Controlled Unclassified Information (CUI)

Factsheet/Instructions

Purpose: The following information provides an overview of current CUI guidance as relates to scientific and technical information (STI) produced across the Department of Energy (DOE) and submitted to DOE's Office of Scientific and Technical Information (OSTI) in accordance with DOE O 241.1C, *Scientific and Technical Information Management*. Instructions will be updated as needed and questions may be addressed to STIP@osti.gov.

General

- **CUI** is information the Government creates or possesses, or that an entity creates or possesses for or on behalf of the Government, that a law, regulation or Government-wide policy (LRGWP) requires or permits an agency to handle using safeguarding or dissemination controls.

- The CUI Order (DOE O 471.7, Controlled Unclassified Information) was released in February 2022 and cancels/supersedes OUO directives: DOE Order (O) 471.3 Chg. 1, *Identifying and Protecting Official Use Only Information* and DOE Manual (M) 471.3-1 Chg. 1, *Manual for Identifying and Protecting Official Use Only Information*

- There are two types of CUI: Basic and Specified
    - **CUI Basic** is the subset of CUI for which the authorizing LRGWP does not set out specific handling or dissemination controls.
    - **CUI Specified** is the subset of CUI in which the authorizing LRGWP contains specific handling controls that it requires or permits agencies to use that differ from CUI Basic.

- There is a specific list of CUI categories which are approved for DOE use and can be found in the DOE CUI Categories List.

- The "*Waiver of Controlled Unclassified Information Marking Requirements for Legacy Information and Data*", issued in March 2022, lifts the requirement to remove legacy markings and designate or re-mark as CUI, as long as the information is not reused by the Department and remains under Departmental control.

<u>**Document Marking Guidelines**</u>

- When marking documents as CUI, there are two main requirements: **Banner Markings** and the **Designation Indicator**

- **CUI Banner Markings** may include up to three elements: CUI Control Marking, CUI Categories (Basic or Specified), and Limited Dissemination Controls.
  - Banner Markings**:**
    - Must be the same on each page
    - Must appear as bold, capitalized, black text
    - Should be centered when feasible
    - May additionally be placed at the bottom of the page

  - The **CUI Control Marking** is the primary marking for all CUI and should appear at the **top** of each page of any document containing CUI. This marking is **mandatory** and consists of the acronym "CUI"**.**

  - **CUI Category Markings (Basic or Specified abbreviations)** are optional to include for CUI Basic (though strongly encouraged) and mandatory for CUI Specified.
    - These are separated from the CUI Control Marking, "CUI", by a double forward slash (//).
    - CUI Specified category acronyms are preceded by SP and a dash "SP-"
    - When including multiple CUI categories, they must be alphabetized and separated by a single forward slash (/). CUI Specified categories should be listed first, followed by any CUI Basic categories.
    - Examples:

Type of CUI	Example Marking
CUI Basic	**CUI**
CUI Basic (including optional category abbreviation)	**CUI//EXPT**
CUI Basic with multiple categories (alphabetized)	**CUI//HLTH/PRVCY**
CUI Specified	**CUI//SP-EXPT**
CUI with both Specified and Basic categories	**CUI//SP-EXPT/NUC**

  - **Limited Dissemination Controls** are preceded by a double forward slash (//) to separate them from the rest of the CUI Banner Marking.
    - The list of limited dissemination controls can be found at the CUI Registry.

- A **Designation Indicator** is **required** for all documents containing CUI to indicate the designator's agency.
  - This may be accomplished through the use of letterhead, a signature block with agency, or use of a "Controlled by" block.
  - It should contain:
    - A point of contact, branch, or division within an organization
    - Contact information
    - Example:

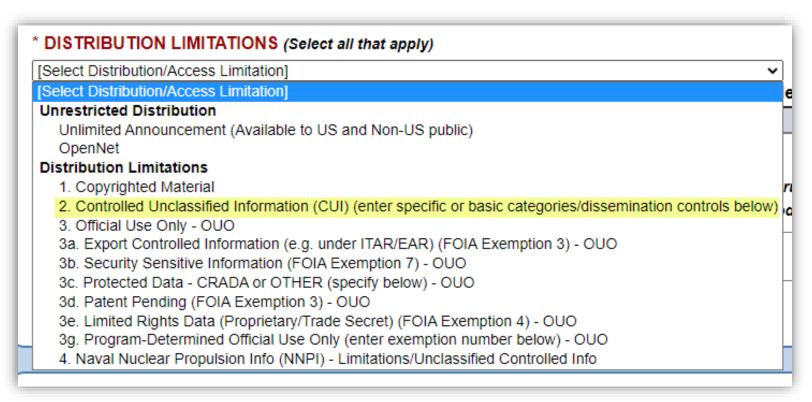   Controlled by: U.S. Dept. of Energy, Office of Scientific and Technical Information (OSTI)
      CUI Category: EXPT
      POC: Shelby L. Stooksbury, (865) 574-1382

E-Link Updates/Instructions for CUI

- OSTI has taken a phased approach toward CUI implementation.
  - For the first phase, updates have been made in the current implementation of E-Link to allow for the ingest of CUI.
    - CUI records will not be transferred to Science Research Connection (SRC) by OSTI during this phase.
    - CUI has been added as an option to choose in the Access Limitation drop-down menu in E-Link for AN 241.1 and 241.3.
      - CUI Basic and Specified categories are required to be entered in the 'Access Limitation Other' field. Any limited dissemination controls may also be entered in this field.
      - CUI Categories should be entered according to the CUI marking guidelines and match how they appear on the document.
    - Full-text for CUI should be submitted using FTP.
    - OUO access limitations will remain as options for a limited time during the transition to CUI.
  - Future phase(s) will improve the CUI ingest workflow and handle dissemination into SRC.

E-Link Updates – First Phase

* DISTRIBUTION LIMITATIONS *(Select all that apply)*

[Select Distribution/Access Limitation] ∨ ?

Access Limitations: (Note: Use Announcement Record 241.5 to submit Unclassified Controlled Nuclear Information (UCNI) and Classified STI to OSTI) *CUI*

Clear Distribution Limitations

OTHER INFORMATION: *(Note: This is not a distribution/access limitation; this data is only viewable thru E-Link) Other Criteria Related to the Review, Access Limitation, Announcement, and/or Restriction of this STI Product (specify)*

* For Controlled Unclassified Information (CUI), enter the basic or specified categories along with any limited dissemination controls below. The best practice is to enter these using the CUI banner markings on the document. Examples include: "CUI//EXPT" "CUI//NNPI//FEDCON" "CUI//SP-EXPT".

CUI//EXPT

- o The API may also be used for submitting CUI
  - o Example:

Access Limitation Code	What the Code Means	Tags, examples, other information
<cui/> and <access_limitation_other>	Controlled Unclassified Information (CUI) Controlled Unclassified Information is information the government creates or possesses, or that an entity creates or possesses on behalf of the government, that a law, regulation, or government-wide policy (LRGWP) requires or permits an agency to handle, using safeguarding or dissemination controls. Enter the basic or specified CUI categories along with any limited dissemination controls into the <access_limitation_other> field.	Example: <access_limitation> <cui/> </access_limitation> <access_limitation_other> CUI//NNPI//FEDCON</access_limitation_other>