

## Introduction to Marking CUI

Hello, I'm glad you dropped by. I just read your email and saw that you had some questions about how to mark CUI. Since you're here, I'm happy to run through some slides I made that'll teach you all about how to mark CUI.

Before we start talking about all of that, the first thing to know is why it is important to mark CUI in a standardized way. The answer is that while agencies in the government have been marking sensitive information for decades, every agency had its own methods, acronyms, and labels. This hindered sharing information and created inconsistency in the handling and safeguarding of that information. What standardized CUI markings try to accomplish is to make sure that CUI is adequately protected by all agencies and to facilitate timely information sharing to authorized recipients.

This presentation is going to address all of the marking requirements for CUI including: the application of a designation indicator and the banner marking and what elements must or can be included in the banner. I'm also going to address marking multi-page documents, emails, and presentations, using limited dissemination control markings, using approved CUI Coversheets, and marking photographs or video files and what to do when mailing CUI. Lastly we will discuss how to identify when CUI has been decontrolled.

First, I'm going to talk about the two kinds of CUI, CUI Basic and CUI Specified.

CUI Basic is any category of CUI which a law, regulation, or Government wide policy says must be protected, but doesn't provide any further information about how to protect it. CUI Specified, on the other hand, refers to any category of CUI which a law, regulation, or government wide policy says must be protected and indicates specific handling, marking or sharing requirements to ensure adequate protection. To find out which CUI is CUI Basic and which is CUI Specified, you can go to the CUI Registry. In most respects, CUI Specified and CUI Basic are marked in the same way, however there are several differences, which I'll identify.

Now I'm going to turn to the specifics of how to mark CUI. Knowing how to mark CUI is important because marking alerts holders that the information must be protected. In the CUI program, there is a standard way to apply markings but also alternative methods to satisfy marking or identification requirements.

First, I'm going to talk about the designation indicator, which is a mandatory component for all CUI markings. The designation indicator must identify who originated the CUI and can take various forms including a letterhead like the example on the left, a signature block, or a "controlled by" line like the example on the right. It is a best practice to include the name and contact information for the specific Point of Contact from which the document originated. This will allow the receiving agency or individual to easily know who to contact with any questions regarding security and proper handling of the CUI.

Now I'm going to discuss CUI banner marking, another mandatory component of marking CUI. Banners appear at the top of the document, alerting the recipient that the document contains CUI, indicating that the document must be protected. Banners must appear in **BOLD Capitalized** text and must be centered when feasible.

The three components of a Banner Marking are the CUI Control Marking; the Category Marking; and the Limited Dissemination Control Marking, which are all separated by two forward slashes. You can see here an example of how these markings would be placed on a document.

The simplest form that a banner marking can take is either the word CONTROLLED or CUI appearing in the top portion of a document, which is sufficient if the document only contains CUI Basic. An identical footer marking is optional but, if used, must be identical to the banner marking.

Another aspect of banner markings are category markings. As I mentioned earlier, there are two kinds of CUI. For CUI Basic, category markings are not mandatory, but they are recommended because they clarify what kind of CUI Basic is in a document.

To include the category marking in the banner marking, place two forward slashes after the control marking (CONTROLLED or CUI). If you wish to indicate that there are multiple categories of CUI in the document, list them in alphabetical order and separate each of them by one forward slash. You can find all of the markings for categories of CUI on the CUI Registry. In the example on the slide, there are two categories of CUI Basic indicated by the markings EMGT and WATER, which indicate that in this document, there is Emergency Management and Water Assessments CUI.

While it is only mandatory to include the CUI Control marking “CUI” or “CONTROLLED” for CUI Basic, for CUI Specified, the category marking MUST appear in the banner and must be preceded by “SP-”. The “SP” before the category marking distinguishes it from basic categories. This is because CUI Specified may have different controls than CUI Basic, which the recipient must be aware of in order to properly protect it. If there are multiple categories of CUI Specified, alphabetize them and separate them with one forward slash

Here you can see an example of a document marked as containing General Privacy Information, which is a category of CUI Specified.

In some cases you may have a document that has multiple categories of CUI Basic and CUI Specified and you may wish to include all of the category markings. In this case, all CUI Specified category markings must precede all CUI Basic Markings. This means that you alphabetize the CUI Specified markings and place them before the alphabetized CUI Basic markings, all of which are separated by a forward slash.

In the example on the screen, the document contains two categories of CUI Specified, Health Information and General Privacy Information, which have been alphabetized and placed after the control marking. The document also has two categories of CUI Basic, Death Records Information and Student Records Information, which were alphabetized among themselves and placed after the CUI Specified markings.

Now I’m going to talk about how to include limited dissemination controls in the CUI banner marking. Limited dissemination control markings can be applied by agencies to place additional limits on sharing CUI. You can find the approved list of limited dissemination controls for CUI on the CUI Registry website. If you include a limited dissemination control in the banner, it must appear as the last element and be separated from the other components by two forward slashes. If

there are multiple limited dissemination control markings for one document, they must be alphabetized and separated from each other by a single forward slash.

This slide shows two examples of CUI with Limited Dissemination Control Markings. The first is marked with NOFORN, which means that it can only be disseminated to US citizens. The second is marked with DL ONLY, which means that the information can only be disseminated to those on the accompanying dissemination list. Please note that when this control is used you must include on a separate sheet or somewhere apparent on the document a list of individuals, organizations, or entities that can have access to the information. In the example on the screen, there is a separate page that specifies that only those in DHS's Office of Intelligence and Analysis and the FBI's Counterterrorism Division can access this document.

Another recommended, though not mandatory practice for marking CUI is portion marking. Portion marking is helpful because it indicates which parts of a document are CUI. To do this, portion markings are inserted in parentheses before each paragraph of the document. If you choose to use portion markings, however, they must be used throughout the document. To indicate that a paragraph only contains Uncontrolled Unclassified Information using portion markings, place a U in parentheses. To indicate that a paragraph contains CUI, place CUI in parentheses. You can also indicate not only that a paragraph contains CUI but the category of CUI in the paragraph and any limited dissemination controls that apply. If you include these markings, separate them as you would in the banner. You can find a list of markings for all of the categories and limited dissemination controls for CUI on the CUI Registry.

The example here shows a document that contains Export Controlled Information with a no foreign dissemination Limited Dissemination Control, which appears in the portion markings as NF. You can see also that some paragraphs are only indicated to contain CUI, which means that they contain CUI Basic.

When marking a document with multiple pages that contains CUI, the banner marking will be the same for the entire document. This means that if you choose to indicate the categories of CUI Basic or if there is CUI Specified anywhere in the document, it must be included in the banner marking for the entire document, even if that category of CUI is not on every page.

Another aspect that you should keep in mind while handling CUI is that the CUI banner marking must be kept separate from any administrative markings. Frequently, agencies collaborate on documents or share drafts. If these documents, even in their unfinished state have CUI, this must be marked so that the CUI is protected, which means that you must include CUI banner markings. If you wish to indicate that the document is a draft, you may do so with administrative markings, however this marking cannot be incorporated into the banner marking.

If you look at the examples on the screen, the two to the right are acceptable because the administrative markings of draft and provisional are clearly separate from the CUI marking. However, the one on the left is not acceptable because the administrative marking has been incorporated into the banner marking.

I'm now going to switch to talking about more non-traditional ways of marking CUI. In some instances, when you are marking a document it is more convenient to use a coversheet, which can replace the CUI banner heading, to indicate that a document contains CUI, such as when there is limited space at the top of a document or form. If you wish to use a coversheet, there are

three available forms on the CUI Registry. If your document only contains CUI Basic you can use Optional Form 901. If you wish to convey the categories of CUI in the document, you can use Optional Form 902 and if you wish to detail special handling requirements or other information, you can use Optional Form 903.

Now I'm going to talk about when you might have to mark that forms contain CUI. If a form will be filled in with information that qualifies as CUI, it must be marked to reflect this through a CUI Banner marking. If there is not sufficient room on the document for the CUI Banner Marking, you may use a coversheet instead.

You can see up on the left a performance appraisal form. When this form is filled out it contains CUI, therefore it must have a banner marking to indicate that. On the right, you can see an application for federal employment, which also contains CUI when filled out. However, there is not very much room at the top of the form, so instead you can use a coversheet, as on the slide, to indicate the presence of CUI.

When you send an email containing CUI, you must be careful to include markings to let the recipient know that the information in the email must be protected. To do this, you must apply a banner marking at the top of the email. Furthermore, you can include an indicator in the subject line to inform the recipient that the email contains CUI. This can be accomplished by placing "Contains CUI" in brackets at the end of the subject line. One other important thing to note is that when forwarding an email that contains CUI, carry forward all previous markings, such as by moving the banner marking back to the top of the email, which is shown in the example on the screen. If you are emailing an attachment that contains CUI, it is a best practice to indicate that in the name of the file, such as by including Contains CUI in brackets in the file name. Additionally, though it is not mandatory, you can also portion mark emails, which is done in the same manner as with a document.

You must also mark PowerPoint presentations if the slides contain CUI. When marking slides, the thing to remember is that the basic rules of marking CUI apply. The two mandatory components that you must include are the Designation Indicator and Banner Marking. In the example on the slide, the slides only contain CUI Basic, so only the CUI Control Marking is mandatory, but if the slides contained CUI Specified, Category Markings would also be mandatory, as with a document containing CUI.

Another instance in which you may have to mark information as CUI is when you send transmittal documents, such as faxes, that contain CUI. To indicate the presence of CUI, the document can contain a message that CUI is enclosed or attached. Furthermore, the document must have a clear and conspicuous message of "When enclosure is removed, this document becomes uncontrolled unclassified information."

You can see from this example that the document enclosed is CUI Specified, which the transmittal message clearly indicates.

When storing CUI electronically, such as on hard drives, USB drives, or CDs, there must be a physical marking to indicate that the information on the storage device is CUI. While it may not be practical to include the full designation of the category of the CUI, when feasible there must

be a clear label of “Controlled” or “CUI” and the designating agency on the outside of these storage devices, such as in the examples on this slide.

While there are various ways that CUI contained in audio or video files or in photographs may be marked, for all of these forms, it must be clear that CUI is present.

For digital photographs, you could insert a watermark. If the photograph is in physical form, you could label the back or use a frame. For audio and video files, you can insert disclaimers at the beginning that alert users to the presence of CUI and any relevant categories or limited dissemination controls. If you want to learn more about how to mark CUI in these forms, you can refer to our CUI Audio, Photography, and Video Marking Brochure on the CUI Registry.

Now I’m going to talk about mailing CUI. CUI can be shipped through interagency mail systems, USPS, or other commercial delivery services. While not mandatory, it is a best practice to use tracking to record the location of the CUI. Furthermore, although the document being mailed itself must be properly labeled, the envelope must not indicate the presence of CUI.

In some cases you may come across CUI that has been decontrolled or have to decontrol CUI yourself, which occurs when the CUI no longer requires protection under a law, regulation, or Government-wide policy. Decontrolled CUI must have a marker or indicator on the first page to indicate that the information is no longer CUI. It is important to properly mark CUI that has been decontrolled because it ensures that we don’t use resources to protect document that no longer need to be protected. You must follow agency policy regarding marking decontrolled CUI, which may involve striking through or removing old CUI markings either on the first page, cover page, or first page of any attachment.

Thanks for stopping by. If you have further questions or concerns, please contact your agency’s CUI Program office, download the CUI Marking Handbook, or visit the CUI Registry website.