

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

SENATE  
OFFICE OF THE SECRETARY

10 JUL 22 AM 11

SENATE  
S. No. **1899**

APPROVED

Introduced by Senator Miriam Defensor Santiago

### EXPLANATORY NOTE

The Constitution, Article II, Section 13 provides:

Section 13. The state recognizes the vital role of the youth in nation building and shall promote 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.

Our people are more concerned about illegal drug use and crimes associated with such use than any other current social problem. Illegal drug use is harmful and wrong. Illegal drug use can kill the individuals involved or cause the individuals to hurt or kill others, and such use strips the individuals of their moral sense and with it, everything in life that is important and worthwhile.

The greatest threat presented by such use is to the youth, who are illegally using drugs. According to recently released national surveys, drug use among the youth remains at alarmingly high levels.

National leadership is critical to conveying to the youth the message that drug use is dangerous and wrong. While government's efforts to punish drug pushers are commendable, the problem cannot be addressed fully if the government will not undertake effort to reduce drug use, by mobilizing every sector of the community to support the implementation of comprehensive, sustainable, and effective programs to reduce drug abuse.

This bill seeks to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*as*

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<sup>1</sup> This bill was originally filed during the Thirteenth Congress, First Regular Session

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1 AN ACT  
2 PROVIDING FOR PROGRAMS TO FACILITATE A SIGNIFICANT REDUCTION IN  
3 THE INCIDENCE AND PREVALENCE OF SUBSTANCE ABUSE THROUGH  
4 REDUCING THE DEMAND FOR ILLEGAL DRUGS AND THE INAPPROPRIATE USE  
5 OF ILLEGAL DRUGS

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

6 SECTION 1, *Short Title* - This Act shall be known as the "Drug Demand Reduction Act"

7 TITLE I-TARGETED SUBSTANCE ABUSE

8 PREVENTION AND TREATMENT PROGRAMS

9 Subtitle A-National Youth Anti-Drug Media Campaign

10 SECTION 2. *Requirement to conduct national media campaign* -

11 (A) *In General*. - The Director of the Dangerous Drugs Board (in this subtitle referred to  
12 as the 'Director'), in cooperation with the Department of Education (DepEd), the National Youth  
13 Commission (NYC) and the Philippine Information Agency (PIA), shall conduct a national  
14 media campaign in accordance this subtitle for the purpose of reducing and preventing drug  
15 abuse among young people in the Philippines.

16 (B) *Local Target Requirement*. - The Director shall to the maximum extent feasible, use  
17 amounts made available to carry out this subtitle for media that focuses on, or includes specific  
18 information on, prevention or treatment resources for consumers within specific local areas.

19 SECTION 3. *Use of funds* -

20 (A) *Authorized Uses*. -

1           (1) *In General.* - Amounts made available to carry out this Act for the support of national  
2 media campaign may only be used for-

3           (a) the purchase of media time and space;

4           (b) talent reuse payments;

5           (c) out-of-pocket advertising costs ;

6           (d) testing and evaluation of advertising;

7           (e) evaluation of the effectiveness of the media campaign;

8           (f) the negotiated fees for the winning bidder on request for proposals issued by the  
9 *Office* of National Drug Control Policy;.

10          (g) partnerships with community, civic, and professional groups, and government  
11 organizations related to the media campaign; and

12          (h) entertainment industry collaborations to fashion antidrug messages in motion pictures,  
13 television programming, popular music, interactive (internet and news) media projects and  
14 activities, public information, news media outreach, and corporate sponsorship and participation.

15          (2) *Advertising.* - In carrying out this subtitle, the Director shall devote meet sufficient  
16 funds to the advertising portion of the national media campaign to the stated reach and frequency  
17 goals of the campaign.

18          (B) *Prohibitions.* - None of the amounts made available under this subsections may be  
19 obligated or expended-

20          (1) to supplant current community based coalitions;

21          (2) to supplant current pro bono public service time donated by national and local  
22 broadcasting networks;

23          (3) for partisan political purposes; or

24          (4) to fund media campaigns that feature any elected officials, persons seeking elective  
25 office, cabinet level officials and other agency officials.

26          SECTION 4. *Reports to Congress.* -The Director shall-

1 (A) submit to Congress on an annual basis a report on the activities for which amounts  
2 made available under this subtitle have been obligated during the preceding year, including  
3 information for each quarter of such year, and on the specific parameters of the national media  
4 campaign; and

5 (B) *Certification.* - A certification that-

6 (1) Funds made available under this subtitle will not be used to supplant local  
7 funds, but will be used to increase the amounts of such funds that would, in the absence  
8 of funds, be made available for law enforcement activities; and The programs developed  
9 pursuant to this subtitle meet all requirements of this subtitle.

10 (2) The programs developed pursuant to this subtitle meet all requirements of this  
11 subtitle

12 (C) *Review and Approval.* - Subject to Section 7(B), the Director shall approve  
13 applications and make grant awards to units of local governments that show the most promise for  
14 accomplishing the purposes of this subtitle consistent with the provisions of Section 9.

15 SECTION 5. *Uses of Funds by Local Government Units.* - A local government unit that  
16 receives a grant award under this Act shall use funds to provide comprehensive treatment  
17 programs to inmates in prisons or jails, including not less than three (3) of the following:

18 (A) Tailored treatment programs to meet the special needs of different types of  
19 substance-involved offenders.

20 (B) Random and frequent drug testing, including a system of sanctions.

21 (C) Training and assistance for corrections officers and personnel to assist substance  
22 involved offenders.

23 (D) Clinical assessment of incoming substance-involved offenders.

24 (E) Availability of religious and spiritual activity and counseling to provide an  
25 environment that encourages recovery from substance involvement in correctional facilities.

26 (F) Educational and vocational training.

27 (G) A substance-free correctional facility policy.

1           SECTION 6. *Evaluation and recommendation report to Congress* -

2           (A) *Evaluation*. -

3           (1) *In General*. - The Director shall enter into a contract, with an evaluating agency that  
4 has demonstrated experience in the evaluation of substance abuse treatment, to conduct an  
5 evaluation that incorporates the criteria.

6           (2) *Evaluation Criteria*. - The Director, in consultation with the Directors of the  
7 Department of Health, shall establish minimum criteria for evaluating each program. Such  
8 criteria shall include-

- 9           (a) reducing substance abuse among participants;  
10          (b) reducing recidivism among participants;  
11          (c) cost effectiveness of providing services to participants; and  
12          (d) a data system that will produce data.

13          (B) *Report*. - The Director shall submit to the appropriate committees, at the same time as  
14 the President's budget is submitted, a report that -

- 15          (1) describes the activities funded by grant awards under this subtitle;  
16          (2) includes the evaluation submitted pursuant to paragraph (a); and  
17          (3) makes recommendations regarding revisions to the authorization of the program,  
18 reduction, and termination.

19           SECTION 7. *Definitions* - For purposes of this Act, the term:

20           (A) "Appropriate committees" means the Committees on Appropriations of the House of  
21 Representatives and the Senate;

22           (B) "Substance-involved offender" means an individual under the supervision of a  
23 government or local criminal justice system, awaiting trial or serving a sentence imposed by the  
24 criminal justice system, who-

- 25           (1) violated or has been arrested for violating a drug or alcohol law;

1 (2) was under the influence of alcohol or an illegal drug at the time the crime was  
2 committed;

3 (3) stole property to buy illegal drugs, or

4 (4) has a history of substance abuse and addiction.

5 (C) "Unit of local government" means municipality, city, or province.

6 SECTION 8. *Authorization of appropriations* - There are authorized to be appropriated  
7 to carry out this Act:

8 (A) For the fiscal year of the passage of this Act, P20,000.00; and

9 (B) For the next succeeding fiscal year, P20,000.00.

10 The Director may reserve each fiscal year not more than twenty (20) *per centum* of the  
11 funds appropriated for activities required under Section 10.

## 12 TITLE II-PROTECTING OUR NEIGHBORHOODS AND SCHOOLS FROM DRUGS

### 13 Subtitle A-Drug-free Teen Drivers

14 SECTION 9. *Demonstration program*. - The Land Transportation Office shall establish a  
15 demonstration program to provide voluntary 'drug testing for all teenager applicants, or other  
16 first time applicants for a driver's license regardless of age, for a driver's license. Information  
17 respecting an applicant's choice not to take the drug test or the result of the drug test on the  
18 applicant shall be made available to the applicant's automobile insurance company. If an  
19 applicant tests positive in the drug test, the LTO in which the program is established will not  
20 issue to the applicant and will require the applicant to complete a drug treatment program and to  
21 not test positive in a drug test before reapplying for a license.

### 22 Subtitle B-Drug-Free Schools

23 SECTION 10. *Authorization of Appropriations*. - There is authorized to be appropriated  
24 such sums as may be necessary to carry out this chapter.

25 SECTION 11. *Authorization for Report Cards on Schools* -

1 (A) *In General.* - The Secretary of Education shall develop, establish, or conduct  
2 innovative programs for implementation of public schools and state colleges and universities to  
3 improve unsafe elementary schools or secondary schools.

4 (B) *Priority.*- The Secretary shall give priority to establishing-

5 (1) Programs that provide parent and teacher notification about incidents of  
6 physical violence, weapon possession, or drug activity on school grounds as soon as possible  
7 the incident as practicable.

8 (2) Programs that provide parents and teachers an annual report regarding-

9 (a) the total number of incidents of physical violence, weapon possession,  
10 and drug activity on school grounds;

11 (b) the percentage of students missing 10 or fewer days of school; and

12 (c) a comparison, if available, to previous annual reports under this  
13 paragraph, which comparison shall not involve a comparison of more than five (5)  
14 such previous annual reports; and

15 (3) Programs to enhance school security measures that may include-

16 (a) equipping schools with fences, closed circuit cameras, and other  
17 physical security measures;

18 (b) providing increased police patrols in and around elementary schools  
19 and secondary schools, including canine patrols; and

20 (c) mailings to parents at the beginning of the school year stating that the  
21 possession of a gun or other weapon, or the sale of drugs in school, will not be  
22 tolerated by school authorities.

23 SECTION 12. *Parental Consent to Drug Testing.* -

24 (A) *In General.* - The Secretary, in cooperation with the Dangerous Drugs Board and the  
25 National Youth Commission shall develop, establish, or conduct programs for testing students  
26 for illegal drug use with prior parental consent.



1 (B) *Guidelines.* - The Secretary shall adapt the following guidelines in implementing the  
2 program:

3 (1) Students will only be tested with their parent's consent. If the program also  
4 requires the consent of the student, the parent will be informed of any refusal by the  
5 student to give consent.

6 (2) The program may involve random testing or testing of all students within  
7 certain grade or age parameters at a participating school.

8 (3) Students who test positive for illegal drugs will not be penalized, except that  
9 the privilege of participating in optional courses or extra-curricula activities in which  
10 drug impairment might pose a safety risk such as athletic teams, drivers education, or  
11 industrial arts may be restricted.

12 (4) The parent of a student who tests positive for privilege for illegal drugs shall  
13 be notified of the results in a discrete manner by a health care professional, a counselor,  
14 or other appropriate person. Parents shall be advised of resources that may be available in  
15 the local area to treat drug dependency.

16 (5) The procedures used in the demonstration project shall be designed to ensure  
17 fairness and accuracy. The procedures shall also require personnel administering the drug  
18 testing program to treat individual test results confidentiality, and not to provide  
19 individual test results to law enforcement officials. Statistical information which does not  
20 reveal individual identifying information should be provided to law enforcement  
21 officials.

22 (C) *Subpoenas and Discovery.* - Test results for tests conducted shall not be subject to  
23 subpoena or discovery in any court, or administrative forum, without the consent of the  
24 individual's consent is required.

#### 25 Subtitle C-Drug-Free Workplaces

26 SECTION 13. Purposes -The purposes of this Section are to-

27 (A) Educate small business concerns about the advantages of a drug-free workplace;

1 (B) Provide financial incentives and technical assistance to enable small business  
2 concerns to create a drug-free workplace; and

3 (C) Assist working parents in keeping their children drug-free.

4 SECTION 14. *Drug-free Workplace Demonstration Program.* -

5 (A) *Establishment.* - There is established a drug-free demonstration program, under which  
6 the Dangerous Drugs Board in coordination with corporations and companies shall start a drug-  
7 free workplace program.

8 (B) *Requirements for Program.* -Any drug-free workplace program established as a result  
9 of this section shall include -

10 (1) A written policy, including a clear statement of expectations for workplace  
11 behavior, prohibitions against substances in the workplace, and the consequences of  
12 violating such expectations and prohibitions;

13 (2) Training for at least 60 minutes for employees and supervisors and employees  
14 who are parents;

15 (3) additional training for supervisors and employees who are parents;

16 (4) employee drug testing; and

17 (5) employee access to an employee assistance program, including assessment,  
18 referral, and short-term problem resolution.

19 TITLE 111 - NATIONAL DRUG CONTROL STRATEGY

20 SECTION 15. *Development, submission, implementation, and assessment of National*

21 *Drug Control Strategy* -

22 (A) *Timing, Contents, and Process for Development and Submission of National Drug*  
23 *Control Strategy.* -Not later than two months after the promulgation of this act, the President  
24 shall submit to Congress a National Drug Control Strategy, which shall set forth a  
25 comprehensive 4-year plan for reducing drug abuse and the consequences of drug use in the  
26 Philippines, by limiting the availability of and reducing the demand for illegal drugs and shall

1 include quantifiable 4-year performance objectives, targets, and measures for each National Drug  
2 Control Strategy goal and objective.

3 (B) *Contents.* - The National Drug Control Strategy shall include-

4 (1) Comprehensive, research-based, long-range, quantifiable, goals for reducing  
5 drug abuse and the consequences of drug-abuse in the Philippines;

6 (2) Short-term measurable objectives to accomplish long-term quantifiable goals  
7 that the Director of the Dangerous Drugs Board determines may be realistically achieved  
8 during the 4-year period beginning on the date on which  
9 the strategy is submitted;

10 (3) Five (5) year projections for program and budget priorities; and

11 (4) A review of governmental and private sector drug control activities to ensure  
12 that the Philippines pursues well-coordinated and effective drug control at all levels of  
13 government.

14 (C) *Classified Information.* - Any contents of the National Drug Control Strategy that  
15 involves information properly classified under criteria established by an Executive order shall be  
16 presented to Congress separately from the rest of the Strategy.

17 (D) *Process for Development and Submission.* -

18 (1) *Consultation.* - In developing and effectively implementing the National Drug  
19 Control Strategy, the Director shall consult with Congress, provincial and local officials,  
20 private citizens and organizations with experience and expertise in demand reduction and  
21 private citizens and organizations with experience and expertise in supply reduction.

22 (2) *Modernization and Resubmission.* - Notwithstanding any other provision of  
23 law, the Director may modify a National Drug Control Strategy submitted under  
24 paragraph (1) at any time.

25 (3) *Annual Strategy Report.* - Every February 1 of each year, the President shall  
26 submit to Congress a report on the progress in implementing the Strategy, which shall  
27 include an assessment of the effectiveness in achieving the Strategy goals and objectives  
28 using the performance measurement system, including an assessment of drug use and

1 availability in the Philippines; and an estimate of the effectiveness of interdiction,  
2 treatment, prevention, law enforcement, and international programs under the National  
3 Drug Control Strategy in effect during the preceding year, or in effect as of the date on  
4 which the report is submitted;

5 (4) An assessment of current drug use, including inhalants, and availability,  
6 impact of drug use, and treatment availability, which assessment shall include estimates  
7 of drug prevalence and frequency of use as measured by national, and local surveys of  
8 illicit drug use and by other special studies of casual and chronic drug use; high-risk  
9 populations, including school dropouts, the homeless and transient, arrestees, parolees,  
10 and juvenile delinquents; and drug use in the workplace and the productivity lost by such  
11 use;

12 (5) An assessment of the reduction of drug availability against an ascertained  
13 baseline, as measured by the quantities of cocaine, marijuana, methamphetamine, and  
14 other drugs available, including recreational drugs such as ecstasy for consumption in the  
15 Philippines; the amount of marijuana, cocaine, and heroin, entering the Philippines; the  
16 number of hectares of marijuana, poppy, and cocoa cultivated and destroyed; the number  
17 of metric tons of marijuana, heroin, and cocaine seized; the number of cocaine and  
18 methamphetamine processing laboratories destroyed; changes in the price and purity of  
19 *shabu* and cocaine; the amount and type of controlled substances diverted from legitimate  
20 retail and wholesale sources; and the effectiveness of technology programs at improving  
21 drug detection capabilities in interdiction, and at Philippines ports of entry;

22 (6) An assessment of the reduction of the consequences of drug use and  
23 availability, which shall include estimation of the burden drug users placed on hospital  
24 emergency departments in the Philippines, such as the quantity of drug-related services  
25 provided; the annual national health care costs of drug use, including costs associated  
26 with people becoming infected with human immunodeficiency virus and other infectious  
27 diseases as a result of drug use; the extent of drug-related crime and criminal activity; and

1 the contribution of drugs to the underground economy, as measured by the retail value of  
2 drugs sold in the Philippines;

3 (7) A determination of the status of drug treatment in the Philippines, by assessing  
4 public and private treatment capacity within each region, including information on the  
5 treatment capacity available in relation to the capacity actually used; the extent, within  
6 each region, to which treatment is available; the number of drug users the Director  
7 estimates could benefit from treatment; and the specific factors that restrict the  
8 availability of treatment services to those seeking it and proposed administrative or  
9 legislative remedies to make treatment available to those individuals; and

10 (8) An assessment of private sector initiatives and cooperative efforts between the  
11 National Government and region and local governments for drug control.

12 (E) *Submission of Revised Strategy*. - The President may submit to Congress a revised  
13 National Drug Control Strategy that meets the requirements of this section at any time, upon a  
14 determination by the President and the Director that the National Drug Control Strategy in effect  
15 is not sufficiently effective; and if a new President or Director takes office.

16 SECTION 16. *Separability Clause*. - If any provision or part hereof, is held invalid or  
17 unconstitutional, the remainder of the law or the provision otherwise affected shall remain valid  
18 and subsisting.

19 SECTION 17. *Repealing Clause*. - Any law, presidential decree or issuance, executive  
20 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
21 with the provision of this Act is hereby modified, or amended accordingly.

22 SECTION 18. *Effectivity Clause*. - This Act shall take effect fifteen (15) days after its  
23 publication in at least two (2) newspapers of general circulation.

Approved,