

**COMMONWEALTH OF VIRGINIA
IDENTITY MANAGEMENT STANDARDS ADVISORY COUNCIL
CHARTER**

Advisory Council Responsibilities (§ 2.2-437.A; § 2.2-436.A)*

The Identity Management Standards Advisory Council (the Advisory Council) advises the Secretary of Technology on the adoption of identity management standards and the creation of guidance documents pursuant to § 2.2-436.

The Advisory Council recommends to the Secretary of Technology guidance documents relating to (i) nationally recognized technical and data standards regarding the verification and authentication of identity in digital and online transactions; (ii) the minimum specifications and standards that should be included in an identity trust framework, as defined in § 59.1-550, so as to warrant liability protection pursuant to the Electronic Identity Management Act (§ 59.1-550 et seq.); and (iii) any other related data standards or specifications concerning reliance by third parties on identity credentials, as defined in § 59.1-550.

Membership and Governance Structure (§ 2.2-437.B)

The Advisory Council's membership and governance structure is as follows:

1. The Advisory Council consists of seven members, to be appointed by the Governor, with expertise in electronic identity management and information technology. Members include a representative of the Department of Motor Vehicles, a representative of the Virginia Information Technologies Agency, and five representatives of the business community with appropriate experience and expertise. In addition to the seven appointed members, the Chief Information Officer of the Commonwealth, or his designee, may also serve as an ex officio member of the Advisory Council.
2. The Advisory Council designates one of its members as chairman.
3. Members appointed to the Advisory Council serve four-year terms, subject to the pleasure of the Governor, and may be reappointed.
4. Members serve without compensation but may be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2825.
5. Staff to the Advisory Council is provided by the Office of the Secretary of Technology.

* References to statute in this charter shall refer to the *Code of Virginia*, unless otherwise stated.

Meeting Frequency and Location

The Advisory Council will meet on a quarterly basis, the first Monday of March, June, September and December, for a minimum of two hours, 1:00-3:00 p.m. Meetings of the Advisory Council will be held as a public meeting, open to the public, and comply with all governing provisions for public bodies pursuant to the Code of Virginia. Meeting locations will be in facilities open and accessible to the public.

Interested Persons and Organizations

The Advisory Council will develop methods for the identification and notification of interested parties and specific means of seeking input from interested persons and groups pursuant to § 2.2-437.C. The Advisory Council will identify and register with the Staff Administrator interested persons and groups for task areas identified on the Advisory Council's Work Plan. The Advisory Council will hear testimony and comments from registered interested persons and groups in designated times and agenda items during its quarterly meetings. The Advisory Council will send a copy of such notices, comments, and other background material to the Joint Commission on Administrative Rules pursuant to § 2.2-437.C.

Statutory Authority

The statutory authority for the Secretary of Technology, in consultation with the Secretary of Transportation, to approve or disapprove guidance documents for identity management standards has been established pursuant to § 2.2-436.A, as follows:

- A. The Secretary of Technology, in consultation with the Secretary of Transportation, shall review and approve or disapprove, upon the recommendation of the Identity Management Standards Advisory Council pursuant to § 2.2-437, guidance documents that adopt (i) nationally recognized technical and data standards regarding the verification and authentication of identity in digital and online transactions; (ii) the minimum specifications and standards that should be included in an identity trust framework, as defined in § 59.1-550, so as to warrant liability protection pursuant to the Electronic Identity Management Act (§ 59.1-550 et seq.); and (iii) any other related data standards or specifications concerning reliance by third parties on identity credentials, as defined in § 59.1-550.

The statutory authority and requirements for public notice and comment periods for guidance documents have been established pursuant to § 2.2-436.B, as follows:

- B. Final guidance documents approved pursuant to subsection A shall be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations as a general notice. The Secretary of Technology shall send a copy of the final guidance documents to the Joint Commission on Administrative Rules established pursuant to § 30-73.1 at least 90 days prior to the effective date of such guidance documents. The Secretary of Technology shall also annually file a list of available guidance documents developed pursuant to this chapter pursuant to § 2.2-4008 of the Virginia Administrative Process Act (§ 2.2-4000 et seq.) and shall send a copy of such list to the Joint Commission on Administrative Rules.

The formation, membership and governance structure for the Advisory Council has been codified pursuant to § 2.2-437.A, § 2.2-437.B, as cited above in this charter.

The statutory authority and requirements for public notice and comment periods for guidance documents have been established pursuant to § 2.2-437.C, as follows:

- C. Proposed guidance documents and general opportunity for oral or written submittals as to those guidance documents shall be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations as a general notice following the processes and procedures set forth in subsection B of § 2.2-4031 of the Virginia Administrative Process Act (§ 2.2-4000 et seq.). The Advisory Council shall allow at least 30 days for the submission of written comments following the posting and publication and shall hold at least one meeting dedicated to the receipt of oral comment no less than 15 days after the posting and publication. The Advisory Council shall also develop methods for the identification and notification of interested parties and specific means of seeking input from interested persons and groups. The Advisory Council shall send a copy of such notices, comments, and other background material relative to the development of the recommended guidance documents to the Joint Commission on Administrative Rules.

This charter was adopted by the Advisory Council at its meeting on December 7, 2015.