*

³ *Id.*

⁴ *Id.*

creating a melting pot of culture and values. It is during this period of time that every Filipino must remember what it is and how it is to become a Filipino citizen. It would be for the good of this country if we could instill to every Filipino citizen the values of patriotism, the awareness of the Filipino identity and the readiness to protect the country if necessary.

Thus, this measure on the re-imposition of mandatory ROTC training among Grades 11 and 12 students must be passed and enacted. It is through this bill that we can best preserve the national identity through the youth and at the same time, we are planting with them the seeds of patriotism and nationalism. *Para sa Bayan!*

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

A handwritten signature in black ink, appearing to read "Allan", with a long, sweeping horizontal stroke extending to the left.

LORD ALLAN JAY Q. VELASCO

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14 AN ACT MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT,
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19 FORCES OF THE PHILIPPINES RESERVIST ACT", AND APPROPRIATING FUNDS
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21

22 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress*
23 *assembled:*
24

25 **SECTION 1. *Short Title.*** – This Act shall be known as the “Reserve Officers’ Training
26 Corps (ROTC) Act.”
27

28 **SEC. 2. . *Declaration of Constitutional Policy*** – The prime duty of the government is to
29 serve and protect the people. The government may call upon the people to defend the
30 State and, in the fulfillment thereof, all citizens may be required, under conditions
31 provided by law, to render personal military or civil service. In the same manner, the
32 State recognizes the vital role of the youth in nation-building, and shall promote civic
33 consciousness among the youth and shall develop their physical, moral, spiritual,
34 intellectual and social well-being. It shall inculcate in the youth patriotism, nationalism,
35 and encourage involvement in public and civic affairs.
36

37 Towards this end, the State shall enhance the capacity of the nation to produce the needed
38 manpower and to expand its human resources in times of war, calamities and disasters,
39 national or local emergencies, and in support to the government’s law enforcement
40 strategy against crimes, by creating a pool of trained reservists.
41

42 **SEC. 3. . *Coverage.*** – The conduct of military training under the ROTC shall apply to all
43 students in Grades 11 and 12 in all senior high schools in public and private educational
44 institutions.
45

46 **SEC. 4. . *Establishment of ROTC Program in All Public and Private Educational***
47 ***Institutions*** –
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- 49 (a) There is hereby established a mandatory two (2)-year Basic ROTC program for
50 students enrolled in Grades 11 and 12 which shall form part of the basic curricula
51 for Senior High School Education in public and private educational institutions in
52 pursuance to the provisions of the National Defense Act and the 1987 Constitution,
53 with the objective of producing well-trained and prepared reservists for military

and civic service. The ROTC training is aimed to instill patriotism, love of country, moral and spiritual virtues, respect for human rights and adherence to the Constitution. In no way shall the ROTC be used for political aims, to teach and instill a particular ideology and as a mechanism for hazing and abuse.

(b) *The ROTC shall include the following programs of instruction:*

- 1) Enhancing the students consciousness in the ethic of service, patriotism and nationalism, respect for human rights, appreciation of the role of national heroes in the historical development of the country, strengthen ethical and spiritual values, develop personal discipline and leadership, and to encourage creative thinking for scientific and technological development.
- 2) Basic military training for students in order to motivate, train, organize and utilize for national defense preparedness or civil-military operations: *Provided, That no student below the age of eighteen (18) shall take a direct part in hostilities.*
- 3) Civic training for students in order to be active participants and volunteers for the development and improvement of health, education, ecology and environmental protection, disaster risk reduction and management, human and civil rights awareness, and law enforcement.

(c) Any student who fails to undergo the mandatory Basic ROTC in accordance with this Act shall not be qualified for graduation. In addition thereto, the non-taking of Basic ROTC by any student shall be a ground for Compulsory Military Training in pursuance to Section 14 of Republic Act No. 7077. Any educational institution that fails to institute and implement the ROTC Program in pursuance to this Act shall be subject to disciplinary and administrative sanctions as the Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA) may impose.

(d) Guided by the provision of Section 4(b) hereof, the Department of National Defense (DND), DepEd, and TESDA, in consultation with other relevant government agencies and private stakeholders as the Secretary of National Defense may determine, shall design and formulate the Program of Instructions (POI) on the Basic ROTC Program in Grades 11 and 12, within ninety (90) days from the approval of this Act and shall jointly issue the implementing rules and regulations for the effective implementation of the provisions of this Act.

SEC. 5. *Students Exempted from this Act.* – The following may be exempted from the coverage of this Act:

- (a) Those who are physically or psychologically unfit, as certified by the Armed Forces of the Philippines (AFP) Surgeon General or his authorized medical officer, in pursuance to the recommendation of the educational institutions where the concerned student is enrolled;
- (b) *Those who have undergone or are undergoing similar military training;*
- (c) Those who were chosen by their school to serve as the school's varsity players in sports competitions; and

- (d) Those who may be exempted from training for valid reasons as approved by the DND, upon recommendation by any educational institution where the concerned student is enrolled.

SEC. 6. Acceptance for Advance ROTC. – Students who volunteer for Advance ROTC Program in universities, colleges, vocational schools and other tertiary institutions shall be governed by Section 40 of Republic Act No. 7077, or the Citizen Armed Forces of the Philippines Reservist Act. The provisions of Sections 42 and 43 of Republic Act No. 7077 in terms of training, uniforms and supplies, and the scholarship incentive shall remain effective and applicable for those accepted in the Advance ROTC course.

SEC. 7. Organization, Operation and Maintenance of ROTC Units. – The organization, operation and maintenance for the establishment of ROTC shall be in accordance with Sections 41 and 42 of Republic Act No. 7077 which shall remain effective and operative unless inconsistent with this Act. The Secretary of National Defense, in consultation with the DepEd and TESDA, shall prescribe the organizational and operational manual of ROTC units in public and private educational institutions for Grades 11 and 12: *Provided*, That such educational institutions shall be required to provide an adequate office for the ROTC administrative staff assigned thereat.

The AFP shall create an office dedicated to the supervision and administration of the ROTC Program within the Reserve Commands of the AFP in coordination with the DepEd and TESDA.

SEC. 8. Incentives for Undergoing ROTC Program. –

- (a) Subject to other requirements prescribed by rules and regulations, graduates of Basic ROTC shall be eligible for commissionship/lateral entry and enlistment in the AFP, Philippine National Police (PNP), Philippine Coast Guard (PCG), Bureau of Jail Management and Penology (BJMP), and Bureau of Fire Protection (BFP) unless a waiver is issued by the Department Secretaries of the aforementioned military and civilian armed forces.

- (b) Students undergoing Basic ROTC and those accepted in the ROTC Advance Course shall be provided with free hospitalization in any government hospital in case of accident or injury during the training. Mandatory insurance for students undergoing ROTC shall be provided by the school where the students are enrolled.

- (c) Students undergoing Basic and Advance ROTC shall be given access and privileges with any AFP Commissary and PX Stores nationwide. The Chief of Staff of the AFP shall issue the necessary regulations for the implementation of this privilege.

SEC. 9. The ROTC Grievance Board. – There shall be created a Reserve Officers' Training Corps (ROTC) Grievance Board composed of one (1) representative from the Department of National Defense and two (2) representatives from the Department of Education with the more senior representative from the Department of Education as chairperson. These representatives shall be appointed for their known integrity, probity, and independence.

The ROTC Grievance Board shall have the following powers:

- (a) Investigate and resolve any and all complaints, in any form, involving corruption and abuse, in any form, in the ROTC Program;

(b) Ensure that the ROTC Program be free from politicization and from being used to instill a particular ideology; and

(c) Recommend policies and reforms to ensure adherence of the ROTC Program to the Constitution and all laws penalizing abuse in any form.

All decisions of the ROTC Grievance Board shall be appealable to the Office of the President (OP). All investigations submitted to and conducted by the ROTC Grievance Board must be completed and a resolution issued within sixty (60) days from submission of the complaint.

SEC. 10. *Liability of the Educational Institution.* – The instructor or faculty-in-charge of the ROTC shall be responsible for monitoring the activities involved in the ROTC. The instruction or the faculty-in-charge must be a duly recognized active member, in good standing, of the faculty at the school in which the ROTC course is being implemented.

The school or the university and its administrators shall exercise special parental authority and supervise the implementation of the ROTC.

In case of violation of any of the provisions of this Act and other related laws, the instructor or faculty-in-charge and the school or university and its officials shall be criminally, civilly and administratively liable for any damage or injury caused to a student.

SEC. 11. *Funding.* – The funding requirement to implement the establishment, maintenance and operations of the ROTC Program shall be included in the budget of the implementing agencies/department in the annual General Appropriations Act.

SEC. 12. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 13. *Repealing Clause.* – Pertinent provisions of Republic Act No. 7077, or the “Citizens Armed Forces of the Philippines Reservist Act,” and all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,