

Controlled Unclassified Information

Executive Order 13556

Shared • Standardized • Transparent



CONTROLLED
UNCLASSIFIED
INFORMATION

CUI Registry
May 8, 2015

Information Security Oversight Office (ISOO)

CUI Registry – Agenda

- Registry is central to any discussion of CUI
- What it is/Where to find it
- Background and Authorization
- Development of Initial Categories/Subcategories
- Registry Launch (2011)
- Post-Launch development/Ongoing maintenance
- 32 CFR 2002
- Policy and Guidance Documents
- Agency Implementation Policy and Practice
- What's Next?
- Online Demo
- Final Questions

CUI Registry – What is It?



CUI Registry – What is It?

- The CUI Registry is the authoritative source for direction regarding CUI policies and practices.
- The publicly-available online repository enhances transparency:
 - Includes policy and guidance documents.
 - Identifies categories and subcategories of unclassified information that require safeguarding and dissemination controls consistent with law, regulation, and Government-wide policies.
 - Provides descriptions for each category and subcategory; identifies the basis for safeguarding and dissemination controls; contains placeholders for associated markings, and includes applicable safeguarding, dissemination, and decontrol procedures.

CUI Registry – Where is It?

 NATIONAL ARCHIVES

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[Research Our Records](#) | [Veterans Service Records](#) | [Teachers' Resources](#) | [Our Locations](#) | [Shop Online](#)

Controlled Unclassified Information (CUI)

[Home](#) > [CUI](#)

Established by Executive Order 13556, the Controlled Unclassified Information (CUI) program standardizes the way the Executive branch handles unclassified information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies. [Learn About CUI](#)

Registry

The CUI Registry is the authoritative source for guidance regarding CUI policies and practices.

 Search the Registry: [Go](#)

Access Registry by

- Category-Subcategory

Policy and Guidance

- Executive Order 13556
- CUI Notices

Additional Information

- CUI Glossary

Training

 Learn about training developed by the Executive Agent for CUI users:

- CUI Training Modules

Oversight

 Learn about CUI oversight requirements and tools:

- CUI Reports



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[Use the CUI Logo](#)
[Contact Us](#)

News and Notices

- December 8, 2014 - Welcome to the new CUI Portal!

Under Development - Registry

- Markings
- 32 CFR 2002 - Implementing Directive
- Marking Handbook
- Limited Dissemination
- Decontrol

www.archives.gov/cui

CUI Registry – Established by Executive Order 13556

Federal Register / Vol. 75, No. 216 / Tuesday, November 9, 2010 / Presidential Documents 68677

68676 Federal Register / Vol. 75, No. 216 / Tuesday, November 9, 2010 / Presidential Documents

68675

Federal Register

Vol. 75, No. 216

Tuesday, November 9, 2010

Presidential Documents

Title 3—

Executive Order 13556 of November 4, 2010

The President

Controlled Unclassified Information

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. This order establishes an open and uniform program for managing information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies, excluding information that is classified under Executive Order 13526 of December 29, 2009, or the Atomic Energy Act, as amended.

At present, executive departments and agencies (agencies) employ ad hoc, agency-specific policies, procedures, and markings to safeguard and control this information, such as information that involves privacy, security, proprietary business interests, and law enforcement investigations. This inefficient, confusing patchwork has resulted in inconsistent marking and safeguarding of documents, led to unclear or unnecessarily restrictive dissemination policies, and created impediments to authorized information sharing. The fact that these agency-specific policies are often hidden from public view has only aggravated these issues.

To address these problems, this order establishes a program for managing this information, hereinafter described as Controlled Unclassified Information, that emphasizes the openness and uniformity of Government-wide practice.

Sec. 2. Controlled Unclassified Information (CUI).

(a) The CUI categories and subcategories shall serve as exclusive designations for identifying unclassified information throughout the executive branch that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and Government-wide policies.

(b) The mere fact that information is designated as CUI shall not have a bearing on determinations pursuant to any law requiring the disclosure of information or permitting disclosure as a matter of discretion, including disclosures to the legislative or judicial branches.

(c) The National Archives and Records Administration shall serve as the Executive Agent to implement this order and oversee agency actions to ensure compliance with this order.

Sec. 3. Review of Current Designations.

(a) Each agency head shall, within 180 days of the date of this order: (1) review all categories, subcategories, and markings used by the agency to designate unclassified information for safeguarding or dissemination controls; and

(2) submit to the Executive Agent a catalog of proposed categories and subcategories of CUI, and proposed associated markings for information designated as CUI under section 2(a) of this order. This submission shall provide definitions for each proposed category and subcategory and identify the basis in law, regulation, or Government-wide policy for safeguarding or dissemination controls.

(b) If there is significant doubt about whether information should be designated as CUI, it shall not be so designated.

Sec. 4. Development of CUI Categories and Policies.

(a) On the basis of the submissions under section 3 of this order or future proposals, and in consultation with affected agencies, the Executive Agent shall, in a timely manner, approve categories and subcategories of CUI and associated markings to be applied uniformly throughout the executive branch and to become effective upon publication in the registry established under subsection (d) of this section. No unclassified information meeting the requirements of section 2(a) of this order shall be disapproved for inclusion as CUI, but the Executive Agent may resolve conflicts among categories and subcategories of CUI to achieve uniformity and may determine the markings to be used.

(b) The Executive Agent, in consultation with affected agencies, shall develop and issue such directives as are necessary to implement this order. Such directives shall be made available to the public and shall provide policies and procedures concerning marking, safeguarding, dissemination, and decontrol of CUI that, to the extent practicable and permitted by law, regulation, and Government-wide policies, shall remain consistent across categories and subcategories of CUI and throughout the executive branch. In developing such directives, appropriate consideration should be given to the report of the interagency Task Force on Controlled Unclassified Information published in August 2009. The Executive Agent shall issue initial directives for the implementation of this order within 180 days of the date of this order.

(c) The Executive Agent shall convene and chair interagency meetings to discuss matters pertinent to the implementation of this order.

(d) Within 1 year of the date of this order, the Executive Agent shall establish and maintain a public CUI registry reflecting authorized CUI categories and subcategories, associated markings, and applicable safeguarding, dissemination, and decontrol procedures.

(e) If the Executive Agent determines that an agreement on an issue related to the implementation of this order, that issue may be appealed to the President through the Director of the Office of Management and Budget.

(f) In performing its functions under this order, the Executive Agent, in accordance with applicable law, shall consult with representatives of the public and State, local, tribal, and private sector partners on matters related to approving categories and subcategories of CUI and developing implementing directives issued by the Executive Agent pursuant to this order.

Sec. 5. Implementation.

(a) Within 180 days of the issuance of initial policies and procedures by the Executive Agent in accordance with section 4(b) of this order, each agency that originates or handles CUI shall provide the Executive Agent with a proposed plan for compliance with the requirements of this order, including the establishment of interim target dates.

(b) After a review of agency plans, and in consultation with affected agencies and the Office of Management and Budget, the Executive Agent shall establish deadlines for phased implementation by agencies.

(c) In each of the first 5 years following the date of this order and biennially thereafter, the Executive Agent shall publish a report on the status of agency implementation of this order.

Sec. 6. General Provisions.

(a) This order shall be implemented in a manner consistent with:

(1) applicable law, including protections of confidentiality and privacy rights;

(2) the statutory authority of the heads of agencies, including authorities related to the protection of information provided by the private sector to the Federal Government; and

(3) 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.

(4) The Director of National Intelligence (Director), with respect to the Intelligence Community and after consultation with the heads of affected agencies, may issue such policy directives and guidelines as the Director deems necessary to implement this order with respect to intelligence and intelligence-related information. Procedures or other guidance issued by the Intelligence Community element heads shall be in accordance with such policy directives or guidelines issued by the Director. Any such policy directive or guidance issued by the Director shall be in accordance with this order and directives issued by the Executive Agent.

(5) This order shall not be construed to impact or otherwise affect the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, and legislative proposals.

(6) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(7) This order shall be implemented subject to the availability of appropriate funds.

(8) The Attorney General, upon request by the head of an agency or the Executive Agent, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(9) The Presidential Memorandum of May 7, 2008, entitled "Designation and Sharing of Controlled Unclassified Information (CUI)" is hereby rescinded.



Sec. 4(d): Within 1 year of the date of this order, the Executive Agent shall establish and maintain a public CUI registry reflecting authorized CUI categories and subcategories, associated markings, and applicable safeguarding, dissemination, and decontrol procedures.

CUI Registry – Agency Input

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Federal Register
Vol. 75, No. 216
Tuesday, November 9, 2010

Presidential Documents

Title 3— Executive Order 13556 of November 4, 2010
The President Controlled Unclassified Information

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(b) The mere fact that information is designated as CUI shall not have a bearing on determinations pursuant to any law requiring the disclosure of information or permitting disclosure as a matter of discretion, including disclosures to the legislative or judicial branches.

(c) The National Archives and Records Administration shall serve as the Executive Agent to implement this order and oversee agency actions to ensure compliance with this order.

Sec. 3. Review of Current Designations.

(a) Each agency head shall, within 180 days of the date of this order: (1) review all categories, subcategories, and markings used by the agency to designate unclassified information for safeguarding or dissemination controls; and

(2) submit to the Executive Agent a catalogue of proposed categories and subcategories of CUI, and proposed associated markings for information designated as CUI under section 2(a) of this order. This submission shall provide definitions for each proposed category and subcategory and identify the basis in law, regulation, or Government-wide policy for safeguarding or dissemination controls.

If there is significant doubt about whether information should be designated as CUI, it shall not be so designated.

Sec. 4. Development of CUI Categories and Policies.

(a) On the basis of the submissions under section 3 of this order or future proposals, and in consultation with affected agencies, the Executive Agent shall, in a timely manner, approve categories and subcategories of CUI and associated markings to be applied uniformly throughout the executive branch and to become effective upon publication in the registry established under subsection (d) of this section. No unclassified information meeting the requirements of section 2(a) of this order shall be disapproved for inclusion as CUI, but the Executive Agent may resolve conflicts among categories and subcategories of CUI to achieve uniformity and may determine the markings to be used.

(b) The Executive Agent, in consultation with affected agencies, shall develop and issue such directives as are necessary to implement this order. Such directives shall be made available to the public and shall provide policies and procedures concerning marking, safeguarding, dissemination, and decontrol of CUI that, to the extent practicable and permitted by law, regulation, and Government-wide policies, shall remain consistent across categories and subcategories of CUI and throughout the executive branch. In developing such directives, appropriate consideration should be given to the report of the interagency Task Force on Controlled Unclassified Information published in August 2009. The Executive Agent shall issue initial directives for the implementation of this order within 180 days of the date of this order.

(c) The Executive Agent shall convene and chair interagency meetings to discuss matters pertaining to the program established by this order.

(d) Within 1 year of the date of this order, the Executive Agent shall establish and maintain a public CUI registry reflecting authorized CUI categories and subcategories, associated markings, and applicable safeguarding, dissemination, and decontrol procedures.

(e) If the Executive Agent and an agency cannot reach agreement on an issue related to the implementation of this order, that issue may be appealed to the President through the Director of the Office of Management and Budget.

(f) In performing its functions under this order, the Executive Agent, in accordance with applicable law, shall consult with representatives of the public and State, local, tribal, and private sector partners on matters related to approving categories and subcategories of CUI and developing implementing directives issued by the Executive Agent pursuant to this order.

Sec. 5. Implementation.

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(3) 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.

(4) The Director of National Intelligence (Director), with respect to the Intelligence Community and after consultation with the heads of affected agencies, may issue such policy directives and guidelines as the Director deems necessary to implement this order with respect to intelligence and intelligence-related information. Procedures or other policies issued by the Intelligence Community element heads shall be in accordance with such policy directives or guidelines issued by the Director. Any such policy directive or guideline issued by the Director shall be in accordance with this order and directives issued by the Executive Agent.

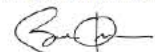
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(7) This order shall be implemented subject to the availability of appropriate funds.

(8) The Attorney General, upon request by the head of an agency or the Executive Agent, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(9) The Presidential Memorandum of May 7, 2008, entitled "Designation and Sharing of Controlled Unclassified Information (CUI)" is hereby rescinded.



THE WHITE HOUSE,
November 4, 2010.

CUI Registry – Executive Agent Consolidation



Federal Register
Vol. 75, No. 216
Tuesday, November 9, 2010

Presidential Documents

Title 3— Executive Order 13526 of November 4, 2010
The President Controlled Unclassified Information

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. This order establishes an open and uniform program for managing information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies, excluding information that is classified under Executive Order 13526 of December 29, 2009, or the Atomic Energy Act, as amended.

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(b) The mere fact that information is designated as CUI shall not have a bearing on determinations pursuant to any law requiring the disclosure of information or permitting disclosure as a matter of discretion, including disclosures to the legislative or judicial branches.

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(2) submit to the Executive Agent a catalog of proposed categories and subcategories of CUI, and proposed associated markings for information designated as CUI under section 2(a) of this order. This submission shall provide definitions for each proposed category and subcategory and identify the basis in law, regulation, or Government-wide policy for safeguarding or dissemination controls.

(b) If there is significant doubt about whether information should be designated as CUI, it shall not be so designated.

Sec. 4. Development of CUI Categories and Policies.

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(a) On the basis of the submissions under section 3 or in response to future proposals, and in consultation with affected agencies, the Executive Agent shall, in a timely manner, approve categories and subcategories of CUI and associated markings to be applied uniformly throughout the executive branch and to become effective upon publication in the registry established under subsection (d) of this section. No unclassified information meeting the requirements of section 2(a) of this order shall be disapproved for inclusion as CUI, but the Executive Agent may resolve conflicts among categories and subcategories of CUI to achieve uniformity and may determine the markings to be used.

(b) The Executive Agent, in consultation with affected agencies, shall develop and issue such instructions, guidance, or policy as may be necessary to implement this order. Such directives shall be made available to the public and shall provide policies and procedures concerning marking, safeguarding, dissemination,

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Sec. 6. General Provisions.

(a) This order shall be implemented in a manner consistent with: (1) applicable law, including protections of confidentiality and privacy rights;

(2) the statutory authority of the heads of agencies, including authorities related to the protection of information provided by the private sector to the Federal Government; and

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(3) applicable Government-wide standards and guidelines issued by the National Institutes of Standards and Technology, and applicable policies established by the Office of Management and Budget.

(g) The Director of National Intelligence (Director), with respect to the Intelligence Community and after consultation with the heads of affected agencies, may issue such policy directives and guidelines as the Director deems necessary to implement this order with respect to intelligence and intelligence-related information. Procedures or other guidance issued by intelligence Community element heads shall be in accordance with such policy directives or guidelines issued by the Director. Any such policy directive or guidance issued by the Director shall be in accordance with this order and directives issued by the Executive Agent.

(h) This order shall not be construed to impede or otherwise affect the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, and legislative proposals.

(i) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(j) This order shall be implemented subject to the availability of appropriate resources.

(k) The Attorney General, upon request by the head of an agency or the Executive Agent, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(l) The Presidential Memorandum of May 7, 2008, entitled "Designation and Marking of Controlled Unclassified Information (CUI)" is hereby rescinded.

(a) On the basis of the submissions under section 3 of this order or future proposals, and in consultation with affected agencies, the Executive Agent shall ... approve categories and subcategories of CUI and associated markings to be applied uniformly throughout the executive branch ... No unclassified information meeting the requirements of section 2(a) of this order shall be disapproved for inclusion as CUI, but the Executive Agent may resolve conflicts among categories and subcategories of CUI to achieve uniformity and may determine the markings to be used.

CUI Registry – Categories and Subcategories

Data elements requested:

1. Agency
2. Proposed Category (EX: Privacy)
3. Definition/Description of Proposed Category
4. Proposed Subcategory (if applicable)
5. Definition/Description of Proposed Subcategory (if applicable) (EX: Health Information; Student Records)
6. Proposed Marking
7. Statute Citation and Name (USC) **OR** Federal Regulation (CFR) **OR** **Government**-wide Policy
8. Required Safeguarding Controls **AND/OR** Required Dissemination Controls

CUI Registry – Categories and Subcategories

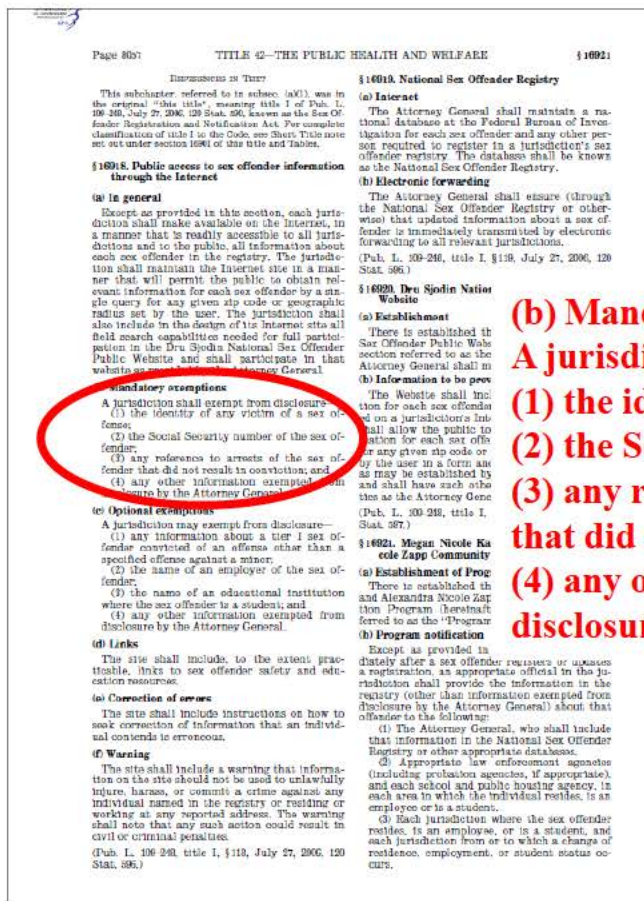
7c) Policy must be Government-wide

1) Agency	2) Proposed Category	3) Proposed Category Definition/ Description	4) Proposed Subcategory (if applicable)	5) Proposed Subcategory Definition/ Description (if applicable)	6) Proposed Marking	7a) Authority: Statute (Citation and Name) ---OR---	7b) Authority: Federal Regulation (CFR) ---OR---	7c) Authority: Govt-wide Policy	8a) Required Safeguarding Controls ---AND/OR---	8b) Required Dissemination Controls

- Template format was supplied to agencies
 - Helps to clarify specific elements needed from Agencies
 - Consistent format assisted Executive Agent evaluation
- More than 2,200 submissions received
- Process of review, consultation, resolution, consolidation

CUI Registry – Categories and Subcategories

Evaluating a Control Authority Protection without specific instructions – CUI BASIC



(b) Mandatory exemptions
A jurisdiction shall exempt from disclosure—
(1) the identity of any victim of a sex offense;
(2) the Social Security number of the sex offender;
(3) any reference to arrests of the sex offender that did not result in conviction; and
(4) any other information exempted from disclosure by the Attorney General.

CUI Registry – Categories and Subcategories

Evaluating a Control Authority

Protection with specific instructions – CUI SPECIFIED

(7) Protect the confidentiality of the identity and location of persons subject to registration requirements as convicted offenders under Federal or State law, including prescribing alternative procedures to those otherwise provided by Federal or State law for registration and tracking of such persons;



§ 0.111B 28 CFR 41.17-1-13 Edition)

Attorney General for the Criminal Division or his or her delegate. The Director of the United States Marshals Service and officers of the United States Marshals Service designated by him shall also be authorized to transport, surrender, receive and maintain custody of prisoner-witnesses temporarily transferred from or to the United States pursuant to a treaty, executive agreement, or other legal authority, and accept reimbursement from foreign authorities when appropriate.

(Order No. 1925-04, 16 FR 4222, Sept. 8, 1994)

§ 0.111B Witness Security Program.

(a) In connection with the protection of a witness, a potential witness, or an immediate family member or close associate of a witness or potential witness, the Director of the United States Marshals Service and officers of the United States Marshals Service designated by the Director may:

(1) Provide suitable documents to enable the person to establish a new identity or otherwise protect the person;

(2) Provide housing for the person;

(3) Provide for the transportation of household furniture and other personal property to a new residence of the person;

(4) Provide to the person a payment to meet basic living expenses in a sum established in accordance with regulations issued by the Director, for such time as the Attorney General determines to be warranted;

(5) Assist the person in obtaining employment;

(6) Provide other services necessary to assist the person in becoming self-sufficient;

(7) Protect the confidentiality of the identity and location of persons subject to registration requirements as convicted offenders under Federal or State law, including prescribing alternative procedures to those otherwise provided by Federal or State law for registration and tracking of such persons; and

(8) Exempt procurement for services, materials, and supplies, and the renovation and construction of site sites within existing buildings from other provision of law as may be required to maintain the security of protective witnesses and the integrity of the Witness Security Program.

(b) The identity or location of any other information concerning a person receiving protection under 18 U.S.C. 3521 et seq., or any other matter concerning the person or the Program, shall not be disclosed except at the direction of the Attorney General, the Assistant Attorney General in charge of the Criminal Division, or the Director of the Witness Security Program. However, upon request of State or local law enforcement officials, the Director shall, without undue delay, disclose to such officials the identity, location, criminal records, and fingerprints relating to the person relocated or protected when the Director knows or the request indicates that the person is under investigation for or has been arrested for or charged with an offense that is punishable by more than one year in prison or that is a crime of violence.

(Order No. 2811-2001, 16 FR 4226, Sept. 12, 2001)

§ 0.112 Special deputation.

The Director, United States Marshals Service, is authorized to deputize the following persons to perform the functions of a Deputy U.S. Marshal in any district designated by the Director:

(a) Selected officers or employees of the Department of Justice;

(b) Selected federal, state, or local law enforcement officers whenever the law enforcement needs of the U.S. Marshals Service so require;

(c) Selected employees of private security companies in providing courtroom security for the Federal judiciary;

(d) Other persons designated by the Assistant Attorney General pursuant to 28 CFR 41.9(a)(2).

All such deputations shall expire on a date certain which shall be stated on the face of the deputation.

(Order No. 1907-94, 16 FR 685, Feb. 22, 1994, as amended at 61 FR 3267, June 28, 1996)

§ 0.113 Redlegation of authority.

The Director, U.S. Marshals Service, is authorized to redelagate to any of his subordinates any of the powers and functions vested in him by this subpart, except that the authority to approve "other necessary expenditures in

(b) The identity or location of any other information concerning a person receiving protection under 18 U.S.C. 3521 et seq., or any other matter concerning the person or the Program, shall not be disclosed except at the direction of the Attorney General, the Assistant Attorney General in charge of the Criminal Division, or the Director of the Witness Security Program;

CUI Registry – Categories and Subcategories

Evaluating a Sanction Authority

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TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

§ 3105

data could not be obtained without undue burden, and the data subject to such estimates has been noted in the report.

(e) Access to information; limitation

Access to information obtained under subsection (b)(3) of this section shall be available only to officials or employees designated to perform functions under this chapter, including consultants and persons working on contracts awarded pursuant to this chapter. Subject to the limitation of paragraph (1) of this subsection, the President may authorize the exchange between agencies or officials designated by him of information furnished by any person under this chapter as he deems necessary to carry out the purpose of this chapter. Nothing in this section shall be construed to require any Federal agency to disclose to any official exercising authority under this chapter any information or report collected under legal authority other than this chapter where disclosure is prohibited by law. Information collected pursuant to subsection (b)(2) of this section may be used only—

- (1) for analytical or statistical purposes within the United States Government; or
- (2) for the purpose of a succeeding subsection (c) of this section or under section 3105(b) or (c) of this title.

No official or employee designated to perform functions under this chapter, including consultants and persons working on contracts awarded pursuant to this chapter, may publish or make available to any other person any information collected pursuant to subsection (b)(2) of this section in a manner that the person who furnished the information can be specifically identified except as provided in this section. No person can compel the submission or disclosure of any report or constituent part thereof collected pursuant to this chapter, or any copy of such report or constituent part thereof, without the prior written consent of the person who maintained or furnished such report under subsection (b) of this section and without prior written consent of the customer, where the person who maintained or furnished such report included information identifiable as being derived from the records of such customer.

(d) Access to Bureau of Economic Analysis information

The Bureau of the Census of the Department of Commerce is authorized, for purposes of augmenting and improving the quality of data collected by the Bureau of the Census, to have, upon written request, access to data relating to business enterprises that is collected directly by the Bureau of Economic Analysis for purposes of this chapter. The Bureau of Labor Statistics of the Department of Labor is authorized, for purposes of augmenting and improving the data collected by the Bureau of Labor Statistics, to have access, upon written request, to selected identification information on business enterprises and data on international services transactions, that is collected directly by the Bureau of Economic Analysis for purposes of this chapter. Officers and employees of the Bureau of the Census and the Bureau of Labor Statistics shall, for purposes of subsection (c) of this section, be

deemed to be officials or employees designated to perform functions under this chapter.

Penalty

Any person who willfully violates subsection (c) or (d) of this section shall, upon conviction, be fined not more than \$10,000, in addition to any other penalty imposed by law.

Pub. L. 94-472, §5, Oct. 11, 1976, 90 Stat. 2042; Pub. L. 95-541, §1, Oct. 2, 1978, 92 Stat. 2044, 68 Stat. 3019; Pub. L. 101-533, §§4(d), (e), 7(a), Nov. 7, 1990, 104 Stat. 2346.

AMENDMENTS

1990.—Subsec. (b). Pub. L. 101-533 inserted at

end “When a report under such, such a person who is direct and compilation of that the report was chapter, is compile knowledge and belie a case in which, in time issued under provided because c tomary accounting obtained without a such estimates has l Subsec. (c)(2). Pl “sanction (c)” for Subsec. (d). Pub. l Former subsec. (d) r Subsec. (e). Pub. naed subsec. (d) as section (e)”.

1984.—Subsec. (b)

“international inve

§ 3105. Enforcement

(a) Civil penalty for failure to furnish information

Whoever fails to furnish any information required under this chapter, whether required to be furnished in the form of a report or otherwise, or to comply with any rule, regulation, order, or instruction promulgated under this chapter, shall be subject to a civil penalty of not less than \$2,500, and not more than \$25,000, in the proceeding brought under subsection (b) of this section.

(b) Civil action for failure to furnish information

Whenever it appears that any person has failed to furnish any information required under this chapter, whether required to be furnished in the form of a report or otherwise, or to comply with any rule, regulation, order, or instruction promulgated under this chapter, a civil action may be brought in an appropriate district court of the United States, or the appropriate United States court of any territory or other place subject to the jurisdiction of the United States, and such court may enter a restraining order or a permanent or temporary injunction commanding such person to furnish such information or to comply with such rule, regulation, order, or instruction, as the case may be, or impose the civil penalty provided in subsection (a) of this section, or both.

(c) Criminal penalty for failure to submit information

Whoever willfully fails to submit any information required under this chapter, whether re-

Any person
subsection (c)
upon conviction
\$10,000, in ad
imposed by l

Any person who willfully violates subsection (c) or (d) of this section shall, upon conviction, be fined not more than \$10,000, in addition to any other penalty imposed by law.

CUI Registry – Categories and Subcategories

Nuclear*

Subcategories:

- Naval Nuclear Propulsion Information
- Safeguards Information*
- Security-Related Information*
- Unclassified Controlled Nuclear Information - Defense*
- Unclassified Controlled Nuclear Information - Energy*

Related to protection of information concerning nuclear reactors, materials, or security.

Routinely handled by few

Patent

Controlled at the Subcategory level only.

Subcategories:

- Application*
- Invention
- Secrecy Orders

Patent is a property right granted by the Government of the United States of America to an inventor "to exclude others from making, using, offering for sale, or selling the invention throughout the United States or importing the invention into the United States" for a limited time in exchange for public disclosure of the invention when the patent is granted.

Privacy

Subcategories:

- Contract Use
- Death Records
- Genetic Information*
- Health Information*
- Inspector General*
- Military
- Personnel*
- Student Records*

Refers to personal information, or, in some cases, "personally identifiable information," as defined in OMB M-07-16, or "means of identification" as defined in 18 USC 1028(d)(7).

Routinely handled by many

CUI Registry – Categories and Subcategories

	quotations, and business and marketing plans.
Statistical* Subcategories: • Census • Investment Survey • Pesticide Producer Survey	Refers to information collected by a Federal statistical agency, unit, or program for statistical purposes or used for statistical activities; under law, regulation, or Government-wide policy such 'Statistical' CUI requires: (1) protection from unauthorized disclosure; (2) special handling safeguards; and/or (3) prescribed limits on access or dissemination.
Tax* Subcategories: • Convention	Related to a compulsory contribution to government revenue involving information regarding returns or
Transportation Controlled at the Subcategory level only. Subcategories: • Sensitive Security Information*	Related to any mode of travel or conveyance by air, land, or waterway.

Information may be controlled at the category level or at the subcategory level based on the controlling authority.

Information may be controlled at the subcategory level only.

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Launch information:

- Reminder that existing agency policies remain in effect until implementation deadline (TBD)
- General Guidelines
 - Markings to be developed in additional guidance
 - Safeguarding in compliance with OMB policies and NIST standards and guidelines, as per Executive Order 13556
 - Dissemination to those with mission purpose
 - Decontrol as soon as possible after safeguards no longer required as per associated authority
- Category List (16)
- Subcategory List (77)
- Associated Authorities (398 authorities cited – controls + sanctions)

CUI Registry – General Guidelines

CUI Registry

[General Guidelines](#)

[Categories/Subcategories](#)

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[CUI Reports](#)

[CUI Training](#)

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saying:



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Questions

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GO

General Guidelines

Marking: CUI markings will be developed and scheduled for implementation following publication of additional guidance.

Safeguarding: For each CUI category and subcategory, federal agencies shall comply with information security requirements defined by the National Institute of Standards and Technology (NIST). Federal agencies shall consult the following NIST publications for guidance on implementing specific measures to safeguard CUI:

- Federal Information Processing Standards Publication 199, Standards for Security Categorization of Federal Information and Information Systems
- Federal Information Processing Standards Publication 200, Minimum Security Requirements for Federal Information and Information Systems
- Special Publication 800-53, Revision 4, Security and Privacy Controls for Federal Information Systems and Organizations
- Special Publication 800-60, Revision 1, Guide for Mapping Types of Information and Information Systems to Security Categories

Dissemination: CUI shall be disseminated only to individuals who require the information for an authorized mission purpose.

Decontrol: Information shall be decontrolled as soon as possible when it no longer requires safeguarding measures and dissemination controls pursuant to its associated authorities. CUI that has been publicly released via authorized agency procedures shall be considered decontrolled.

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CUI Registry – Category/Subcategory Detail



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Policy and Guidance
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CUI Registry

Statistical-Investment Survey

Category-Subcategory Practices

Category-Subcategory: Statistical-Investment Survey

Category Description: Refers to information collected by a Federal statistical agency, unit, or program for statistical purposes or used for statistical activities; under law, regulation, or Government-wide policy such 'Statistical' CUI requires: (1) protection from unauthorized disclosure; (2) special handling safeguards; and/or (3) prescribed limits on access or dissemination.

Subcategory Description: Information reported to Treasury, the Federal Reserve Board of Governors, or the Federal Reserve Banks as part of the Treasury International Capital (TIC) data reporting system.

Marking: PLACEHOLDER

Abbreviated Marking: PLACEHOLDER

Marking and Handling Instructions:

- General Guidelines apply for Safeguarding, Marking, Dissemination and Decontrol.
- Reference individual Safeguarding and Dissemination authorities for control citations.

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
22 USC 3104(c)	22 USC 3104(e)
31 CFR 128.3	

CUI Registry – Category/Subcategory Authorities

Page 1097 TITLE 22—FOREIGN RELATIONS AND INTERCOURSE § 3105

data could not be obtained without undue burden, and the data subject to such estimates has been noted in the report.

(c) Access to information; limitation

Access to information obtained under subsection (b)(2) of this section shall be available only to officials or employees designated to perform functions under this chapter, including consultants and persons working on contracts awarded pursuant to this chapter. Subject to the limitation of paragraph (1) of this subsection, the President may authorize the exchange between agencies or officials designated by him of information furnished by any person under this chapter as he deems necessary to carry out the purposes of this chapter. Nothing in this section shall be construed to require any Federal agency to disclose to any official exercising authority under this chapter any information or report collected under legal authority other than this chapter where disclosure is prohibited by law. Information collected pursuant to subsection (b)(2) of this section may be used only—

(1) for analytical or statistical purposes within the United States Government; or
(2) for the purpose of a proceeding under subsection (e) of this section or under section 3106(b) or (c) of this title.

No official or employee designated to perform functions under this chapter, including consultants and persons working on contracts awarded pursuant to this chapter, may publish or make available to any other person any information collected pursuant to subsection (b)(2) of this section in a manner that the person who furnished the information can be specifically identified except as provided in this section. No person can compel the submission or disclosure of any report or constituent part thereof collected pursuant to this chapter, or any copy of such report or constituent part thereof, without the prior written consent of the person who maintained or furnished such report under subsection (b) of this section and without prior written consent of the customer, where the person who maintained or furnished such report included information identifiable as being derived from the records of such customer.

(d) Access to Bureau of Economic Analysis information

The Bureau of the Census of the Department of Commerce is authorized, for purposes of augmenting and improving the quality of data collected by the Bureau of the Census, to have, upon written request, access to data relating to business enterprises that is collected directly by the Bureau of Economic Analysis for purposes of this chapter. The Bureau of Labor Statistics of the Department of Labor is authorized, for

deemed to be officials or employees designated to perform functions under this chapter.

(e) Penalty

Any person who willfully violates subsection (c) or (d) of this section shall, upon conviction, be fined not more than \$10,000, in addition to any other penalty imposed by law.

(Pub. L. 94-472, § 5, Oct. 11, 1976, 90 Stat. 2062; Pub. L. 98-573, title III, § 306(b)(5), Oct. 30, 1984, 98 Stat. 3010; Pub. L. 101-533, § 6(d), (e), 7(a), Nov. 7, 1990, 104 Stat. 2349.)

AMENDMENTS

1990. Subsec. (b). Pub. L. 101-533, § 7(a), inserted at end “When a report under paragraph (2) is furnished under oath, such oath shall be by the officer of such person who is directly responsible for the maintenance and compilation of such information, and shall certify that the report was prepared in accordance with this chapter, is complete, and is to such officer’s best knowledge and belief, substantially accurate, except in case in which, in accordance with rules and regulations issued under this chapter, estimates have been provided because data are not available from customary accounting records or precise data could not be obtained without undue burden, and the data subject to such estimates has been noted in the report.”

Subsec. (c)(2). Pub. L. 101-533, § 6(e)(1), substituted subsection (e) for “subsection (d)”.

Subsec. (d). Pub. L. 101-533, § 6(d)(2), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 101-533, § 6(d)(1), (e)(2), redesignated subsec. (d) as (e) and inserted “or (d)” after “subsection (c)”.

1984. Subsec. (b)(1), (2). Pub. L. 98-573 struck out “international investment” before “surveys”.

§ 3105 Enforcement

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(b) Civil action for failure to furnish information

Whenever it appears that any person has failed to furnish any information required under this chapter, whether required to be furnished in the form of a report or otherwise, or has failed to comply with any rule, regulation, order, or instruction promulgated under this chapter, a civil action may be brought in an appropriate district court of the United States, or the appropriate United States court of any territory or other place subject to the jurisdiction of the United States, and such court may enter a re-

Control

Sanction

Page 1097 TITLE 22—FOREIGN RELATIONS AND INTERCOURSE § 3105

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Links are to official, legal editions of the United States Code and Code of Federal Regulations

actions, that is collected directly by the Bureau of Economic Analysis for purposes of this chapter. Officers and employees of the Bureau of the Census and the Bureau of Labor Statistics shall, for purposes of subsection (c) of this section, be

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Whoever willfully fails to submit any information required under this chapter, whether re-

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Whoever willfully fails to submit any information required under this chapter, whether re-

Using the Registry to develop additional functionality:

- Identified gaps – info needs protection, no current enacting authority
- Consolidated Overlaps
- New requests are compared to existing authorities to avoid duplication
- Display Subcategories with associated Category (initially all categories, followed by subcategories)
- Control Authorities with specific requirements identified
- Glossary
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CUI Registry – Categories and Subcategories

Water Assessments	
Emergency Management	Related to information concerning the continuity of executive branch operations during all-hazards emergencies or other situations that may disrupt normal operations.
Export Control* - Subcategories: - Research	Unclassified information concerning certain items, commodities, technology, software, or other information whose export could reasonably be expected to adversely affect the United States national security and nonproliferation objectives. To include dual use items; items identified in export administration regulations, international traffic in arms regulations and the munitions list; license applications; and sensitive nuclear technology information.
Financial* - Subcategories: - Bank Secrecy - Budget - Central Contractor Registration - Commodity - Comptroller General - Electronic Funds Transfer - International Financial Institutions - Mergers - Retirement	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.
Foreign Government Information*	Information provided by, otherwise made available by, or produced in cooperation with, a foreign government or international organization.
Geodetic Product Information	Related to imagery, imagery intelligence, or geospatial information.
Immigration - Controlled at the Subcategory level only. - Subcategories: - Asylee - Battered Spouse or Child - Permanent Resident Status - Status Adjustment	Related to admission of non-US citizens into the United States and applications for temporary and permanent residency.

Category



Subcategories



CUI Registry – Category/Subcategory Detail

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What is CUI? ↕

Answers to the Most Frequently Asked Questions

Transportation-Sensitive Security Information

Category-Subcategory Practices

Category-Subcategory:	Transportation-Sensitive Security Information
Category Description:	Related to any mode of travel or conveyance by air, land, or waterway.
Subcategory Description:	As defined in 49 C.F.R. Part 15.5, Sensitive Security Information is information obtained or developed in the conduct of security activities, including research and development, the disclosure of which DOT has determined would constitute an unwarranted invasion of privacy, reveal trade secrets or privileged or confidential information, or be detrimental to transportation safety. As defined in 49 C.F.R. Part 1520.3, Sensitive Security Information is information obtained or developed in the conduct of security activities, including research and development, the disclosure of which DHS/TSA has determined would, among other things, be detrimental to the security of transportation.
Marking:	PLACEHOLDER
Abbreviated Marking:	PLACEHOLDER
Marking and Handling Instructions:	- Safeguarding, Marking, Dissemination and/or Decontrol measures that differ from General Guidelines are required by statute, regulation, or government-wide policy. - Reference individual Safeguarding and Dissemination authorities for control citations, including specific handling practices, if applicable.

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 An asterisk (*) indicates that the authority defines specific handling practices	Sanctions
49 USC 114(h)	
49 CFR 1520*	49 CFR 1520.17
49 USC 40119(b)(1)	
49 CFR 15*	49 CFR 15.17

An asterisk (*) indicates that the authority defines specific handling practices



CUI Registry - Glossary



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A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Agency - Any "Executive agency," as defined in 5 U.S.C. 105, and the United States Postal Service; any "Military Department" as defined in 5 U.S.C. 102; and any other entity within the Executive branch that uses, handles, or stores CUI.

Authorized Holder - An individual or organizational entity who has a Lawful Government Purpose for originating, receiving, using, handling, or storing CUI.

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Category/Subcategory Markings - Markings approved by the CUI EA that are associated with the categories and subcategories listed in the CUI Registry.

Classified Information - Information that has been determined pursuant to Executive Order 13526, or any predecessor or successor Order, or the Atomic Energy Act of 1954, as amended, and its implementing directives to require protection against unauthorized disclosure.

CUI Registry – Search



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Controlled Unclassified Information (CUI)

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Established by Executive Order 13556, the Controlled Unclassified Information (CUI) program standardizes the way the Executive branch handles unclassified information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies. [Learn About CUI](#)



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News and Notices

- December 8, 2014 - Welcome to the new CUI Portal!

Under Development - Registry

- Markings
- 32 CFR 2002 - Implementing Directive
- Marking Handbook
- Limited Dissemination
- Decontrol

Registry



The CUI Registry is the authoritative source for guidance regarding CUI policies and practices.

Search the Registry:

Go

Access Registry by

- [Category-Subcategory](#)

Policy and Guidance

- [Executive Order 13556](#)
- [CUI Notices](#)

Additional Information

- [CUI Glossary](#)

Training



Learn about training developed by the Executive Agent for CUI users:

- [CUI Training Modules](#)

Oversight



Learn about CUI oversight requirements and tools:

- [CUI Reports](#)

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CUI Registry

***** IMPLEMENTATION REMINDER FROM THE EXECUTIVE AGENT *****

Existing practices for sensitive unclassified information remain in effect until the CUI marking implementation deadline (TBD).

General Guidelines

Marking: CUI markings will be developed and scheduled for implementation following publication of additional guidance.

Safeguarding: For each CUI category and subcategory, federal agencies shall comply with information security requirements defined by the National Institute of Standards and Technology (NIST). Federal agencies shall consult the following NIST publications for guidance on implementing specific measures to safeguard CUI:

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What others are saying:



**What is CUI?**

CUI Registry

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Policy and Guidance

The Controlled Unclassified Information Executive Agent (CUI EA) issues guidance to Executive branch departments and agencies that handle unclassified information that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and government-wide policies.

CUI Executive Order and Implementing Regulation

Issue Date	Title
XX/XX/XXXX	32 CFR 2002 "Controlled Unclassified Information" PLACEHOLDER
11/04/2010	Executive Order 13556 "Controlled Unclassified Information"

CUI Notices and Executive Agent Guidance

CUI Registry – Left Sidebar

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Policy and Guidance

The Controlled Unclassified Information Executive Agent (CUI EA) issues guidance to Executive branch departments and agencies that handle unclassified information that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and government-wide policies.

CUI Executive Order and Implementing Regulation

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CUI Notices and Executive Agent Guidance

CUI Registry – Ongoing Maintenance

- Add new categories/subcategories as approved (Currently: 23 Categories, 82 Subcategories)
- Annual updates to USC, CFR (Currently: 326 control enactment citations, 144 sanction citations = 470 authority updates annually)

Draft regulation reiterates that the CUI Registry is:

- Sole authoritative repository for information on CUI except Executive Order 13556 and 32 CFR 2002
- Publicly accessible
- Includes citation(s) to law, regulation, or Government-wide policy that form the basis for each category and subcategory
- Notes any sanctions or penalties for misuse of each category or subcategory of CUI that are included in applicable statutes or regulations

CUI Registry – Policy and Guidance

Registry is repository for CUI policy and guidance:

- Executive Order 13556
- 32 CFR 2002
- CUI Advisory Council Charter
- CUI Marking Handbook
- CUI National Implementation Plan
- Additional Executive Agent Notices

CUI Registry – Policy and Guidance

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Policy and Guidance

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CUI Executive Order and Implementing Regulation

Issue Date	Title
XX/XX/XXXX	32 CFR 2002 "Controlled Unclassified Information" PLACEHOLDER
11/04/2010	Executive Order 13556 "Controlled Unclassified Information"

CUI Notices and Executive Agent Guidance

Issue Date	Title
XX/XX/XXXX	Marking Controlled Unclassified Information (Marking Handbook) PLACEHOLDER
07/03/2014	Revised Guidance regarding Controlled Unclassified Information and the Freedom of Information Act (this supersedes the joint issuance dated November 22, 2011)
05/22/2015	Controlled Unclassified Information (CUI) Office Notice 2015-01: Provisional Approval of Proposed CUI Categories and Subcategories
04/11/2013	Appointments of Senior Agency Official and Program Manager for CUI Program Implementation
07/27/2012	Controlled Unclassified Information (CUI) Office Memorandum: Review of Proposed Categories for CUI Registry
11/22/2011	Guidance regarding CUI and the Freedom of Information Act (superseded on July 3, 2014)
06/09/2011	Controlled Unclassified Information (CUI) Office Notice 2011-01: Initial Implementation Guidance for Executive Order 13556

CUI Advisory Council

The CUI EA established the CUI Advisory Council to carry out consultative functions directed by Executive Order 13556.

[CUI Advisory Council Charter](#)  PROVISIONAL

Additional Resources

The CUI EA has developed recommendations to assist departments and agencies in development of their CUI programs and submission of information to the EA.

[Compliance Plan Overview for Departments and Agencies](#) 

[Executive Order 13556 Overview for Departments and Agencies](#) 

Agency-specific CUI implementation considerations:

- Agency may determine that only selected categories/subcategories will be designated by agency personnel
- Agency discretion in certain marking practices
 - Full Marking (AGRICULTURE) versus Abbreviated Marking (AG)
 - Require category/subcategory banner markings for CUI BASIC
- CUI may be handled differently within the agency (discretion to waive marking requirement)
- CUI Registry provides guard rails for Agency practices

CUI Registry – What's Next?



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Controlled Unclassified Information (CUI)

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Established by Executive Order 13556, the Controlled Unclassified Information (CUI) program standardizes the way the Executive branch handles unclassified information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies. [Learn About CUI](#)



Use the CUI Logo

[Contact Us](#)

News and Notices

- December 8, 2014 - Welcome to the new CUI Portal!

Under Development - Registry

- Markings
- 32 CFR 2002 - Implementing Directive
- Marking Handbook
- Limited Dissemination
- Decontrol

Registry



The CUI Registry is the authoritative source for guidance regarding CUI policies and practices.

Search the Registry:

Go

Access Registry by

- Category-Subcategory

Policy and Guidance

- Executive Order 13556
- CUI Notices

Additional Information

- CUI Glossary

Training



Learn about training developed by the Executive Agent for CUI users:

- CUI Training Modules

Oversight



Learn about CUI oversight requirements and tools.

- CUI Reports

CUI Registry – What's Next?

- The Registry will evolve, format is continually evaluated for clarity and functionality
- New categories/subcategories/authorities added as identified
- The CUI Executive Agent will issue additional policy and guidance as needed; these documents will be included in the Registry
- Ongoing Maintenance (Authority Citation Updates)

Walk through

- Front page
- General Guidelines
- Category-Subcategory List
- Detail page
- Authority Citation
- Policy & Guidance
- Glossary
- Search
- Left side-bar
- Under Development

Questions?

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