



CUI Notice 2020-02: Alternate Marking Methods

June 3, 2020

Purpose

1. This Notice provides agencies with additional marking guidance for when it is impractical to individually mark CUI due to its quantity, the nature of the information, or when the agency has issued a limited CUI marking waiver.

Authorities

2. Executive Order 13556, Controlled Unclassified Information (November 4, 2010);
3. 32 CFR Part 2002, Controlled Unclassified Information; and
4. Marking Controlled Unclassified Information (Marking Handbook), Version 1.1 (December 6, 2016), or successor versions.
5. The Director of the Information Security Oversight Office (ISOO) exercises Executive Agent (EA) responsibilities for the CUI Program. 32 CFR 2002 implements E.O. 13556 and establishes the CUI Program requirements for designating, safeguarding, disseminating, marking, decontrolling, and disposing of CUI.
6. This Notice constitutes guidance. This guidance document is binding on agency actions as authorized under applicable statute, executive order, regulation, or similar authority. This guidance document does not have the force and effect of law on, and is not meant to bind, the public, except as authorized by law or regulation or as incorporated into a contract.

Background

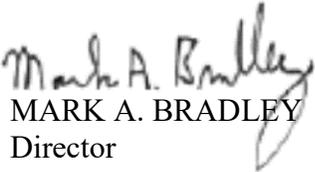
7. 32 CFR 2002.20(a)(8) states that, “When it is impractical for an agency to individually mark CUI due to quantity or nature of the information, or when an agency has issued a limited CUI marking waiver, authorized holders must make recipients aware of the information's CUI status using an alternate marking method that is readily apparent.” This section affords agencies with considerable flexibility in marking CUI, but does not change the fundamental obligation to ensure the information is marked as CUI and contains necessary marking elements. This guidance clarifies the elements such alternative marking methods must still include and provides additional details for making use of some alternative methods.

Guidance

8. In a manner that is readily apparent to users and recipients, all alternate marking methods must:
 - (1) include a CUI designation indicator (as described in 32 CFR 2002.20(d));
 - (2) convey the information's status as CUI;
 - (3) list any CUI Specified categories contained in the document or transmission;

- (4) convey any applicable limited dissemination control markings; and
(5) convey any special handling, marking, or dissemination requirements called for by the underlying law, regulation, or Government-wide policy related to the CUI Specified category.
9. Agencies may use alternate marking methods when transmitting CUI to external entities.
10. If using alternate marking methods, agencies do not have to place CUI markings in banners or as described in the CUI Marking Handbook. In lieu of applying CUI markings as described in the CUI Marking Handbook, authorized holders may instead apply a statement that includes or addresses all of the elements described in paragraph 8.
11. The agency may use the CUI Coversheet (Standard Form 901), transmittal documents, or emails to satisfy the marking and identification requirements when using alternate marking methods. In such cases, the agency does not have to mark attachments or enclosures. Or, an agency may use a splash screen that appears when a user signs in or prints from a shared database or portal. See the Marking Handbook for more examples.
12. For transmittal documents or emails, the agency may use banner markings or a statement to convey the CUI status and requirements to authorized recipients.

Please direct any questions regarding this notice to: CUI@nara.gov


MARK A. BRADLEY
Director