

Marking Commingled Information

Oh hello, I'm glad you stopped by. I know you had some questions about how to mark documents containing both CUI and Classified information. I was thinking that I could run through some slides I made with you to explain how to mark commingled documents. Don't worry, all examples and illustrations in my presentation are unclassified.

There are a few things to keep in mind when marking documents that contain both CUI and classified information. First, as a best practice, you should endeavor to keep CUI and classified information separate from one another within the document to facilitate information sharing and derivative use. Second, it is vital that these documents be properly marked to ensure that CUI is not unnecessarily prevented from being shared and that classified information is not shared by mistake, therefore these documents must be marked to ensure that holders can distinguish between uncontrolled unclassified information, Controlled Unclassified Information, and classified information.

For guidance on how to properly mark Classified National Security Information, please see the latest version of the Classified National Security Information Marking Handbook, which you can find on ISOO's website. You can also look at the CUI Marking Handbook, which provides additional guidance on how to mark CUI and commingled documents, which is on the CUI Registry.

Before getting into the specifics, I'm going to talk about some general rules for marking commingled documents.

First, headers and footers are mandatory and must be identical.

Second, all sections or portions of a document must be either marked or portion marked.

Third, CUI Markings and Limited Dissemination Control Markings appear after all classified markings.

Fourth, the CUI Control Marking "CONTROLLED" is not used in a commingled document. Instead you must only use the control marking "CUI".

For commingled documents, the Portion Markings and Banner Line must indicate the presence of CUI, however there is a particular way of doing this. When used, the different components of the markings must appear in the order of the picture on the screen, starting with US Classification. Once or if these elements have been included in the portion marking or banner line you then include the CUI control and category markings and any limited dissemination control markings. Remember, CUI markings appear after all classified markings

First I'm going to talk about how to portion mark commingled documents. Unlike in documents that solely contain CUI, portion marking in commingled documents is mandatory. To indicate that a paragraph only contains uncontrolled unclassified information, insert a U in parentheses at the beginning of the paragraph. For paragraphs that only contain CUI place CUI in parentheses before any text. You can also indicate not only that a paragraph contains CUI but the category of CUI in the paragraph, which is mandatory if it is CUI Specified, and any limited dissemination controls that apply. Be sure to separate the CUI control marking, any category markings, and limited dissemination control markings from each other with two forward slashes. If multiple

categories or limited dissemination control markings are included in any portion or banner marking, they can be separated by a single forward slash.

This slide shows an example of portion marking in a commingled document. You can see that certain paragraphs have been marked as containing unclassified uncontrolled information, others have been marked as containing secret information with an S in parentheses, and others have been marked as containing CUI. Some of the portions that have been marked as containing CUI also specify the categories and limited dissemination controls that apply to that paragraph.

As I said at the beginning, it is recommended to avoid commingling CUI and Classified information in the same paragraph, however in some cases it may be unavoidable.

This slide gives an example of portion marking a paragraph that contains both secret information and CUI. As you can see, in the portion marking you first indicate the presence of secret information, then you indicate the presence of CUI, the category, and any limited dissemination controls. Remember that the CUI control marking and the US Classification are separated by two forward slashes. This is because major elements are separated by two forward slashes and like elements are separated by a single slash.

Now I'm going to talk about how to apply Banner Markings to commingled documents. In effect, for commingled documents, banner markings are the aggregate of all of the separate portion markings.

For this reason, the order and many of the markings for banner markings are identical to portion markings, the only difference in the markings is that banner markings may have a longer form, such as SECRET instead of S. Another thing to remember is that for commingled documents, both headers and footers are mandatory and must be identical.

This slide shows an example of a commingled document. You can see that it has both a header and a footer which are identical. From the Banner Line, we can see that this document contains information that has been classified as Secret and also contains CUI. Specifically, the document has Export Control Information, a category of CUI Specified, and a limited dissemination control of NOFORN, meaning that it cannot be disseminated to foreign nationals.

Now I'm going to talk a little bit about how to mark emails. Emails must contain markings in the headers and footers, a classification authority block, and be portion marked. If CUI is contained in the email, be sure to include the CUI control marking, any CUI Specified markings, and limited dissemination control markings in the headers and footers and in the portion markings. When you reply or forward an email, ensure that the overall markings reflect the highest level of classification in the e-mail, and also account for any newly added CUI Categories.

You can see the example on the slide is an email that has been forwarded. The original email is marked as containing secret information and CUI. The original email was portion marked and includes a classification block. The forwarded email is marked to indicate that it now contains CUI, specifically Export Controlled Information and a Limited Dissemination Control of no foreign dissemination. The new email is portion marked and the author has included a new overall classification header and footer, which reflects the classification of the original email and the forwarded email and the presence of CUI Specified and a limited dissemination control.

Now I'm going to talk about sending commingled emails with attachments. If you are sending an attachment, the overall classification of the email should reflect whichever is higher, the classification level of the e-mail or that of the attachment. Furthermore, it is a best practice to include a statement such as: "The attached file is classified at its given classification level" and the e-mail must include either the statement "Unclassified when classified enclosure is removed" or "Upon removal of attachment, this document is its given classification level" as appropriate. The e-mail itself should also be portion marked and include a classification block. If the title of the attachment itself is classified, you can mark it as such. If you reply and remove the classified attachment, change the overall classification of the e-mail thread to reflect the new classification without the document and follow the previous instructions for replying to a classified e-mail. The example on the screen shows what a reply that does not include a classified attachment may look like. In the example, the attachment was classified as Secret, while the original email itself only contains CUI, which the portion marking and classification indicator show. The email includes the mandatory and suggested statements about the attachment, indicating its classification level and the classification level of the email after it has been removed. The original email also contains a classification authority block because the attachment is classified. However, since the attachment has been removed, the reply is no longer secret and is now marked only to indicate the presence of CUI.

Now I'm going to talk about how to mark a presentation. First, you should place a classification authority block on the first slide. Second, the overall classification marking of the entire presentation must be placed at the top and bottom of the first and last slides. Internal slides must be marked either with a header and footer indicating the overall classification of the presentation or with a marking indicating the highest classification level of information contained on that slide. Third, you must portion mark every title, bullet, sub-bullet, graphic, table, and chart on the slides. For slides that have charts, graphs, or pictures, the title, graph, and any text are portion marked separately. The portion marking on graphics, pictures, or charts is spelled out instead of being abbreviated so that it is clearly visible. For pictures, the portion marking is applied to both the top and bottom of the image.

The slide on the screen now is an example of how to properly mark a commingled inner slide in a presentation. On the top and bottom of the slide you can see the overall classification markings for the slide. Furthermore, the slide is portion marked, including all of the bullets and sub-bullets. This slide also gives an example of how to mark a chart and an image. In both cases, the portion markings are not abbreviated and they are marked at the top and the bottom. Furthermore, in the case of the chart, the relevant labels are also portion marked.

If you have a very complex slide for which portion marking would be difficult and would detract from the information on the slide itself, you may do one of three things.

Option one is that when all portions of the slide are classified at the same level, mark the overall classification of the slide only, which indicates that everything on the slide is classified at that level, as you can see at the top left on the screen. Option two is that when a majority of the portions are classified, you can mark the overall classification of the slide, indicate the classification of the majority of the portions, and portion mark the exceptions, as you can see on the top right, where most of the slide is classified Secret, but a small portion of it is marked as CUI. Option three is that when a majority of the portions are unclassified, you can mark the

overall classification of the slide, indicate that the majority of the portions are unclassified, and portion mark the classified portions, which is shown on the bottom left.

Thank you for watching. If you have further questions or concerns, please contact your agency's CUI Program office, visit the CUI Registry, or refer to the CUI and Classified National Security Information Marking Handbooks.