

How to Handle Information Designated as CUI (TV Interview)

Conversation between Jenny and Chuck:

Jenny: Thank you, Chuck for taking the time out of your busy schedule to be with us today. Our audience and viewers have submitted various questions related to Controlled Unclassified Information (CUI) and how it should be handled and shared, so we thought we'd ask our CUI expert to come in and answer their questions.

Chuck: Oh, it's my pleasure to be here!

Jenny: Let's start with the questions then. First, is CUI classified and how is it reviewed?

Chuck: CUI is NOT classified information and should not be treated as such. The information designated as CUI is not automatically exempt from disclosure under the provisions of the FOIA. Information requested MUST still be reviewed on a case-by-case basis and released to the extent practicable.

Jenny: How are CUI categories and subcategories designated?

Chuck: CUI categories and subcategories are designated upon approval of the CUI Executive Agent and are official when published in the CUI Registry.

Jenny: At what point does CUI not require protections?

Chuck: CUI that is decontrolled pursuant to applicable decontrol instructions in the CUI Registry is no longer CUI and as such, no longer requires the protections associated with CUI.

Jenny: Is the information that was CUI authorized for public release?

Chuck: The decontrol of CUI does not constitute authority for public release, unless the decontrol occurred in response to a FOIA request. Public release of information that was previously CUI must first be approved by an authorized official in accordance with current directives, in the same manner as information that was never CUI.

Jenny: What type of handling and safeguarding measures must be applied to CUI?

Chuck: Minimum handling and safeguarding standards shall be contained in the CUI Registry for each type of CUI.

Jenny: Can CUI be shared with other agencies?

Chuck: To the extent not prohibited in the CUI Registry, CUI maybe shared with other agencies. Provided dissemination is not restricted pursuant to requirements cited in the CUI Registry, CUI may also be shared with other stakeholders, including but not limited to: Federal, State, local, tribal, or private-sector personnel; local government and law enforcement officials, and first responders; as well as foreign entities.

Jenny: So, who has control over CUI that is circulated to non-Federal entities?

Chuck: The Federal Government retains control of CUI that is disseminated to non-Federal entities with regard to authorized release to the public and is providing the information with a clear expectation that confidentiality will be preserved on the part of the recipient.

Jenny: In the case of a loss or compromise of CUI, what are the reporting requirements?

Chuck: Requirements for reporting on the loss or compromise of each type of CUI will be contained in the CUI Registry.

Jenny: Thank you, Chuck, for your time and for answering all our questions! That was very helpful and insightful. If people need more information or have any further questions, where can they go?

Chuck: If they have any further questions, they can visit www.archives.gov/cui or www.foia.gov.

Jenny: We hope you found this information useful. Thank you and have a great day!