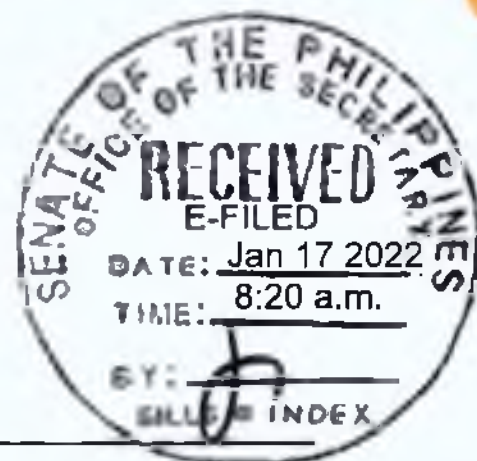


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE
P.S. Resolution No. 973



Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE
ALARMING REPORTS OF BREACH ON THE DATA SERVERS OF THE
COMMISSION ON ELECTIONS (COMELEC) THEREBY CAUSING CONCERN
ON THE POSSIBLE THREAT AND IRREGULARITIES IT MAY CAUSE ON THE
UPCOMING MAY 2022 NATIONAL AND LOCAL ELECTIONS

WHEREAS, Article IX-C, Section 2 of the 1987 Constitution provides that the Commission on Elections (COMELEC) shall enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall. Further, Article V, Section 2 of the 1987 Constitution also provides that the Congress shall provide a system for securing the secrecy and sanctity of the ballot;

WHEREAS, Republic Act (R.A.) No. 8436, as amended, which authorized the COMELEC to use the Automated Election System, declares that it is the policy of the State to ensure free, orderly, honest, peaceful, credible and informed elections, plebiscites, referenda, recall and other similar electoral exercises by improving on the election process and adopting systems, which shall involve the use of an automated election system that will ensure the secrecy and sanctity of the ballot and all election, consolidation and transmission documents in order that the process shall be transparent and credible and that the results shall be fast, accurate and reflective of the genuine will of the people;

WHEREAS, on 10 January 2022, various news articles have reported that sensitive voter information may have been compromised after a group of hackers was allegedly able to breach the servers of the COMELEC thereby downloading more than 60 gigabytes of data that could possibly affect the May 2022 National and Local elections;

WHEREAS, such information was discovered by the Manila Bulletin (MB) Technews team, which found that the hackers' group managed to breach the system of the COMELEC last Saturday, 08 January 2022, and download files that included, among others, usernames, PINS of vote-counting machines (VCM), network diagrams, IP addresses, list of all privileged users, domain admin

credentials, list of all passwords and domain policies, access to the ballot handling dashboard, and QR code captures of the bureau of canvassers with login and password. Further, sensitive data downloaded also included list of overseas absentee voters, location of all voting precincts with details of board of canvassers, all configuration list of the database, and list of all user accounts of Comelec personnel;

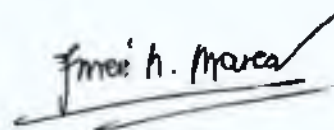
WHEREAS, after receiving reports, the COMELEC immediately investigated the veracity of said incidents. On 10 January 2022, COMELEC Spokesperson James Jimenez stated that, "*The Comelec stands ready to pursue all available remedies against those who, either deiiiberately or otherwise, undermine the integrity of the electoral process*". Jimenez added that it is unlikely that such data were downloaded by the hackers since such information still does not exist in the COMELEC system, as of the moment. Jimenez, further, stated that, "*In this regard, we invite the authors to shed light on their allegations, particularly with regard to the 'verification' they claim to have carried out*";

WHEREAS, the COMELEC is now investigating and considering legal action against those behind the incident which exposed sensitive information to unscrupulous individuals which may affect the credibility of the May 2022 elections;

WHEREAS, this is not the first time that there was an alleged breach in the cybersecurity of the COMELEC wherein in October 2016, personal information of various voters, of about 55 million voters, were leaked. Therefore, the COMELEC, in cooperation with the National Bureau of Investigation (NBI), the Department of Science and Technology (DOST), and the National Privacy Commission (NPC) has been investigating these cybersecurity breaches and are working to put in place changes that will prevent similar incidents in the future;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, directing the appropriate Senate Committee to conduct an inquiry, in aid of legislation, into the alarming reports of breach on the data servers of the Commission on Elections (COMELEC) thereby causing concern on the possible threat and irregularities it may cause on the upcoming May 2022 National and Local elections.

Adopted,



IMEE R. MARCOS