

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session

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SENATE
P.S.R. No. **971**

Introduced by **SENATOR FRANCIS "TOL" N. TOLENTINO**

RESOLUTION

DIRECTING THE COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED HACKING OF SENSITIVE DATA OF THE COMMISSION ON ELECTIONS (COMELEC), WHICH COULD POTENTIALLY IMPACT THE MAY 2022 POLLS

1 **WHEREAS**, Section 1 of Republic Act 9369 provides that it is the policy of the
2 State to ensure free, orderly, honest, peaceful, credible and informed elections;

3 **WHEREAS**, the accuracy and efficiency of the electoral process is crucial to
4 upholding the essence of democracy, because the authenticity of the results of
5 elections in terms of reflecting the true sentiments of the people regarding their choice
6 of leadership relies on the soundness of the system by which elections are held;

7 **WHEREAS**, Section 2 of R.A. No. 10175, otherwise known as the "Cybercrime
8 Prevention Act of 2012", declares, in part, that "[t]he State recognizes the vital role of
9 information and communications industries such as content production,
10 telecommunications, broadcasting electronic commerce, and data processing, in the
11 nation's overall social and economic development" and recognizes the "need to protect
12 and safeguard the integrity of computer, computer and communications systems,
13 networks, and databases, and the confidentiality, integrity, and availability of
14 information and data stored therein, from all forms of misuse, abuse, and illegal access
15 by making punishable under the law such conduct or conducts";

1 **WHEREAS**, it is a declared policy of the state under Republic Act No. 10173 or
2 the “Data Privacy Act of 2012” the recognition of the vital role of information and
3 communications technology in nation-building and its inherent obligation to ensure
4 that personal information in information and communications systems in the
5 government and in the private sector are secured and protected;

6 **WHEREAS**, protecting personal information is a matter of national security and
7 the government has a duty to protect the country and the personal information of the
8 people;

9 **WHEREAS**, various reports alleged that a group of hackers on January 8,
10 2022 were able to allegedly breach the servers of the Commission on Elections
11 (“**COMELEC**”) which may have compromised sensitive voter information stored in
12 such servers;^{1,2}

13 **WHEREAS**, it was reported that sixty (60) gigabytes of information was
14 downloaded through the said hacking incident that included voter data, network
15 diagrams, IP addresses, list of privileged users, domain admin credentials, list of all
16 passwords and domain policies, access to ballot handling dashboard, and QR Code
17 captures of the bureau of canvassers with login and password;

18 **WHEREAS**, the COMELEC also suffered data breaches in the past – during the
19 2016 local and national elections when hackers under the banner “Anonymous
20 Philippines” hacked into the website of the COMELEC, defaced it, and downloaded
21 voter information from its servers;³ and in 2017 when the computer of Office of the
22 Election Officer in Wao, Lanao Del Sur was stolen which contains data from the Voter
23 Registration System (VRS), voter search applications, and National List of Registered
24 Voters (NLRV);⁴

25 **WHEREAS**, it is imperative to investigate the continuous proliferation and
26 alarming trend of cyber-attacks against the Government and private firms in the

¹<https://newsinfo.inquirer.net/1538598/comelec-questions-systems-breach-report-says-validation-underway>

²<https://mb.com.ph/2022/01/10/comelec-servers-hacked-downloaded-data-may-include-information-that-could-affect-2022-elections/>

³ <https://www.rappler.com/nation/elections/127315-comelec-data-hackers/>

⁴ <https://www.rappler.com/nation/162016-national-voters-list-stolen-comelec-computer-wao-lanao-del-sur/>

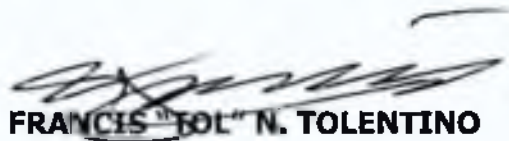
1 country and put an end in the manipulation, abuse and misuse of pertinent
2 information of the public to the advantages of these online lawbreakers;

3 **WHEREAS**, there is an urgent need to determine whether COMELEC has
4 strong data encryption to prevent any untoward incident that may affect the upcoming
5 elections;

6 **NOW THEREFORE, BE IT RESOLVED**, as it is hereby resolved, to direct the
7 Committee on Electoral Reforms and People's Participation to conduct an inquiry, in
8 aid of legislation, on the alleged data breaches involving the COMELEC which could
9 potentially impact the May 2022 polls.

10 **Adopted,**

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FRANCIS "TOL" N. TOLENTINO