

Controlled Unclassified Information (CUI)

What Is Controlled Unclassified Information (CUI)?

It is unclassified information to which access or distribution limitations have been applied in accordance with national laws, policies and regulations of the originating country as well as some of those developed by other Executive Branch agencies.

Examples: For Official Use Only (FOUO)
Law Enforcement Sensitive (LES)
DoD Unclassified Controlled Nuclear Information (DoD UCNI)
Limited Distribution

What Is For Official Use Only (FOUO)?

- ▶ It is a dissemination control applied by the Department of Defense to unclassified information when disclosure to the public of that particular record, or portion thereof, would reasonably be expected to cause a foreseeable harm.
- ▶ Examples: Information Technology and Other Electronic Media
 - Blueprints
 - Engineering Drawings
 - Charts
 - Maps
 - Photographic Media
 - Sound Recordings
 - Microfilm, Microfiche, and Similar Microform Media.

What is Law Enforcement Sensitive (LES)?

- ▶ It is a marking sometimes applied, in addition to the marking “FOR OFFICIAL USE ONLY,” by the Department of Justice and other activities in the law enforcement community, including those within the Department of Defense.
- ▶ It denotes that the information was compiled for law enforcement purposes and should be afforded security in order to protect certain legitimate Government interests.

When Are CUI Markings Not Allowed To Be Used?

- ▶ In accordance with DoDM 5200.01 Vol 4, information may not be designated CUI to:
 - ▶ Conceal violations of law, inefficiency, or administrative error;
 - ▶ Prevent embarrassment to a person, organization, or agency;
 - ▶ Restrain competition;
 - ▶ Prevent or delay the release of information that does not require protection under statute or regulation.

Public Release of CUI

- ▶ In accordance with DoDD 5230.09, Deputy Secretary of Defense Memorandum, and other applicable regulations....

ALL DoD unclassified information *MUST BE REVIEWED AND APPROVED FOR RELEASE* before it is provided to the public, including via posting to publicly accessible websites.

- ▶ Unclassified information *previously* approved for release to the public may be shared with any foreign government or organization.

NOTE: The Public Affairs Office (PAO) is the releasing authority for MAGTFTC/MCAGCC.

Disclosure to Non-US Citizens

- ▶ Release or disclosure of CUI to non-U.S. citizens employed by the Department of Defense is permitted, provided access is within the scope of their assigned duties; or purpose and would not be detrimental to the interests of the DoD or the U.S. Government.
- ▶ In such cases, the non-U.S. citizen shall execute a nondisclosure agreement approved by appropriate DoD Component authorities.

Unauthorized Disclosure

- ▶ No formal security inquiry or investigation is required.
- ▶ Appropriate management action shall be taken to correct the procedure causing the unauthorized disclosure of CUI and *appropriate disciplinary action shall be taken against those responsible*.
- ▶ Unauthorized disclosure of some CUI (e.g., information protected by “The Privacy Act of 1974, as amended” or export-controlled technical data) *may also result in* civil and criminal sanctions against responsible persons.
- ▶ The DoD Component that originated the CUI shall be informed of its unauthorized disclosure.

Questions?



Point Of Contacts

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