

**EXECUTIVE ORDER  
NO. 199**

**CREATING A PRESIDENTIAL COMMISSION TO  
MONITOR COMPLIANCE WITH THE PROVISIONS OF  
THE "AGREEMENT BETWEEN THE GOVERNMENT OF  
THE REPUBLIC OF THE PHILIPPINES AND THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA  
REGARDING THE TREATMENT OF UNITED STATES  
ARMED FORCES VISITING THE PHILIPPINES,"  
PRESCRIBING ITS AUTHORITY AND FUNCTIONS**

**WHEREAS**, the "Agreement between the Government of the Republic of the Philippines and the Government of the United States of America Regarding the Treatment of United States Armed Forces Visiting the Philippines," hereinafter referred to as the "VFA," was signed by Foreign Affairs Secretary Domingo L. Siazon, Jr., and United States Ambassador Thomas C. Hubbard on 10 February 1998;

**WHEREAS**, the VFA is essentially a framework for promoting the common security interests of the Republic of the Philippines and the United States of America by strengthening their bilateral defense partnership, as embodied by the 1951 Mutual Defense Treaty;

**WHEREAS**, the Philippine Senate, through Senate Resolution No. 18, concurred in the ratification of the VFA and urged the President to create a board or commission that will assess the workings of the VFA and submit a yearly recommendation to the President of the Philippines on whether or not the Agreement continues to serve the national interest;

**WHEREAS**, the VFA took effect on 01 June 1999 after the Government of the Republic of the Philippines and the Government of the United States of America notified each other that their respective constitutional requirements for entry into force have been duly complied with;

**WHEREAS**, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

**NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA**, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. ORGANIZATION.** A Presidential Commission on the Visiting Forces Agreement, hereinafter referred to as the "Commission" is hereby created under the Office of the President.

**SEC. 2. COMPOSITION.** The Commission shall be composed of the following:

The Secretary of Foreign Affairs	:	Chairman
The Secretary of National Defense	:	Co-Chairman
The Secretary of Justice	:	Member
The Secretary of Social Welfare and Development	:	Member
The Secretary of Health	:	Member
The Secretary of Environment and Natural Resources	:	Member
The Secretary of Finance	:	Member
The Secretary of Interior and Local Government	:	Member
The Head, Presidential Legislative Liaison Office	:	Member
The Press Secretary	:	Member
The National Security Adviser	:	Member
Two (2) Representatives from the Private Sector and Non-Government Organizations to be appointed by the President	:	Member

**SEC. 3. POWERS AND FUNCTIONS.** The Commission shall have the following powers and functions:

- a) Ensure respect for Philippine laws, state policies, public morals, customs and traditions and strict compliance with the provisions of the VFA and the rules and regulations promulgated by the concerned Departments and Agencies.
- b) Coordinate with the concerned Departments and Agencies for the issuance of the appropriate Implementing Rules and Regulations (IRRS) for the VFA, providing clear guidelines on, among others:
  - b.1 the entry and temporary stay of United States military and civilian personnel;
  - b.2 the entry and movement of United States military vessels, aircraft and vehicles;
  - b.3 the protection of public health;
  - b.4 the protection and preservation of the environment;
  - b.5 the disposition of military equipment and other provisions brought into the country by United States military and civilian personnel; and
  - b.6 the prosecution of offenses that may be committed during activities under the VFA;
- c) Monitor, in coordination with the appropriate government and non-government agencies, the activities of foreign military and civilian personnel for the duration of activities held under the VFA;
- d) Assess the environmental, social, and health impact of activities held under the VFA on the areas where they are held

and to come up with recommendations designed to mitigate the impact of such activities;

- e) Submit regular reports to the President that would contain an assessment of whether the VFA continues to serve, among others, the national security interest;
- f) Organize and oversee local coordinating committees that will assist the Commission in the performance of its functions;
- g) Coordinate with the Legislative Oversight Committee in ensuring that the implementation of the VFA continues to serve the national interest;
- h) Recommend the passage of appropriate issuances and/or legislation necessary for the proper enforcement of the provisions of the VFA;
- i) Enlist the assistance of any Branch, Department, Bureau, Office or Agency of the Government in the performance of the Commission's duties;
- j) Conduct continuing information and educational campaigns on the VFA;
- k) Extend appropriate assistance to claimants for damage, loss, personal injury or death, caused by acts or omissions of US personnel or otherwise incidental to the non-combat activities of US forces; and
- l) Perform such other powers and functions as the President may direct.

**SEC. 4. CONTROL AND SUPERVISION.** The Commission shall be under the control and supervision of the President. The Commission shall report and be directly responsible to the President.

**SEC. 5. EXECUTIVE DIRECTOR.** The Chairman of the Commission shall designate a senior official of the Department of Foreign Affairs as Executive Director of the Commission. The Executive Director shall report directly to the Chairman of the Commission. The Executive Director shall have direct operational and supervisory authority over personnel from the concerned government agencies who may from time to time be detailed to the Commission to provide technical and administrative support.

**SEC. 6. FUNDING.** Subject to the usual auditing and accounting rules and regulations, the Commission shall be provided with an initial annual allocation of TWENTY MILLION PESOS (P20,000,000.00) to be drawn from the President's Contingency Fund. Appropriations for the succeeding years shall be incorporated in the budget proposal for the Office of the President.

**SEC. 7. PARTICIPATION BY PRIVATE SECTOR AND NONGOVERNMENT ORGANIZATIONS.** In the performance of its duties and responsibilities, the Commission shall encourage the participation of local private sector and non-government organizations based in the areas where activities in connection with the VFA will be held.

**SEC. 8. EFFECTIVITY.** This Executive Order shall take effect immediately.

**DONE** in the City of Manila, this 17<sup>th</sup> day of January in the year of Our Lord, Two Thousand.

**(Sgd.) JOSEPH EJERCITO ESTRADA**

By the President:

**(Sgd.) RONALDO B. ZAMORA**  
Executive Secretary