CUI Briefing

CUI Discussion Topics

- CUI Program Foundation

- About CUI

- CUI Category Usage

- CUI Marking Requirements

- Future marking capabilities

- DOE CUI Program Resources

- Open Discussion

CUI Program Foundation

November

Executive Order 13556

2010

- Establishes Controlled Unclassified Information Program
- Requires Executive Agencies to develop internal CUI Policy

DOE Program

2022

- Established DOE O 471.7, CUI Program Policy
- Launched CUI-100DE Learning Nucleus
- Established CUI Community, including DECO's
- Developed DOE's marking approach
- Initiated Microsoft 365 CUI Labeling Project for EITS

32 CFR §Part 2002

2016

- Executive branch's CUI Program requirements released
- Standardizes how information requiring protection is handled

September

What is CUI & Why is it Important?

CUI is Defined As:

Information the **government creates or possesses,** or an **entity creates or possesses** for or on behalf of the government, that a ***LRGWP requires or permits** an agency to handle using **safeguarding or dissemination controls.**

CUI can be the **path of least resistance for adversaries.**

Loss of aggregated CUI is one of the most **significant risks to national security.**

Misuse of CUI may be **subject to penalties** established in applicable laws, regulations, or Government-wide policies.

*** *Law, Regulation, or Government-wide Policy*

CUI Program Updates

- [CUI Training is now available on the learning nucleus](#)

- **[DOE CUI Category List](#)** Published on 17 January 2023

- OUO to CUI Worksheet Published on 20 January 2023

- Customer support and guidance provided
  through DOE CUI Program mailbox
    DOECUI@hq.doe.gov

- CUI Guidance in Development
    - What is CUI Brochure
    - CUI FAQs Document
    - CUI Destruction Aid
    - Is it CUI? Workflow

How Does the CUI Program Office Support the Implementation of CUI?
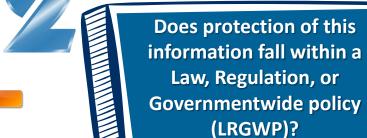
- **Identification**
  - Engage with program offices Department-wide to understand the types of sensitive information being handled
  - Identify legacy markings (e.g., OUO/FOUO) used prior to release of DOE O 471.7 in February 2022
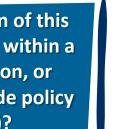- **Guidance**
  - Provide program offices with processes to transition from using OUO to CUI by performing analysis of legacy OUO and cross-walking to a CUI category if possible
  - Document and inventory all CUI material held by each program (ZTA requirement)
  - Cross walk legacy sensitive information to appropriate CUI Category markings
  - Collaborate with you to understand additional support needed for implementing CUI within each program office

1

Is this information I'm creating or using on behalf of the Government?

+

2

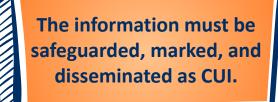Does protection of this information fall within a Law, Regulation, or Governmentwide policy (LRGWP)?

+

3

Is the "Safeguarding and/or Dissemination Authority" cited in the CUI Registry for the category applicable government wide or DOE specific?

=

The information must be safeguarded, marked, and disseminated as CUI.

Who Decides If Information is CUI?

- **Identification**
  - The Information Owner of a document is responsible for determining, at the time of creation, whether the information falls into a CUI category. If so, they are responsible for applying the appropriate CUI markings and dissemination controls accordingly.

Where Can I Find the CUI Categories?

- **CUI Category Resources:**

  – **DOE CUI Category List** published on PowerPedia contains **51** categories applicable to information handed by DOE

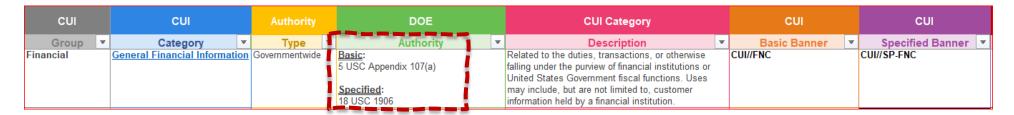| CUI Group	CUI Category	Authority Type	DOE Authority	CUI Category Description	CUI Basic Banner	CUI Specified Banner
Critical Infrastructure	Critical Energy Infrastructure Information	DOE	Specified: 10 CFR 1004.13	Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure;... and (iii) Does not simply give the general location of the critical infrastructure.	N/A	CUI//SP-CEII
Critical Infrastructure	Emergency Management	Governmentwide	Basic: Federal Continuity Directive 1 - January 17, 2017	Related to information concerning the continuity of executive branch operations during all-hazards emergencies or other situations that may disrupt normal operations.	CUI//EMGT	N/A

  – **CUI Registry** published by the National Archives & Records Administration

How Do I Know if My Information is CUI Basic or CUI Specified?

- ## Authority Considerations:
  - Review the authorizing law, regulation, or Government-wide policy listed on the DOE CUI Categories List
  - Align the CUI banner marking to the authority that describes the information you are handling

CUI	CUI	Authority	DOE	CUI Category	CUI	CUI
Group	Category	Type	Authority	Description	Basic Banner	Specified Banner
Financial	General Financial Information	Governmentwide	Basic: 5 USC Appendix 107(a) Specified: 18 USC 1906	Related to the duties, transactions, or otherwise falling under the purview of financial institutions or United States Government fiscal functions. Uses may include, but are not limited to, customer information held by a financial institution.	CUI//FNC	CUI//SP-FNC

- Example:
  - ✓ **5 USC Appendix 107(a)** pertains to confidential financial disclosure reports and is considered **CUI Basic**.
  - ✓ **18 UCS 1906** pertains to bank examination reports disclosing the names of borrowers or the collateral for loans of any member bank of the Federal Reserve System and is considered **CUI Specified**.

CUI Marking Requirements

IMPORTANT

A designation indicator must be included on the first page (or cover page) of a document; this can be displayed by using **DOE letterhead** or including a "**Controlled by**" line including point of contact, branch, or division within an organization, and contact information – for email, use of a signature is acceptable.

Structure

- Type: **Basic** or **Specified**

- Control designation: **CUI** in **bold capitalized text** at the top of page and centered if feasible

- Separate CUI control marking with double forward slash (**//**) before Category Acronym

- Use of Category Acronym

Categories

CUI Basic

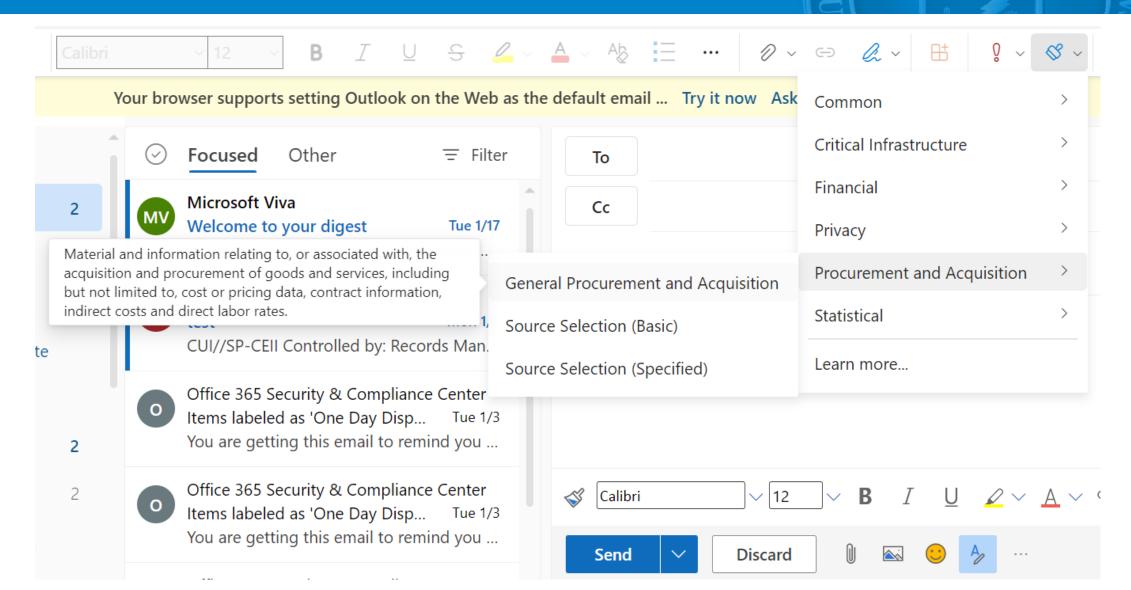- CUI Registry category acronym shown next to "**Alternative Banner Marking for Basic Authorities**"

CUI Specified

- Category acronym preceded by **SP** and a **dash** "**SP-**"

Additional Elements

- Include category acronym for all CUI contained in document

- Alphabetize and separate multiple categories with a single forward slash (**/**)

- Separated Limited Dissemination Control Markings from preceding sections of the CUI Banner Marking with double forward slash (**//**)

- CUI Banner Marking displayed the same on each page

Resources

- **DOE CUI Program Mailbox:** **DOECUI@hq.doe.gov**

- **CUI Program Page:** **Controlled Unclassified Information Program - Powerpedia**

- **DOE CUI Categories:** **Categories List - Powerpedia**

- **CUI:** **Executive Order 13556**

- **CUI Implementing Regulation:** **32 CFR part 2002**

- **The CUI Registry:** **archives.gov/cui**

- **NARA's Training Videos:** **archives.gov/cui/training**

- **NARA's CUI Blog:** **isoo.blogs.archives.gov**

- **NIST 800-171 Rev 2:** **Protecting CUI in Non-Federal systems**

- **DOE CUI Policy:** **DOE O 471.7, Controlled Unclassified Information - DOE Directives, Guidance, and Delegations**

- **CUI Contact Form:** **DOE 471.3 Controlled Unclassified Information Contact Designation Form**

Open Discussion

Questions?

Need help identifying a CUI category or banner marking?

Email the CUI Program Office at doecui@hq.doe.gov