**DRAFT – Assessment Adjudication Process**

# Executive Summary

## Code of Professional Conduct

This document establishes the Code of Professional Conduct for the CMMC Ecosystem. As such the document establishes standards and expectations that those in the ecosystem are expected to abide. This document is also the baseline by which concerns can be raised to the CMMC-AB about a participant in the ecosystem.

The Code of Professional Conduct includes the following key principles: 1) Professionalism, 2) Objectivity, 3) Confidentiality, 4) Proper use of Methods, and 5) Information Integrity. Undergirding those principles is also a respect for Intellectual Property and Implementation practices.

## Adjudication Process

This document also establishes the Adjudication Process by which the CMMC-AB will handle concerns raised by one party about another party in the ecosystem. Such concerns will need to be based in substance and linked to alleged deviations from the Code of Professional Conduct.

While the Adjudication Process is not solely for the case of an Organization Seeking Certification (OSC) to challenge the outcome of their assessment, this document does describe that process. The summary of that process is as follows:

Upon completion of a certified assessment, an Organization Seeking Certification (OSC) that does not achieve their planned CMMC Maturity Level, and believes the assessment result was due to errors, malfeasance, or ethical lapses by the Certified Assessor or C3PAO, is entitled to submit an adjudication request for consideration to the Accreditation Body (AB).

The OSC must submit their adjudication request, along with specific description and/or evidence of such lapses along with the list of the controls and/or practices in question, within 30 days after the completion of the Phase II (onsite) portion of their assessment.

Upon receipt of the adjudication request, a Certified Quality Auditor (CQA) from the AB staff will perform a preliminary evaluation of the Assessor or C3PAO's certification, training, and licensing, and will validate their adherence to the Code of Professional Conduct (CoPC) and the CMMC Assessment Methodology (CM2AM).  The OSC will be notified of the result of the preliminary evaluation, and given the opportunity to either accept the recommendation of the CQA, or to request secondary evaluation.

A secondary evaluation will be conducted if the OSC has a reasonable belief that the preliminary evaluation did not address the issues raised in the adjudication request.  During a secondary evaluation the CQA, who is also a Certified Assessor, will plan and conduct an onsite "delta assessment" of the controls and/or practices in question, and once completed, will submit the results, along with a recommendation, to the AB.  AB quality staff will evaluate the result of the secondary evaluation and inform the OSC of the final result of the adjudication process.

Adjudicated assessments that result in a successful CMMC Maturity Level certification for the OSC will retain the validity period of three years from the last day of Phase II (onsite) of the original assessment.

## Disclaimer

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## 

# Introduction

## Purpose

The Code of Professional Conduct (COPC) sets expectations for those CMMC-AB credentialed individuals and accredited organizations that are authorized to deliver CMMC services under license from the CMMC Accreditation Body (CMMC-AB). It also sets expectations for those Registered Practitioners and Registered Provider Organizations that deliver unlicensed non-certified services that choose to register with the CMMC-AB.

This CoPC represents the performance standards by which the roles of the CMMC eco-system will be held accountable, and the procedures for addressing violations of those performance standards.

This Code helps members in situations where we may be asked to compromise our values and integrity.

## Affected Persons and Organizations

The Code of Professional Conduct applies to:

* CMMC-AB Certified Professional
* CMMC-AB Certified Assessor
* CMMC-AB Certified Instructor
* CMMC-AB Certified Master Instructor
* CMMC-AB Certified Quality Auditor
* Certified Third Party Assessment Organization
* CMMC-AB Register Practitioner
* CMMC-AB Registered Provider Organization
* Licensed Partner Publisher
* Licensed Training Provider

# Guiding Principles

## CMMC Assessment Adjudication

Upon completion of a certified assessment, an Organization Seeking Certification (OSC) that does not achieve their planned CMMC Maturity Level, and believes the assessment result was due to errors, misinterpretation, malfeasance, or ethical lapses by the Certified Assessor or C3PAO, is entitled to submit an adjudication request for consideration to the Accreditation Body (AB).

The OSC must submit their adjudication request, along with specific detailed description and/or evidence of such lapses in writing along with the list of the controls and/or practices in question, within 30 calendar days after the completion of the Phase II (onsite) portion of their assessment.

Upon receipt of the adjudication request, a Certified Quality Auditor (CQA) from the AB staff will acknowledge receipt, and perform a preliminary evaluation of the Assessor or C3PAO's certification, training, quality status/standing, and licensing, and will validate their adherence to the Code of Professional Conduct (CoPC) and the CMMC Assessment Methodology (CM2CAM).  The CQA will examine the controls and practices provided by the OSC in the adjudication request, and ensure that they are aligned with the scores in the Assessment report.  If additional information is required, the CQA will interview both the assessor and the OSC representative.  Upon completion, the OSC will be notified of the result of the preliminary evaluation, and given the opportunity to either accept the recommendation of the AB, or request a secondary, more detailed, evaluation.

A secondary evaluation will be conducted if the OSC has a reasonable belief that the preliminary evaluation, and evidence provided, did not address the issues raised in the adjudication request.  During a secondary evaluation the CQA,  who is also a Certified Assessor in good standing, will plan and conduct, for a fee based on adjudication scope, an onsite remediation assessment of the controls and/or practices in question.  The remediation assessment must be conducted within 30 days of the adjudication request.  The CQA will will analyze the result of the secondary evaluation and inform the OSC of the final decision on the adjudication request.

Adjudicated  assessments that result in a successful CMMC Maturity Level certification for the OSC will retain the validity period of three years from the last day of Phase II (onsite) of the original assessment