

STRENGTHENING THE SECURITY OF AMERICA'S ELECTIONS

Testimony Before Committee on House Administration/ Subcommittee on Elections

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Good afternoon, Chairwoman Lee and Ranking Member Sewell. Members of the Subcommittee:

My name is Donald Palmer. I am a Senior Legal Fellow at The Heritage Foundation. I was a commissioner at the Election Assistance Commission for seven years and have served in Virginia and Florida as a senior state election official. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

Thank you for inviting me to this important hearing on ways to strengthen the cybersecurity and physical security of election administration.

The vital work to ensure the security of elections is often done behind the scenes and takes place each cycle to support the men and women on the ground who are charged with conducting each federal election. When the voting and election systems have been fully evaluated after cyber protections have been updated, election officials are then able to administer free and fair elections and be less concerned about the back-end security of the election process.

Taking a step back from my duties over the past seven years at the Election Assistance Commission (EAC), I have a few recommendations that will improve the cybersecurity and physical security of our nation's elections.

- 1. Support the existing Secure IT concept to add a formal vulnerability testing program,**
- 2. Expand non-voting election systems standards development and testing,**
- 3. Prioritize voter registration system security and modernization,**
- 4. Encourage coordination between federal partners and the EAC, and**
- 5. Support local law enforcement and local election offices in physical security.**

SECURE IT and Vulnerability Disclosure Program

While there is rigorous testing to current voluntary voting system standards, there needs to be additional vulnerability testing of voting machines that registered manufacturers wish to sell to states and localities for use in the administration of elections.

Despite the heightened scrutiny of voting system security by Congress, the executive branch, and the public, not much has changed since 2002 when the Help America Vote Act (HAVA) was enacted. Now is the opportune time for Congress to provide the direction and resources needed for the formal independent vulnerability testing program to find and resolve potential vulnerabilities in our voting systems.

The Congress has formally recognized the need for more penetration testing. H.R. 6315, the SECURE IT Act, became Section 6805 of the National Defense Authorization Act that was recently signed into law on December 18, 2025. The SECURE IT Act amended the HAVA to direct the EAC to require comprehensive penetration testing of voting and election systems. The legislation laid out the framework for revolutionizing the testing of voting and election systems to simulate real-world cyberattacks. However, no appropriation was provided to complete the directed activities.

The EAC has been working with MITRE to establish the initial framework for the vulnerability evaluation and penetration testing of voting and non-voting systems. However, the work is slow—way too slow to stay ahead of our adversaries. The window of opportunity to fully secure our elections and increase voter confidence could well close abruptly unless this vital work is completed in the most expeditious manner possible.

The Congress needs to recognize its equal responsibility in protecting federal elections from cyber interference by our adversaries.

Non-Voting Election Systems Standards Development and Testing

Beyond state testing, one of the key ways the security of election systems remains assured is the EAC's development of programs such as the Election Systems Testing and Evaluation Program (ESTEP). This program has established national voluntary standards in the security and accuracy of non-voting systems such as electronic poll books and voter registration systems. The EAC has successfully developed a testing and certification program for electronic poll books, and several national systems have been federally certified for use across the country. There have been ongoing evaluations of different technologies that are vital to the protection of our election systems in the years ahead. The Congress should direct the EAC to expand its testing program and encourage states to use the voluntary program.

Voter Registration Systems Modernization and Security Testing

Voter registration systems are high-profile non-voting election systems that are of critical use in American elections. These centralized voter registration systems were the heart of the bipartisan HAVA because they would interact with local registration databases and securely maintain voter registration data at the state level.

It is now 20 years since the adoption of HAVA, and these aging systems must be protected from cyber interference by our adversaries. Many of these systems need to be upgraded and modernized to the latest technology, and we need to take a serious approach to adopting what should be the minimum uniform security standards for the next generation of voter registration systems.

The Congress has been concerned with the vulnerability of voter registration systems for at least a decade, and there have been documented instances of the potential exploitation of such vulnerabilities by adversaries.

While a vulnerability or even exploitation of vulnerability may not impact the actual counting of votes cast or the results, you can imagine the impact on voter confidence of a breach of a voter registration system: It would be extremely negative, and the American public rightly expects that we are doing everything we can to protect our election systems. But we are *not* doing everything we can.

The bottom line: There is a real bipartisan concern over the vulnerabilities of these systems, and there needs to be real focus on the development of uniform security and accuracy standards for voter registration systems.

EAC and Federal Partners Coordination

The Congress has an opportunity to help the federal government coordinate the security of elections more effectively by supporting the states and conducting security testing of election systems at the federal level—both of which will be beneficial to the states and save taxpayer dollars.

There have been notable changes in the federal space supporting elections, particularly with the Cybersecurity and Infrastructure Security Agency reducing its footprint in the election administration space. While CISA resources are still available upon request, officials often request that there be more of an “election focus” in cybersecurity assistance.

Because the EAC is the established federal agency focused solely on elections, it is now voluntarily providing some of these offerings, including election security scenario training and federal partner coordination for states. The EAC could be doing more with the support of Congress.

In the past, HAVA funds have been vital in maintaining cyber defenses of election systems and networks. If the Congress wanted to do more with targeted funding or grants to states or election communities, the EAC is in a unique position to provide additional cyber protection services, funds, training, and election security offerings.

The EAC is the best agency to provide security testing and resources to state and local election officials because it remains the closest to the officials who run state and local elections. An independent bipartisan agency such as the EAC is the best option to ensure sure that critical foundational security work is conducted in a professional and balanced manner with input from all parties who may have a stake in the outcome.

The EAC is a small agency, but it is also incredibly talented at understanding what the election community wants and needs. Many of its staff have managed or run elections at the local level, and the commissioners have often served in the election community. The EAC also has established advisory boards made up of election officials and experts to receive input on different approaches to security issues and work priorities. Its experience helps the EAC to navigate the highly decentralized election process in the states and work with a diverse community of state and local officials.

Physical Security of Election Officials and Election Offices

Election officials are the professionals and public servants who administer elections at the state and local levels. Political threats have impacted election officials at all levels and of all political parties. While I have fought for freedom and free speech my entire career, there must be law and order in our society to deter threats or political violence directed at public servants.

Local governments and law enforcement bear primary responsibility for protecting citizens and election officials. However, the Federal Bureau of Investigation and other federal partners also offer significant resources, and I appreciate the seriousness with which federal law enforcement has addressed this issue and supported local election officials.

Most of the responsibility for the security of local election offices and personnel rests with local authorities, so election security grant programs to supplement local funding to harden office buildings and increase security measures would prove highly beneficial. In the past, when the Congress wanted to increase the accessibility of election offices and polling places, there were dedicated grants for that purpose. Similarly, Congress has several options to partner with the states and localities to increase the security of election offices.

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