

**BY HAND**

02 June 2016

**CHAIRMAN ANDRES D. BAUTISTA**  
**COMMISSION ON ELECTIONS**  
Palacio Del Gobernador  
Intramuros  
Manila

Re: Request for Audit of the Transparency Server and Central Server and Other Requests

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Dear Chairman Bautista:

This is further to our letters dated 11 May 2016, 19 May 2016 and 31 May 2016, and to the letter of Senator Ferdinand R. Marcos, Jr., dated 17 May 2016 requesting for an audit of the COMELEC Transparency and Central Servers, which we have sent to your office.

In response to said letters, the Commission sitting en banc issued Minute Resolution No. 16-0387 which resolved to defer the action on our request for a system's audit of the Transparency Server and Central Server until after the completion of the canvassing by the National Board of Canvassers (NBOC). The Commission, in the same Minute Resolution, resolved to advise Senator Marcos of this Commission's willingness to the conduct of a system's audit if carried out by a group of disinterested and qualified information technology experts, citing the Department of Science and Technology (DOST) as one such body/group.

On 27 May 2016, the Joint Canvass Committee sitting as the NBOC concluded the official canvassing of votes for the Presidential and Vice-Presidential candidates after the canvass of one hundred sixty seven (167) Certificates of Canvass. In fact, a committee report declaring the results of the May 9, 2016 National Elections for the offices of President and Vice-President has already been approved by Congress; and in fact, last 30 May 2016, the duly elected President and Vice-President of the Republic of the Philippines have already been proclaimed by both Houses of Congress.

Thus, considering the completion of the Presidential and Vice-Presidential canvass, we are now following up on our earlier requests for a system's audit of the COMELEC Transparency Server and Central Server.

We respectfully take exception to the use of government IT experts in the contemplated system audit, because they are not independent third party experts. In any event, the IT experts of Senator Marcos would like to be given the opportunity to participate in said audit, together with other interested individuals and political parties.

Now, therefore, we earnestly reiterate on our earlier requests to this Commission to **permit Senator Marcos' OWN team of experts to conduct an audit of the Transparency Server and the Central Server**, under the close supervision of this Commission and its technical personnel. In the meantime, we reiterate immediate access by our IT experts to the following:

1. Transmission logs;
2. White list of the VCMs, USB devices, BBGANs that were used during the elections;
3. Digitally Signed Election Returns; and
4. Public Key and Decryption Key to open the transmitted files.

With respect to our letter request dated 19 May 2016, please be informed that we have not received any information on the following:

1. The number of CCS laptops/ servers that were reported to contain rogue votes allegedly coming from the Pre-Election Logical Accuracy Test (PRELAT) and Mock Elections on Election Day;
2. The municipalities, cities and provinces affected; and
3. The measures or procedures which this honorable Commission took to rectify this supposed anomaly or error.

Clearly, this Commission has not addressed the above requests. With the foregoing, are we to consider that this Commission has rejected our requests or are we just to assume that this Commission is not in possession of said information and documents?

Finally, with regard to our letter, dated 31 May 2016, we would like to follow-up the action this Commission took "to preserve and secure the data and the audit logs contained in all servers, and the Central Server in particular." IN ADDITION, AND MOST IMPORTANTLY, we would like to request that this Commission PRESERVE and SECURE any and all other servers, including but not limited to the Data Base Server and any and all "INTERMEDIARY SERVERS" (also known as the QUEUE SERVERS), together with all routers, switches, listeners, among others.

I trust that this request will merit your timely and favorable response.

Very truly yours,

**JOSE AMOR M. AMORADO**

Legal Counsel

Cc: Commissioner Christian Robert S. Lim *aga 6/6/16 1:21 pm*  
 Commissioner Al A. Pareño - *ana 6/6/16 1:02pm*  
 Commissioner Luie Tito F. Guia - *Lou 6-6-16 1:05 PM*  
 Commissioner Arthur D. Lim - *JEA 6-6-16 1:04pm*  
 Commissioner Ma. Rowena Amelia V. Guanzon - *Gub/Art 6-6-16 1:12 pm*  
 Commissioner Sheriff M. Abas - *Jhe 06/06/16 1:02pm*