



IMSAC Guidance Document 5. Certification of Identity Trust Framework Operators: Overview & Discussion Points

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Certification – Business Need

- Qualification for liability protection under the Electronic Identity Management Act (“the Act,” §§ 59.1-550 et seq.) requires Trust Framework Operators (TFOs) to demonstrate compliance with the Commonwealth’s adopted minimum specifications and standards
- Determination of compliance will remain subjective and open to dispute without a certification process
- Absence of a certification process will burden the court to make determinations on TFO compliance at the time of each petition for liability claim



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- Establishes objective, consistent criteria for evaluating TFO compliance based on adopted minimum specifications and standards (GD2)
- Enables setting of requirements for TFOs to maintain an audit of compliance as part of the certification process
- Provides the courts with objective criteria based on adopted minimum specifications and standards (GD2) to evaluate liability claims and to determine whether TFO has been compliant



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- Remains consistent with statutory provisions and limitations in the Act and §§ 2.2-436 – 2.2-437
- Aligns with European Union's model for certification established in the eIDAS (standards-based)
- Applies criteria for certification authorities consistent with EU's eIDAS Regulation No. 910/2014



Discussion Points

- Liability of certification authorities pursuant to the Act
- Contracts between TFOs and candidate certification authorities
- Limitations in the Act to address (or accommodate) federation



For More Information

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