

110-027643

EXECUTIVE ORDER NO. 608

**ESTABLISHING A NATIONAL SECURITY CLEARANCE SYSTEM
FOR GOVERNMENT PERSONNEL WITH ACCESS TO
CLASSIFIED MATTERS AND FOR OTHER PURPOSES**

WHEREAS, the government is always at constant risk of being infiltrated by a group or individual for a purpose which is inimical to national interest;

WHEREAS, these groups/individuals rely on infiltrating and/or developing contacts within the bureaucracy to be their source of intelligence and other relevant information, particularly on classified or sensitive information and materials in order to accomplish their unlawful objectives;

WHEREAS, it is the duty and responsibility of all government departments, agencies and offices to implement security measures that will protect and ensure the integrity and sanctity of classified or sensitive materials or information they have access to or in their possession;

WHEREAS, Memorandum Circular No. 78 dated August 14, 1978 and Memorandum Circular No. 196 dated July 19, 1968 were promulgated to ensure against unauthorized access or disclosure of information and classified matters which could cause grave damage to the government or national interest;

WHEREAS, there is a need to develop and institutionalize a uniform Security Clearance System that is national in scope to cover all government personnel who by reason of their function or their office have access or can have access to classified information or documents;



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

Section 1. *Institution of an Interim Security Clearance*

a. All heads of government offices or agencies handling or having access to classified matters shall strictly implement and institutionalize the security clearance procedure approved by the Office of the National Security Adviser regarding the conduct of a comprehensive background investigation on their personnel who by reason of their duty or employment, have access to classified matters as defined under Memorandum Circular No. 78 as amended by Memorandum Circular No. 196 dated July 19, 1968. It is only after passing the said security clearance procedure can the department, agency or office issue an Interim Security Clearance in favor of said employee. Only the head of the department, agency or office concerned or their designated representative can issue the Interim Security Clearance.

b. The heads of departments and/or agencies of the government or their designated agents or instrumentalities, shall before issuance of the Interim Security Clearance, issue a certification that after strictly complying with the security clearance procedure, the officer or employee is cleared to have access to classified matters indicating therein the level of such access or category of classified information to which such personnel is authorized to have access.

c. Each department, agency or office of the government granting the Interim Security Clearance shall establish and maintain a Security Investigation Index for all personnel granted such Interim Security Clearance. The records of investigation(s) and the kind of clearance(s) issued shall be made a permanent part of the personnel's 201 file. The Index shall contain the date of the investigation, the type of investigation conducted, the location of the investigative file, the date the clearance was granted, the signature of the authority granting such clearance and the category or level of classified matters to which such personnel is authorized to have access.

d. The heads of departments and/or agencies shall designate a Security Officer who shall assume responsibility for implementing and



maintaining the security clearance system in their respective jurisdiction.

e. Personnel granted an Interim Security Clearance or Security Clearance shall not disclose, share, publish or use the information contained in the classified documents or materials in any way that violates the clearance issued to them or without proper authority.

Section 2. ***Institution of Security Clearance***

a. The head of the department, agency or office of the government or their designated representatives shall forward the names of their personnel granted an Interim Security Clearance which have access to materials classified as Secret and above to the Office of the National Security Adviser/Office of the National Security Director (ONSA/ONSD), through the National Intelligence Coordinating Agency (NICA). The NICA, on its own or upon request, shall subject to further background investigation any personnel granted an Interim Security Clearance. The NICA may request the assistance of any government department, agency or office in the performance of this function.

b. The NICA, upon processing of the information obtained, shall forward its recommendations for the issuance of a Security Clearance granting access on a "need to know" basis to materials classified as Secret and above or non-issuance thereof to the ONSA/ONSD for approval. All decisions by the ONSA/ONSD in this regard, including the validity period for any Security Clearance issued, shall be forwarded to the department, agency or office concerned for its information and implementation.

c. The Security Clearance issued by the ONSA/ONSD shall remain valid until its expiration unless revoked earlier.

Section 3. **Appeal**

A party desiring to appeal the decision of the ONSA/ONSD may file their appeal to the Office of the President in accordance with law.

Section 4. **Limitation Clause**

The provisions of this Order shall apply to government personnel with access to or are handling classified documents and all those contemplated to be granted such authority.



Section 5. **Implementing Guidelines**

a. The NICA, in coordination with the Intelligence Community and relevant departments and agencies, shall formulate the Implementing Rules and Regulations subject to the approval of the National Intelligence Board (NIB) for the effective implementation of this Order.

b. For this purpose, NICA shall undertake measures to acquire the capability to accomplish its task as mandated in this program.

Section 6. **Administrative Liability**

Any unauthorized disclosure, sharing, publication or use of the information contained in the classified documents or materials shall be considered a grave offense and shall be punishable in accordance with civil service rules and regulations. The filing of an administrative case against an erring personnel or officer does not preclude the filing of any other appropriate criminal or civil case for the same violation/s.

Section 7. **Repeal or Amendment**

All issuances inconsistent with the provisions of this Executive Order shall be deemed repealed, amended or modified accordingly.

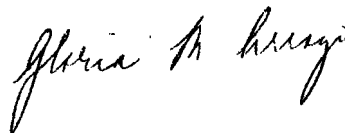
Section 8. **Effectivity**

This Executive Order shall take effect fifteen (15) days after publication in two (2) newspaper of general circulation.

DONE in the City of Manila, this 30th day of March in the year of Our Lord, Two Thousand and Seven.

By the President:


EDUARDO R. HERMIDA
Executive Secretary





CERTIFIED COPY:

MARIANITO M. DIMAANDA
DIRECTOR III
MALACANANG RECORDS OFFICE