



To: **State and Local Election Officials**
From: **U.S. Election Assistance Commission**
Date: **June 15, 2026**
RE: **NDAAs and EAC Penetration Testing Policy**

The Fiscal Year (FY) 2026 National Defense Authorization Act (NDAA) includes mandates related to election security, including the penetration testing of voting systems. To help state and local election officials communicate with voters about NDAA requirements, the U.S. Election Assistance Commission (EAC) compiled the following talking points and background information.

The EAC’s existing penetration testing policy meets the requirements outlined in NDAA Section 6805,* reinforcing election security and public confidence.

What is Election-Related Penetration Testing?

Penetration testing is a tool used to help ensure voting systems are secure. Before equipment is used by election offices and voters, experts try to “break into” a voting system in a safe, controlled way to see where it might be vulnerable. This is different from conformance testing, which checks whether the system meets the Voluntary Voting System Guidelines (VVSG) requirements.

- Penetration testing is managed by manufacturers and Voting System Test Laboratories (VSTLs) in the EAC’s program.
- The language on penetration testing in the NDAA does not apply to state and local election officials. It applies to the EAC as a federal agency.
- The EAC already requires penetration testing as part of our federal certification for voting systems.

What this Language in the NDAA Means

The FY 2026 NDAA adds two requirements to the Help America Vote Act (HAVA) federal voting system certification:



- All voting systems must undergo penetration testing before they can be certified.
- The EAC must build a formal program to accredit the labs that conduct that testing, with the Commission voting to approve which labs qualify.

The Role of the EAC

The EAC has been working toward both goals in the NDAA for several years, including institutionalizing the process:

- In 2021, the EAC asked the National Voluntary Laboratory Accreditation Program (NVLAP) to update its requirements to include new competencies needed for modern voting system security in VVSG 2.0, including penetration testing.
- NVLAP completed that update and the voting system test labs were fully accredited to those new standards in November and December of 2022.
- From that point forward, the EAC has required penetration testing on every voting system submitted for certification, whether under the older VVSG 1.0 standards or the newer VVSG 2.0 standards.
- That has been standard practice for over three years.

Summary

- The FY 2026 NDAA instructs the EAC to require penetration testing and accredit the labs that perform it.
- The EAC already does both and has done so since late 2022.

* [SEC. 6805. REQUIRING PENETRATION TESTING AS PART OF THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.](#)

Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

“(e) REQUIRED PENETRATION TESTING.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall provide for the conduct of penetration testing as part of the testing, certification, decertification, and recertification of voting system hardware and software by the Commission based on accredited laboratories under this section.

“(2) ACCREDITATION.—The Commission shall develop a program for the acceptance of the results of penetration testing on election systems. The penetration testing required by this subsection shall be required for Commission certification. The Commission shall vote on the selection of any entity identified. The requirements for such selection shall be based on consideration of an entity’s competence to conduct penetration testing under this subsection. The Commission may consult with the National Institute of Standards and Technology or any other appropriate Federal agency on lab selection criteria and other aspects of this program.”.