

Cybersecurity Maturity Model Certification (CMMC) Framework

The CMMC Framework is one of two cybersecurity assessment methodologies addressed in DFARS Case 2019-D041 Assessing Contractor Implementation of Cybersecurity Requirements, published in the Federal Register, 85 Fed. Reg. 61505 (Sept. 29, 2020), and effective Nov 30, 2020 (**see flipside of this document for second methodology**). The 2019-D041 interim rule will be followed by future rulemaking that may amend the rule content and requirements. Public comments are due on Nov 30, 2020 and will be considered in the formulation of a final rule.

The CMMC Framework includes a comprehensive and scalable certification element to verify the implementation of processes and practices associated with the achievement of a cybersecurity maturity level. CMMC is designed to provide increased assurance to the Department that a defense industrial base (DIB) contractor can adequately protect sensitive unclassified information, accounting for information flow down to subcontractors in a multi-tier supply chain.

DFARS Amendments to Implement the CMMC Framework

DFARS subpart 204.75, Cybersecurity Maturity Model Certification (CMMC):

- Directs contracting officers to include in the solicitation the required CMMC level and requires contractors to achieve, at time of award, a CMMC certificate at the level specified in the solicitation.
- Directs contracting officers to verify in the Supplier Performance Risk System (SPRS) that the successful offeror has achieved a CMMC certification that is current (i.e., not more than 3 years old) and meets the CMMC level required in the solicitation prior to making award

DFARS clause 252.204-7021, Cybersecurity Maturity Model Certification Requirements:

- Until Sep 30, 2025, prescribed for use in all solicitations and contracts or task orders or delivery orders, including those for commercial items but excluding those solely for the acquisition of COTS items, **if the requirement document or statement of work requires a contractor to have a specific CMMC level, and inclusion of the CMMC requirement in the requirement document or statement of work has been approved by the Undersecretary of Defense for Acquisition and Sustainment (USD(A&S))**.
- On or after Oct 1, 2025, prescribed for use in all solicitations and contracts or task orders or delivery orders, including those for commercial items but excluding those solely for the acquisition of COTS items. DoD does not intend to apply the clause at or below the micro-purchase threshold.
- Requires a contractor to have a current CMMC certificate at the CMMC level required by the contract, and maintain the CMMC certificate at the required level for the duration of the contract.
- Requires the contractor to include the substance of the clause, in all subcontracts and other contractual instruments, including those for the acquisition of commercial items, excluding COTS items.
- Requires the contractor, prior to awarding a subcontract or other contractual instrument, to ensure the subcontractor has a current CMMC certificate at the CMMC level that is appropriate for the information that is being flowed down to the subcontractor.

For more information on the CMMC Framework, go to the CMMC website at <https://www.acq.osd.mil/cmmc/>

