

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 492

DIRECTING THE OFFICE OF THE NATIONAL SECURITY ADVISER (ONSA) TO OVERSEE AND SUPERVISE THE IMPLEMENTATION OF A MARITIME AERIAL RECONNAISSANCE AND SURVEILLANCE (MARS) PROGRAM WITH THE NATIONAL INTELLIGENCE COORDINATING AGENCY (NICA) SERVING AS TECHNICAL OPERATOR OF THE MARS SYSTEM; AUTHORIZING THE PROCUREMENT OR LEASE OF UNMANNED AERIAL VEHICLES; MANDATING THE PARTICIPATION AND CONTRIBUTION OF RELEVANT DEPARTMENTS, BUREAUS AND AGENCIES OF THE GOVERNMENT; AND FOR OTHER PURPOSES.

WHEREAS, today's evolving national security situation requires a collaborative planning environment as a means to enhance security cooperation between the military and civilian agencies in areas such as protection of our Exclusive Economic Zone, counter terrorism, internal security, developmental support and disaster assistance;

WHEREAS, the challenges posed by the evolving security environment compel government to increase the technological capabilities of the national security establishment and to enhance the country's ability to protect its territories, critical infrastructure and natural resources;

WHEREAS, there is a need to effectively address the lack of reconnaissance and surveillance systems that has hampered the successful interaction and cooperation between military and civilian resources in various operational areas;

WHEREAS, our neighboring countries now pursue a program utilizing aerial surveillance and reconnaissance technologies such as cost-effective unmanned aerial vehicle systems to provide a fast alternative means to secure near real-time information for national security decision-making.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. ONSA's Role and Authority. – The ONSA shall have principal authority to oversee and supervise the implementation of a program to build up, integrate and employ reconnaissance and surveillance capabilities of civilian agencies and armed services. The National Security Adviser (NSA), in addition to his role as



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principal adviser on national security matters, shall also serve as the principal adviser on national reconnaissance and surveillance activities.

The NSA shall undertake measures to coordinate inter-agency requirements and supervise the acquisition of reconnaissance and surveillance equipment, including but not limited to unmanned aerial vehicles (UAVs). He shall also have authority to coordinate the securing of necessary funds to acquire required facilities and equipment.

SECTION 2. The Program. – There shall be established a Maritime Aerial Reconnaissance and Surveillance (MARS) Program, capable of reconnaissance and surveillance over our maritime zone and terrestrial/land area, to enhance the national capability to gather near real-time video recording and information for decision-making needs.

The Program shall utilize modern reconnaissance and surveillance systems in order to provide law enforcement personnel and ground operators near real-time high accuracy, sustainable capability for reconnaissance and surveillance and dominant situational awareness to swiftly and effectively interdict when an illegal activity occurs.

SECTION 3. NICA's Role. – The NICA shall serve as the technical operator of the MARS system. As such, it is authorized to procure UAVs or enter into lease agreements governing the same. The Agency shall also establish the National Maritime Aerial Reconnaissance and Surveillance Center (NMARSC) to serve as the focal point for national reconnaissance and surveillance activities and operations.

The NMARSC, to be headed by an Executive Director, shall be institutionalized as a multi-agency body tasked with the mission of providing overall coordination in the conduct of national reconnaissance and surveillance operations and utilization of required facilities. For this purpose, the NICA is further authorized to request secondment to the NMARSC of personnel from other government agencies. The NMARSC, however, shall remain under the supervision and control of the ONSA.

SECTION 4. Joint Use. - The MARS Program shall be implemented and sustained through joint use to enable the government to acquire and pay for the cost of aerial reconnaissance and surveillance facilities and equipment and to allocate the cost among the beneficiary agencies that will have actual use of the equipment in its operation.

The ONSA shall oversee the formulation of the terms of reference for the joint use of UAV systems and other aerial surveillance equipment. In this regard, he shall be authorized to pursue a memorandum of understanding among beneficiary agencies involved in the joint use program.

As principal overseer of the MARS Program, the NSA shall ensure the efficient utilization of the UAV system based on a Utilization Plan to be prepared in coordination with the beneficiary-agencies.



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SECTION 5. Beneficiary-Agencies. - The following agencies are initially identified as having a need and shall receive direct benefits from the utilization of aerial reconnaissance and surveillance systems and are therefore directed to participate in, pay for actual use and include in their annual budget programming the planning, operationalization and maintenance of said facilities under the MARS Program:

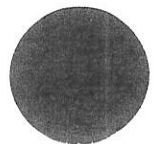
- a. Department of Transportation and Communication (DOTC)
 - Philippine Coast Guard (PCG)
- b. Department of Finance (DOF)
 - Bureau of Customs (BOC)
- c. Department of Interior and Local Government (DILG)
 - Philippine National Police (PNP)
- d. Department of National Defense (DND)
 - Office of Civil Defense (OCD)
 - Armed Forces of the Philippines (AFP)
- e. Department of Environment and Natural Resources (DENR)
 - Forest Management Bureau (FMB)
 - National Mapping Resources Information Authority (NAMRIA)
- f. Department of Agriculture (DA)
 - Bureau of Fisheries and Aquatic Resources (BFAR)
- g. Department of Energy (DOE)
- h. Department of Public Works and Highways (DPWH)
- i. Department of Tourism (DOT)
- j. Department of Trade and Industry (DTI)
- k. National Intelligence Coordinating Agency (NICA)

The ONSA shall facilitate the creation of technical working groups with representatives from beneficiary-agencies to address the various tasks and joint use issues the MARS Program will require.

SECTION 6. Shared Costs Based on Actual Use. - Beneficiary-agencies shall shoulder the costs of their actual use of the UAV systems as well as the proportionate share in maintenance costs for their utilization. Costs for projected use shall be indicated in their annual department budgets for inclusion



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in the General Appropriations Act of the year following the effectivity of this Order.

SECTION 7. Repealing Clause. - All executive issuances, orders, rules and regulations or parts thereof inconsistent with this Order are hereby repealed, amended and/or modified accordingly.

SECTION 8. Separability Clause. - If any provision of this Order is declared invalid or unconstitutional, the provisions not affected thereby shall remain valid and subsisting.

SECTION 9. Funding. - the Department of Budget and Management is hereby directed to release to the NICA an initial funding of Five Million Pesos (5,000,000) from available funds from the President' Contingency Fund to support the activation of the NMARSC, program management and specialized training costs.

SECTION 10. Effectivity. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, two thousand and six.

Gloria Arroyo

By the President:


EDUARDO R. ERMITA
Executive Secretary

