

COUNCIL OF DEFENSE AND SPACE INDUSTRY ASSOCIATIONS
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CODSIA Case – 2024-001

January 26, 2024

Sent via the Federal eRulemaking Portal: <https://www.regulations.gov>

Ms. Diane Knight
Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy,
Civil Liberties, and Transparency, Regulatory Directorate,
4800 Mark Center Drive,
Attn: Mailbox24,
Suite 08D09, Alexandria, VA 22350–1700
Email: osd.mc-alex.dodcio.mbx.cmmc-32cfr-rulemaking@mail.mil

Subject: Request 60-day Extension for Public Comments on DoD–2023–OS–0063,
Cybersecurity Maturity Model Certification (CMMC) Program

Dear Ms. Knight:

On behalf of the members of the Council of Defense and Space Industry Associations (CODSIA)¹, I write to request that DoD provide an additional 60 days for public comment for the proposed rulemaking entitled “Cybersecurity Maturity Model Certification (CMMC) Program, Docket ID: DoD–2023–OS–0063, RIN 0790–AL49” published in the Federal Register on December 26, 2023. The comment deadline for this proposed rule is February 26, 2024.

Given the major impact CMMC will have on how federal suppliers do business with the government, CODSIA believes this rule requires extensive review. Although the rule has been expected for some time, the specific requirements were not defined such that the impact on companies seeking to do business with DoD could be determined. Since our process for reviewing, analyzing, drafting, and revising comments requires the opportunity for inputs from our more than 10,000 member companies it would be exceedingly difficult to properly address all parts of the rule in the amount of time currently allocated.

¹ CODSIA was formed in 1964 by industry associations with common interests in federal procurement policy issues at the suggestion of the Department of Defense. CODSIA consists of eight associations – Aerospace Industries Association (AIA), Alliance for Digital Innovation, American Council of Engineering Companies (ACEC), Associated General Contractors (AGC), BSA the Software Alliance (BSA), Information Technology Industry Council (ITI), National Defense Industrial Association (NDIA), and Professional Services Council (PSC). CODSIA’s member associations represent thousands of small and large government contractors nationwide. The Council acts as an institutional focal point for coordination of its members’ positions regarding policies, regulations, directives, and procedures that affect them.

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The timeline is especially constrained given the parallel efforts required on multiple associated interim or proposed rules. For example, comments on NIST 800-171 Revision 3's final public draft are due this week, while comments on Implementation of Federal Acquisition Supply Chain Security Act (FASCSA) Orders, Cyber Threat and Incident Reporting and Information Sharing, and Standardizing Cybersecurity Requirements for Unclassified Federal Information Systems are all due on February 2.² Taken together, the current deadline for the CMMC rule provides an insufficient opportunity for our associations' respective members to fully engage in the comment drafting process. Additionally, given the impact the proposed rule would have on the entire supplier base, we need sufficient time to adequately engage our respective stakeholders, and their respective supply chains, in order to provide the federal government with comprehensive information regarding implementation of CMMC's security measures for Federal Contract Information (FCI) and Controlled Unclassified Information (CUI).

For these reasons, we respectfully request that the DoD provide an additional 60 days for public comments on "Cybersecurity Maturity Model Certification (CMMC) Program Guidance, Docket ID: DoD-2023-OS-0063, RIN 0790-AL49," extending the comment due date to April 25, 2024.

If you have any questions or request additional information, please contact me by email at codsia@codsia.org or by phone at +1 (703) 927-1116.

On behalf of CODSIA,

David A. Drabkin
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cc by email:
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John Tenaglia

² NIST 800-171 Revision 3 at <https://csrc.nist.gov/pubs/sp/800/171/r3/fpd>; FASCSA Interim Rule at <https://www.federalregister.gov/d/2023-21320>, Cyber Threat and Incident Reporting at <https://www.federalregister.gov/d/2023-21328>, and Standardizing Cybersecurity Requirements at <https://www.federalregister.gov/d/2023-21327> - respectively.