

Technical Oversight Panel Proposal

I. Purpose

The purpose of the Technical Oversight Panel (TOP) is to ensure consistency across all validations performed under CCEVS. The panel will promote fairness across all projects in all CCTLs by maintaining consistency in the level of technical oversight, the technical guidance provided and in the quality of the technical analysis performed by CCTL evaluation teams.

Validator and evaluator training will also be administered in a more consistent and organized manner through the TOPs. Under the guidance of the CCEVS Validation Body, the TOPs will serve as a training mechanism for new validators. The guidance provided to the evaluation teams during the TOPs will also serve to train evaluators.

Consistency of oversight across validations will allow the CCTLs to better budget for validation activities, with TOPs held at defined points in the evaluation, thereby minimizing variations in individual validator activities which are difficult to account for in pricing and planning an evaluation.

II. Technical Oversight Panel Make-up

The TOPs will consist of approximately 5 validators, including 1-2 senior members of the validation community and the assigned validator for the evaluation. TOP members will be assigned to an evaluation early in the project and will remain assigned for the duration of the project. A TOP chairperson, who is responsible for coordinating TOP activities and for producing the written results, will be designated by CCEVS when the TOP is assigned.

III. TOP Preparation

The TOP members will be provided with the latest draft of the ST and ETR, and will be granted access to the evaluation evidence and evaluation records for the project at least one week prior to the scheduled TOP. The TOP members will hold a 1-2 day TOP Preparation Meeting prior to the TOP meeting for planning purposes. The TOP chairman should make every attempt to provide the evaluation team with the issues that need to be discussed at the TOP meeting as far in advance as possible. During the TOP Preparation Meeting, as issues that will require discussion at the TOP meeting arise, they should be forwarded to the evaluation team leader. At the conclusion of the TOP Preparation Meeting, the TOP will develop an agenda (including the specific areas they would like to discuss) for the TOP meeting and will provide it to the evaluation team at least one day prior to the TOP meeting.

The evidence to be reviewed by the TOP members will be determined based on the focus of the TOP. The review of records and evidence is essential in order for the TOP to provide meaningful feedback to the evaluation team. It is anticipated that the evaluation evidence and evaluation records will be reviewed by TOP members at the CCTL. The TOP Preparation Meeting will also be held at the CCTL. The evidence review and TOP preparation meeting will be at the CCTL in order to accommodate vendors' proprietary information handling policies. If necessary the TOP members can meet at an alternative location, but the appropriate evidence and records must be provided regardless of where the TOP Preparation Meeting is held.

IV. Number and Timing of TOPs

It is recommended that at least two TOPs be held during the course of an evaluation. The number and timing of the meetings will be decided by the validator and the evaluation team, based on the evaluation methodology, EAL, and TOE complexity.

If two TOP meetings are deemed to be the appropriate number, it is envisioned that one meeting will be held after some amount of the functional specification, high-level design, and (if applicable) low-level design have been examined and reported on in some fashion (draft ETR sections, complete team records, etc.). The purpose of the first TOP is to gain insight into and offer feedback on how the evaluation team is approaching its analysis and to ensure that they are targeting a level of technical understanding of the TOE commensurate with the assurance levels

claimed. The purpose of the second TOP is to gain confidence that the evaluation team has performed the appropriate analysis that the TOE implementation will be adequately tested. It is possible that these two meetings could be combined, depending on how the evaluation team is performing their activities (e.g., performing test coverage analysis in parallel with design analysis).

Having more than two TOPs is not prohibited and the meetings may be scheduled for alternate points in the evaluation, at the discretion of the evaluation team and validator. Examples of additional TOPs are as follows.

An initial TOP meeting may be held in addition to the two meetings described above. This first TOP meeting will occur early in the evaluation (not later than two weeks after the kick-off meeting) and will allow the TOP to review and provide guidance on the ST to the evaluation team. This meeting will help ensure that the ST is technically sound, that the TOE is well defined, and that the evaluation team understands the basic product design from the start of the evaluation. Because a technically sound ST can have a positive impact on the entire evaluation, this initial TOP will help solidify the ST in order to allow the evaluation to proceed more smoothly and expeditiously.

The validator may wish to have a TOP at the conclusion of the evaluation, and this meeting may or may not require participation from the evaluation team. This meeting could provide a final review of the evaluation team's activities and ensure correct application of the guidance provided by the TOP at previous meetings. Regardless of the timing and number of TOP meetings, the meeting dates should be included as part of the validation plan.

V. TOP and Evaluation Team Interaction

The meeting between the TOP and evaluation team is expected to last no longer than one day and will involve an informal, round table discussion between the TOP members and the evaluation team. The goals of the meeting are to:

1. determine whether the evaluation team has the appropriate level of understanding of the TOE;
2. determine that the evaluation team has correctly applied the CEM to the developer's evidence;
3. confirm that the evaluation team has reached the appropriate conclusions;
4. provide the evaluation team the opportunity to solicit feedback on upcoming evaluation activities; and
5. educate evaluators and less-experienced validators as to what is expected in determining if a TOE satisfies the requirements.

The purpose of the meeting is not to provide the TOP with an understanding of the TOE. The evaluation team is not required to prepare any presentations. The expectation is that the evaluation team will be prepared to discuss how they applied the work units to the evidence, and to articulate why they feel they have reached the proper conclusions.

The TOP is expected to discuss any issues (e.g., insufficient rationale in the ETR, disagreement in the verdict) discovered during their preparation and any issues (e.g., the team doesn't fully understand what is required by a work unit, the team's approach to performing a work unit is insufficient) that develop during the meeting. The meeting will also afford the evaluation team the opportunity to ask the TOP any questions they have regarding CC requirements, CEM work units, an approach they are considering in performing upcoming work units, or evaluation issues in general. The CCTL is encouraged to invite CCTL members in addition to the evaluation team to aid the CCTL in training their evaluators.

VI. TOP Observers

One of the primary purposes of the TOP meetings is for training evaluators and validators. To this end, observation of TOP meetings will be open to any member of the validation community, to any representative from the sponsor's organization (Note that the CCTL is responsible for notifying the sponsor about the TOP meeting.), and to the CCTL that is performing the evaluation under discussion at the TOP meeting. Observers are expected to strictly observe and are not allowed to speak or ask questions during the TOP meeting. Interaction during the TOP meeting will be between the evaluation team and the TOP panel. Observers may ask questions during breaks or after the TOP meeting are finished.

VII. Feedback from TOP

The TOP chairperson will ensure that the TOP panel documents the results of the TOP meeting, including any recommendations (such as Observation Reports which may be written by the TOP, areas that need further analysis by the evaluation team, etc.) and delivers the results to CCEVS within 2 business days of the TOP. The TOP members are expected to discuss their results with the evaluation team upon completion of the TOP. This oral feedback should not be considered binding, but will provide the evaluators with the opportunity to ask questions about any of the issues that will be documented. The format for the TOP's written recommendation is provided as *Attachment A* to this document. The recommendation may include technical issues that need to be addressed by the evaluation team and CCEVS process issues that need to be addressed by the CCEVS staff. If appropriate, the recommendation should include guidance to the validator about follow-up activities. Upon receipt of the TOP's recommendation, the CCEVS staff and chief validation body will review and finalize the recommendation into a TOP decision, which will be provided to the TOP, the evaluation team, and a copy maintained in the records for the validation. TOP decisions are considered binding and the evaluation team is expected to follow through with any guidance provided in the decision.

VIII. Impact of TOP on Validator Activities

Reference Attachment B for specific guidance on Validator Activities.

Attachment A: TOP Recommendation

VID#:

Product Name:

CCTL:

Date of TOP:

Type of TOP: (analysis TOP, testing TOP, or other)

TOP members and contact info:

Evaluation Team Participants:

Hours spent on this activity (individual):

- I. Documentation Reviewed
This section should list the ST, ETR sections, evaluation evidence, and records that were reviewed by the TOP members in preparation for and during the TOP meeting.
- II. Review Results
This section should document the results of the documentation review. The Work Package Assessment Table should be completed as part of this section (reference Pub 3, section 5.5.3).
- III. Technical Recommendations
This section should provide technical guidance to the evaluation team, including any recommendations that should be followed as the evaluation proceeds. Each recommendation should clearly state whether the issue requires immediate resolution, resolution prior to the completion of the evaluation, or should state that no resolution is required.
- IV. Process Recommendations
This section should provide feedback on process issues. These issues may be highlighted for CCEVS management only, or for feedback to the evaluation team. As with the technical recommendations, each recommendation should clearly state whether the issue requires immediate resolution, resolution prior to the completion of the evaluation, or should state that no resolution is required.
- V. Follow-up Recommendations
This section should provide guidance to the validator regarding suggested follow-up based on the TOP recommendations.

Attachment B: TOP Impact on Validation Activities

I. Preparation Phase

The assigned validator will schedule and lead both the Kick-off and the Records/Procedures Orientation Meeting. The validator will document the Validation Plan (including the scheduled TOP meetings) and will complete all other documentation as called for in Scheme Pub 3, section 4.3. Note that the work package assessment table may be completed by the TOP panel during the TOP preparation meetings and the TOP meetings.

II. Conduct Phase

The validator is responsible for conducting reviews of the ST as described in Pub 3, section 5.2.1. The validator may consult with the TOP members and seek their input on any issues that may arise as a result of an ST review (such as definition of the TOE boundary, etc.). The validator should also adhere to sections 5.2.3 and 5.2.4. The validator is not required to review the Evaluation Work Package (EWP) records, except in the context of a TOP meeting. So, while section 5.2.5 of Pub 3 applies, it is not a responsibility that will be performed by the individual validator, but rather by the TOP panel as a group. Similarly, the TOP panel will also perform Section 5.2.6 of Pub 3 (the ETR review).

Meetings between the validator and evaluation team are not expected to occur frequently, though the validator should attend meetings if requested to do so by the evaluation team. Instead, most technical interactions between the validation body and the evaluation team will occur during the TOP meetings. The validator is also responsible for ensuring the evaluation team has followed the decision of CCEVS resulting from the meetings with the TOP.

The validator is expected to witness the CCTL testing activities as described in section 5.4.2 of Pub 3.

The validator is responsible for the documents as described in Pub 3, section 5.5.1, 5.5.2, and 5.5.4. The Work Package Assessment Table (section 5.5.3) will be completed as part of the TOP meetings by the panel. The validator is responsible for Observation Reports as described in section 5.5.4. However, the TOP panel may also generate ORs as part of the TOP meetings. Regardless of when ORs are generated and by whom (panel vs. evaluation team), the validator is responsible for submitting the ORs to CCEVS through the appropriate email alias (ccevs-chfvalidator@nist.gov).

III. Conclusion Phase

The validator is responsible for the concluding activities as described in Pub 3, chapter 6. This includes generation of the validation report, final VPL entry, Draft CC certificate information, Vendor/CCTL Release Approval form, a Validator Recommendation, Lessons Learned Report, and MSRs. If appropriate, a post-mortem meeting will be held with CCEVS, with an option to include the TOP panel.