

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER No. 398

REORGANIZING THE DEPORTATION BOARD

For the purpose of conducting investigations of undesirable aliens residing in the Philippines in the manner prescribed in section 69 of the Revised Administrative Code, I, Elpidio Quirino, President of the Philippines, by virtue of the powers vested in me by law, do hereby reorganize the Deportation Board to be composed of—

A Judge of First Instance to be designated by the Secretary of Justice	Chairman
A ranking officer of the Department of Foreign Affairs to be designated by the Secretary of Foreign Affairs	Member
The Commissioner of Immigration	Member
The City Fiscal of Manila	Member
The Judge Advocate General of the Armed Forces of the Philippines	Member

1. The Board shall conduct all investigations in accordance with the following rules and regulations:

(a) The Deportation Board, *motu proprio* or upon complaint of any person, is authorized to conduct investigations in the manner prescribed in section 69 of the Revised Administrative Code to determine whether a subject of a foreign power residing in the Philippines is an undesirable alien or not, and thereafter to recommend to the President of the Philippines the deportation of such alien.

(b) The Deportation Board, *motu proprio* or upon the filing of the formal charges by the Special Prosecutor of the Board, shall issue the warrant of arrest against the alien or aliens complained of.

(c) Any respondent may file a bond with the Deportation Board in such amount and containing such conditions as the Chairman of the Board may approve and prescribe: *Provided, however,* That if at any stage of the proceedings it appears to the Board that there is strong evidence against the respondent or there is strong probability of his escaping or evading the proceedings of the Board, it may order his arrest and commitment.

(d) Every person complained against before the Deportation Board shall be informed of the charge or charges against him and shall be allowed not less than three days from notice

thereof for the preparation of his defense. He shall have the right to be heard by himself or counsel, to produce witnesses in his own behalf and to cross-examine the opposing witnesses.

(e) The proceedings before the Board shall be reduced to writing, a full record of the proceedings shall be kept in all cases and shall include a statement of the findings and conclusions of the Board signed by the members thereof. A majority of the members shall constitute a quorum for the transaction of business and a vote of three of them shall be necessary to arrive at a decision: *Provided, however,* That the Board may designate one of its members or any other competent person to receive evidence and submit a report to the Board, on the basis of which it shall make its own findings of fact. Any dissent from the majority opinion shall also be reduced to writing and filed with the records of the proceedings.

(f) The investigation of any case shall be finished within fifteen days, unless extended by the President. The findings and recommendations of the Deportation Board, with a full record of the proceedings, shall be transmitted to the Office of the President within ten days after the termination of the investigation. Final order of deportation shall be issued by the President of the Philippines.

2. The assistance of all law enforcement agencies and offices of the Government should be made available to the Deportation Board at the request of the Chairman thereof.

3. The Deportation Board shall issue such rules and regulations as may be necessary to carry into effect the provisions of this Order.

4. Executive Order No. 37, dated January 4, 1947, Executive Order No. 69, dated July 29, 1947, and all other Orders inconsistent herewith are hereby revoked.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and fifty-one, and of the Independence of the Philippines, the fifth.

ELPIDIO QUIRINO

President of the Philippines

By the President:

TEODORO EVANGELISTA

Executive Secretary