Controlled Unclassified Information

Executive Order 13556

Shared • Standardized • Transparent

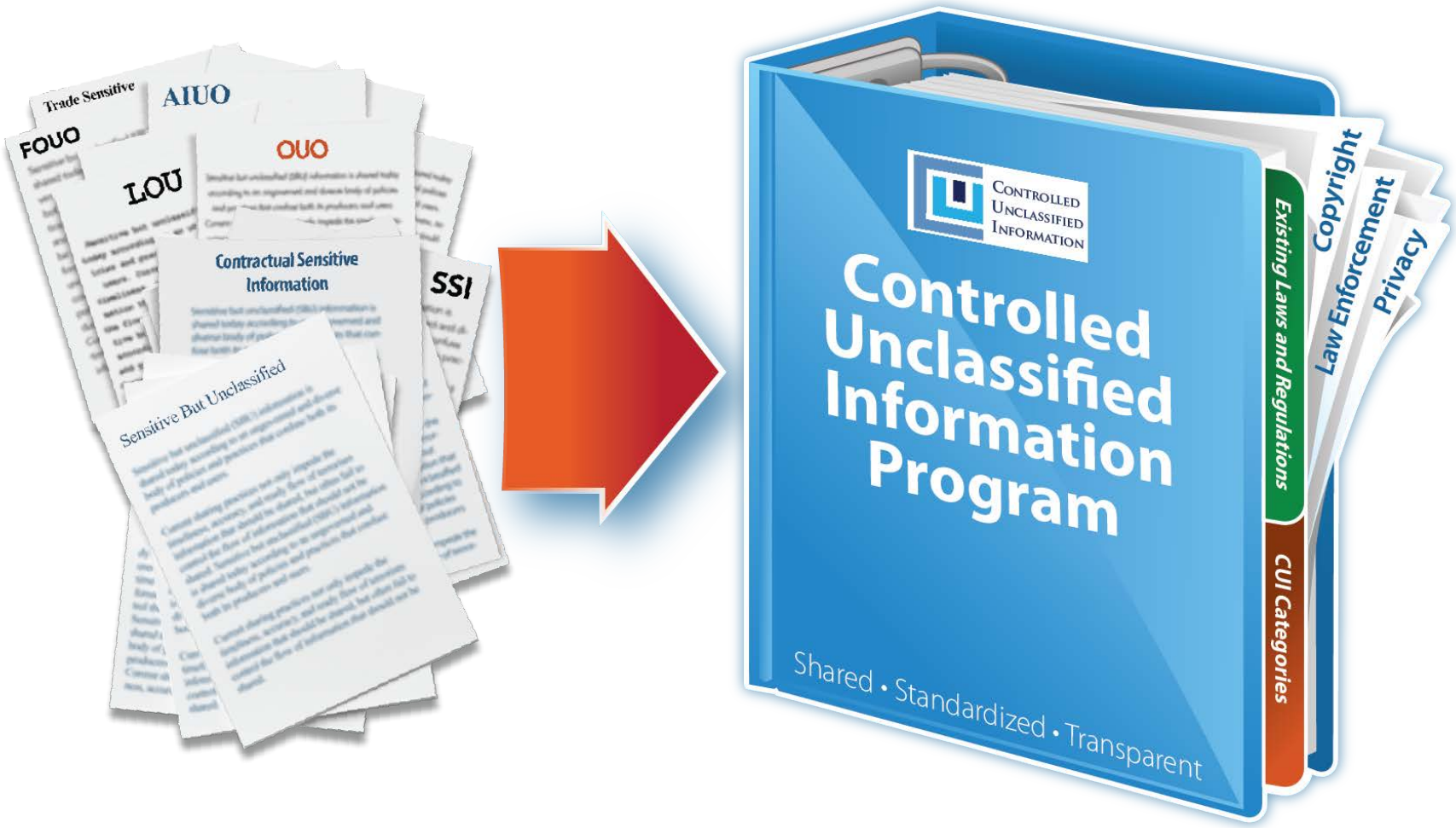
CONTROLLED
UNCLASSIFIED
INFORMATION

Information Security Oversight Office (ISOO)

Briefing Outline

- Overview of the CUI Program
- Establishment of the Program
- Elements of the CUI Executive Order
- Requirements and Timelines
- Categories and Registry
- Handling CUI
- Current Efforts
- Implementation Plan
- Information Technology Considerations

Overview of the CUI Program



Why is the CUI Program necessary?

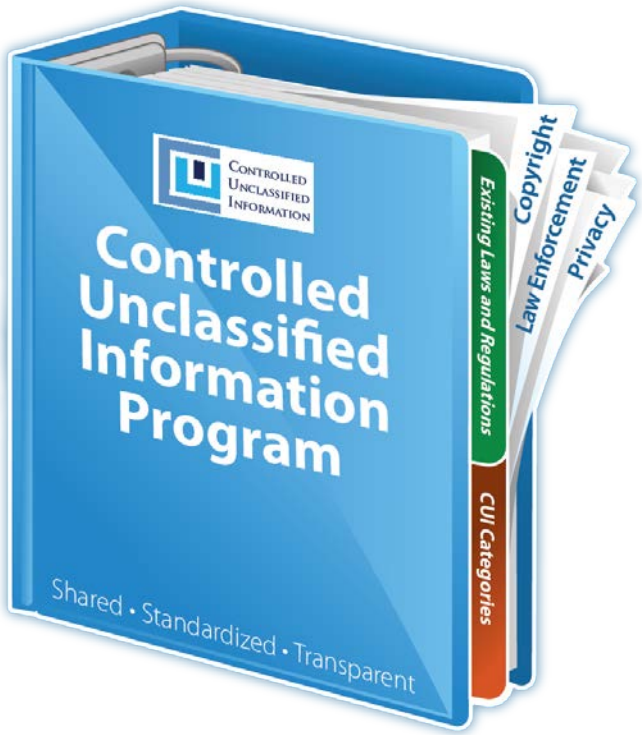
Executive departments and agencies apply their own ad-hoc policies and markings to unclassified information that requires safeguarding or dissemination controls, resulting in:

An inefficient patchwork system with **more than 100 different policies and markings** across the executive branch	Inconsistent marking and safeguarding of documents	Unclear or unnecessarily restrictive dissemination policies	Impediments to authorized information sharing

What are the benefits of the CUI Program?

One uniform, shared, and transparent system for safeguarding and disseminating CUI that:

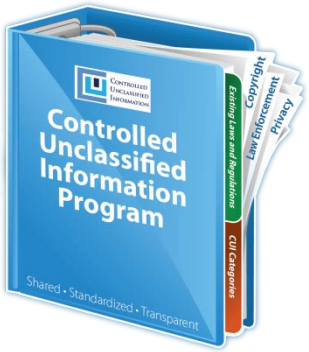
Establishes common understanding of CUI control	Promotes information sharing	Reinforces existing legislation and regulations	Clarifies difference between CUI controls and FOIA exemptions



Executive Order 13556

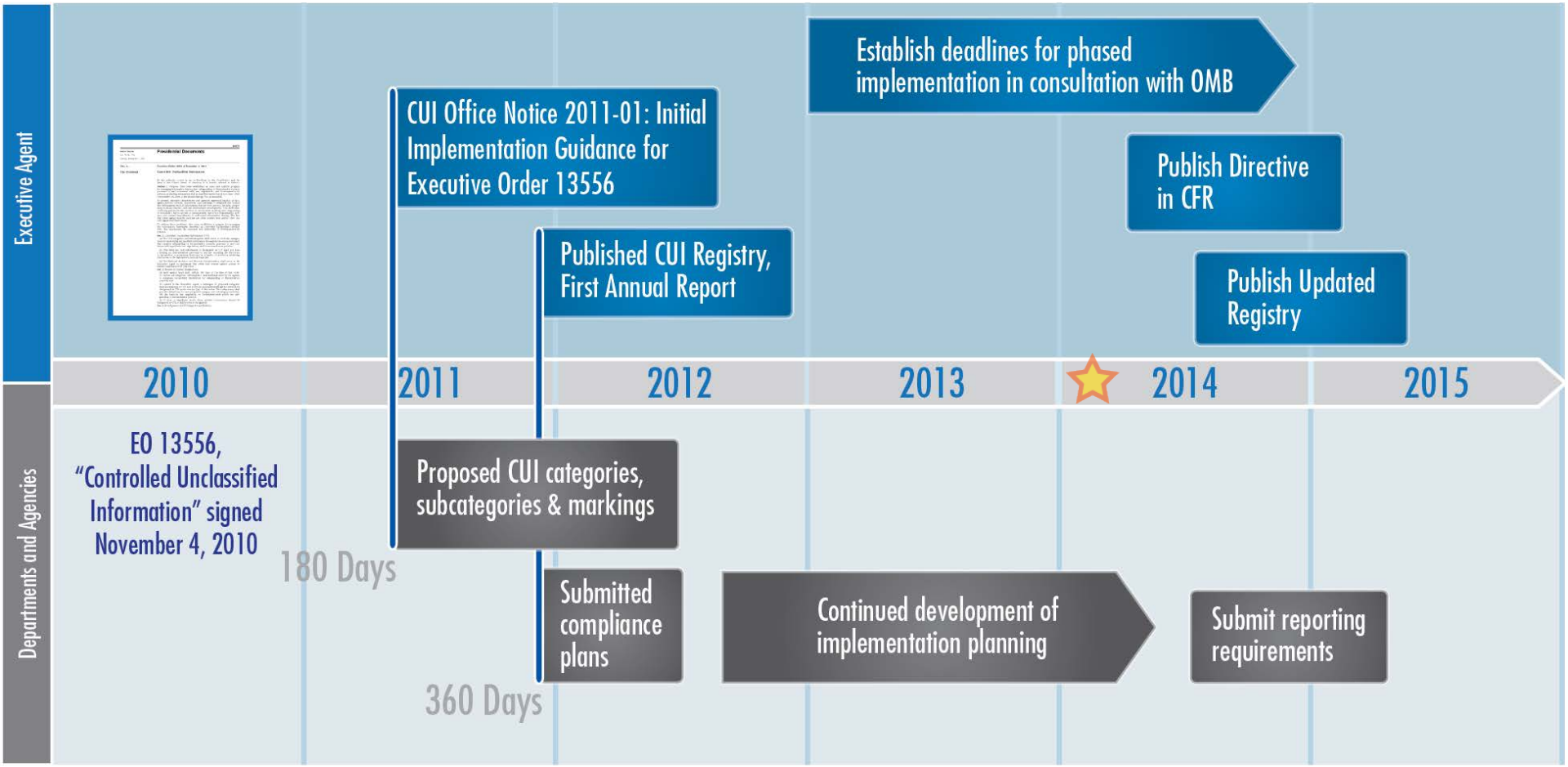
- Established CUI Program

- Executive Agent (EA) to implement the E.O. and oversee department and agency actions to ensure compliance



- An open and uniform program to manage all unclassified information within the executive branch that requires safeguarding and dissemination controls as required by law, regulation, and Government-wide policy

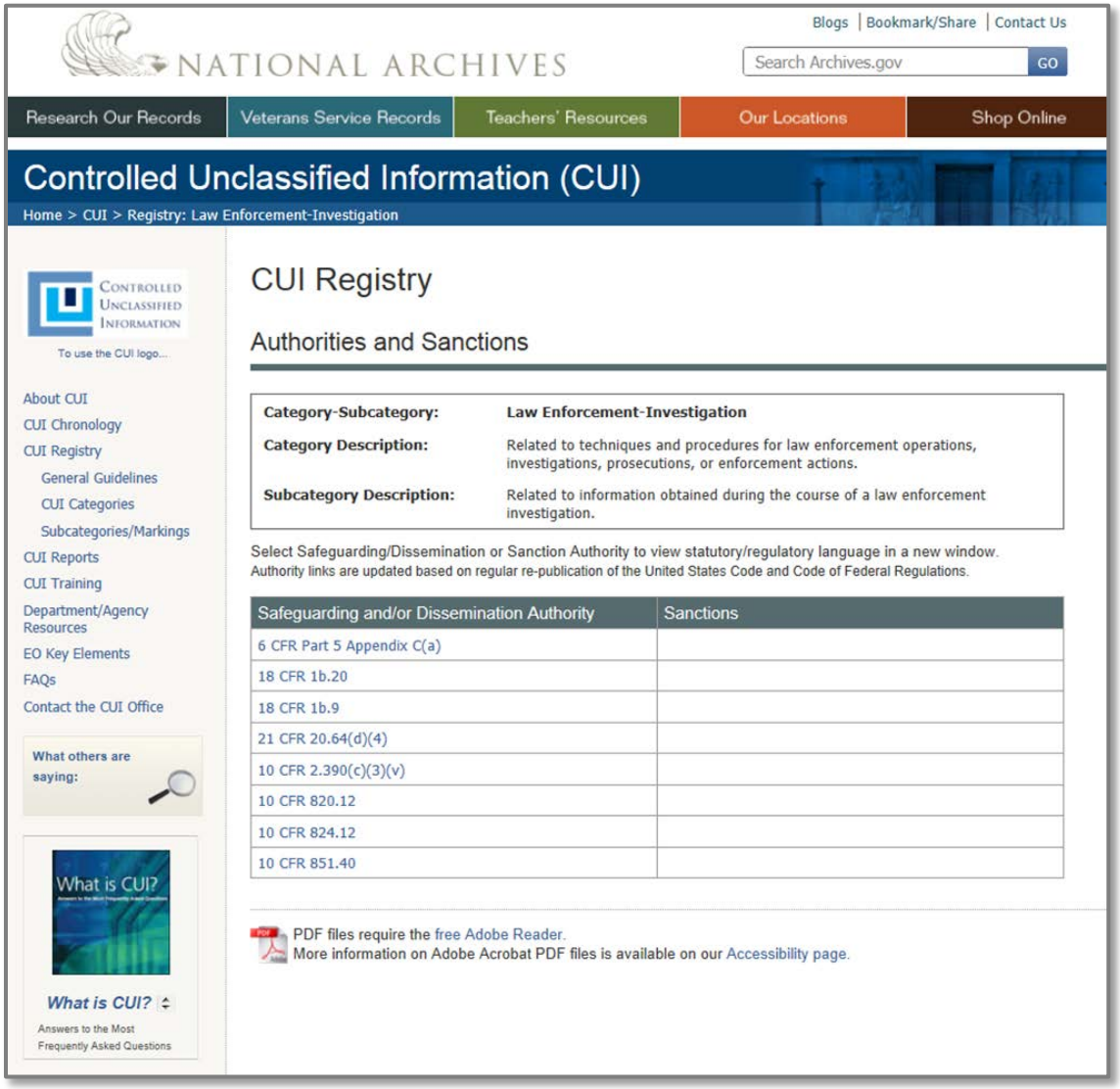
Implementation of Executive Order 13556



Approved CUI Categories

22 Categories		85 Subcategories
1. Agriculture	12. Law Enforcement	• Bank Secrecy • DNA • Investigation
2. Copyright	13. Legal	
3. Critical Infrastructure	14. NATO	
4. Emergency Management	15. Nuclear	
5. Export Control	16. Patent	
6. Financial	17. Privacy	• Financial • Health Information • Personnel
7. Foreign Government	18. Proprietary	
8. Geodetic Product Information	19. Safety Act Information	
9. Immigration	20. Statistical	• Census • Investment Survey
10. Information Systems Vulnerability Information	21. Tax	
11. Intelligence	22. Transportation	

Online Registry



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Controlled Unclassified Information (CUI)

Home > CUI > Registry: Law Enforcement-Investigation

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To use the CUI logo...

About CUI
CUI Chronology
CUI Registry
General Guidelines
CUI Categories
Subcategories/Markings
CUI Reports
CUI Training
Department/Agency Resources
EO Key Elements
FAQs
Contact the CUI Office

What others are saying:

What is CUI?

Answers to the Most Frequently Asked Questions

CUI Registry

Authorities and Sanctions

Category-Subcategory:	**Law Enforcement-Investigation**
Category Description:	Related to techniques and procedures for law enforcement operations, investigations, prosecutions, or enforcement actions.
Subcategory Description:	Related to information obtained during the course of a law enforcement investigation.

Select Safeguarding/Dissemination or Sanction Authority to view statutory/regulatory language in a new window.
Authority links are updated based on regular re-publication of the United States Code and Code of Federal Regulations.

Safeguarding and/or Dissemination Authority	Sanctions
6 CFR Part 5 Appendix C(a)	
18 CFR 1b.20	
18 CFR 1b.9	
21 CFR 20.64(d)(4)	
10 CFR 2.390(c)(3)(v)	
10 CFR 820.12	
10 CFR 824.12	
10 CFR 851.40	

PDF files require the free Adobe Reader.
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Handling CUI

One uniform and consistent policy applied to a defined and organized body of information

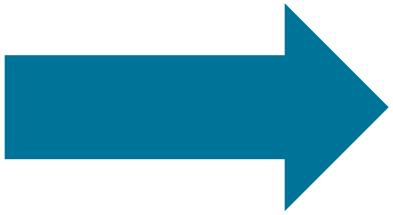
CUI Advisory Council

Comprised of Program Managers from the following:

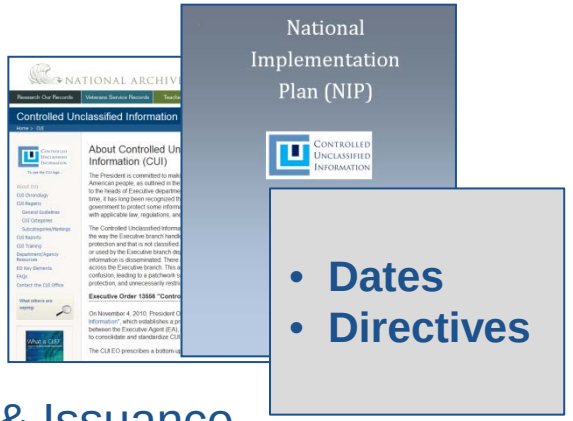
- Executive Office of the President (elements)
- General Services Administration (GSA)
- Social Security Administration (SSA)
- Environmental Protection Agency (EPA)
- Department of the Interior (DOI)
- Nuclear Regulatory Commission (NRC)
- Department of Transportation (DOT)
- Department of Labor (DOL)
- Department of the Treasury
- Department of Housing and Urban Development (HUD)
- National Science Foundation (NSF)
- Department of Homeland Security (DHS)
- Central Intelligence Agency (CIA)
- Department of Agriculture (USDA)
- Department of Commerce (DOC)
- Department of Justice (DOJ)
- Federal Bureau of Investigation (FBI)
- National Aeronautics and Space Administration (NASA)
- Department of State (DOS)
- Office of the Director of National Intelligence
- United States Agency for International Development (USAID)
- Office of Personnel Management (OPM)
- Department of Veterans Affairs (VA)
- Department of Education (ED)
- Department of Defense (DOD)
- Department of Health and Human Services (HHS)
- Department of Energy (DOE)
- Office of Management and Budget (OMB)

President's Cabinet, Chief Financial Officers (CFO) Council member agencies, major stakeholder constituent elements (CIA and FBI), and participants

CUI Advisory Council



Discussion & Consensus



Approval & Issuance

Departments and Agencies	Executive Agent

- A consultative body of Departments and agencies chaired by the CUI Executive Agent to address issues as needed for the implementation, sustainment, and maintenance of the CUI program.

CUI Executive Agent Current Efforts

- Maintain Registry
  - Approve additional CUI categories and subcategories based on agency submissions
  - Provide guidance on provisional approval process for new CUI categories
- Finalize CUI Policy
  - Complete draft through informal process
  - Submit through formal OMB comment process
  - Publish in CFR
- National Implementation Plan (NIP)
  - With agencies, create and execute implementation planning framework, including deadlines for **phased implementation**

Five Programmatic Areas of Implementation Plan

Governance	The CUI Executive Agent in consultation with affected agencies manages the implementation and sustainment of the CUI Program
Policy and Guidance	CUI is safeguarded, disseminated, marked and decontrolled consistent with Executive Order 13556 and implementation guidance
Training	Affected personnel receive baseline training that incorporates the essentials of the CUI program and specific agency needs
Technology	The security and criticality of CUI are protected by the standards and guidelines established for Federal information systems
Accountability	The CUI Executive Agent and all affected agencies are accountable for improvement of the CUI program through management and oversight responsibilities

Information Technology Considerations

- "This order shall be implemented in a manner consistent with…applicable Government-wide standards and guidelines issued by the National Institute of Standards and Technology, and applicable policies established by the Office of Management and Budget", Section 6(a)3, Executive Order 13556.

- Future CUI guidance where it addresses IT questions, must be aligned to Federal level policies.

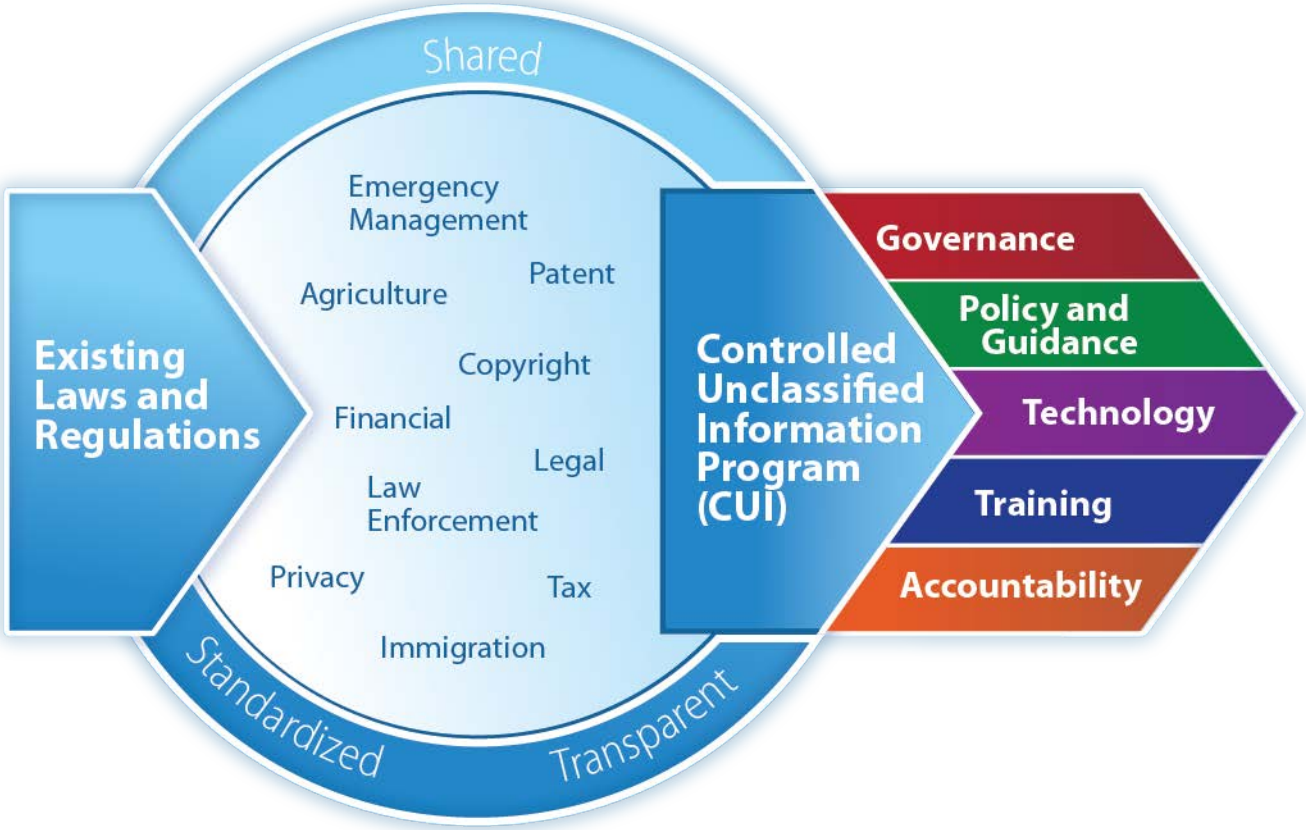
- ISOO and NIST developed a strong partnership.

Information Technology Considerations

- "In accordance with Federal Information Processing Standards (FIPS) Publication 199, the Confidentiality impact level for CUI shall be no lower than the Moderate level" (Draft CUI Directive)

- CUI categories and subcategories will be incorporated as information types into the next revision of the NIST Special Publication 800-60, where the work of the CUI Executive Agent will be integrated

Questions?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Existing Laws and Regulations
Controlled Unclassified Information Program (CUI)
Governance
Policy and Guidance
Technology
Training
Accountability

Contact Information

Information Security Oversight Office
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National Archives and Records Administration
700 Pennsylvania Avenue, N.W., Room 100
Washington, DC 20408-0001

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Backup Slides

Phased Implementation: Notional Timeline

Phases

Planning	Readiness	Initiation	Final
Identify and initiate planning activities for CUI implementation	Prepare environment and workforce for the CUI transition	Begin implementation of CUI practices Begin Phase Out of obsolete practices	Full Implementation of the CUI program

Key D/A Activities

Planning	Readiness	Initiation	Final
• **Develop & Publish Policy***	• **Assert Physical Safeguarding***	• Initiate CUI Implementation	• Eliminate Old Markings
• Develop Training	• **Conduct Training***	**IOC** • Handle • Recognize • Receive	• Assure use of only New Markings
• Consider Agency's CUI Investment Process	• Initiate Awareness	• Initiate IT Transition	• Complete IT Transition
• Develop IT Transition Plan	• Prepare IT Transition	• Permit Creation of CUI	• Monitor & Report Implementation
• Develop Self-Inspection Plan	• Prepare Agency's Investment Process	• Initiate Self-Inspection Program	
• Develop process for internal non-compliance			**FOC**

*Required for IOC