Controlled Unclassified Information

The Program, Implementation, and Features

Shared • Standardized • Transparent

Information Security Oversight Office (ISOO)
SLIDES ARE AVAILABLE FOR DOWNLOAD ON THE CUI BLOG

- CUI and Metadata (Update)
- The CUI FAR case (Update)
- Recent /Planned CUI Notices / Memos
  Published: Non-Disclosure Agreement Template
  Planned: Using an Exigent Circumstances Waiver
- FAQs
- Upcoming Events
- Time for Questions and Answers.
A CUI Metadata Standard
- Public Comments are being adjudicated
- Notes on the types of comments
- A Standard, not the standard
- Metadata Marking CUI Not required

CUI FAR Case (No Change)
- Currently in draft
- Working with GSA
- Status can be found on the Unified Agenda
CUI Notice 2020-1 “Implementation Deadlines”

Awareness campaign - June 30, 2020

Policy – December 31, 2020

If an agency has sub-agencies, all those subordinate components must develop and publish implementing policies and/or modify or rescind all affected policies by June 30, 2021.

Classification marking tools and commingling – December 31, 2020

Agencies that manage, own, or control Classification Marking Tools (CMT) must initiate any modification of such CMTs by this date.

Training – December 31, 2021

CUI training may be incorporated into existing agency training (such as privacy, information systems, or records management training).

Physical safeguarding – December 31, 2021

Information systems – December 31, 2021

Information systems that are used to store, process, or transmit CUI must be configured at no less than the Moderate Confidentiality impact value (see 32 CFR 2002.14).

Reporting and Extensions

Agencies that anticipate delays in implementing any of the above deadlines must include a narrative in their annual report submission that describes the issue giving rise to the delay. They must also include a copy of their implementation plan or strategy. ISOO will evaluate and formally approve delays on a case-by-case basis and may report such delays to the President.
Non-Disclosure Agreement Template for CUI

- Note: Although using the template is optional, ISOO strongly encourages agencies to make use of the form to increase standardization across the executive branch and in contracts.

Key Points:

- This Notice provides an optional Controlled Unclassified Information (CUI) non-disclosure agreement (NDA) template for executive branch agency use.
- Executive branch agencies may use the attached template when they determine that a CUI NDA is appropriate. The attached template is optional, and agencies can modify it if needed.
- ISOO will pursue developing a standard form or optional form to replace this template. Agencies are encouraged to provide us with samples of non-disclosure agreements used for CUI, feedback on aspects of the form that do not meet your agency’s needs, and any modified language your agency may develop if it uses this form as a starting point. We will use this and other feedback to inform development of the formal form.
Assessing Security Requirements for CUI in Non-Federal Information Systems

Key Points:

- When any entity assesses compliance with the security requirements of NIST SP 800-171, they must use the NIST SP 800-171A procedures to evaluate the effectiveness of the tested controls.

- Scope: systems and components that an entity uses to store, process, or transmit CUI.

- Reciprocity: Each agency is responsible for taking appropriate steps to minimize redundant and duplicative security inspections and audit activity. Agencies may execute appropriate interagency agreements to avoid or minimize redundant and duplicative oversight actions by agencies or internal component elements.
Planned Notices

CUI and Exigent Circumstances

– A generalized version of the CUI Memo 2020-03-30 that will discuss the use of the CUI Exigent Circumstance Waiver and applicability in situations other than in response to the COVID-19 Pandemic.
Q: Is system [NAME OF SYSTEM OR APPLICATION] approved for CUI?

A: The CUI office is unable to verify individual systems or applications compliance with the CUI cybersecurity requirements.

Q: I don’t know what information I have that is CUI, how can I find out? (usually asked by contractors).

A: Usually the contractor is asking about how to comply with DFARs 7012 clause, and as such must check their contract and reach out to the contract POC with any questions. Also check some of DoDs available resources (like DoDProcurementToolbox).
Q: How do I mark CUI?
A: Understanding how to mark CUI requires knowledge of the principles in the CUI Marking Handbook and Agency guidance or training. Both are necessary because there is some flexibility given to agencies with regards to marking.

Q: Does my email system have to be CUI compliant? (from a contractor)
A: Check the terms of the contract, but likely only if it is used to store, process, or transmit CUI, this is likely a decision made when deciding on boundaries and scoping for the SSP.
DoD Resources for CUI/CMMC/DFARs 7012

- Contract compliance questions should be addressed to the Contract POC
- DFARs 7012 compliance questions: Use DoD Procurement Toolbox https://dodprocurementtoolbox.com (Click on the Cybersecurity Tab)
- Questions about CMMC: https://www.acq.osd.mil/cmmc/
- CDSE CUI Toolbox: https://www.cdse.edu/toolkits/cui/index.php
- DCSA CUI Page: https://www.dcsa.mil/mc/ctp/cui/
Q13: Who in DoD can I contact for clarification on DFARS 252.204-7012 or NIST SP 800-171 in support of DFARS 252.204-7012?

A13: Contractors should email their query to osd.dibcsia@mail.mil. Emails received at this address are reviewed daily and distributed as appropriate to a cross-functional team of subject matter experts for action.

https://dodprocurementtoolbox.com
Click on the Cybersecurity Tab
Upcoming Event:

CUI Marking Fundamentals (online class) August 28 11-1:00 ET

- Provides an overview of the principles of marking in the unclassified environment.
- Note: Do not use CUI markings until directed to in agency policy/training (for federal personnel) or contracts/agreements (for non-federal entities).

Common Question: “When is FOUO (or other legacy markings) going away?”

Answer: Legacy markings will continue be used until an agency transitions to using the CUI markings. After that legacy markings will continue to coexist with CUI Markings in accordance with the requirements of Legacy Marking Waivers, that agencies may apply.
Open Q&A

(Please follow instructions to submit questions via chat or phone)